

## County Zoning Agency

### MINUTES

December 19, 2013 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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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, Neal Frauenfelder, Senior Planner, Debora Grube, Senior Zoning Officer, Fay Amerson, Urban Conservation Specialist

A “sign-in” sheet listing attendees on December 19, 2013, is kept on file as a matter of record.

Details of the December 19, 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.f.3.) Whitewater Limestone, Inc. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose**

**Richard Kuhnke, Sr. motioned to approve the November 21, 2013, Minutes. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:32:30 - 4:32:50

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Windtree Acres Condominium Addendum Number 2**, Applicant: Windtree Acres Condo Association, Don Hallat Representative. Located in Section 21, Town 2 North, Range 16 East, Town of Delavan. Parcel #'s FWIN 00001 thru FWIN 00015. The proposed condominium plat addendum contains approximately 5.2 acres of land and is zoned R-2 Single Family Residence District (Sewered) and R-2A Single Family Residence (Shoreland)(Sewered). The purpose of the addendum is to redefine unit designations from the originally platted 15 units to reflect the existing 12 units, define limited common element, and show the location of all residential structures.

**Neal Frauenfelder distributed a revised version of the Condominium Addendum Number 2 dated 12/11/13 and reviewed with the Committee the original staff**

recommendations that have been addressed in the revised plan. Recommendations made by LURM Director Michael Cotter and Senior Zoning Officer Debora Grube to have the easement amended by the Delavan Lake Sanitary District to remove the encroachment from the easement or removal of the encroaching portion of the structure.

Dave Weber motioned to approve with the following conditions: 1) Approval is subject to correcting the labeling of the Common Elements and Limited Common Elements; 2) Approval is subject to labeling all access easements; 3) Approval is subject to removing the Golf Cart Parking area that lies within 75 feet of the shore; 4) Approval is subject to resolving the structural encroachments into the sanitary easement on units 1, 3, 4 and 9 with the Walworth County Zoning Division; 5) Approval is subject to adding a notation to the plat listing the encroachments into the Sanitary Sewer Easement; 6) Approval is subject to adding the following notation to the plat: "No further encroachments will be permitted without Delevan Lake Sanitary District Commissioner's approval"; 7) Approval is subject to the City of Delavan signing the Condominium Plat Addendum; 8) Approval is subject to meeting all requirements of State Statutes and County Ordinances. Seconded by Tim Brellenthin. Motion carried. 5-favor 2-oppose, opposition by Rich Brandl and Richard Kuhnke, Sr.

Disc Count #4:32:55 - 4:50:50

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 #4:51:00 - 4:54:02
2. Discussion / Possible Action re: Expanding pre-application conferences for large projects and mining operations - Michael Cotter.

Richard Kuhnke, Sr. motioned to table to return at a later date. Seconded by Carl Redenius. Motion carried. 7-favor 0-oppose  
Disc Count #4:54:02 - 4:55:00

New Business - 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.

**Jim Van Dreser motioned to approve this item be forwarded to County Board. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose**

This item will be forwarded to the January 14, 2014 County Board meeting for discussing/possible action.

Disc Count #4:55:00 – 4:56:30

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.

**Richard Kuhnke, Sr. motioned to Amend this item as discussed adding new provisions and forward to County Board. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose**

This item will be forwarded to the February 11, 2014 County Board meeting for discussing/possible action, due to the modification discussed.

Disc Count #4:56:30 – 4:58:44

#### 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 . Discussion by Matt Weidensee.

**Dave Weber motioned to return the matter to the Town to discuss with Town's Association. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose**

Disc Count #4:58:44 – 5:02:45

2. 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 – Matthew Weidensee

**NO PUBLIC HEARING WAS HELD.** Discussion by Matt Weidensee of Town of Troy's correspondence and recommends tabling the matter prior to public hearing.

**Jim Van Dreser motioned to table the matter to discuss the Town's recommended conditions with LURM staff. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose**  
Disc Count #5:02:45 – 5:07:09

3. Discussion / Possible Action re: **Amended of Conditional Use for The Lodge at Geneva Ridge Condominium Hotel**, Declarants as listed on Plat Addendum No. 1 (Sheet 2), to merge multiple residential units into one unit, as shown on Plat Addendum No. 1, to be operated in accordance with Amended and Restated Declaration, Exhibit B. The amendment shall include consistency review of the Declaration with the conditional use including explanation of Hotel Developer's Rights, Lease Options, Easement Structures, Hotel Limited Common Element Lease, License Beneficiary and Licensed Common Elements. Tax Parcels JLGR-All, Geneva Township.

**\*Amended 12/19/2012 see conditions #1, 41 and 42**

NAME: Anvan Development Company (Applicant – Vance Antoniou)  
The Lodge At Geneva Ridge Condominium Association (John Maier Jr. Attorney at Law-agent)

TOWN: Geneva

The property owner is requesting to amend an existing conditional use for a Geneva Ridge (a Condominium Hotel) The Lodge At Geneva Ridge Condominium with meeting area and conference area by elimination of certain conference area and meeting area and vacating the use of three wings of the building as a condominium hotel. A new conditional use petition is proposed for the three vacated wings of the building once used as condominium hotel for the installation of an elderly senior housing facility. The senior housing facility would include both nursing home and retirement home conditional uses. The three wings of the building would contain independent senior housing and assisted living senior housing. The new senior housing portion of the building would provide for phased progression of seniors as they age allowing transition from independent living to assisted care facilities. A single condominium plat would be filed to replace the current hotel condominium plat. The new plat would address all uses (Condominium Hotel, nursing home and retirement home) within the building complex. The new plat would provide assurance against use conflicts between the condominium hotel and senior housing elements by regulation of common area and limited common area uses and lockout limited access doors between the facilities on the first floor.

Part of Tax Parcel #'s thru JLGR-6427, all described as follows: by a condominium plat for the Lodge At Geneva Ridge Condominium Hotel Addendum No. 1.

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted for an existing hotel to include 202 hotel rooms, a 160 unit senior housing facility with independent living facilities and assisted living facilities and outdoor recreational area for outdoor food and beverage under condominium ownership as a Planned Unit Development (PUD) and amended 12/19/2013 to allow the multiple units of the senior housing element to be combined into one unit with all additional conditions as stated.

2. The project must meet all Federal, State, County and local Ordinances.
3. The applicant shall be responsible for meeting all requirements of the Condominium Ownership Act (State Chapter 703) and the County Subdivision Control Ordinance. The transfer of ownership of any units may only include, therewith, a fractional interest in the site on which the unit is located and such transfer shall not result in the subdivision of minor subdivision as defined under the Walworth County Subdivision Control Ordinance.
4. This Planned Unit Development is approved as condominium subject to a condominium declaration. The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design of the condominium and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the condominium declaration.
5. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.
6. There shall be No alterations of the shoreland setbacks or wetlands without obtaining County required approvals.
7. The roads shall meet County road standards as provided for in the County Land Division Ordinance. The owner must meet all Town, County and/or State highway access requirements.
8. The declaration for the condominium association must assure that sewerage waste load will not increase over time without providing necessary sewerage capacity.
9. The applicant must obtain all required zoning permit and sanitary approvals for each structure prior to construction on site. No additional structures shall be added to the plan without obtaining County approval and a zoning permit. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All structures in the shoreland area will be required to meet the requirements of the County Shoreland Zoning Ordinance.
10. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of zoning permit approval.
11. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No soil may be removed from the site without County approval. An operation and maintenance plan for each stormwater best management practice must be prepared and included in the covenants and restrictions or other documents governing the homeowner association created for this development. The plat prepared for this development must show the location and label each stormwater best management practice planned to serve the development.
12. The applicant must provide a tree cutting, landscaping and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan and narrative.
13. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.

14. The County reserves the right to rescind this conditional use upon any violation of County regulations.
15. Implementation of this conditional use is subject to all requirements of Wis. Chapter 703 regarding changes to condominium plats and declarations. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations (including those within the condominium declaration). The condominium declaration must be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the County Land Management Department is inconsistent with County approvals including the plat, amended narrative, ordinances or requirements will require County conditional use review and approval. The condominium declaration and any other separate declarations, covenants and restrictions on this property shall be consistent with the plat created for the development and comply with and or not conflict with all requirements of Wis. Statute 703.
16. The applicant must phase construction substantially in compliance with the approved plan, use restrictions and condominium declaration. Any changes to phasing, ownership or specified use within each phase must be added to the condominium declaration by addendum and reviewed by the Land Management Department for approval.
17. Application with Walworth County for approval of the condominium plat, recording of the plat and the entire project plan shall occur within one year of this conditional use approval. The condominium plat shall be accompanied by the complete condominium declaration.
18. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.
19. 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:

20. Due to multi-jurisdictional review resulting from extraterritorial zoning, this conditional use was reviewed and approved by the County under County Shoreland Zoning Ordinance jurisdiction for the shoreland portion of the property only. Environmental reviews and approvals shall take into consideration all impacts upon the shoreland portion of the property from both on and off site.
21. The roadways are intended to remain private.
22. The declaration for the condominium association shall assure that sewerage waste load will not increase over time without providing necessary sewerage capacity. The applicant shall provide verification of available sewerage capacity for the project prior to construction starting on site.
23. No access to the lake is approved as part of this PUD approval. **The unit owners are non-riparian and have no private property rights to Lake Como. The neighboring riparian property owners may not make general arrangements for allowing access to Lake Como for the hotel and adult living facility unit owners without obtaining conditional use approval for a public marina.**
24. The condominium units within the hotel portion of the PUD shall be for transient use only. No stays of 30 days or longer shall be allowed. The units shall be rented out as hotel rooms by a hotel management agency (Agency). The Agency shall keep records of all occupancies and lengths of occupancies for each unit that may be reviewed at any time by the County or Town to assure the transient use of units.

25. This conditional use is only valid if all jurisdictional municipal approvals are granted for the development.
26. The construction of the new additions onto the existing hotel shall require the installation of the proposed water tower for fire safety purposes.
27. No backwashing of the filter systems from the swimming pools into the stormwater treatment facility shall be allowed.
28. The Spa shall be allowed to be open to the general public including the indoor pool in the hotel.
29. This conditional use shall replace the existing approval for the site as solely a condominium hotel and allows a 202 room hotel, a 160 unit senior housing facility with independent living facilities and assisted living facilities and outdoor recreational area for outdoor food and beverage under condo ownership as a Planned Unit Development (PUD) as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned B-4 Highway Business District.
30. Any changes to utility easements, stormwater management practices, use intensity or improvements upon the adjoining tax parcels as a result of the PUD must obtain the neighboring property user's and owner's approval (I.E. Interlaken Condominium Association)
31. **The new plat shall provide assurance against use conflicts between the condominium hotel and senior housing elements by regulation of common area and limited common area uses and card controlled lockout limited access doors between the facilities on the first floor only.**
32. **The property owner shall obtain legal rights of access on Red Chimney Road and Interlaken Drive by either owning the road or obtaining and recording access easements prior to this conditional use being valid.**
33. **The property owner shall obtain legal rights to the off-site stormwater management basins and utilities to serve the project by either owning the property or obtaining easements prior to this conditional use being valid.**
34. **The County is not party to nor in approval of the submitted "Project Development Agreement" dated May 21, 2012 and will require any future land divisions, use changes, access and utility easements to meet with all County ordinances and requirements prior to recording of the new condominium plat and declaration.**
35. **The water, sewer, stormwater, utility and drainage systems including safety and maintenance of the detention basins shall be reviewed and approved by the Town Plan Commission and Board prior to installation as per the Town.**
36. **Any future amendments of the Conditional Use plan shall be reviewed by the Town Plan Commission and Board as per the Town.**
37. **The Agreement of May 21, 2012 shall be part of the Town Developer's Agreement as per the Town.**
38. **A Town approved Developer's Agreement shall be in place prior to the issuance of a Town building permit and commencement of construction as per the Town.**
39. **The capacity and design of the sanitary force main sewer plans shall accommodate and be available for hook up by the units on the south shore of Lake Como as per the Town.**
40. **Construction of the Adult Living Facility shall commence within two years of this approval or come back to the Town Plan Commission for a new recommendation from the Town Board as per the Town.**

41. The County is not party to any lease arrangements upon the common and or limited common areas as established in the Declaration. Any use of the common areas and or limited common areas shall be consistent with open space recreational activities by the Condominium association members, for use by the Commercial Unit and ALF owners or obtain specific separate conditional use approval.
42. This condominium is approved as per plan submitted. Any proposed future structures or building additions shall require conditional use approval and addendum to the condominium plat.

**Dave Weber motioned to approve. Seconded by Rich Brandl. Motion carried.  
7-favor 0-oppose  
Disc Count #5:07:09 – 5:36:07**

4. Discussion / Possible Action re: **Amendment of Conditional Use for Lodge At Northwoodside Condominium, Philip W. Hagenah** to enlarge the unit boundary of Unit 1 as shown of Plat Addendum No. 1. Tax Parcels ILN-1 & 2, Linn Township.

**\*\* Amended 12/19/2013 showing building area change for Unit #1**

**\*Amended 8-16-07 – See Condition #21**

NAME: PHILIP W. HAGENAH (ATTY. JAMES P. HOWE, APP.)

TOWN: LINN & GENEVA

A conditional use permit for a two-residential unit Planned Residential Development as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned R-1 Single-Family Residence District (Unsewered), and described as follows:

Tax Parcel #IA117400003

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted **and amended 12/19/2013** as a two-unit condominium PRD with all additional conditions as stated.
2. The project must meet all Federal, State, County and local Ordinances.
3. The applicant shall be responsible for meeting all requirements of the Condominium Ownership Act (State Chapter 703) and the Walworth County Subdivision Control Ordinance. The transfer of ownership of any dwelling units may only include, therewith, a fractional interest in the site on which the dwelling unit is located and such transfer shall not result in the subdivision of minor subdivision as defined under the Walworth County Subdivision Control Ordinance.
4. This Planned Residential Development (PRD) is approved as a two-unit condominium subject to a condominium declaration. The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the condominium declaration.
5. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.

6. The condominium declaration must be submitted to the Walworth County Land Use and Resource Management Department for review for consistency with county ordinances and requirements. Any changes to the condominium declaration, which in the opinion of the county affect county approvals, ordinances or requirements, must obtain county conditional use review and approval.
7. The applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
8. There shall be No alterations of the shoreland setbacks or wetlands without obtaining county required approvals.
9. The roads shall meet county road standards as provided for in the Walworth County Land Division Ordinance. The owner must meet all town, county and/or state highway access requirements. All road maintenance shall be conducted as agreed to and specified in the plan of operations.
10. The declaration for the condominium association must assure that sewerage waste load will not increase over time without providing necessary sewerage capacity.
11. The applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. No additional structures shall be added to the plan without obtaining county approval and a zoning permit. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved. The Walworth County Zoning Office, prior to issuance of a zoning permit, shall further review all structure locations. All structures will be required to meet the requirements of the zoning ordinance.
12. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by the Condominium Association. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site.
13. The applicant must provide a tree cutting, landscaping and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan and narrative.
14. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.
15. The county reserves the right to rescind this conditional use upon any violation of county regulations.
16. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by county regulations (including those within the condominium declaration). The condominium declaration must be submitted to the Walworth County Land Use and Resource Management Department for review for consistency with county ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the Walworth County Land Use and Resource Management Department is inconsistent with county approvals including the plan, amended narrative, ordinances or requirements will require county conditional use review and approval.
17. The preliminary plat and final plat shall identify the building envelope on each individual unit/lot within the development prior to approval. A typical envelope diagram shall not be acceptable.
18. The applicant must phase construction substantially in compliance with the approved plan, use restrictions and condominium declaration. Any changes to phasing, ownership or specified use within each phase must be added to the condominium declaration by addendum and reviewed by the Walworth County Land Use and Resource Management Department for approval.

19. Application with Walworth County for approval of the condominium plat, recording of phase one of the plat and the entire project plan shall occur within six (6) months of this conditional use approval. The condominium plat shall be accompanied by a draft plan with the preliminary and a complete condominium declaration and land stewardship plan with the final plat. The land stewardship plan shall require submittal of an annual report describing accomplishment and goals for the continued maintenance and operation of the land stewardship plan.
20. Any changes to the character, intensity or use of this site not capable of being discerned by the Walworth County Land Use and Resource Management Department as consistent with this approval must be brought before the Walworth County Zoning Agency for additional conditional use review.

Specific Conditions:

21. ~~No boat access to the lake shall be made through the condominium parcel. No boat launch shall be installed on the property. \*~~
22. Use of both residences on site must be non-transients.
23. The property owner shall record the amended condominium plat showing the expanded area of Unit #1 within 60 days of this approval.

**Rich Brandl motioned to approve. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose**  
Disc Count #5:36:07 – 5:39:50

5. Discussion / Possible Action re: **Amendment of Conditional Use for allowing barley wine, craft beer and specialty craft coffee to be served during wine and food pairing at Staller Estate Winery. Tax Parcel CA3794-3, Richmond Township.**

\*Amended 12/19/2013 see condition # 17

NAME: JOE AND WENDY STALLER

TOWN: RICHMOND

A conditional use permit for outdoor food and beverage as part of the approved retail sales at an existing winery as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:  
Part of Tax Parcel #CA379400003

Has been APPROVED subject to the following conditions:

1. The Conditional Use for seasonal outdoor food and beverage consumption as part of the approved detailed retail sale plan of operation is approved as per the plan submitted and amended 12/19/2013 with the following conditions.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.

5. Sufficient adult supervision must be present at all times when facilities are in use.
6. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
7. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.
8. All lighting must be shielded and directed on to the property.
9. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.
10. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
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:

13. Hours of operation for outdoor activities shall be 10:00 a.m. to 9:00 p.m. as per the Town.
14. All outdoor seating and all outdoor food and beverage consumption must be within the A-4 zoned area.
15. The patio and gazebo must meet with the commercial building code including all proposed lighting. There shall be three sodium high vapor lights hung from the roof of the patio area as per the Town. Open flame tiki torches may not be used as lighting.
16. This approval allows for a maximum of four wine festivals with no more than 85 people in attendance and outdoor wine picnics for small groups up to five people with no more than 10 groups as a time.
17. **Barley wine, craft beer and specialty craft coffee, etc., shall be allowed to be served during wine and food pairing at Staller Estate Winery.**

**Carl Redenius motioned to approve. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose**  
**Disc Count #5:39:50 – 5:41:36**

**Public Hearing: 5:47 p.m.**

**Ordinance Amendments –**

Amendment to Section(s) 74-44 of the Zoning Ordinance and Section(s) 74-171 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to chickens in the R-1, R-2, R-3, R-5, R-5A and C-3 districts and modified requirements in the agricultural and C-2 districts. 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. Copies of the Ordinance changes may also be viewed on the Walworth County web page at ([www.co.walworth.wi.us](http://www.co.walworth.wi.us)).

