



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, April 25, 2013**

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

The meeting was called to order by Chair Russell at 9:31 a.m.

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

Others in attendance included:

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser-Finance; John Orr-Information Technology; Michael Cotter-Land Use & Resource Management; Kevin Brunner, Peggy Watson-Public Works; Valerie Etzel-Treasurer's Office; Kristi Jones-UW Extension.
- Members of the public: Ed Yaeger, Lake Geneva, WI.

Agenda withdrawals — There were no agenda withdrawals. **Motion Supervisors Schaefer and Kilkenny to approve the agenda; carried 3-0.**

Approval of minutes of last meeting(s) — April 16, 2013 Special Finance Committee Meeting — **Supervisors Schaefer and Kilkenny moved approval of the minutes; carried 3-0.**

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

Unfinished business

Discussion and possible action regarding communication from Supervisor Rick Stacey regarding zoning fees — This is a referral from the April 16, 2013 County Board meeting. Bretl said Supervisor Stacey was unable to attend today's meeting and requested that the item be tabled to next month. **Supervisor Kilkenny moved to table to the committee's May meeting. The motion was seconded by Supervisor Schaefer and carried 3-0.**

Consent items — Lanser said she has no specific TIF report today. Russell asked that the report on sale(s) of tax foreclosure properties, Item 8D4, be held for separate discussion. Bretl recommended separate discussion for Items 8A1a - budget amendment IT001 and 8B1 - the UW-Extension/WNEP contract. **Supervisors Schaefer and Kilkenny moved approval of the remaining consent items; carried 3-0.**

Budget amendments

Information Technology

- IT001 — Transfer funds to outsource application development services — Bretl reported that Orr's proposed position changes were approved at yesterday's Human Resources Committee meeting. The ordinance will go to the County Board next month. Instead of filling two staff vacancies in IT, Orr proposes to outsource programming instead of attempting to write them in-house. Bretl feels that Orr's proposal should work out and yield cost savings and a good product. However, if the downsizing does not work, staff will revise the recommendation and bring this item back. **Supervisors Schaefer and Kilkenny moved to approve budget amendment IT001; carried 3-0.**

Bids/contracts

- Approval of UW-Extension Wisconsin Nutrition Education Program (WNEP) contract for 2013-2014 — We have been doing this program since at least 1995, according to Bretl. The agreement obligates us to provide office space and allocate equipment and supplies, as we have in the past. He wanted the committee to be aware that we are signing it because Extension's fiscal year starts in July whereas ours runs on a calendar year. **Supervisor Schaefer moved approval. Upon second by Supervisor Kilkenny, the motion carried 3-0.**

Notice of emergency procurement

- Replace gas main from meter into the Government Center

Reports

- Quarterly delinquent tax report – 1st quarter 2013
- Quarterly property loss report – 1st quarter 2013
- Update on tax incremental financing (TIF) district(s)
- Public Works report on sale(s) of tax foreclosure property — Brunner reported that two properties have been sold. The memo he provided for the packet stated there were three but the Town of Linn parcel came back to us. Staff request authority to re-list 15 of the remaining 18 parcels for sale with Wisconsin Surplus Online with no minimum bid required. We previously received bids on three parcels which were not accepted by the committee. Staff recommend asking those bidders if they are still interested. Brunner said the previous bid on parcel JLCB 01825 in the Town of Geneva was \$6,200. Parcel NTU2 00009 in the Town of Lyons was bid at \$15,101. The third parcel, XWUP 00107R in the City of Delavan received a bid of \$2,550. The City is interested

in that property but they weren't the high bidder. Schaefer believes the Lyons property requires \$500,000 minimum construction and that there may be association fees. Watson affirmed the construction requirement. Given the price, Etzel agreed there could be an association fee. Russell would like to get these properties back on the tax rolls but expressed concern regarding the Lyons and Delavan parcels. There's a huge difference between the \$36,614 taxes, interest, penalties and fees on the Delavan parcel and the high bid of \$2,550. In the past, we dealt directly with the municipality if there was interest on a property. Russell asked Bretl if the committee could turn down a bid and deal with the City on this parcel. Bretl replied that we reserve the right to reject bids. Schaefer suggested re-listing the Lyons parcel online but asked what the annual taxes might be. Etzel thinks they are about \$3-4,000 per year. Schaefer suggested a minimum bid of \$30,000 to see if there's any interest. Russell suggested \$25,000. Watson added that we have listed all of these twice with the Wisconsin Surplus Online. The auction's belief is that our minimum bids are too high. It would be better to list with no minimum and decide whether to accept whatever bids are submitted when the sale closes. There might be competition if there is no minimum. **Russell recommended contacting the previous bidders on the Town of Geneva parcel JLCB 01825 for \$6,200 and the Town of Lyons parcel NTU2 00009 for \$15,101 to see if they want to purchase at that price and, if so, sell the parcels; negotiate with the City of Delavan regarding parcel XWUP 00107R; and advertise the remaining parcels on Wisconsin Surplus Online with no minimum bid. Supervisors Schaefer and Kilkenny moved in accordance with Chair Russell's language; carried 3-0.**

New business

Discussion and possible action regarding correspondence received from Ed Yaeger in regard to Tax Incremental Financing District (TIF) #4 — Mr. Yaeger addressed the committee. He expressed concern about the State's TIF program which he feels allows administrations to manipulate and violate statute intentions and purpose. Lake Geneva's TIF 4 program began in 1995 to remove downtown blight and rehab the lakefront area. He feels efforts to close TIF 4 have fallen on deaf ears. The required annual tax incremental tax has grown to a \$2 million taxpayer burden each year. Yaeger believes taxpayers don't realize this money comes out of their general tax payment and that, for the most part, local elected officials and the media don't understand TIFs. He suggested that every Walworth County taxpayer who resides in or owns property in a jurisdiction that has a TIF district receive an insert with their tax bill that lists all appropriate dollar amount levy figures, including the tax increment for that particular jurisdiction. Yaeger concluded by saying that at Lake Geneva's City Council meeting on Monday night, two additional projects were brought up for TIF 4. One was for ornamental lights for the downtown area at the cost of approximately \$400,000-500,000.