This item will be placed on the 4:30 P.M. agenda of the January 16, 2014 Walworth County Zoning Agency for a vote.

Disc Count #5:50:22 – 5:54:23

**Rezones with Conditional Uses - none**

**Rezones**

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 I L-16-11.

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

The rezone petition will move forward to the January 14, 2014, Walworth County Board for possible action.

Disc Count #5:54:23 – 6:01:40

2. **Walworth County/Wisconsin Department of Natural Resources**, Sections 4 and 5, East Troy Township. The Wisconsin Department of Natural Resources has mandated amendments to the Walworth County Shoreland Floodplain Ordinance requiring a larger flood hazard area below the Lake Beulah Dam. The amendments are based on DNR submittal of a new flood hazard map. The larger flood hazard area below the Lake Beulah dam was DNR approved as a result of the assignment of the High Hazard rating for the Lake Beulah Dam, field file 64.05 dated December 1<sup>st</sup>, 2004 and adopted by Walworth County on September 7<sup>th</sup>, 2006.

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

The rezone petition will move forward to the January 14, 2014, Walworth County Board for possible action.

Disc Count #6:01:40 - 6:11:40

- 3. Margie A. Schoenberg, Wisconsin Department of Natural Resources and Walworth County – Michael P. Schoenberg applicant, Section 10, Lyons Township. Rezone approximately 18 acres of C-1 Lowland Resource Conservation (non-shoreland) and C-4 Lowland Resource Conservation (shoreland) Districts to A-1 Prime Agricultural District to match the wetland boundaries to inventoried field conditions. Part of Tax Parcel N LY-10-1 and part of the White River Trail on Tax Parcel N LY-10-68.**

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

The rezone petition will move forward to the January 14, 2014, Walworth County Board for possible action.

Disc Count #6:11:45 – 6:15:30

- 4. Theresa and Peter Hoeskstra – Michael and Linda Hoekstra applicant, Section 2, Darien Township. Rezone approximately 4.5 acres of C-2 Upland Resource Conservation District and 1.33 acres of M-3 Mineral Extraction District to A-1 Prime Agricultural District. Parts of Tax Parcel B D-2-2.**

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

The rezone petition will move forward to the January 14, 2014, Walworth County Board for possible action.

Disc Count #6:15:30 – 6:19:35

### **Conditional Uses**

- 1. Rose E. Jacobsen Life Estate, Rose Jacobsen and Kenneth Jacobsen – Richard Braun/ Countryside Woods applicant, Section 20, Sugar Creek Township. Conditional use 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. Parts of Tax Parcels G SC-20-4A and G SC-20-8.**

General:

1. Approved as per plan submitted for a sand and gravel extraction site with separate uses of a wash plant, crushing operations and import of recycled concrete and asphalt for processing into products.

2. Time limit for completion of the project shall be set at 20 years from the date of this approval subject to the time of phasing provided.
3. Implementation of dust and noise control measures shall occur at all times on site.
4. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County's Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project-sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all County fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.
5. The operator of the nonmetallic mining sites must have a Nonmetallic Mining Reclamation Permit and Plan approved by the Walworth County Land Conservation Division, prior to undertaking any mining on the parcel. The operator of the mining site shall obtain financial assurance covering the costs to the County to complete the reclamation plan, prior to undertaking any mining on the parcel. Financial assurance covering the implementation of the Reclamation Plan must comply with the requirements specified in the Walworth County Nonmetallic Mining Reclamation Ordinance.
6. The post mining land use for this site shall be agriculture requiring A-1 zone district designation. This conditional use shall not be valid without a current post mining land use rezone application being on file with Walworth County. The property owner shall submit an application, fee and a post mining reclamation plan to Walworth County allowing for rezone of the property back to the post mining land use /zone district as specified above. The post mining land use rezone application shall be required to be kept current by the property owner during excavation and reclamation of the site. Should ownership of the site transfer prior to receiving Certification of Completion of Reclamation from the County (Sec. 26-293 (a.7)), the new property owner must re-sign the post mining land use rezone application and pay a new post mining land use rezone application fee at the current rezone rate in order to keep this conditional use valid.
7. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday. No work shall be conducted on Sundays or holidays.
8. Road access and maintenance agreements shall be filed with the Township and County prior to hauling materials off site as part of the restoration plan.
9. The County will not be liable for any damage to neighboring wells due to the operation of the project.
10. Any additional Office/trailer or structures shall obtain approved zoning and sanitary permits.
11. Approval of the project shall be subject to all applicable gravel pit policies.
12. The project shall meet all applicable Federal, State and local regulations.
13. All material storage locations must be in an approved zoning district.
14. No materials shall be brought in from off-site other than those materials specified in the approved restoration plan. **There shall be no excavation beyond the extent of the excavation contours identified on the approved excavation plan. No over excavation and then backfilling with off-site materials to reclaim the site to the approved excavation contours shall be allowed without specific approval and/or amendment of the conditional use and excavation plan including identification of the type, quantity and quality of off-site materials to be used as backfill.**
15. All topsoil generated from the site must remain on site for use in restoration as indicated in and regulated by the restoration plan. All topsoil will be regraded evenly on the disturbed area.

16. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area in accordance with the Erosion Control and Stormwater Management permit. The site may not be dewatered until all sediment has settled in the open water area of the pit.
17. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.
18. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district. The owner of property approved for non-metallic mining shall be required to submit an up-front fee for rezoning the property back to the pre-existing zone district. Upon completion of restoration the County shall hold a public hearing for rezoning of the property back to the original zone district. The County shall not release the required performance bond or surety until the property of concern has been restored.
19. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any signs on site. No off premise signs or billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.
20. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
21. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The applicant has agreed to provide a copy of the liability insurance coverage document for the file.
22. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.
23. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.
24. 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.
25. 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:

26. The property/applicant shall submit a new legal description created by a licensed surveyor from the State of Wisconsin for the area proposed for the time extension and new phasing within 60 days of this approval in order for this conditional use to be valid.
27. There shall be no more than 4,000 cubic yards of asphalt and or concrete placed on the property for recycling at any one time. The recyclable materials shall be located in the area designated and shall be recycled within 6 months of being brought on site.
- ~~28. The owner/applicant must pay an additional \$25.00 owed to the County for this conditional use review within~~

two weeks of this approval for this conditional use to be valid.

- ~~29. The owner/applicant must pay an additional \$100.00 owed to the County for the re-notice fees within two weeks of this approval for this conditional use to be valid.~~

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

Disc Count #6:19:35 – 6:23:07

2. **Catherine J. McQueen (Greenleaf Inn) – Convergence Energy applicant, Section 25, Delavan Township. Conditional use to construct a 24 Kilowatt ground mount solar array at the Greenleaf Inn project site. Tax Parcel F D-25-2B.**

General:

1. Approved as per plan submitted for a 24 KW solar array with all required conditions as stated.
2. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
3. Construction related activities are only allowed on site between sunrise to sunset.
4. All easements must be used for the purpose for which they were granted.
5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.
6. All spoils spreading activities must be conducted in the approved identified locations.
7. All access to the site must be made as identified on the approved plan.
8. All contractor storage yards shall be located as identified on the approved plan and used as specified.
9. The applicant shall meet all applicable Federal, State and local regulations.
10. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.
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:

13. The applicant is responsible for removal of the solar panel array if it is no longer in use. If the solar panel array is not operated during a 12 months period, it shall be considered abandoned. Abandoned solar panel arrays may be required to be removed within 90 days.
14. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.
15. All installation of the solar panel array must comply with Wisconsin Administrative Code Chapter PSC 119 for interconnection distributed generation facilities.

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

Disc Count #6:23:10 – 6:27:25

**TABLED PRIOR TO MEETING AT APPLICANT'S REQUEST**

3. ~~Whitewater Limestone Inc., Section 9, Whitewater Township. Conditional use to extend the life of an existing limestone quarry operation by 15 years and to deepen the limestone quarry excavation by 40 feet. Tax Parcel D W 9 4.~~
4. **Christine Bessent and Gary Greene, Section 13, Troy Township. Conditional use for a dog kennel on property zoned C-2 Upland Resource Conservation District in order to be able to have a fifth family dog. Tax Parcel LA4334-1.**

General:

1. Approved per plans submitted for an indoor dog kennel with all additional conditions.
2. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
3. The kennel must meet all applicable Federal, State, County and local regulations.
4. The kennel is approved to board a maximum of five dogs overnight indoors. No dogs will be boarded outside.
5. All outdoor lighting shall be shielded and directed on site.
6. The site must be kept neat, clean and mowed.

7. All animal waste must be disposed of on a daily basis in a sanitary fashion as to prevent occurrence of nuisance.
8. 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.
9. 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:

**Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor  
0-oppose  
Disc Count #6:27:30 – 6:30:10**

5. **Lynn Lein – Jason Lein applicant, Section 16, Spring Prairie Township. Conditional use for a second residence on an A-1 zoned farm parcel for her son who works on the farm. Tax Parcel OA4361-1.**

General:

1. Approved per plan submitted for a second residence on a farm parcel for a family member who works on the farm with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. The applicant must obtain Township approval for access prior to construction on site.
4. No further land divisions of the parcel will be allowed without County approvals.
5. The applicant must obtain the required zoning approval for the construction of the residence prior to plat review and approval. The residence shall be used for the stated agricultural purpose consistent with this approval. The residence must be under construction prior to separation from the farm parcel.
6. Only one additional residence of any kind shall be allowed on the parcel without further County approval.
7. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
8. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

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

Disc Count #6:30:10 – 6:32:50

6. **Jeffrey and Tina Hudy**, Section 34, Darien Township. Conditional use approval to use ¼ of an existing shed for an area to store up to two cars and do minor repairs on cars purchased at auction as part of a car dealership. Part of Tax Parcel BA2536-1.

General:

1. Approved per plans submitted as a home occupation for storage of up to two cars at a time in a designated area of an existing shed as part of an auto dealer's license with minor car repairs (detailing) with all added conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking must be in compliance with County requirements within 60 days of this approval.
4. Hours of operation shall be from 7:00 a.m. to 6:00 p.m. Monday through Saturday.
5. All Signage must be identified on the plan of operations and the applicant must obtain the required sign permit from the County Zoning Office.
6. Access to the site must be as identified on the plan.
7. All lighting shall be shielded and directed onto the property.
8. No outside storage of goods or materials (cars) shall be allowed on site.
9. Use of the site shall be limited to 25% of one floor of the shed as identified.
10. Employees of the home occupation shall be limited to the residence of the home.
11. No alteration of the exterior design of the shed may occur.
12. 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.
13. 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:

**Rich Brandl motioned to approve. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose**  
Disc Count #6:32:50

**Adjournment**

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

The meeting was adjourned at 6:36 p.m..

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

DRAFT



**Walworth County Board Finance Committee  
MEETING MINUTES  
Thursday, December 19, 2013**

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

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The meeting was called to order by Chair Russell at 9:33 a.m.

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

**Others in attendance included:**

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Conley-Finance; Linda Seemeyer-Health & Human Services; Michael Cotter-Land Use & Resource Management/Deputy Corporation Counsel; Kevin Brunner, Peggy Watson-Public Works; John Delaney, Steve Sax, Amanda Lagle-Sheriff's Office; Valerie Etzel-Treasurer's Office
- Members of the public: Attorney William Regan, Wauwatosa.

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

**Approval of minutes of last meeting(s)** — November 18, 2013 — **Supervisors Grant and Kilkenny moved to approve the meeting 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 8B1, award sale(s) of tax foreclosure property, and 8C2, update on tax incremental financing districts, be held for separate discussion. Grant requested that agenda item 8A1d, budget amendment HS015, also be held. **Supervisors Grant and Schaefer moved to approve the remaining consent items; carried 4-0.**

**Budget amendments**

*2013:*

**Health & Human Services**

- HS012 — Reflect decrease in out-of-home and correctional placements in Children's Division and increase Community-based Services
- HS013 — Reallocate Community Recovery Services funds to Community Based Residential Facilities (CBRF)

- HS014 — Offset increased inpatient services in Behavioral Health Unit
  - HS015 — Establish third-party administrator budget for Children's Long Term Services — Seemeyer explained that the State hired a third-party administrator (TPA) to pay bills for these services. We need an audit trail to show money being spent on children's long-term care so it was necessary to establish a budget even though we don't pay the bills. Andersen added that the TPA works on behalf of Walworth County and they are actually our clients so we have to record this activity on our books. **Supervisors Grant and Kilkenny moved to approve budget amendment HS015; carried 4-0.**
  - HS016 — Increase children's long-term services family foster care services
- Sheriff's Office
- SH004 — Reflect anticipated year-end totals for Speed Enforcement Grant
  - SH005 — Adjust Electronic Monitoring program budget to reflect anticipated year-end totals
  - SH006 — Adjust Civil Process division budget to reflect anticipated year-end totals

2014:

Public Works

- PW001 — Increase budget for three (3) single-axle dump trucks based upon bids received

**Bids/contracts**

- Award sale(s) of tax foreclosure property — Etzel noted that this is the 4<sup>th</sup> round of bids on these parcels. Brunner said they have been listed on the online auction site twice. At the last meeting, the committee directed staff to list the parcels with no minimum bid. One of the conditions of selling via the online auction is that we have to accept the offers. The successful bidders on three of the parcels did not make their payments so staff will re-list them on the auction site. Those parcels are Town of Geneva parcel JLCB 022236 and Town of Bloomfield parcels &PL 00579 and &PLA 00078. Russell suggested clarifying the report title to indicate that it is a report of sale(s) and committee action is not required. **Supervisors Kilkenny and Grant moved to accept the report of sales, excepting the referenced parcels which lacked payment. The motion carried 4-0.** Etzel added that the county's profit from sales in September through December totaled \$122,906.

**Reports**

- Quarterly sales tax report – 3<sup>rd</sup> quarter 2013
- Update on tax incremental financing (TIF) district(s) — Conley attended the City of Delavan's joint review board meeting yesterday. She distributed a report updating the committee on the status of the City's TIF districts 4 and 5. The City has a large debt payment coming due in 2017. They anticipate refinancing the outstanding debt to extend

payments to 2026. Also, property next to Staples was reassessed in 2013 as farmland, reducing the value from \$1.4 million to \$3,600. The reassessment will affect equalized value. The City will be watching to ensure a similar situation doesn't occur in the future.

TIF 5 is the new downtown area in Delavan. The City anticipates that the old fire building will be sold to a private party in 2014 so that property will be back on the tax rolls. A developer's agreement is now in place for the old hotel. Conley feels that will have a positive impact on the City. The hotel developer will receive a City award up to \$250,000 with a community development industrial grant. The grant will be forgiven over time if the developer meets certain criteria, such as job growth. An incentive reimbursement of up to 40% of the total facility acquisition and renovation, or \$400,000, whichever is less, will be provided by the City from the TIF fund. This provides an incentive to grow Delavan's downtown area without special assessments. Plans are for the first floor of the hotel to be retail.

### **New business**

**Discussion and possible action regarding Thomas F. Regan's repurchase of tax parcel #F D 3200096; request for issuance of a Quit Claim deed of conveyance (Referred by the County Board)** — Cotter explained that the property went into tax foreclosure and the County took judgment. One of the two owners redeemed the parcel before it was included in public sale. When such redemption occurs, County ordinance states that the county's corp counsel may issue a quit claim deed or amend the judgment to return the property. As a matter of course, we amend judgments and all prior liens stay with the property. Cotter added that Regan requested a quit claim deed and feels an amended judgment doesn't appropriately transfer title back. Kilkenny asked if the Finance Committee has authority to make a decision. County ordinance says corp counsel may determine whether to issue a quit claim deed or amended judgment, according to Cotter. The committee has the authority to recommend how corp counsel should proceed.

Regan said he doesn't take issue with Cotter's statements. He added that his correspondence lays out his position on the matter in detail. The judgment recites that it is a final judgment that has the effect of extinguishing all rights, titles and interest of all persons who had interest in the property, including lienholders. The County, at that point, acquires tax deed to the property, a deed that transfers fee simple absolute title to the County. That is the end of the foreclosure matter under the Statutes. The County has the power to sell the property. If the sale is done by bid process, the successful bidder is issued a quit claim deed conveying the property. The Statues provide a preference for the former owner to re-purchase the property after judgment has been taken. Regan believes his client is entitled to a quit claim deed under statutory provisions. He believes the County's foreclosure judgment wiped out all former owners' interest and liens. The problem is that the amended judgment attempts to return the property to the former owners and reinstate the lien. Kilkenny asked Cotter to confirm that the County utilizes amended judgments because, under State law, a quit claim deed would wipe out prior liens. Cotter affirmed. Regan said he doesn't dispute the validity of the County's ordinance. In Regan's opinion, the problem is that the amended judgment approach effectively rescinds the County's lawfully acquired tax

deed to the property, returns ownership to the two former owners, and reinstates the lien that the law clearly states is wiped out in the foreclosure judgment. After further discussion, Russell summarized that 1) the county's corp counsel disagrees with Regan's position and, 2) an attorney hired by the county to research this issue agrees with our corp counsel. She does not feel we should disregard their advice. Bretl said if the committee takes no action, the decision is deferred back to the discretion of corp counsel with regard to conveying the property. He added that, based on Regan's statements, we may want to get clarification from the corp counsel's office on Wis. Stats. 73.52(e). The committee agreed to not take action.

**Resolution \*\*-01/14 Authorizing the Transfer of \$25,000 from the 2014 Contingency Fund to Complete Underground Fuel Tank Remediation Plan; project update report** — Brunner explained that this has been an ongoing issue since the early 1990's. Two locations near the boiler house had underground fuel oil tanks that were leaking. The Department of Natural Resources (DNR) approved our plans to remediate those sites. Site A is fully clean and we are ready to close it out. Remediation costs were about \$13,000. We should recover up to \$7,500 of our expenses for that site. Work remains to be done at Site B to meet DNR requirements to close the site. Our consultants estimated 8 months to complete the work, at a cost of \$23,575. To date, we spent \$12,620 on the site. Staff are requesting \$25,000 from the 2014 contingency fund to finish this project. **Supervisors Schaefer and Kilkenny moved to approve the resolution authorizing \$25,000 from the 2014 contingency fund to complete the remediation plan; carried 4-0.** Schaefer asked what the balance is in the 2013 contingency fund. Andersen will get that figure.

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

**Confirmation of next Finance Committee meeting:**

- The next Finance Committee meeting was confirmed for Thursday, January 23, 2014 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/Schaefer, Chair Russell adjourned the meeting at approximately 10:27 a.m.; carried 4-0.**

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

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

# 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**

## DECEMBER 17, 2013 MONTHLY MEETING

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

**Also present: Joe Kolosso (will replace retiring Gerald Schwarten)**

**Meeting was called to order at 7:05 p.m by Chairman Lutz**

**Secretary Correl read the minutes of the November 19, 2013 monthly meeting which were subsequently approved. Treasurer Schwarten read the November, 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:

**Michael Weinkauf reported that a representative of the Rochester Fire Dept. again acknowledged responsibility for the groove created in the Honey Lake dike during discharge of water from a fire truck, and said that it will be repaired and compacted in the Spring. (See previous two month's reports)**

**Upon questioning from Treasurer Schwarten, Chairman Lutz indicated that Derek Koenig has been assigned no new maintenance tasks, and will be advised to give a report of all hours worked to the Treasurer so that year-end bills and payments can be taken care of.**

**Chairman Lutz indicated that he had discussed the contract proposal for making and replacing the dam boards with Jeff Johnson. (See proposal format in November report) Boards and all metal components will be coated with marine epoxy to prevent corrosion. The two agreed upon a cost of \$7,310.00. Motion made and seconded to accept. (Copy of signed contract to be included with the January, 2014 meeting report.)**

### New Business:

**As planned, Gerald Schwarten indicated that he will resign as Treasurer, due to his age and health reasons, effective 12/31/13. Motion to accept the resignation was made and accepted. Attendees thanked Gerald for his many years of service to the District.**

**Chairman Lutz indicated that Joe Kolosso has agreed to accept the position of Treasurer for the balance of Gerald Schwarten's term ending with the Annual Meeting in August, 2015, at which time he will have to run for re-election if he desires. Gerald Schwarten has agreed to assist Joe Kolosso with all question and problems as necessary. Motion made and seconded to accept Joe Kolosso's selection to replace Gerald Schwarten as Treasurer.**

**Discussion held on necessary elements to be taken care of for this transition: P.O. Box keys; Safety deposit box keys; Signatures required at the bank.**

**Comm. McIndoe suggested that, due to his past experience with greatly increased charges he experienced at the same bank where the safety deposit box is currently, that a site with lesser charges be investigated. Secretary Correll indicated that the bank at which she is employed charges considerably less than the District is currently paying, and will check further about moving the District's safety deposit box requirements there.**

**Chairman Lutz indicated that, while attempting to enter Joe Kolosso's name as Treasurer on the District's website, he found that the site had been "down" since about September, 2013, for reasons unknown. After checking with the agency controlling the website, the error was corrected, the website is again functioning, and Kolosso's name has been entered. The agency has credited the District \$125.00 for the error.**

**Chairman Lutz presented an updated document detailing, for the Village of Rochester and the Town of Spring Prairie, the "formation" of the "Honey Lake Protection And Rehabilitation District", its governance, taxing powers, road ownership and maintenance, etc. (copy attached).**

**Treasurer Schwarten 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 7:55 p.m.**

**Respectfully submitted,**



**Robert E. McIndoe 12/18/13**

**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, December 16, 2013  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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

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

Others present:

County staff: Public Works: Director of Central Services Kevin Brunner; Director of Operations Larry Price, County Engineer Joe Kroll; Purchasing/Business Office Manager Peggy Watson. Sheriff's Office: Undersheriff Kurt Picknell and Capt. Scott McClory. County Administrator David Bretl and Controller Jessica Conley

Members of the public: Lake Geneva City Administrator Dennis Jordan; Lake Geneva Director of Public Works Dan Winkler; Kurt Feuerstein, P.E., Patrick Engineering; Mary Jo Fesenmaier and Terry O'Neill, Lake Geneva; Attorney William Scott representing Lake Beulah Management District

**Supervisors Monroe and Stacey moved approval of the agenda as presented. Motion carried unanimously.**

**Supervisors Stacey and Monroe moved approval of the November 18, 2013 meeting minutes as prepared. Motion carried 5-0.**

**Public comment period.** The Chair recognized Mary Jo Fesenmaier, 955 George Street, Lake Geneva, Wisconsin. She asked for the reconstruction of George Street to be done in 2014. She understands there is discussion between the County and City concerning the road, but hopes it will not hold up the repairs being done in 2014. Terry O' Neill, 954 George Street, Lake Geneva, thanked the committee for their work on this issue. He commented that the articles in the local papers have discrepancies in the actual ratings of the road. The City says that section of CTH H in the City is a 4 or 5, and the County says it is rated a 3. He asked for clarification and to make sure both entities are on the same page when discussing moving the project up to 2014.

**Ordinance Amending Chapter 54 of the Walworth County Code of Ordinances Relating to Streets, Sidewalks and Certain Other Public Places.** County Administrator Bretl said this item was discussed at the November 18 meeting, and portions of the amendments have been redrafted per committee directive and discussion with the Sheriff's Office and Public Works. **Supervisors Schaefer and Stacey moved approval as drafted.** Notification of upcoming events will be sent out within 30 days of the event to affected municipalities. Central Services Director Kevin Brunner reminded the committee that the ordinance only pertains to events occurring on county roads, and municipalities holding such events on local roads would not need a permit and would deal directly with the Sheriff's Office when arranging for assistance. **Copies of the ordinance will be sent to all municipalities when the ordinance is adopted by the Board. The Chair called for a vote and the motion carried 5-0.**

**Regular Business**

**Request from City of Lake Geneva to move the mill and overlay on CTH H within the City limits to 2014 (currently scheduled for 2015).** Brunner has met with city officials and he and Chair Russell attended the City's November 2013 Public Works Committee meeting. The estimated cost of the mill and overlay (construction only) is \$200,000. Existing funds in the road improvement fund could be used for the project. The current PASER rating on that section is a 3. Brunner advised the committee that if the

County agrees to improving this .9 mile section of roadway, an ultimate jurisdictional transfer of the sections of CTH H within City limits should be negotiated. The two other sections total approximately two miles. Those sections are between 5 and 7 on the PASER rating, and not included for improvement in the ten-year roadwork plan. The section at issue is an urban section, and not suited to the county's snow removal operations and large equipment. Discussion was held as to properties along this section that are in the township and not the City. Supervisor Monroe asked how long the mill and overlay on this section would last, and said that if the other sections are not done for 12-14 years, questioned whether the section on George Street might have to be done again by the county before the jurisdictional transfer of all the sections took place. Director of Operations Larry Price said the current pavement is 28 years old, and once overlaid the pavement could last between 20-30 years. Monroe said he thinks the City should take over that section of CTH H as soon as the work is completed. City Administrator Dennis Jordan put up a map of CTH H and explained where the sections are located within the City. Russell said she thinks the section on George Street needs to be moved up to 2014, as the residents are suffering because of the truck traffic on the road. Supervisor Monroe asked Mr. Jordan if the City has any plans to agree to take over the road. Jordan agreed the mill and overlay should be moved up and conveyed his willingness to discuss a jurisdictional transfer with the County. However, Jordan added that some portions of the roadway are in the Township, and he wants to broach the subject with them concerning jurisdiction and the possibility of sharing costs. Lake Geneva Public Works Director Dan Winkler spoke, saying that the City is willing to consider taking over plowing that section of roadway; however, the section that is problematic is the east/south side of the interchange north, which has a sidewalk along it and when the county plows, it fills up with snow. **Supervisors Schaefer and Monroe moved to include the mill and overlay on the .9 mile segment of CTH H from the northern city limits to Williams Street as part of the County's 2014 road improvement program, contingent upon the City of Lake Geneva assuming the plowing responsibility on that section and upon working together with the City to draft a jurisdictional transfer agreement by April 1, 2014 to bring to the committee for consideration. The motion carried 5-0.**

**Bid award recommendation – single axle dump trucks.** Brunner said two bids were received, and reminded the committee that this purchase has been moved up due to the inadequate number of trucks to support operations. There was a less than 1% spread between the two bids and the recommended award is to the lowest bidder. The bid amount exceeds the quote received in June, but the department equipment fund can cover the amount exceeding budget. Brunner reported that each of Public Works major equipment expenditures this year has come in under budget, and the department is returning \$114,000 to the equipment fund. There is currently approximately \$1.7 million in the fund. Supervisor Stacey questioned the half down payment when the order is placed. Price explained that the down payment includes the body equipment package only, and by paying it down the county will receive a discount of \$4,146.96. **Supervisors Redenius and Stacey moved to award the bid to CIT Group, Inc., contingent upon Finance Committee approval of the 2014 budget amendment. The motion carried 5-0.**

**Request to purchase AQUOS whiteboard for Public Works – non-budgeted capital equipment item.** Brunner said as Public Works Central Services procures for the whole county, he and management staff recently went to a demonstration at the Sheriff's Office on the Sharp AQUOS whiteboard. The whiteboard is a 70" TV screen which is a computer, with the ability to access files and use multiple applications at once. The cost is \$7,100, which was not budgeted, but Public Works has available funds to purchase the board on a piggyback contract. The board would be used in patrol briefings to provide work and equipment assignments. All of the department's trucks are on a GPS system, and during a storm event or a major project, all trucks and their locations could be viewed simultaneously. It can be used in Facilities operations for site plans and floor plan amendments as part of the planning process. Brown County Public Works has five of the boards and they are very satisfied, Brunner said. Price added that Waukesha County is looking into acquiring the AQUOS board. Bretl said on balance he is supportive of the purchase, as it would help eliminate paperwork and improve the utilization of GIS and other applications that will make Public Works operations more efficient. Brunner said that IT would not support the technology and Public Works would be solely responsible for

maintaining it and getting technical assistance if needed. **Supervisors Russell and Monroe moved to approve the purchase of the AQUOS whiteboard as a non-budgeted capital equipment item. The motion carried 5-0.**

**Correspondence from Wisconsin Department of Transportation concerning right-of-way ownership on STH 50.** Bretl said Deputy Corporation Counsel Cotter was working on this issue. In 1959, the county acquired a parcel on STH 50, and in 2004 an adjacent property owner wanted the surplus land. The county did some research and determined it was county-owned by the county, and the county in turn sold the parcel to an individual. Bretl said he doesn't know what the State proposes they or we do to rectify the situation. According to State Statutes cited by WisDOT which the State enclosed with their letter, if the county intends to sell excess state right-of-way, it needs to notify the State of its intent and is obligated to give the State the money from the transaction. Bretl expressed concern that the current owner would accept only what he paid originally for the parcel. **Supervisors Monroe and Stacey moved to postpone discussion/action on this item until staff can discuss this issue with Department of Transportation officials and the county's Corporation Counsel. The motion carried 5-0.**

**Proposed changes to Chapter 17 of the Walworth County Code of Ordinances relating to Purchasing.** A memo from County Administrator Bretl to the committee on this item was emailed on Friday and copies distributed before the meeting. Brunner said the department has been researching ways to streamline the purchasing process to increase efficiency while maintaining transparency. Some of the changes proposed will be addressed by administrative procedure. This proposed ordinance amendment is to eliminate the necessity of taking road machinery/equipment bid specifications on items over \$50,000 to the committee. Brunner said that staff is making a concerted effort to provide more detailed information on anticipated projects/purchases before and during the budget process. If the committee still wants to approve detailed specifications, that process delays the purchase for another month. Brunner said that he checked with other municipalities and that the vast majority obtain budget approval and then only go to their appropriate committees or full board for bid award. Bretl recapped the history of the bid process in the past – originally approval of bid specifications wasn't required to go to committee, and then when the bid awards would be brought for approval, there were questions and concerns over the bid specifications. Next, detailed bid specifications were required to be brought to committee, but that process proved cumbersome and didn't really help anyone better understand what was being purchased. Bretl said this is an important issue – it is vital to keep operations moving along, but on the other hand, these are costly items of equipment. This year, staff did a good job of providing more detailed description and specific information during the budget process. Bretl suggested the committee could perhaps insert the word "summary" or "summarized" in the amendment concerning bid specification approval. Those summarized specifications could be provided at budget presentation if the committee wished, then that would dispense with having to bring them again to committee. The committee would still be required to award the bids for such purchases. Russell said she is opposed to eliminating the approval of bid specifications, stating that the committees could change every two years, and there may be budget constraints which would require postponing purchases. Redenius mentioned that the approval level for bid specifications was recently raised from \$25,000 to \$50,000 and he is not supportive of the proposed amendment. Purchasing Manager Peggy Watson said it would be difficult to provide detailed specifications in September at CIP approval when quotes are received in June. **Committee consensus was to keep the ordinance as it is; the committee wants to continue to approve summarized bid specifications.**

**Report on 2013 PASER ratings of County roads.** Brunner said that county ordinance requires updating of our road ratings annually, with the goal of maintaining an average PASER rating of 7. Larry Price presented this year's PASER ratings. This year's overall PASER rating is 7.16, which is a very good rating. 3.54% of the roads are at 10; 23.5% at 9; 27.13% at 8; 17.03% at 7; 19.19% at 6; 4.38% at 5; 4.82% at 4; and 1.04% at 1. Price added that a portion of our county bond rating is influenced by how well the county maintains its highway system. Maintenance needs to be planned based on the individual road section PASER ratings. For example, CTH O was reconstructed this year, and it will be crack filled next season to seal it up; in three more years it will be chip sealed. This year, crews did 23 miles of chip

sealing and 48.9 miles of crack sealing on county roads. Schaefer commended staff on keeping up on the road maintenance schedule, and Price thanked the committee for requiring the annual ratings by ordinance; it helps greatly in annual budgeting and adhering to a regular maintenance schedule.

**Lake Beulah Dam project – Update and possible action.** Brunner said Attorney Scott, representing the Lake Management District, was in the audience. Brunner referred to the two letters in the agenda packets – one from the Department of Natural Resources (DNR) to the Lake Beulah Management District, giving an explanation on the reasons the draw down structure is required; and the other from the DNR to Kurt Feuerstein of Patrick Engineering, the County’s engineers. Right now, Brunner said the county is in a holding pattern on proceeding with the replacement, and he wanted to provide an update on project status. Attorney Scott thanked the committee for allowing him to speak and give the Management District’s perspective. Scott said the last time he came to the committee, the District asked the county to completely eliminate the draw down structure on the plans, and at that time he stated that the District’s contention was that the DNR was acting outside of its authority in requiring the structure. Scott referred to the letters in the packet, stating that the District proposed to the DNR an alternate type of draw down structure, which is less invasive. They proposed a 6” draw down, which the DNR denied. The District is now asking for a 2’ structure, but asking that it be adjustable. Scott contended that the DNR agrees that there are distinct advantages to the adjustable structure. Scott said the District is prepared to offer a compromise and enter into an intergovernmental agreement with the county. He asked the committee to give county staff the authority to negotiate a draft agreement for consideration at the next Public Works Committee meeting. Scott had three specific requests from the Lake Management District: 1) eliminate the original plan with the draw down structure and use the alternate – their engineer would draft it and submit it to our engineers for review and final approval by the DNR; 2) the District would prepare the emergency action, inspection and operation/maintenance plans, per Chapter 333 of the DNR Code; and 3) the District requests the above and the action/implementation plan be set forth in writing. Scott added that the District does not want to “tie” the county’s hands in an emergency situation, adding that the bottom 18” would only be used by the county or DNR in that case. Bretl said that the county’s utmost concern was fixing the dam and public health and safety. Kurt Feuerstein, P.E., representing Patrick Engineering, said that he still believes the DNR might require the drawdown as submitted, and added that his firm has not seen the District’s engineering plan. More calculations need to be done to determine if the alternate would work, and how long it would take. The sticking point is if the District’s flow estimates are not acceptable to our engineers and the DNR. Bretl cautioned Attorney Scott that the committee could ultimately decide not to accept a draft intergovernmental agreement and that the District should understand that any costs incurred in developing the plans and agreement would have to be borne by the District. **Supervisors Stacey and Redenius moved to direct staff to continue to work with the Lake Beulah Management District in drafting an intergovernmental agreement to be submitted to the committee for review no later than January 16, 2014 and presented to the committee at the January 20<sup>th</sup> meeting. The motion carried 5-0.**

#### **Capital Projects**

- **Final pay request – Government Center second floor meeting rooms project.** Supervisors Schaefer and Stacey moved approval. The motion carried 5-0.

#### **Solid Waste issues**

- **Renew agreement with Jefferson County for Clean Sweep Services.** Supervisors Schaefer and Monroe moved approval to renew the agreement. The motion carried 5-0.
- **Current and future funding options for waste collection programs.** Brunner asked for approval of an action plan for funding future solid waste collection programs: to solicit voluntary contributions from local municipalities, health care providers, private businesses, wastewater treatment facilities, and others; and consider use of some tax levy funding on an annual bases to support Clean Sweep and special waste collection programs. **Supervisors Stacey and Schaefer moved to approve the action plan. Motion carried unanimously.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, January 20, 2014 at 3:30 p.m.**

**Supervisors Monroe and Schaefer moved to adjourn. The motion carried 5-0 and the meeting concluded at 5:40 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 committee meeting.*

**Booth Lake Management District**

**P. O. Box 778**

**East Troy, WI 53120**

Phone: 262-642-7285 Fax: 262-642-7493 Email: [gmheg@wi.rr.com](mailto:gmheg@wi.rr.com)

**NOTICE OF**

**Booth Lake Management District Commissioners Meeting**

**Saturday, December 14, 2013 at 9:00 AM**

**Town of Troy Town Hall, N8870 Briggs Street**

**AGENDA**

1. Call meeting to order
2. Approve minutes of the Meeting of July 21, 2013
3. Treasurer's Report
4. Chairperson's Report
5. Old Business
  - a. D & PA: Water Way Markers
  - b. D & PA: Water Quality Class/Presentation
6. New Business
  - a. D & PA: Lake Habitat
7. Public/Commissioners Comments
8. Adjourn

Respectfully submitted

G. M. Hegeman

Commissioner/Secretary

December 4, 2013

Persons with disabilities who need accommodations to attend meetings should contact the BLMD Secretary at [gmheg@wi.rr.com](mailto:gmheg@wi.rr.com) or 642-7285 soon as possible so that needs can be reasonably met. Meetings posted at three locations in the Town of Troy: Troy Town Hall F/D, N8870 Briggs St, Little Prairie Cemetery, Palmyra Rd., Little Prairie, Landmark Services Cooperative, N8265 Cnty Rd. N. Agenda subject to change 24 hours prior to meeting.

**BOOTH LAKE MANAGEMENT DISTRICT**  
P.O. BOX 778  
EAST TROY, WISCONSIN 53120-0778  
REGULAR MEETING OF THE BLMD COMMISSIONERS  
December 14, 2013

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Stan Muzatko (County Board Rep.),  
Kathy Tober (Town of Troy Board Rep.). There was one other individual in attendance.

1. Meeting called to order at 9:06 am.

2. APPROVAL OF MINUTES

July 21, 2013 Meeting

Motion for approval of the minutes of the July 21, 2013 meeting by Stan Muzatko,  
2<sup>nd</sup> by Barry Loveland. Motion approved.

3. TREASURER'S REPORT

Barry Loveland reviewed the Treasurer's Report (attached). Of particular note, the  
2013 Budget surplus estimated at \$3,000.00 was actually \$3,641.75. Motion for  
approval of the Treasurer's Report by Stan Muzatko, 2<sup>nd</sup> by Gary Hegeman. Motion  
approved.

4. CHAIRPERSON'S REPORT

Hank Hubbell noted that the native lake plants were growing up to the surface of the  
lake last fall which caused some problems for swimmers and boaters. He indicated  
several factors lead to a strong growing season for the native plants including the  
late ice cover last year and water clarity last summer. With the earlier ice cover this  
winter and higher water levels it is anticipated the native plant growth should be less  
of a problem next year. Property owners can cut a 30' swath around a pier if  
necessary (e.g. 15' each side). Hank indicated it is much better to cut native plants  
as pulling the plants could allow invasive species to move into an area. Hank  
reported the fall water sample has been taken and sent for analysis. It was also  
mentioned there were a lot of geese on the lake this fall.

5. OLD BUSINESS

a. Water Way Markers: The Board discussed the current status of the Water Way  
Markers. Kathy Tober indicated she met with the Water Patrol. She presented a  
plan developed by the Water Patrol to place 23 markers (see attached map). The  
Board noted the motion passed by the BLMD membership at the July 21, 2013  
Annual Meeting directing the Board to request the Town of Troy place a full  
compliment of buoys/water way markers. The Board continues to request the Town  
of Troy/Water Patrol place a full compliment of buoys/water way markers in  
accordance with the current ordinance. Kathy noted there is some consideration  
being given to amending the current ordinance. The Board agreed to discuss this  
issue again at the next Board meeting.

b. Water Quality Class/Presentation: Kathy Tober noted she and Greg McElwee  
have discussed ideas for water quality classes/presentations. Kathy indicated the

class/presentation could be given at the Park pavilion or at the Town of Troy Town Hall. She also indicated she has arranged for instructors. The Board agreed to consider specific subjects and set a schedule for a water quality class/presentation at the next Board meeting.

6. **NEW BUSINESS**

Lake Habitat: Gary Hegeman noted the efforts the Board has made in previous years, as well as natural changes that have occurred, to improve lake habitat. The Board had discussed several years ago the notion of stocking the lake, but felt the lake habitat had to be improved before stocking could be seriously considered. The Board thought it would be a good time to consider this project again. The Commissioners felt the first step would be to conduct a fish study. Hank Hubbell indicated he would obtain some information on costs for a fish study and present at the next Board meeting.

7. **PUBLIC/COMMISSIONER'S COMMENTS**

Kathy Tober mentioned the problems with the boat launch and noted the Town of Troy is considering options for improving the launch.

8. Motion to adjourn the meeting by Barry Loveland, 2<sup>nd</sup> by Gary Hegeman. Meeting adjourned at 10:10 am.

Respectfully submitted by  
Gary Hegeman – BLMD Secretary

## Walworth County Board of Adjustment

### MINUTES

December 11, 2013 - Hearing – 8:30 AM

December 12, 2013 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on December 11 & 12, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on December 11, 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 December 12, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Nick Sigmund, Code Enforcement Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. “Sign-in” sheets listing attendees on December 11, 2013, and December 12, 2013, are kept on file as a matter of record.

The December 11, 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 printed. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the November 13 & 14, 2013, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, December 12, 2013. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The December 11, 2013, hearing went into recess at approximately 9:10 A.M.

On December 12, 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 printed. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the January 8, 2014, hearing at 8:30 A.M. Seconded by John Roth. Motion carried. 3-favor, 0-oppose.** The December 12, 2013, decision meeting adjourned at approximately 8:44 A.M.

One variance hearing was scheduled and details of the December 11, 2013, hearing and the December 12, 2013, decision are digitally recorded 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**

Disc #1 Hearing – Count #8:32:05 – 9:10:14 / Disc #2 Decision – Count #8:31:00 – 8:42:46

**The First Hearing** was Brian R. & Kathleen A. Polczynski, owners – Section(s) 18 – East Troy Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-219 / 74-221 of Walworth County’s Code of Ordinances – Shoreland Zoning to construct an addition, a deck,

landing and stairs to a single-family residence and to locate a boathouse in the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback and a 12.92' side yard setback for a residence, a 6.92' side yard setback and 75' shore yard setback for a deck, landing and stairs and limits a boathouse to 400 square feet in size and 14' in height.

**VARIANCE REQUEST:** The applicants are requesting a 14.9' street yard setback and a 5.62' side yard setback for a residence, a 4.84' side yard setback and a 72.6' shore yard setback for a deck, landing and stairs and a 410 square foot boathouse 14' 8" in height. The request is a variance from Section(s) 74-167 / 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition, a deck, landing and stairs to a single-family residence and to locate a boathouse in the shore yard. The request for the 72.6' shore yard setback request was withdrawn by the owner at the hearing.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 11 & 12, 2013, for the petition of Brian R. & Kathleen A. Polczynski, owners, voted to **APPROVE** the request for a 14.9' street yard setback and a 5.62' side yard setback for a residence, voted to **DENY** a 4.84' side yard setback for a deck, landing and stairs and voted to **APPROVE** a 410 square foot boathouse 14' 8" in height.

**A motion was made by Gregory E. Guidry to approve the boathouse variance request as presented and to approve the attached garage with the setback variance requested. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**A motion was made by Gregory E. Guidry to deny the 4.84' side yard setback variance request for the deck. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:**

**APPROVAL** of 14.9' street yard setback and 5.62' side yard setback for a residence:

The Board found unique property limitations in the narrow steeply sloped lot. The Board found the unnecessary hardship to be the previous variance approval for a detached garage closer to the property line and the existing foundation of the detached garage to be in need of repair. The Board found the proposed attached garage would better meet the intent of the ordinance than the existing detached garage. The Board found to approve the request would cause no harm to public interests.

**APPROVAL** of 410 square foot boathouse 14' 8" in height:

The Board found unique property limitations in the narrow steeply sloped lot. The Board found it would be an unnecessary hardship to deny the repurposing of the existing garage. The Board found it would be more beneficial to the view corridor to permit the owner to relocate the existing garage than to deny the variance request.

The Board found to approve the request would cause no harm to public interests.

**DENIAL** of 4.84' side yard setback for deck, stairs and landing:

The Board found the owner did agree to comply with the 75' shore yard setback requirement.

The Board found to deny the 4.84' side yard setback would not cause unnecessary hardship as the owner had code compliant options for placement of the deck, stairs and landing. The Board found the variance request did not meet the criteria necessary for approval.

The contractor spoke in support, there was one letter of support from a neighboring property owner and a letter of support from the septic installer. There was one letter of opposition from the Wisconsin Department of Natural Resources.

**\*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.**

**Other**

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

**Staff Reports**

- A. Court cases update - none
- B. Distribution of reports, handouts and correspondence
  - 1. Board members received a copy of the 2014 Board of Adjustment hearing /meeting schedule

**Proposed discussion for next agenda**

The following items were requested to be put on the January 2014 agenda, if applicable:

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

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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





**Transportation Coordinating Committee**  
**MINUTES**

November 22, 2013 Meeting – 10:00 a.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chair Russell at 10:07 p.m.

Roll call – Committee members present included Supervisors Grant and Russell, Citizen Representatives Davis, Kerwin, Hallatt and Health and Human Services staff Seemeyer and Muzatko. Citizen Representative Simonsen and Leffelman were excused.

Others present – Juliet Young, Health and Human Services; David Thompson, Deputy Director Health and Human Services; David Bretl, County Administrator; Laura Griswold, Health and Human Services Supervisor; Laverne Duncan, ADRC Governing Board

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

There were no agenda withdrawals. **Motion and second made by Supervisor Grant/ Citizen Representative Davis to approve the agenda. Motion carried 6–0.**

Supervisor Russell and Citizen Representative Kerwin made some corrections to the minutes from the last meeting. **Motion and second made by Citizen Representative Hallatt/ Supervisor Grant to approve suggested changes to the November 19, 2013 meeting minutes. Motion carried 6–0.**

**Motion and second made by Supervisor Grant/ Citizen Representative Davis to approve the minutes as amended from the November 19, 2013 meeting. Motion carried 6–0.**

Public Hearing –

Supervisor Russell introduced Ms. Muzatko as the public hearing officer. Ms. Muzatko introduced the members of the public to the various county employees and an ADRC Governing Board member. She then reviewed the rules of conduct for the public hearing and explained the comment form. Ms. Muzatko explained the purpose of today's public hearing was to receive comments on the county's proposed 2014 85.21 grant application.

Ms. Muzatko and Ms. Griswold gave a Powerpoint presentation giving an overview of the transportation program and the key points to the application. Ms. Muzatko then opened the public hearing to testimonials from the public.

Testimony of James Campos of Elkhorn – Mr. Campos, who is legally blind, stated the need for not only volunteer drivers, but for someone to assist him once he has reached his destination whether it is filling out medical forms or grocery shopping.

Testimony of Patti O'Brien from Volunteer Connections – Ms. O'Brien spoke on behalf of Volunteer Connections expressing concern over costs and that low income individuals cannot afford transportation. She suggested a sliding fee for transportation costs.

Testimony of Ken Micheloni of Elkhorn – Mr. Micheloni had an idea for a bus service for Walworth County about three months ago. He plans to advocate for this system in Madison. His plan is to use volunteers and donations to make this plan work. Bus service will be for both medical and shopping needs as well as recreational trips.

Testimony of Lucienne Keizer of Elkhorn – Ms. Keizer wants the emphasis to be on the personalization of services and not the monetary aspects of transportation.

Testimony of Betty Sanders of Lake Geneva – Ms. Sanders is a building manager at Geneva Crossing. She stated that VIP is a good organization with good people.

Testimony of Laverne Duncan of Williams Bay – Ms. Duncan serves on the ADRC Governing Board and encourages this committee to learn from other counties. With an increase in both the aging population and special needs transportation will be a vital link in the future. She stated transportation is a statewide concern and referenced Vernon and Shawno Counties as examples of successful transportation programs.

There was one correspondence received from Harriett Guedtner of Lake Geneva. Ms. Muzatko read Ms. Guedtner's letter which states she relies on the transportation program to get her to appointments and wants the program to continue.

Mr. Micheloni added that he thinks young people should conduct a census to find out transportation needs in Walworth County.

With no further testimonies Ms. Muzatko closed the public hearing.

Old business – There were no items of old business.

New Business –

*Approval of the 85.21 Grant Application* – Ms. Muzatko reviewed the grant application.

Supervisor Russell asked if the new transportation vendor, VIP, will be added where applicable. Ms. Muzatko stated that it would.

Supervisor Grant asked about the coordination statement. Ms. Seemeyer stated that this statement was not a commitment but rather a suggestion.

Supervisor Grant asked who owns the vehicles. Ms. Muzatko stated that vehicles listed as a, b and c are owned by VIP and are leased to Health and Human Services. Vehicles D and E are owned by the department. Supervisor Grant asked if the title is held by VIP on the lease. Ms. Muzatko stated that VIP is listed on the lease.

Ms. Seemeyer asked if the co-payments would be negotiated with VIP. Ms. Muzatko stated that VIP is aware that these are rates established by the County. Supervisor Russell asked about rate changes. Ms. Muzatko stated that there were changes for dialysis and that the rates can be reviewed.

Supervisor Russell stated she made some small changes in the application and will give them to Ms. Muzatko. Discussion followed on small changes on the application. Supervisor Russell asked for a final copy of the application. Ms. Muzatko stated that this would be distributed to the committee.

Citizen Representative Davis asked for clarification on the rates listed on the recommendation. Ms. Muzatko explained those rates are between the Health and Human Services and VIP. There are not the rates that consumers will be paying.

Citizen Representative Davis asked about increase in ridership. Ms. Muzatko stated that there is a 5% increase that will be in the agreement.

**Motion and second made by Supervisor Grant/ Citizen Representative Kerwin to approve the proposed 85.21 grant application. Motion carried 6-0.**

Correspondence – There were no correspondence.

Announcements –

The meeting scheduled for December 11, 2013 has been cancelled.

Next Meeting Date – The next regular meeting is January 6, 2014 at 1:00 p.m.

**Adjournment – On motion and second by Supervisor Grant/Citizen Representative Hallatt, Chair Russell adjourned the Transportation Coordinating Committee meeting at approximately 11:19. Motion carried 6-0.**

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

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

November 20, 2013 Meeting – 1:15 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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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, Seegers and Wagie-Troemel. Supervisor Schiefelbein and Citizen Representative Pious were excused. A quorum was declared.

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; David Bretl, County Administrator; Nancy Russell, County Board Chair; Janis Ellefsen, Health and Human Services Manager; Erica Bergstrom, Public Health; Beth Walsh, Public Health Supervisor; Michael Cotter, Corporation Counsel; Lori Muzatko, Health and Human Services Manager

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

There were no agenda withdrawals. **Motion and second by Citizen Representative Wagie-Troemel/Supervisor Brellenthin to approve the agenda. Motion carried 7-0**

The Health and Human Services minutes from the October 16, 2013 meeting were approved. **Motion and second made by Supervisor Monroe/Citizen Representative Wagie-Troemel to approve the minutes. Motion carried 7-0.**

Public Comment –

Ted Peters who is associated with both the Geneva Lake Environmental Health and Linn Sanitary District spoke in favor of the Walworth County Public Health establishing a water testing lab. He stated this would improve turn around time for water testing for the beaches on Lake Geneva and also make water testing of the 1,700 residential wells in Linn more convenient.

Unfinished business –

*Walworth Inspired Community Healthcare – Dental Clinic* – Ms. Seemeyer stated a contingency representing this group was at today's meeting. She stated that there is a strong need in Walworth County for dental care for Medical Assistance consumers. Claude Gilmore who was at the meeting representing Rick Perry introduced Lakisha Arif-Holmes, DDS and Lynn Larsen, RN, who gave a presentation on the need and goals of the dental clinic at Inspiration Ministries.

Supervisor Grant asked if feedback is received from the schools regarding the Seal-a-Smile Program. Dr. Holmes stated there is a way to receive feedback as the program mandates two rounds of screenings. Chace Wolf, lead hygienist for the Walworth County Seal-a-Smile program stated that the retention checks were just done and approximately just 2% had follow up care.

Supervisor Grant asked if consumers would be turned away from the clinic if they had a high income. Ms. Larsen stated that all consumers pay for services based on a sliding scale so no one would be turned away based on income. Supervisor Grant asked what would happen if the same consumer came back in a year. Ms. Larsen said that the sliding scale would be readjusted if there were any changes in the consumer's income.

Citizen Representative Wagie-Troemel asked if the clinic would be open daily. Ms. Larsen stated that the current plan is to open just two days a week and increase the days of service based on demand.

Supervisor Monroe asked how many staff would be at the dental clinic. Dr. Holmes stated that there are two operatories and that there would either be two dentists or one dentist and a hygienist at the clinic. There would also be three assistants and one bi-lingual receptionist at the clinic.

Supervisor Grant stated that the County Board approved the use of using the cupola in the logo with the understanding the Walworth Inspired Community Healthcare would be asked to enter into contract with the county regarding the use of the county logo. Mr. Gilmore stated that he would be willing to work with the county on a contract. Mr. Gilmore will contact Mr. Bretl's office to work on this contract.

Supervisor Schaefer asked if the Sheriff's Department has a dentist come in for the inmates. Mr. Bretl stated there is a contract with a vendor for health care but was unsure the exact practices but suspected that only emergency dental procedures were performed. Dr. Holmes stated that in Beloit law enforcement brings inmates to their clinic.

Citizen Representative Wagie-Troemel asked how the dental services will be advertised. Ms. Seemeyer stated that HHS is helping by spreading the word. Business cards with the information on the clinic have been created to give to consumers. She also stated that the department is working with community partners including the schools. There will also be a grand opening at Inspiration Ministries and the group welcomes suggestions of who should be invited.

Supervisor Grant asked for the date of the grand opening. Mr. Gilmore stated it was December 9<sup>th</sup>.

Citizen Representative Wagie-Troemel suggested giving the business cards to local law enforcement and Ms. Seemeyer agreed.

Supervisor Grant asked for the group to return in June and give this committee a status report and the group agreed.

Ms. Seemeyer thanked everyone for their efforts and support. Bob Troll, DDS thanked the committee for giving this group a chance to present to the board.

*Current Environmental Health and Future Plans* – Ms. Seemeyer introduced Jan Ellefsen, Public Health Officer and Erica Bergstrom, Environmental Health. Ms. Ellefsen reviewed the handout in the packet regarding the proposed water lab.

Supervisor Grant asked how samples were taken. Ms. Bergstrom stated that HHS staff go out to the site, take two samples, package and ship them off to the state lab for testing. Supervisor Grant asked who pays for the testing. Ms. Bergstrom stated that HHS is reimbursed by the Department of Natural Resources (DNR). Supervisor Grant asked if there was a contract with the DNR. Ms. Bergstrom stated that there is a contract. Supervisor Grant asked when notice was sent by the DNR for the next contract. Ms. Bergstrom stated it was sometime in October.

Supervisor Schaefer asked for clarification on the \$130 per establishment from the DNR. Ms. Ellefsen stated that basically the DNR contracts with us to do the testing for them. Supervisor Schaefer asked how many water labs are in Walworth County. Ms. Bergstrom stated that there are a few in the county and those are city sewer districts that do bacteria tests for their own systems. Supervisor Monroe asked if any of them did tests for nitrates. Ms. Bergstrom stated there no water testing facilities in Walworth County that had the ability to test for nitrates.

Supervisor Schaefer asked how much it would cost to buy equipment for the lab and if there were any staffing needs. Ms. Ellefsen stated it would cost approximately \$12,000 for the equipment and that the county could piggyback on the existing University of Wisconsin contract for the pricing. She stated that current Public Health staff would do the testing and additional staff was not needed at this time.

Supervisor Monroe asked if the DNR would still reimburse the county if testing was done in-house. Ms. Ellefsen stated the DNR does not care if the testing is done at the state or local level and therefore the department would still receive the reimbursement.

Supervisor Grant asked if current staff was certified to do the water testing. Ms. Ellefsen stated the Ms. Bergstrom is qualified and would become certified as part of the certification for the lab. Supervisor Grant asked if a licensed technician was needed. Ms. Ellefsen stated that if environmental health services expanded that Ms. Bergstrom would become licensed and she is currently working towards this goal.

Citizen Representative Seegers asked with the approximately \$8,000 in savings how much were reagents going to cost for the lab. Ms. Bergstrom stated the lab cost was around \$7-9 per sample and that there would still be some savings. Citizen Representative Wagie-Troemel stated that it looked as though in the first year that the program would break even

and that in future years there would be some revenue from this program. Ms. Ellefsen stated this was true.

Citizen Representative Wucherer asked if there has been any other outside interest in using the Walworth County water lab. Ms. Bergstrom stated that other municipalities have expressed interest.

Supervisor Schaefer asked if county determine the regulations. Ms. Ellefsen stated it would not. Mr. Peters stated that it was not a requirement for the water testing and that Linn would not pass an ordinance making it a requirement. He stated lending institutions are usually the ones that mandate water testing as part of the loan process. Mr. Cotter stated this would be different from the septic testing "orange car" where the county removed the fee.

Supervisor Grant stated a personal story of a recent property sale and that there was a required water test. Mr. Peters suspects it was something in the agreement and not a regulation.

Supervisor Schaefer asked for clarification on the nitrate testing. Ms. Ellefsen stated that there is not a facility in Walworth County able to test for nitrates in water.

Citizen Representative Wucherer asked if this local water testing was common in Wisconsin. Ms. Ellefsen stated that many local public health agencies do their own water testing and this was not a unique situation.

**Motion and second by Citizen Representative Wagie-Troemel/Supervisor Monroe to approve the establishment of a water lab by Walworth County Public Health. Motion carried 6-1 with Supervisor Grant dissenting.**

Supervisor Schaefer asked if the water lab equipment was budgeted. Mr. Bretl stated that it was budgeted.

Supervisor Grant stated he had recently received notification of a state bill that he felt would take local control away on environmental health issues. Ms. Ellefsen stated she was not aware of this pending legislation. Ms. Seemeyer stated she suspected that the legislation was to set standards and that local authorities would still conduct the testing. Ms. Ellefsen stated she was just at a statewide meeting and there was no mention of this legislation.

Supervisor Brellenthin had concerns of current staff handling a surge in water testing. Ms. Ellefsen plans on using students who will collect samples as their summer project. The students would be of no cost to the county and there would not be a need to make changes to the current staff at this time.

Supervisor Schaefer asked how testing was mandated. Ms. Bergstrom stated that the Safe Water standards by the State and the DNR's Safe Drinking Water Act determine the

mandates on the testing. Ms. Aldred stated that HHS staff and not the consumers would obtain the samples.

Supervisor Monroe stated he received the same notification as Supervisor Grant and did not remember it including water testing as part of the legislation.

Supervisor Schaefer asked why there was a sudden need for a water lab. He recalled Ms. Bergstrom's predecessor, Mr. Carder, not having any issues. Ms. Bergstrom stated that Mr. Carder proposed a local water lab back in 2007. She stated that there has been an increase in issues with the state lab including lost samples and samples that no longer valid because too much time had lapsed prior to testing.

At last month's meeting Supervisor Grant had asked for a list of restaurants that the State was overdue in doing the inspection. Ms. Ellefsen handed out of list of the restaurants.

Citizen Representative Wucherer stated that the licensing year began in July. Ms. Ellefsen stated she did not know the current status of overdue inspections in the current cycle.

Supervisor Grant asked what enforcement Public Health had on failed water tests. Ms. Bergstrom stated that the department could enforcement the boil water notice. Beyond that the DNR handles enforcement.

Supervisor Schaefer stated that establishments that test high for nitrates in the water must post a sign to make customers aware. Ms. Bergstrom stated that standard was set by the federal government.

Supervisor Grant asked how many food borne illnesses have been reported in the past 6 months. Ms. Ellefsen stated that just this morning they received a report of 70 individuals that have a food borne illness. Ms. Bergstrom guessed that there had been approximately six cases and would bring the actual number to this committee next month. Food borne illness is highly underreported with approximately only 5% of the population reporting illness.

Supervisor Schaefer asked about the report of 70 people received this morning. Ms. Ellefsen stated it was from single event at a licensed establishment. She stated the investigation just started and that most of the people sickened do not live in Walworth County. She stated Walworth County was working with the state on the investigation.

The committee was encouraged to email questions to the department regarding the proposed environmental health expansion for next month's meeting.

#### New Business –

*Transportation Coordinating Committee Recommendation on the Specialized Transportation Request for Proposal* – Ms. Muzatko gave a brief history on this request for proposal. It was approved by majority vote at yesterday's Transportation Coordinating Committee meeting.

Citizen Representative Wagie-Troemel asked if the rates listed were round trip. Ms. Muzatko stated they were one way trip cots. Citizen Representative Wagie-Troemel asked who would be taking the calls to schedule transportation. Ms. Muzatko stated that the vendor will take the calls and this would be part of the transition plan to make it easier on the consumers.

Citizen Representative Wucherer asked about transports to Winnebago and Trempealeau. Ms. Muzatko stated there are facilities used by HHS in those locations and transportation is sometimes needed to transport consumers.

Supervisor Schaefer asked about group B and C fees. Ms. Muzatko stated the fees listed are what the department will pay the vendor for the transports. She stated the reason the fees for East Troy to Mukwonago and Lyons to Lake Geneva are different even though the same difference is that the one is concerned out-of-county.

**Motion and second by Supervisor Brellenthin/Citizen Representative Wagie-Troemel to recommend the bid proposal to the Finance Committee. Motion carried 7-0.**

*Vehicle Replacement Request* – Ms. Seemeyer stated that one of the department's current vans needs many repairs and there is no guarantee the van will be safe to drive after the repairs. She stated that a van replacement was in the 2015 CIP budget and is asking for the van to be replaced this year. She stated that due to staff vacancies the department has money in 2013 to fund a new van and that the 2015 CIP request would be removed.

Supervisor Grant asked with the transition of transportation services going to an outside vendor why the department would need this vehicle. Ms. Seemeyer stated that the department may need to do some transports. Ms. Muzatko explained the vehicle is used for staff to carpool to trainings to save on mileage costs, outings done by the Community Support Program and other departments. She gave an example if a casemanager in the Children's Unit needed to pick up children at risk and did not have room in their personal vehicle they would utilize this van.

**Motion and second by Citizen Representatives Wagie-Troemel/Wucherer to approve the van purchase. Motion carried 7-0.**

Supervisor Schaefer asked about liability issues with county staff using their personal vehicles to perform their job. Mr. Bretl stated their personal insurance would be used.

Ms. Seemeyer stated that department has a caged car used for transporting consumers to hearings and that this vehicle might transition to VIP as part of the transportation change.

Supervisor Grant what type of vehicle would be purchased. Ms. Seemeyer stated the current vehicle was a six person Dodge Caravan and that it would be replaced with identical vehicle.

Citizen Representative Seegers asked about the cost of the new vehicle. Ms. Seemeyer stated the department received a quote for \$21,000 and the CIP budget was for \$24,000.

*Prevention Services Ordinance* – Due to time constraints this item was tabled until the next meeting.

Closed Session – Roll call was taken and the committee went into closed session.

Reports –

*IM Update* – Ms. Seemeyer stated there are still no enrollments in the Affordable Care Act.

*HVAC Project Update* – Ms. Aldred stated everything is on schedule and the project should be done by the end of the month.

*Follow up to Quality Service Review* – Ms. Seemeyer encouraged the committee to review the information in the packet.

Correspondence – There were no correspondence.

Announcements –

Ms. Seemeyer announced that the Holiday Care Toy Pick Up is scheduled for Wednesday, December 18<sup>th</sup>. Volunteers are needed starting at 10:00 a.m. on Monday, December 16<sup>th</sup> to help with set up.

Next Meeting Date – The next meeting is scheduled for December 18, 2013 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

**Adjournment – On motion and second by Citizen Representative Wagie-Troemel/Supervisor Monroe, Chair Grant adjourned the Health and Human Services meeting at approximately 3:14. Motion carried 7-0.**

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

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

November 20, 2013 Meeting – 1:00 p.m.

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Chair Grant 1:02 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; Elizabeth Aldred, 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; Sandy Wagie-Troemel, Health and Human Citizen Representative; James Seegers, Health and Human Services Representative; David Bretl, County Administrator; Nancy Russell, County Board Chair; Janis Ellefsen, Health and Human Services Manager; Erica Bergstrom, Public Health; Beth Walsh, Public Health Supervisor; ETTY Wilberding, Health and Human Services Manager; Michael Cotter, Corporation Counsel;

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the October 16, 2013 were approved. **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 –

*Pool Shift Differential Ordinance* – Ms. Janiszewski stated this ordinance is also on – today's Human Resources committee agenda. The ordinance has never been updated to reflect the correct in-house staffing pool employee premiums. The language proposed in the ordinance clarifies the additional premiums for working 2<sup>nd</sup> and 3<sup>rd</sup> shift as well as weekends. Supervisor Grant asked if the Human Resources Committee has approved these changes. Ms. Janiszewski stated that it was on their agenda for this afternoon.

**Motion and second made by Supervisors Brellenthin/Schaefer to recommend the changes made to this ordinance to the Human Resources Committee. 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. She stated that referrals remain steady and that the facility is seeing an increase in Medicare Advantage plan admission. She also stated there were four minor workers compensation injuries last month.

Correspondence – There were no correspondence.

Announcements –

Supervisor Grant stated that the AARP is sponsoring bingo at LHCC on December 6<sup>th</sup> and volunteers are needed.

Next Meeting Date – The next meeting is tentatively scheduled for December 18, 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 1:06PM. Motion carried 4-0.**

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

**Walworth County Human Resources Committee**  
**MINUTES**

November 20, 2013 – 3:00 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

***DRAFT***

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The meeting was called to order at approximately 3:25 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; Bernie Janiszewski, LHCC Administrator; Liz Aldred, Deputy HHS Director; Nancy Pirkey, Labor Counsel.

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

Approval of the October 16, 2013 Human Resources Committee meeting minutes was moved and seconded by Vice Chairperson Grant and Supervisor Monroe, and carried 5 – 0.

Public comment period – none.

Review of annual reports of call-outs pursuant to Section 15-634 of the Code – Public Works Department and Sheriff's Office. Bretl explained that the Code sets forth which employees are assigned a county vehicle for bona fide work reasons. The list includes the Sheriff's Office and Public Works. With Public Works, the Board makes the rules and decides who gets assigned to a county vehicle. The Sheriff's Office is a bit more complicated than that. For example, deputies with a K-9 are required by law to take home a vehicle. Brunner explained that every week, a different Public Works supervisor takes call-outs. Most of those call-outs relate to state highway work, which the county is reimbursed for. Bretl feels that the departments have gotten better at keeping these reports of call-outs. He suggested placing the reports on file.

**Vice Chairperson Grant and Supervisor Redenius moved and seconded placing this item on file. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Section 15-394 of the Code of Ordinance relating to a stipend for safety shoe reimbursement. This was an item that originated as part of safety initiative at PW. Public works employees (with the exception of office staff) are required to wear safety shoes. Currently, the employees must present a receipt to receive a reimbursement for the purchase of the shoes. The proposed amendment would change the reimbursement to an annual stipend. Bretl stated that if the safety shoes are going to be required anyway, the receipt is not critical. Vice Chairperson Grant questioned whether or not the stipend was going to be pro-rated. Bretl stated that the employee would receive the stipend on the first

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check in February. If an employee is hired after that first check in February, the employee would not receive the stipend until the following year.

**Supervisors Brellenthin and Monroe moved and seconded approval of an amendment to Section 15-394 of the Code of Ordinance relating to a stipend for safety shoe reimbursement. The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Section 15-359 of the Code of Ordinances relating to special pay premiums for LHCC pool employees. Bretl explained that at the last Human Resources Committee meeting, pay premiums for certain CDEB employees had been identified and updated. The same exercise was done with the employees at LHCC. The proposed ordinance amendment sets pay premiums for the LHCC pool employees.

**Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the amendment to Section 15-359 of the Code of Ordinances relating to special pay premiums for LHCC pool employees. The motion carried 5 – 0.**

Establishing pay rates for LHCC pool employees. Bretl stated that this item had been overlooked but needs to be addressed. The LHCC pool employees have been paid certain rates based on a memo from Suzi Hagstrom. The Board needs to formally adopt those pool rates. Janiszewski stated that the rates for pool nurses are higher than what they pay LHCC employees but lower than what they pay agency staff. She feels that the rates are fair. She reminded the committee that pool employees do not receive benefits.

**Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the pay rates for LHCC pool employees. The motion carried 5 – 0.**

Updates to Chapter 15 of the Code of Ordinances relating to changes in position titles. Bretl stated that this is a housekeeping item. With budget adoption, many positions were created or changed. The proposed amendment changes references to those positions throughout the Code. In the at-will employment section, titles were cleaned up, which included eliminating multiples and adding new positions. In the random drug testing section, the new IT positions were added. The idea behind the list of employees subject to random testing was that those employees could do immediate damage to the county if impaired. Supervisor Brellenthin questioned whether the LHCC Administrator should be added to the list. Bretl pointed out that not all department heads are subject to random testing. The list was meant to include only those who could do the most damage. He felt that the LHCC Administrator could be deemed one of those positions. Vice Chairperson Grant wanted to add all department heads to the list. Bretl did not recommend that. There has not been a problem at the department head level. He reminded the committee of the time and expense to randomly test employees. Because the LHCC Administrator is in a position of trust with access to vulnerable people, it would seem logical to add that position to the list.

**Supervisor Brellenthin and Vice Chairperson Grant moved and seconded approval of the updates to Chapter 15 of the Code of Ordinances relating to changes in position titles with**

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**the addition of the LHCC Administrator to the random drug testing list. The motion carried 5 – 0.**

Health and Human Service Professionals Bargaining; Deputy Sheriffs Association Bargaining. Chairperson Brandl read the closed session language. Supervisors Brellenthin and Monroe moved and seconded going into closed session. Roll call was taken. At approximately 3:51 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 5:17 p.m., on motion and second by Supervisors Monroe and 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.

The next regular meeting of the Human Resources Committee was confirmed for December 18, 2013.

Adjournment. On motion and second by Supervisors Monroe and Brellenthin, Chairperson Brandl adjourned the meeting at approximately 5:17 p.m.

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

**County Board Executive Committee  
November 18, 2013 at 10:00 AM  
County Board Room 114  
Walworth County Government Center  
100 W. Walworth St., Elkhorn, Wisconsin**

Chairman Weber called the meeting to order at 10AM.

A quorum of committee members was in attendance, including Chairman Weber, Vice Chairman Kilkenny and Supervisor Russell. Supervisor Schiefelbein was absent with excuse. Others present included Kim Bushey, County Clerk; Nicole Andersen, Deputy County Administrator – Finance; Brian Rutkowski, General Manager of Alpine Valley Music Theatre; and, Dave Bretl, County Administrator/Corporation Counsel.

The agenda was approved on motion and second by Kilkenny and Russell, with no withdrawals or revisions. Approval of the October 14, 2013 Executive Committee minutes was moved and seconded by Russell and Kilkenny with a revision to indicate the motion, second and abstention concerning the LEPC appointment recommendations; motion carried 3 – 0.

There was no comment during the public comment period.

**Ongoing/unfinished business**

*Walworth County's Qualified Energy Conservation Bond (QECB) allocation.* The committee reviewed this in May 2013, and then solicited interest among local governments regarding using the county's bond credits to ensure there is not a need by any municipality in the county to utilize the QECBs. Bretl said that to date, no demand or need by any municipality has materialized, and the county has authority to decide whether to relinquish its allocation. He spoke with a consultant hired by the Department of Energy, who investigated utilization of the QECBs by local governments. A primary reason given for not using the credits was that transaction costs outweighed the benefit. In addition, there is sometimes reluctance to relinquish a benefit for use by another unit of government. The county has done its due diligence in notifying municipalities of the bond credit availability. **Kilkenny and Russell moved and seconded placing this issue on file; the motion carried 3 – 0.**

**Appointments.** Committee members reviewed Administrator Bretl's nominations of the following candidates. Kilkenny and Russell moved and seconded appointment of all candidates; motion carried 3 – 0.

- a) Dr. James Seegers and Sandy Wagie-Troemel – each for additional three-year terms on the county's Health and Human Services Board.
- b) Dan Nickels – appointment to the Local Emergency Planning Committee
- c) Lynn Jones and Peggy Osborne – appointments to the Workforce Development Board

**Consent items.** Chairman Weber stated that Nancy Russell's expense claim would not be acted on today. Kilkenny and Russell moved and seconded approval of the expense claims submitted by Richard Kuhnke (\$123.45) and Allan Polyock (\$140.40), and including Russell's October 2013 expense claim on the December 2013 executive committee agenda. Motion carried 3 – 0.

**New business**

*Outagamie County Resolution No. 76-2013-14 supporting legislation to increase the petition fee for an election recount from \$5 to \$25 for each ward the petitioner requests a ballot recount or from \$5 to \$25 for each municipality the petitioner requests a recount where no wards exist.* County Clerk

Bushey stated that she supported Outagamie's proposal. She distributed a memo regarding the proposed legislation in Assembly Bill 418, upon which Outagamie's resolution is based. The memo included a copy of the section in the existing GAB manual concerning recounts, which Bushey had marked to illustrate the changes proposed by AB 418. In addition to proposing to raise petition fees, Assembly Amendment 2 to AB 418 would reduce the vote margin thresholds, when payment is required, from 0.5% to 2% to a range of .25% to 1%. Bushey said her office doesn't usually recoup election recount costs unless it's a large recount. She supports the proposal in Assembly Amendment 2 to AB 418; the changes would be consistent in allowing recounts without causing unnecessary burden on petitioners requesting a recount. **Kilkenny and Russell moved and seconded county support of legislation proposed in AB 418 as well as the additional changes proposed in Assembly Amendment 2, as explained by Bushey; motion carried 3 - 0.**

*Outagamie County Resolution No. 74-2013-14 supporting legislation requiring any person officiating a marriage to be at least 18 years old and eliminating the requirement of a sponsorship letter.* Because the state hasn't defined ordination, people currently can be married by people who have obtained ordination status online. Ms. Bushey said out-of-state officiators must present a letter of sponsorship from a local Wisconsin church, which the clerk can request to see. Bushey favors legislation requiring persons officiating marriages to be at least 18 years old and eliminating the requirement of a sponsorship letter. **Kilkenny and Russell moved support of a resolution for County Board consideration in December. The motion carried 3 - 0.**

*Outagamie County Resolution No. 73-2013-14 supporting legislation changing the method a municipality may collect the costs of razing a building from a special tax to a special charge and not requiring the county to pay a municipality's razing costs.* Bretl recommended support of this issue, saying it was prevalent in the Fox Valley area. When a municipality issues a raze order to tear down a property, the razing cost becomes a special charge, which is paid by counties that pay special charges; otherwise, the municipality is not reimbursed for the cost of razing the property. At some point, municipalities began designating the cost of razing properties as a special tax. Walworth County has some potentially large liability in terms of developer agreements in which this scenario has occurred. Bretl had previously requested that the legislature incorporate our suggestions regarding special assessments into legislation. He thought this particular legislation was going to be acted on fairly quickly. **He recommended a resolution similar to Outagamie County's, for December Board action as well as a resolution that specifically addresses Walworth County's issues regarding tax settlements, for consideration in December. Russell seconded the motion, which carried 3 - 0.**

*Columbia County Resolution no. 26-13, Funding for Victim Witness Coordinator Program.* Walworth County is presently reimbursed at a rate of 47% by the State. **Kilkenny and Russell moved and seconded support of a resolution requesting the State of Wisconsin to uphold its funding commitment to victim witness coordinator programs. The motion carried 3 - 0.**

*Wood County Resolution No. 13-10-2 supporting creation of a new nonpartisan procedure for the preparation of legislative and congressional redistricting plans.* Bretl's memo indicated this has been a controversial and divisive issue. He did not provide a recommendation. **Russell and Kilkenny moved and seconded support of a resolution similar to the Wood County resolution; motion carried 3 - 0.**

*Trademark for Walworth County cupola symbol.* Discussion regarding obtaining a trademark for the cupola symbol used on County letterhead, envelopes, etc. came up at last County Board meeting

when the board was asked to approve use of the symbol in a special design created for use by the Beloit Health Clinic-Inspiration Ministries consortium for dental services. Bretl said the question regarding pursuing a trademark relates to the extent to which the county wants to defend use of our cupola by outside agencies. **Russell and Kilkenny moved and seconded support of the county pursuing obtaining a trademark. The motion carried 3 – 0.**

*Ordinance Amending Section 2-45 of the Walworth County Code of Ordinances Relating to County Board Supervisor Insurance Benefits.* This is an ordinance “clean up” item. In July 2013, the board approved establishing a high deductible plan and health savings account for employees for 2014. The ordinance amendment pertaining to that is in Chapter 15 of the Code. The Code section pertaining to county board compensation and benefits is in Chapter 2. This ordinance will amend the Code to incorporate the new options for Supervisors. **Kilkenny and Russell moved and seconded support; motion carried 3- 0.** Supervisors who win election in the spring will have the option to elect County health insurance coverage.

*Alpine Valley Music Theatre 2014 business plan and license application review/set public hearing date, time and location.* Brian Rutkowski, Alpine Valley Manager, was in attendance. Administrator Bretl indicated the committee was asked to establish a date and time for the public hearing on Alpine’s 2014 plan and application. Kilkenny said there were issues some years ago with certain aspects of the plan, and some concerns had been noted about Alpine Valley Theatre operations. Kilkenny said unless there were significant material changes in the 2014 plan, he had no issues with it. Mr. Rutkowski said the only change pertained to ticket scanning updates utilized by Alpine that were not in the 2013 plan. He said at this point, there are just two to four shows planned for summer 2014. **Kilkenny moved support of setting the public hearing on Alpine’s 2014 plan and license application for December 16, 2013 at 10 AM in County Board Room 114. Russell seconded the motion, which carried 3 – 0.**

Chairman Weber had no reports or announcements.

The next Executive Committee meeting was confirmed for December 16, 2013 at 10 AM.

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

- a) Notice of Claim for Vehicle Damage – General Beverage Sales Co.
- b) Notice of Receiver’s Motion, Motion, and Order – In re: B. R. Amon & Sons, Inc. – 13CV00363, Amon & Sons, Inc. – 13CV00365, Amon Land Company, LLC – 13CV00364, Lake Mills Blacktop, Inc. – 13CV00366

On motion and second by Supervisors Kilkenny and Russell, the committee reconvened in open session. Kilkenny and Russell moved and seconded recommending action consistent with the recommendation discussed in closed session in regard to the General Beverage Sales claim for damage. There was no action in regard to item ‘b’, the Notice of Receiver’s Motion.

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

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



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES

November 14<sup>th</sup>, 2013

The November 14<sup>th</sup>, 2013 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:05PM. Board members present were Ernie Roy, Chuck Chamberlain, Larry Brady, Jerry Grant Walworth County Representative, and Norm Prusener Town of Whitewater Representative.

Absent: Brad Corson

Standing Teams Present: Dave Clevon

Standing Teams Absent: Tom Potrykus

Clerk Present: Susie Speerbrecher

Guests Present: Jerry Peterson from the Kettle Moraine Land Trust and Don Wickerscheimer

### ADMINISTRATIVE

The agenda was accepted as presented.

Jerry motioned to approve the minutes from the October 17<sup>th</sup>, 2013 as presented. Ernie seconded the motion. Motion Carried.

**PUBLIC INPUT** – Introduction of guest Jerry Peterson

### COMMISSIONER REPORTS

Secretary – No Correspondence

Finance – In the absence of Brad, Rich reviewed the financial handouts. The October expenses totaled \$41,125.43. Larry motioned to approve the disbursements, seconded by Ernie. Motion Carried. The check from Camp Joy has not been received as of this meeting and Rich will follow up with Scott Hatchett.

Weed – No report

Chemical – No report

Bog - Rich reported the last of the bog has dropped, all expenses are paid, and the bog removal was very aggressive.

Equipment – Chuck reported Inland Marine is waiting for parts to arrive to repair the 7' harvester. He will be working on a grant for replacement of the transporter which needs to be submitted by June 18<sup>th</sup>, 2014.

## **REPORTS OF STANDING TEAMS**

Fish Stocking – In Tom's absence Ernie reported he and his family stocked 1200 Walleye's in Whitewater Lake and 30 in Rice Lake.

Wildlife Management – Dave reported that both his report and the application for 2014 have been sent in.

Audit – No report

Safety – Larry reported that Bernie Tangney has agreed that his boat can be used in case of an emergency on Rice Lake and will inform Deputy Shawn Blanton of this. A boating safety class will be held sometime after Easter 2014.

Rich reported the 2013 schedule is on time.

Water Quality – No formal report.

## **OLD BUSINESS**

The RFP for the Service Contract bids will be reviewed at the December 19<sup>th</sup> 2013 board meeting. Ernie handed out his RFP for Chemical Spraying in 2014 for everyone to review over the next month.

Bi-Laws – Ernie reported Jim DeChene now has the Bi-Laws to review.

## **NEW BUSINESS**

None

## **OTHER BUSINESS**

Chuck led a discussion expressing his concerns of boaters parking their vehicles and boat trailers on Krahn Drive. Norm will investigate and bring up this issue at the next town board meeting.

Presentation by Jerry Peterson from the Kettle Moraine Land Trust.

## **NEXT MEETING**

December 19<sup>th</sup>, 2013 6 PM Whitewater Town Hall

Meeting adjourned at 7:45 PM buy a motion from Rich and seconded by Larry. Motion Carried.

Respectfully Submitted

Susie Speerbrecher  
Clerk

# WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, NOVEMBER 8<sup>TH</sup>, 2013 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10: 00 AM **Call to Order** – *Alan Sweeny, Vice-Chair*

2. Roll Call. **Establishment of Quorum** – *Troy Maggied*

|          |   |   |          |   |         |
|----------|---|---|----------|---|---------|
| 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  | Excused |
|          | Chris James                                       | X |          | John Miller                                       |         |
|          |   |   |          | Dennis Polivka, Asst. Secretary (XCom)            | X       |
| Grant    | Gary Ranum  | X | Walworth | Jerry Grant                                       | X       |
|          | Vern Lewison                                      |   |          | Richard Kuhnke, 4 <sup>th</sup> Vice Chair (XCom) |         |
|          | Robert Scallon, 2 <sup>nd</sup> Vice Chair (XCom) | X |          | Allan Polyock                                     | X       |
| Iowa     | Charles Anderson, Secretary (XCom)                | X | Waukesha | Karl Nilson, Chair (XCom)                         | X       |
|          | William G Ladewig                                 | X |          | Dick Mace   | X       |
|          | Jack Demby  | X |          | Fritz Ruf   | X       |

Commission met quorum. (WRRTC quorum for Full Commission is at least 13)

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

|   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Troy Maggied, SWWRPC</li> <li>• Eileen Brownlee, Kramer &amp; Brownlee</li> <li>• Forrest Van Schwartz, Consultant</li> <li>• Virgil Kasper, PLRTC</li> <li>• Frank Huntington, WisDOT</li> <li>• Kim Tollers, WisDOT</li> </ul> | <ul style="list-style-type: none"> <li>• Jeff Maloney, Vandewalle &amp; Associates</li> <li>• Tom Stetzer, Strand &amp; Associates</li> <li>• Jeff Kraemer, Kraemer Development</li> <li>• Mark Opitz, City of Middleton</li> <li>• Ken Clemmons, WSOR</li> <li>• Ben Meighan, WSOR</li> </ul> |
|---|--|

3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn*

- *Motion to approve public notice of meeting – Cornford/Ruf, Passed Unanimously*

4. Action Item. **Approval of Agenda** – *Prepared by Penn*

- *Motion to approve agenda – Polivka/Ruf, Passed Unanimously*

5. Action Item. **Approval of draft October Meeting Minutes**– *Prepared by Penn*

Corrections - Item 11 - November 13th, not 14th at MSN Crown Plaza 8 am

Comment - Item 7 - November 5th was the date for Governor's Freight Conference, not the date for the Freight Rail Conference Milwaukee at the Crown Plaza

- *Motion to approve draft October Meeting Minutes with corrections – Ruf/Mace, Passed Unanimously*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*

No public comments.

## WRRTC FULL COMMISSION APPROVED NOVEMBER 2013 MEETING MINUTES

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

Forest Van Schwartz reminded the Commission that the Annual Freight Rail Conference was next Wednesday in Madison. Maggie distributed four handouts, including copies of the economic analysis study done by UW Madison and UWEX. Van Schwartz recommended the study be put into PDF and circulated to the group. Maggie shared a 10/31/13 story from the Fennimore Times on Freight Rail comeback and said he would have Mary Penn scan and mail to the group electronically.

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

Alan Sweeney welcomed Karl Nilson back to the meeting. Nilson said it was good to be back and that he had had a couple of heart attacks. He said he had had an operation one week ago but that he was “a tough old bird”. He told the Commission it was the first time he had been in the hospital being sick and thanked everyone for their support. The Commission was informed that Sweeney would be in charge until further notice. Mary Penn was requested to put a map of the rail system in the meeting packets as the one included was too small to be legible. Van Schwartz noted that the map would download full sized but there were many errors to it.

## REPORTS & COMMISSION BUSINESS

### 9. **WRRTC Financial Report – Jim Matzinger, Dane County CPA / WRRTC Accountant** Treasurer’s Report for November and Payment of Bills

Checks included:

- Johnson Block \$1000.00, Audit Fee – Progress Bill
- Dane County Highway - \$193.73, Sept. Accounting

Jim Matzinger gave the Treasurer’s Report and noted the bills to be paid. He commented that the Commission is in good shape, noting the Commission had \$321,000.00 in assets, \$211,000.00 of which is for the 2013 rail project. He said these funds had not yet been billed, therefore the money was still available. The money available in the rail operating fund was \$38,000.00. Matzinger said that the budget balances to zero, with \$224,000.00 from the counties, but the Commission had only paid out \$208,000.00 to WSOR. He said the difference between the county contributions and expenditures went to operating expenses. He noted the deficit for operating expenses was paid from taking money from county contributions, which kept that money from going to the railroad. In expenses Matzinger said that payment for the year’s management was yet to come, but that accounting bills were paid up through August, adding that the audit bill was coming soon and the bill for legal advice comes in December. He said several bills had yet to come in and when they did he would know what the final balance was.

- *Motion to approve Treasurer’s Report and Payment of Bills – Anderson/Ruf, Passed Unanimously*

### 10. **Wisconsin & Southern Railroad’s Report on Operations – Ken Clemmons, WSOR**

Ken Clemmons gave the report. He noted that the Madison project needed one more bridge for completion of the project. He said the Waukesha sub is complete but for the paperwork and final inspection. In 2014 there will be five bridges on the Fox sub to complete and that continuous welded rail (CWR) will be installed from Janesville to Avalon, as well as an 800’ siding. Currently they are putting ties in as maintenance on the Prairie sub, trying to be done before freezing winter weather. In 2013 maintenance projects, the Fox Lake sub work is complete. This work was not funded by the Commission. Clemmons also noted that ties have been put in at Elkhorn which is the first maintenance work since the original rehab work. He said that the Janesville yard has had 3500 ties put in and resurfacing work done.

In business development, Clemmons reported that Menards opened a distribution center in Iron Ridge in June. It is a 40 acre lumber and distribution site. Frontier FS in Marshal is adding onto track to bring in liquid fertilizer solution, expanding from dry pot ash. He said the track would be completed in the next week or two. Finally, Clemmons said that they have a new customer in Beaver Dam which will be making plastic parts by the first of 2014. Sweeney asked if ties from Cassville were being recycled. Clemmons said they were being either ground on site or hauled to the Cassville power plant. He said the power plant was very interested in any ties WSOR would have: they have visited to get the first bid. Gene Gray asked if car loads were up or down. Clemmons said WSOR is down for grain but that might pick up with harvesting, adding that the Boscobel ADM facility is one of the busiest. He noted that Janesville built a large load out facility for shuttle trains and that there had been three yet this month since it had opened. Charles Anderson asked about the load of a 120 car train in Muscoda. Clemmons said it was probably both corn and sand. He said that sand loading in Prairie du Chien was expanding with almost every line segment handling some sand. He said there were 5,000 – 6,000 sand cars per year from a single site and that the Marcus Ann line was looking to expand silica sand.

Clemmons said with trucks crossing the Mississippi there was a lot of double handling of material. He noted that infrastructure was very short and they were looking to expand. Meighan said they were trying to figure out how to use the limited space to put in more track but not long track. He said each switch costs \$70,000 so with only 10 cars, the economics did not work out. He said only manpower was getting them through as they were hemmed by geography.

## WRRTC FULL COMMISSION APPROVED NOVEMBER 2013 MEETING MINUTES

Gary Ranum asked how many cars of sand were likely to move in the next year out of the Prairie sub. Clemmons said 3,000 to 4,000 with 15 bridges needing work to prepare for this. He said there is currently a bridge management study that needed to be completed by next year. The study would evaluate and report on every bridge needing work and then scheduled for said work. At this time WSOR runs trains at 10 mph due to capacity issues. Clemmons said the line could handle the traffic but they had to go slowly which resulted in a lot of travel time.

Chris James asked about the status of improvement on the line going to the Lycon facility in Oregon. Ben Meighan said that WDOT had notified them that the work will be funded and they were waiting for approval on bonding.

Dennis Polivka asked why the trains ran so slowly. Meighan said that they could run at 25 mph but that reduced the life of the track. Running at 10 mph extended the life of the track since slow speeds reduced impacts to bridges, adding that 99% of them were timber and not designed for the loading weights of the day. He said heavy loads could start a wave action if the trains ran too fast. He said the Prairie sub going over the Wisconsin River sat on 20' of silt and sand, then bedrock a combination of which could cause "jellying" and settling out.

Clemmons said they had done a boring for the new bridge in Wauzeka. They are close to boring down to bedrock for seat pilings that will carry today's loadings.

Dick Mace asked about improvements. Clemmons said that not every repair is meant to be for a lifetime but only for 10-12 years to extend infrastructure life for budgeting purposes and scheduling improvements to result in somewhat higher train speeds.

### **11. Discussion, commendations, presentations, and possible action concerning Resolution to honor retiring Ben Meighan, WSOR – Alan Sweeney, Vice-Chair**

Alan Sweeney presented Ben Meighan with an honorary plaque and resolutions from both the WRRTC and the PRTC.

- *Motion to pass resolution honoring Ben Meighan, WSOR, for his years of service – Mace/Ruf, Passed Unanimously*

Nilson said he had seen the work Meighan had done and said he had done it well and could not have happened without Meighan's leadership. Nilson said Meighan had had a challenging job of keeping the railroad going and said the rail transit commissions were an example of intergovernmental cooperation and public/private collaboration.

It was announced that Roger Schaalma with 17 years with WSOR had taken up Meighan's position and for the last 1 ½ years has been overlapping jobs. Meighan was still communicating with him until his official retirement in February.

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

Frank Huntington said he had enjoyed working with Meighan who had done a fantastic job.

He reported that the Oregon line had received final approval and the contracts were in WSOR's hands. He said WDOT will sign them. Huntington also reported on the Madison track work. On the Reedsburg line, WDOT is still negotiating with UP and they have entered into contract with a consultant to do some underwater inspections. He said it was a good investment as there has been heavy rain and high water in recent years. He was not anticipating any issues from the inspection.

Huntington reminded everyone about the WDOT Freight Rail Conference and encouraged everyone to try to attend. He said the Governor's Freight Summit had gone well and they were looking at an alternative date next year to create less confusion between the various conferences. He said they may combine Freight Rail Days and the Governor's conference, or move one to the spring.

Nilson asked about the attendees at the Governor's Freight Summit. Huntington said there were a number of industry representatives presenting. He said about 170 people signed up, including those from a broader range of industries, businesses, providers, etc. He said the main focus was truck, air, water, and rail freight. The majority of time was dedicated to highway freight. Canadian National was the only railroad that presented.

### **13. WRRTC Administrator's Report – Troy Maggied, WRRTC Admin.**

Maggied distributed the list of the 2014 meeting dates to the Commissioners.

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

Huntington gave some background on the project, noting that the road was along rail, under State Highway 12. He said they were close to a final design and that there had been a lot of comments and review by both WDOT and WSOR. He said the Commission

## WRRTC FULL COMMISSION APPROVED NOVEMBER 2013 MEETING MINUTES

could take action today if they wanted. He noted that WSOR had not made its final determination but the City had taken action to address most of the concerns brought up by the railroad.

Tom Stetzer said he had taken all the comments from the previous meeting and incorporated as many as possible. He said he had set up a design meeting with WDOT and WSOR where they had discussed the final details to get to the final design. He said that the sidewalk had been moved to the north side of the road, as far from the track as possible with 20' of pavement with curb and gutter. The 8' sidewalk would give pedestrians more space and comfort, as well as snow removal storage. An additional sidelight facing west was designed to give eastbound travelers a sightline to see if a train was coming when making a right turn out of the development. Also, a small raised median south of the tracks was put in to prevent U-turns on top of the track. Capital Brewery had been consulted to ensure that truck delivery for grain could continue. A 6' fence was added south of the bridge columns between the road and the tracks. They consulted with WDOT on pier maintenance. Stetzer said more WDOT coordination is need for the final approval and there need to confirmation that abutments were not impacted. All improvements were outside of the 33' corridor.

On the tie-in to High Point Road, Stetzer said the proximity of abutments prohibited street curving up enough to make a 90 degree connection. He said that no abutment would be encroached upon without too critical a radius.

Van Schwartz said that the safety improvements were fantastic but noted that Middleton may give up its potential for a quiet zone status due to island. Huntington said the road as planned would preclude quiet zone status anyway.

Ranum asked if the Commission was ok with the crossing not being barricaded. He was told that there will be flashing double red lights in the sidelight which is the standard mitigation and gates already exist at the crossing.

Huntington said this was close to a final design but that final approval had not been given yet. He said if the Commission was comfortable taking action they could but he was not sure if Ken Lucht was ready to sign off. He said WDOT was looking forward to WSOR giving approval before WDOT have its final approval. Nilson suggested the Commission not act today but make it an action item for the December agenda in which time WDOT and WSOR would have time to decide what they wanted before WRRTC approval.

Van Schwartz asked about the lighting under the road. Stetzer said there was currently lots of pedestrian lighting but more could be added. He added that he had been corresponding a lot with Lucht and that he had the final designs and was circulating them at his office for final approval.

Bill Ladewig asked if Middleton would hold the WRRTC harmless and Huntington said that the final approval requires this. Allan Polyock suggested approval of the project as it was presented, adding that the only thing holding up the project was final WSOR and WDOT agreement.

- *Motion to conditional approval Option 2, City of Middleton Hwy 12 Road Connection Project Involving ROW – Ruff/Polivka, Passed Unanimously*

### **15. Consideration of and action on Issuance of a Request for Shipping Services (Fitchburg to Oregon/Evansville rail line)** – Frank Huntington, WDOT

Huntington said that the line had been acquired in 1999 through a series of agreements. Fitchburg acquired the track and operating authority at that time. They had entered into agreement for land use so that when the railroad was ready to operate, the WRRTC would take possession. There are a series of notices necessary to activate this sequence of events and they are ready to begin. As a first step, the railroad needs to give 30 days' notice they are ready to operate. The Commission acts to notify the railroad that the line is ready to be open for service. This happens by giving WSOR something in writing saying the two communities are asking for service.

Sweeney asked if there would be an inspection. Meighan said it would be up to WSOR to determine the line's operability and WDOT would inspect the rail since they would be providing the funds for the rehab. This was a 2014 project that WSOR intends to contract out. Money would be available by the end of next week if the contract were complete. The Commission was told the bid package was nearly ready and it was likely they would go out and brush this year so construction could begin spring 2014, with some bridge work to be done this winter.

- *Motion to authorize Mary Penn, Administrator, and Eileen Brownlee, Corporation Counsel, to issue request for shipping services to WSOR on the Oregon to Fitchburg line on behalf of the WRRTC. – Nilson/Ruf, Passed Unanimously*

**16. Consideration and Action regarding revised language to the WRRTC/WSOR/WisDOT Grant and Operating Agreements – Frank Huntington, WDOT**

Huntington said that 1 ½ years ago Watco was new and wanted to change its liability, in particular portions of the hold harmless agreement as well as reporting portions. He said that language was now mostly finalized, saying that Brownlee and WDOT had looked at and approved of it, as well as Watco. He said if the Commission were ready to take action they could but if they preferred they could wait. Brownlee said that waiting would give Commissioner's time to review the language themselves. She said it was a change in insurance requirements and self-insured retention due to Watco being a larger entity with different financial considerations to fund self-funded retention. In terms of reporting, dealing with the Commission as a public body makes it important to make sure the operating entity is in good operational financial standing. Under the language, WDOT would be able to review the books, not just reports to the Commission on financial viability. She said it would be worthwhile for the Commissioners to look at the draft prior to approval and recommended tabling the item but she did recommend approval. Huntington said he would get the agreement to Penn who would electronically distribute it to the Commissioners. He said there were a lot of amendments so it was possible there would be future action to rewrite the agreement incorporating the amendments into the body of the document. He recommended just sending out the agreement with the language changes. Brownlee also noted there were a lot of amendments with added line segments and definitions.

- *Motion to table Item 16 – Gray/Anderson, Passed Unanimously*

**17. Discussion and Possible Action regarding Grant and Operating Agreements with WisDOT and WSOR for the Madison to Reedsburg/Cottage Grove lines and the Madison to Evansville line – Frank Huntington, WDOT**

Huntington introduced the item noting that no action was needed today and he would have more information at the next meeting. With the acquisition of the Reedsburg line, documents need to be sent to the Surface Transportation Board (STB). Recent acquisitions have stricter agreements. Huntington said that WDOT purchases track and land and the operating authority is acquired by the railroad. However, WDOT does not want this as it would make WDOT a "railroad" with all the liability and requirements.

He said that WDOT will submit all documents to the STB who will make the decision that by acquisition of the track, improvements, etc. but WDOT will not be a railroad will not fall into their jurisdiction.

He said that WDOT had a pretty good agreement from previous situations which was nearly ready for review from the Commission's and WSOR's corporation council. He said it was hoped that the documents would be ready by December, noting that while the acquisition would not be complete, hopefully the end of the year would see the final submission. He said that the railroad will get a permanent use of easement along with operating authority. The agreement limits WDOT authority to regulate operation so there is "little teeth" in the agreement.

Brownlee said it is important that the STB was satisfied, even though lots of local control is relinquished. She added that this new agreement would be different from past agreements and for that reason, she recommended a full Commission meeting next month to consider the item. She recommended the Commission not delegate authority to the Executive Committee due to the significance of the agreement and also recommended the Commission table this item until the next (December) meeting.

Huntington pointed out that this is the same agreement as is being recommended for the Oregon/Fitchburg line.

Sweeney called for a Full Commission meeting on December 6<sup>th</sup>, 2013, rather than an Executive Committee as was currently scheduled.

- *Motion to Table Item 17 – Mace/Ruf, Passed Unanimously*

**18. Consideration and Possible Action on Sauk City Bridge Re-measurement**

Van Schwartz told the Commission he had an article on transit in the December issue of Trains. Next, he told the Commission that he fully agreed with Huntington on looking at the full agreement(s) discussed in items 16 and 17.

He said since last month Westbrook Engineering had set up a bridge inspection for 11/15. Originally, the plan called for getting a high rail car on the south side of the river but that would be impossible due to the vegetation. He said Westbrook Engineering would kayak across the river since there was no other way to access that side. He noted that this inspection had been budgeted in 2013 and 2014 at \$1,000 (to Westbrook). Doing the inspection in normal conditions were estimated at \$600 – 700, well below the budget allotment. Polivka asked why the bridge was being inspected if the bridge was partially removed. Van Schwartz said the south pier could collapse although there were no problems anticipated.

- *Motion to pay Westbrook Engineering for Sauk City Bridge Inspection – Polivka/Ruf, Passed Unanimously*

## WRRTC FULL COMMISSION APPROVED NOVEMBER 2013 MEETING MINUTES

**19. Consideration and Possible Action on 2012 draft WRRTC Audit with Johnson Block – Troy Maggied, PRTC Admin.**  
The audit was not available. Penn will include it in the December agenda.

**20. Discussion regarding renewal of WSOR rental obligation defined in WSOR and WRRTC Operating Agreement 2007 Addendum (annual rental obligation is presently \$45,000) – Alan Sweeny, Vice-Chair**

Sweeney said that the Commission had agreed to review the agreement every two years and the time was up. Polivka asked what the agreement was. The Commission was told that in the past the rent had been increased from \$30,000.00 and that had been the first time in many years it had been renegotiated. The rent gives money to the run the Commission in exchange for rail use by WSOR: WSOR rents track from the WRRTC. The Commission learned that the WRRTC is currently in the red for \$3,100 in 2014. Rent moneys are either in rail rehabilitation or in operations and what isn't used goes back to the railroad every year. It was recommended that Penn distribute the current agreement to the Commission prior to the December meeting.

Ranum asked if market value impacted the rent. The answer was no. Nilson recommended that the Commission raise the rent by \$5,000.00 so operations would be back in the black. Huntington gave some history on the issue, noting that \$10 per car was charged when 8-10K cars was the norm but nowadays it was 60-70K cars. He said the agreement did not allow money to return to the counties so operations were looked at and determined how much should be kept so as not to ask the counties for more money. He said the rent had been at \$30,000 for 8 to 10 years.

Alan Anderson said that additional WSOR lines could generate more revenue. In reference to the Reedsburg acquisition, the Commission was told that an agreement was close but there was no final on either the purchase price or the agreement. Huntington said that perhaps there might be something to report at the next meeting. Van Schwartz said the Reedsburg line needed work and the WRRTC needed funds to match if the WDOT funded work. He said the WSOR lease was very low, compared to the national average. Gray said that the 2014 budget has a deficit with 2016 with a \$1700 deficit. Nilson suggested the Commission consider adding \$5,000 to the rental obligation to get the budget whole.

**21. Action Item. Adjournment**

- *Motion to adjourn at 12:09 PM – Gustina/Cornford, Passed Unanimously*

# DRAFT

**Walworth County Board of Supervisors  
Walworth County Park Committee  
MEETING MINUTES  
November 4, 2013  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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Call to order: Vice chair Kilkenny called the meeting to order at 1:02 p.m.

Roll call was conducted with members present: Vice Chair Dan Kilkenny, Supervisor Nancy Russell, and Citizen Members Mariette Nowak and Michael Hurlburt. Chair Tim Schiefelbein was absent with excuse.

Others present:

County staff: Kevin Brunner, Director of Central Services, David Bretl, County Administrator.  
Members of Public: James Downey, 6275 Sheridan Springs Road, Burlington Wi.

**Agenda withdraws/approval Hurlburt/Nowak. Motion carried 4-0.**

**Public comment period** – James Downey spoke regarding his appreciation for receiving minutes of the meeting and mentioned he still has issues with hunting and recreation at the White River Park. Mr. Downey feels mixing hunting with recreation is a disaster waiting to happen. Downey mentioned that his neighbor Roger Griffin wanted to attend and speak but was unable. Downey stated if the Wisconsin Department of Natural Resources (DNR) wants to run how hunting takes place at a County park the committee should find a way to have the County fund the park itself and keep DNR out of it.

OLD BUSINESS

**Amending Section 42-1 of the Walworth County Code of Ordinances Relating to Hunting, Trapping and Fishing at planned White River Park.** Brunner reviewed the material in the packet concerning amending section 42-1 regarding trapping and hunting in the White River Park. DNR will not allow hunting to be restricted to only bow and arrow. Gun hunting must be allowed; however, it can be limited to shotgun (to include pistols and muzzleloaders) and preclude rifles. Due to trapping regulations, trapping would not be allowed in the White River Park; therefore the DNR wants the County to designate a specific area where trapping could occur. A map was included in the packet indicating the trapping area. Brunner informed the committee he heard from the attorney for DNR at 12:30 today. The attorney felt the ordinance still had too many restrictions on hunting. The attorney mentioned that the County could present the ordinance as is to the DNR board, but would run the risk of not receiving Stewardship funding. Bretl mentioned the DNR has concerns over time frames in (9), even though they are from DNR documents for State parks.

Kilkenny does not want to place the park purchase in jeopardy over the issue of hunting times. He proposed removing (9), and committee concurred.

In section (d) (2) the committee recommended the .22 caliber rimfire rifle be removed from the ordinance. Russell would like the permit to state that traps should be “dog friendly” traps.

Brunner stated staff will make changes to the draft and submit a letter to the DNR with the county’s position and ask to be placed on the DNR board meeting and will approach legislators regarding the issue. Nowak suggested involving citizens and she will contact 2-3 groups.  
**Motion by Nowak/Hurlburt for staff to proceed as directed. Motion carried 4-0.**

Next Park Committee meeting will be Monday, December 16, 2013 at 1:00 p.m.

**Motion to adjourn by Nowak/Hurlburt at 1:56 p.m. Motion carried 4-0.**

Minutes recorded by Vicki L Price, Public Works Department.

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

# DRAFT

**Walworth County Board of Supervisors  
Walworth County Park Committee  
MEETING MINUTES  
October 14, 2013  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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Call to order: Vice Chair Kilkenny called the meeting to order at 1:00 p.m.

Roll call was conducted with members present: Vice Chair Dan Kilkenny, Supervisor Nancy Russell, and Citizen Members Mariette Nowak and Michael Hurlburt. Chair Tim Schiefelbein was absent with excuse.

Others present:

County staff: Kevin Brunner, Director of Central Services, David Bretl, County Administrator. County Board Members: Carl Redenius, Jerry Grant, and Timothy Brellenthin.

Members of the Public: David Schilling, Principal Planner, Southeastern Wisconsin Regional Planning Commission (SEWRPC), James Downey of 6275 Sheridan Springs Road, Burlington, Roger Griffin, 2186 South Road, Burlington, Sally Downey 6275 Sheridan Springs Road, Burlington and Pat Jenner of 6604 Buckby Road, Lake Geneva.

**Approval of minutes of September 30, 2013 meetings.** Russell thought on the 3<sup>rd</sup> page of the minutes, second paragraph that County should be inserted instead of state. Sentence to read ... cannot be left on ~~state~~ county land unattended. **Motion by Kilkenny/Nowak to approve minutes with changes as discussed. Motion carried 4-0.**

**Agenda withdraws/approval Nowak/Hurlburt. Motion carried 4-0.**

## **Public Comment –**

James Downey described his property and the fact that his children, grandchildren and various animals use the property. He is truly concerned about hunting on the property. He has fears regarding stray bullets on his property. He asked the Committee find a way for it to be safe on his farm and for his family.

Robert Griffin spoke on his concerns regarding hunting, dogs and trapping. He would like the property to be well signed and fenced with no hunting after dark. Mr. Griffin mentioned the current peaceful environment. Mr. Griffin feels the county will have a huge liability if hunting is allowed, and the most important concern is for the safety of both park users and neighbors. Mr. Griffin thanked the committee for the opportunity to speak.

Sally Downey has concerns regarding the compatibility with hunting and a recreation park. She also has concerns regarding use of the White River during summer when it is low.

Pat Jenner indicated her property is by Sheridan Springs and Buckby Road and a portion of her yard abuts the woods on the north side. Jenner stated she lives by the bridge where the public is currently accessing the White River and feels it is a very busy access.

## **Old Business**

**David Schilling Principal Planner, Southeastern Wisconsin Regional Planning Commission to review draft of Chapter V – Recommended Park and Open Space Plan, of the Walworth County Park and Open Space Plan** Schilling reviewed the history of the Park and Open Space Plan and inquired as to the committee's wishes for a date for the public informational meeting, and whether if the committee wished any additional meetings. Schilling mentioned the future White River Park is not included at this time. Russell mentioned that it looks like the plan conveys what townships wanted to eliminate off and on road uses. **Motion by Russell/Nowak to approve Walworth County Park and Open Space plan.** Carl Redenius asked to speak regarding spending money on parks and people using private property due to maps indicating property is public land. Schilling stated he has not seen maps and has not been approached by a map company. **Kilkenny asked for a vote; motion carried 4-0.**

**Amending Section 42-1 of the Walworth County Code of Ordinances Relating to Hunting, Trapping and Fishing in County Parks.** Kilkenny reminded those present that the recommendation for rules for hunting and trapping are coming from Wisconsin Department of Natural Resources Department (WIDNR). Bretl has been working with the attorney from WIDNR to fine tune the ordinance. Russell distributed "Hunting, Trapping and Fishing in Wisconsin State Park Lands" that showed timeframes for hunting, trapping and fishing. Russell would propose restricting hunting to bow and any trapping 300 feet from rivers or trails. She is in favor of permits being issued for hunting and trapping. Nowak questioned traps being safe for dogs and the availability of such traps. Nowak agreed with Russell and the members of the public present that we should be as restrictive as possible and still receive the grant. Russell mentioned under item D(1) that state, county and town laws must be observed at all time, Nowak concurred. The Vice Chair recognized Jerry Grant. Grant spoke on his hunting knowledge. Redenius mentioned he also hunts. Russell mentioned she would like to see signage to warn the public that hunting and recreation is being mixed in the park. **Motion by Russell/Hurlburt to have signs installed in the park indicating hunting areas. Motion carried 4-0.**

**Motion by Russell/Nowak to restrict hunting to archery only, second by Nowak. Motion carried 4-0.**

**Motion by Russell/Nowak to allow hunting and trapping by permit. Permits to be issued by Department of Public Works and that rules will be handed to a successful applicant. Permit to include that permits must follow any state, county or town rules. Motion carried 4-0.**

Brunner asked if the committee would like to meet one more time to review the ordinance after WIDNR reviews. If a meeting is necessary, it will be scheduled for November 4, 2013 at 1:00 p.m.

## **New Business**

**Review conceptual plan for proposed White River Park** Brunner reviewed the plan with the committee. Stewardship funds will be used for two parking areas, two restroom facilities and a boat launch. Department of Natural Resources suggested looking into an alternative location for the boat launch. Southeastern Regional Planning Commission staked the wetlands on the property and found slightly less wetlands, so the map will need to be revised, and also adding a parking area where the future sledding hill would be located to eliminate the street crossing by users of the hill. Kilkenny asked what staff's intentions were regarding the plan; Brunner replied it gives us an idea for the future. Russell inquired as to altering the barn into Nature Center as a gathering place for volunteers and park users. Schilling will alter the plan to indicate a possible Nature Center at the current barn location.

**Discussion and possible action regarding policy for donations and naming rights in County parks.** Russell asked if this item needed to be decided today. Bretl did look at the information Brunner had drafted and would be agreeable to placement in an ordinance. Russell suggested additional wording to include applying funds where most needed, which may include future parkland acquisition. Russell has concerns over unspecified donations being used for improvements and would like to see park funds segregated to parkland acquisition and improvements. The Committee discussed naming and renaming process. Russell had concerns regarding item "F. Any individual who provided an exceptional service in the interest of the park system as a whole. Typically, while serving in a public office, public officials should not be considered as a candidate for naming." Russell asked what would be the period of time. Due to time constraints Committee would like to review policy again at the next meeting.

**Discussion concerning marketing parkland acquisition fund as requested by Mariette Nowak.** Due to time constraints, Nowak agreed to have this item postponed until the December 16, 2013 meeting.

Confirm next meeting date and time: December 16, 2013 at 1:00 p.m.

**Nowak and Hurlburt moved to adjourn. The motion carried 4-0 and the meeting concluded at 3:12 p.m.**

Minutes recorded by Vicki L Price, Public Works Department.

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

**Minutes of the 2013 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 7th, 2013 at Town Hall, East Troy, Wisconsin.**

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

Also Present: 20 Electors.

Chairman Bonneau called the Annual Meeting to order at 9:00a.m.

Christine went over the finances of the district explaining the current year to date as well as the proposed budget for 2013. Adjustments were made for next year on interest due to current low rates of return. Payroll numbers were comprised of the maintenance and weed cutting as well as the Clean Boats Clean Waters staff. The payroll was lower this year due to the lack of harvesting that was needed. Christine explained that we use two different banks for our funds so that our money is protected under the FDIC. Looking forward there is not a lot of change in the budget for 2014. Barry went onto explain why we have bigger numbers in the budget than what we spend in some years. The budget is designed so that we are able to deal with things that may come up during the year. Example was last year's payroll and treatments with the weeds as opposed to this year being a good year and having minimal harvesting. Questions were taken from the floor and it was asked why we needed so much in reserves. Christine explained that we are in the good standing we are in because we have collected a small amount each year. If you look at what is spent on a average year we are going into that reserve each year as we spend more than we collect. We do need to keep some reserve in the event something major were to happen (examples were given of the new truck we had to purchase for harvesting, maintenance or replacement of the harvester, reconstruction or repair of the dam if it were to fail) Bob commented on the fact that condo's have association fees in order to maintain them and that the amount that the district collects each year is very nominal for what we are providing. The thought process is that it is easier to collect a little each year so that we may be able to avoid a special assessment in the event of a major financial expense. Barry commented that we used to be able to get grant funds to help us with our lake projects and the availability of those funds are getting limited. A constituent asked about the possibility of cooping a harvester in order to cost share. The problem was explained that when the need comes up who would get the harvester as many local lakes share the same situations as well as the difficulty in moving the harvester. A constituent asked about collecting fees at the boat launch from people who use the lake. We commented that the DNR maintains the launch and if we were to charge a fee we would have to take over the maintenance of the launch. With the few parking spaces it would be almost impossible to collect enough to cover the cost of maintaining.

9:07am

**DESCRIPTION**

**2014 Proposed Budget**

**Receipts:**

|                       |           |
|-----------------------|-----------|
| District Tax          | 12,000.00 |
| Special Tax           | 42,000.00 |
| Interest on Savings   | 3,500.00  |
| Grant                 | 0.00      |
| Flare Sales           | 1,000.00  |
| Transfer from Savings | 57,200.00 |

**TOTAL** 115,700.00

**Expenditures:**

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

**TOTAL EXPENDITURES** 115,700.00

**9/01/2013 ASSETS:**

**Citizens Bank of Mukwonago**

|                         |            |
|-------------------------|------------|
| Checking Account        | 29,948.59  |
| Money Market            | 1,053.20   |
| Certificates of Deposit | 176,844.54 |

**Landmark Credit Union**

Certificates of Deposit

104,105.56

**Total Assets****311,951.69**

Barry started the annual meeting and gave people the chance to review the printed minutes from the 2012 annual meeting. A motion was made to approve the minutes as printed and was approved. Christine gave the treasures report and went over why we budget the amounts we do. She explained that the budgeted amounts are needed in the event we have to harvest or do lake treatments. In years where we don't have to harvest or chemically treat as often we do not use all of the budgeted funds. Most of the time we use far less than what is budgeted. Christine commented that according to Rich and Elroy our equipment seems to be in good condition. Joyce asked if it were possible to break down the budget further. Christine said she was more than willing to do this but asked that people be reasonable. The district only writes about 60 checks per year and we do an audit that people are welcome to attend. Payroll can be broken out between the Clean Boats Clean Waters program and the harvesting. We can provide a further break down of lake projects for Kathy Aron, harvesting, and siphoning. Bob commented that the further you break down certain line items the more you may be limited. In years when we have to use the siphons because of rainfall if we run over the budgeted line item we would have to call a special meeting in order to approve an increase. If we leave it more general it is less likely to happen. Christine offered to go through the books with anyone who had questions. Next year we can have sub categories for Lake Projects and Payroll.

Kathy Aron was unable to attend due to a family emergency and provided the below summary.

**Potters Lake Summary - 2013**

This has been a more "normal" summer. Spring and early summer rains kept lake levels up and cool temperatures in early summer kept algae blooms at a minimum. Last fall, a large-scale Eurasian watermilfoil treatment was conducted on Potters Lake, targeting the boat launch bay and the western "flats" area of the lake. That treatment was very successful. Fall treatments have been an effective tool in managing milfoil. Milfoil was not found in any quantity in Potters Lake until mid-August of 2013. The milfoil in the shoreline areas (the pier zone) and the boat launch bay was treated in August. The lake will be reviewed again in mid-September to see if additional milfoil should be treated. We know from past experience on Potters Lake that keeping the milfoil in check is crucial. Otherwise it grows out of control, making lake use nearly impossible. Also, because of the requirements of some DNR staff, the larger the treatment area, the more conditions are imposed on treatments. Keeping milfoil populations under control will minimize costly treatment permit conditions.

The District may continue to harvest as needed to maintain navigational access for property owners. The harvesting permit is valid until December 2016.

The 2014 chemical permit will need to be applied for in spring, since those are 1-year permits.

Last year, the very high water temperatures led to fish kills around SE Wisconsin. Large Northern Pike were especially susceptible in a number of lakes. Potters Lake had a fish kill this year in early summer. Primarily small panfish were affected. That is usually spawning stress that can occur in fluctuating water temperatures. Fish kills of a single species like what occurred on Potters Lake is usually not a problem for a lake system. The next DNR fisheries survey is scheduled for 2016.

It is also important to make sure boats and trailers coming into Potters Lake are clean of all plant fragments and water from other lakes. This minimizes the spread of other invasive species. Most invasives cannot be removed from a lake once they are there, so prevention is very important.

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

Kathy Aron  
Aron & Associates

Barry asked if there were any questions or comments from Kathy's report. There were no comments. Jack Basso publically thanked the people on the lake who provided the great fireworks this year. Bob talked about the Clean Boats Clean Waters Program and asked that people cooperate with the staff when launching. He also stated that drain plugs need to be removed after boats are taken out. There were several reports from boaters this year that MN was ticketing trailered boats that had plugs in them. Christine reminded people that people born after 1989 need a boater's license. She encouraged people to remind their neighbors to practice safe boating habits. We want to keep our lake safe.

Christine went over her thoughts on what our directory could look like. Safety phone numbers, map of the lake, boating rules, and maybe some advertisement. Barry commented that this is for the use of the residences only and not for solicitation and that is why we want a printed version instead of doing it online.

We talked about the current website and the need to update it. Christine proposed that we look into updating our site after talking with Al who currently does our web maintenance. He thought that to update our site into a current format it would cost about \$3500. This would help us to make changes on our site easier for us. Barry commented that he knows someone who does web work and maybe we could get a comparison quote from a few different people. Bob asked how many of those in attendance used the website. Only 3 people in attendance currently use the site. Bob asked if Al could provide the number of hits that we get on our current site to try and determine the amount of usage. There was conversation about links to the DNR and Walworth County so that it was easier for those

using the site to get information on boater's safety, building and zoning, ect. A committee was formed to come up with a design for what the new site will look like, get estimates for cost, and report back to the group at the spring meeting. A motion was made and passed to commit \$5,000 towards the development of the website.

Under public comments Dave Urban suggested that we have fishing regulations at the launch so that the information is on hand when people ask. There was conversation both for and against and it was decided that we would contact the DNR to see if they could post the fishing regulations down at the launch.

Christine reported on behalf of Paul on the weed cutting this year. This year even though we didn't use the equipment much we had it out and ready and made sure that it was all in good working order. Being that we are at the end of the season we discussed when the harvester should be removed and it was decided that we should leave the harvester in for about another 3 weeks till after the fall lake report is done.

Lake levels were discussed and the importance of controlling the level to prevent erosion and floating bogs. Our current trigger point is 8.8 to post slow-no-wake by the current town ordinance. When water levels rise above this level the district implements the siphons to try and regulate the level. The question is when should the commissioners implement the siphon. We were looking for input from the constituents on what level the siphons should be installed at and when they should be removed so that we have some kind of guide. Comments were made that depending on the direction of the wind the sign at the dam could read different levels and is not 100% accurate. Bob commented that the ordinance is in place to close the lake at 8.8 and if we fail to post the signs and there were an accident we could be held liable because we failed to post. Barry went on to explain the size of the dam and due to it's limitations to shed enough water in springtime and in periods of heavy rain we use the siphons and are looking for guidance for levels of implementing them. There was further discussion about levels of when to start and stop the siphons and it was left that the commissioners will make the decision based on weather.

Barry went over the districts insurance and explained that our current agent supplied us with a quote for an umbrella policy. Barry explained what umbrella insurance covers and went over the premium for the option they quoted. Barry had called the agent and asked about exposure and other lakes claims activity and why this was recommended. They stated that they had no umbrella claims for lake districts and it was a product that is being offered to us if we feel the need. There was conversation by the board and those in attendance of our potential risks along with our current coverage. A motion was made to pass on this coverage with all in favor and Bob abstained.

Bob's term as a commissioner is up at the end of this year and no one else showed an interest in the position. Bob accepted another term which will run 2014-2016.

Resolutions were reviewed for the year 2014 and approved as presented.

A constituent asked about the follow up from our interviews with other possible consultants. There were two consultants that presented to the board and each had different proposals and ideas for our lake. We had decided to stay with Kathy and Brian as the board thought that this was in the best interest of the lake moving forward. The board does this from time to time to allow us to gather other options for lake management as well as making sure no one takes our business for granted. Barry commented on our meeting with the DNR and how they oversee our lake treatments. Meeting was adjourned at 11:36am

**County Board Executive Committee**  
**MEETING NOTICE**  
**Thursday, September 5, 2013**  
**4:30 PM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**

Chairman Weber called the meeting to order at 4:40 PM.

A quorum of committee members was in attendance, including Chairman Weber and Supervisors Brandl, Schiefelbein and Russell. Supervisor Kilkenny was absent.

The agenda was approved 4 – 0 on motion and second by Brandl and Russell.

There was no comment during the public comment period.

Others in attendance included Supervisors Stacey, Brellenthin, Schaefer and Grant; Kevin Brunner, Director of Central Services; David Thompson, Deputy HHS Director; Linda Seemeyer, HHS Director; Tracy Moate, CDEB/Lakeland School Administrator; Nicole Andersen, Deputy County Administrator – Finance; and, Dave Bretl, County Administrator.

**Appointments**

The County Administrator's nominees, Andrew Kerwin and Susan Leffelman, were recommended for appointment to the recently created county Transportation Coordinating Committee (TCC) on motion and second by Brandl and Schiefelbein, and a 4 – 0 vote. Bretl explained that each member of the TCC represents a different role or service in the community as specified by ordinance. An ordinance amendment will be reviewed by the executive committee at its regular September meeting to specify two-year terms of service on the TCC.

**Consent items**

Expense and mileage reimbursement claims submitted by Rick Stacey and Richard Kuhnke were approved on motion and second by Brandl and Russell; the motion carried 4 – 0. Brandl and Schiefelbein moved and seconded approval of Nancy Russell's expense claim. The motion carried 3 – 0 (Russell abstained).

Chairman Weber stated that he had no reports or announcements.

The next Executive Committee meeting was confirmed for September 16, 2013 at 10 AM.

Chairman Weber adjourned the meeting at approximately 4:45 PM on motion and second by Supervisors Brandl and Schiefelbein.

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Respectfully submitted by Tammy Werblow, assistant to the Walworth County Administrator.

**BOOTH LAKE MANAGEMENT DISTRICT**  
P.O. BOX 778  
EAST TROY, WISCONSIN 53120-0778  
REGULAR MEETING OF THE BLMD COMMISSIONERS  
July 21, 2013

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Greg McElwee, Stan Muzatko (County Board Rep.).

1. Meeting called to order at 12:12 pm.
2. **APPROVAL OF MINUTES**  
June 22, 2013 Meeting  
Motion for approval of the minutes of the June 22, 2013 meeting by Stan Muzatko, 2<sup>nd</sup> by Barry Loveland. Motion approved.
3. **APPROVAL AND ADOPTION OF BUDGET FISCAL 2014**  
Motion to approve and adopt a property tax levy of \$140 as approved by the Electorate at the 7/21/13 Annual Meeting by Gary Hegeman, 2<sup>nd</sup> by Greg McElwee. Motion approved. This results in a budget/total expenditure of \$16,200. The approved 2014 budget is attached.
4. **OTHER BUSINESS**
  - Greg McElwee will discuss further details regarding the proposed water quality class/presentation with Kathy Tober and possible scheduling.
  - The Commissioners briefly discussed the letter to be sent to the Town of Troy Board concerning water way markers on Booth Lake. It was agreed the latter would be sent to each Town Board Member and posted on the BLMD website.
5. **PUBLIC/COMMISSIONER'S COMMENTS**  
None.
6. Motion to adjourn the meeting by Barry Loveland, 2<sup>nd</sup> by Stan Muzatko. Meeting adjourned at 12:26 pm.

Respectfully submitted by  
Gary Hegeman – BLMD Secretary

**BOOTH LAKE MANAGEMENT DISTRICT**  
**BUDGET SUMMARY FISCAL 2014**

| <b><u>EXPENDITURES</u></b> |                 | <b><u>SOURCES OF FUNDING</u></b> |                 |
|----------------------------|-----------------|----------------------------------|-----------------|
| ADMINISTRATIVE EXPENSE     | \$500           | INTEREST INCOME                  | \$100           |
| EDUCATION                  | \$100           | TOWN OF TROY                     | \$500           |
| INSURANCE                  | \$2,700         | PROPERTY TAX LEVY                | \$12,600        |
| LAKE MANAGEMENT            | \$5,000         |                                  |                 |
| LAKE HABITAT FUND          | \$100           | 2013 BUDGET SURPLUS              | \$3,000         |
| LEGAL & PROFESSIONAL       | \$2,000         |                                  |                 |
| MAINTENANCE AND REPAIR     | \$500           |                                  |                 |
| SEPTIC SYSTEM ORDINANCE    | \$4,800         |                                  |                 |
| WATER QUALITY STUDY        | \$500           |                                  |                 |
| <b>TOTAL EXPENDITURES</b>  | <b>\$16,200</b> | <b>TOTAL FUNDING</b>             | <b>\$16,200</b> |

**APPROVED PROPERTY TAX LEVY: \$140**

**Booth Lake Management District**

**P. O. Box 778**

**East Troy, WI 53120**

Phone: 262-642-7285 Fax: 262-642-7493 Email: [gmheg@wi.rr.com](mailto:gmheg@wi.rr.com)

Website: [www.boothlake.org](http://www.boothlake.org)

**NOTICE OF**

**Booth Lake Management District Commissioners Meeting**

**Sunday, July 21, 2013**

**Immediately following the Annual Meeting of Electors**

**Held at the Alice Chester Center Pavilion**

**AGENDA**

The Agenda for this meeting shall include, but be not limited to the following:

1. Call meeting to order
2. Approve minutes of the Meeting of June 22, 2013
3. Approve and adopt the fiscal 2014 budget and tax levy
4. Election of Commissioners
5. Any other business for approval as directed by the Electors at the Annual Meeting
6. Public/Commissioner's comments
7. Adjourn

Respectfully submitted

G. M. Hegeman

Commissioner/Secretary

July 1, 2013

Persons with disabilities who need accommodations to attend meetings should contact the BLMD Secretary at [gmheg@wi.rr.com](mailto:gmheg@wi.rr.com) or 642-7285 soon as possible so that needs can be reasonably met. Meetings posted at three locations in the Town of Troy: Troy Town Hall F/D, N8870 Briggs St, Little Prairie Cemetery, Palmyra Rd., Little Prairie, Landmark Services Cooperative, N8265 Cnty Rd. N. Agenda subject to change 24 hours prior to meeting.