Russell thanked Yaeger for his comments. She asked Bretl if the county has the authority to require communities that have TIFs in play to include the suggested insert in their tax distribution. Bretl said he doesn't disagree with much of what Yaeger said about the public's understanding of TIFs. The tax bill itself is statutory. Only the legislature can change what is listed. There may be

limited options to including an insert with the tax bills but we would have to look into the mechanics of doing so. Etzel added that the tax bill is set up statutorily but doesn't have specifics with her today. There are no limitations on inserts but it would be up to the municipalities if they want to use them. Kilkenny suggested creating a half-sheet insert that the county would provide to the municipalities. He feels this information should be included with all tax bills rather than just those for jurisdictions that have TIFs. He asked finance and the treasurer's office to determine how difficult this might be before we take any action. Bretl thought we could improve transparency by including some type of report on the county web. He would like to have a discussion with municipal treasurers before creating inserts, guessing that some might not want to use them.

Kilkenny suggested requesting that the Lake Geneva joint review board call a meeting to discuss the TIF's status. Also, a few months ago, he compared the City of Delavan's annual reports to those Lake Geneva provides. They are incredibly different in that Delavan provides much more information. Schaefer noted that a \$40 million Gateway Technical College referendum was recently defeated. Could proposed future TIFs be put to the public as a referendum? As Yaeger said, a lot of people don't understand how they operate and that it comes off the tax roll for so many years. Bretl thought it could perhaps be an advisory referendum.

Kilkenny asked Lanser and Bretl to report back on the TIF concerns at the next meeting. He asked staff to review statutes to determine if we have a legal right to request that the Lake Geneva joint review board call a meeting. He also asked that the most recent TIF reports from the cities of Delavan and Lake Geneva be provided. Are the reports due in May? Lanser affirmed. Schaefer asked what TIFs are costing the county. Andersen did not have those figures but will get them. Bretl explained that the increment comes off the total equalized value so the mill rate goes up for everyone else. You end up paying more taxes than if the increment is on the tax roll. Whatever is in a TIF district is essentially paid for by everyone in the county.

Yaeger said he does not want to give the impression he is trying to "kill" the TIF program in the state. In 1995, Lake Geneva inaugurated TIFs 3 and 4. TIF 3 was the business park, which he supported as city alderman. It did exactly what the program was supposed to do. The TIF brought manufacturers into the area and increased the tax base. He feels TIF 4 has not increased the tax base. He has no problem with the statutes, except that there is no policing action for the projects. TIFs should be transparent so people can understand where their money is going. Russell thanked Yaeger for his comments. Kilkenny requested that staff provide the additional information discussed and include it on next month's agenda for discussion.

Discussion and possible action regarding minimum bids for sale(s) of tax foreclosure property — Russell noted that this item was discussed in conjunction with Item 8D4, report on sale(s) of tax foreclosure property.

Discussion and possible action regarding funding for 2013 roadwork projects — Brunner reported that the Public Works Committee approved Resolution **-05/13 Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH O Roadwork Project at their meeting on April 22. We have two major roadwork projects scheduled for

this year, CTH O and M by Delavan. Staff budgeted for these projects based on mill and overlay for CTH O and a new recycled asphalt process for CTH M. Based on geotechnical analysis, recycled asphalt will not work for M. In March, the Public Works Committee was notified that our estimates were on the low side. Bids received last week were almost \$1.2 million more than we budgeted. Despite sampling, we don't know exactly what is underneath the road. We might have to remove a lot to provide a good base for the new road. Staff recommended to the Public Works Committee that we only do the work on CTH O at this time. The project has been awarded. Andersen added that the award is contingent upon approval of a funds transfer.

Brunner said CTH M could be awarded later this summer since bids are valid for 90 days. At that time, we can decide whether to do the project this year or delay it. Staff budgeted about \$1.4 million for CTH M. The issue today is to transfer funds from the road construction committed fund to completely cover the CTH O project. Brunner discussed construction methods with the committee. He added that we have a 6-year cycle for roadwork projects. There are some county roads we may repair and then turn over to the applicable municipality. Staff are presenting the projects to the Wisconsin Department of Transportation this afternoon. We may be eligible for a federal grant to cover some of the cost. He added that he is excited about working with the municipalities on these projects. **Supervisor Kilkenny moved to approve the resolution. The motion was seconded by Supervisor Schaefer and carried 3-0.**

Resolution **-05/13 Authorizing Write Off of 2010 Personal Property Taxes Uncollectible in 2011 — Supervisor Kilkenny moved to authorize the write-off. Supervisor Schaefer seconded the motion. Etzel explained that new legislation specifies the only personal property taxes which may be charged back are those related to ceased operations or when a petition was filed for bankruptcy. These taxes were uncollectible by the municipalities in 2011, and the county paid them out in 2012. She is working with other counties to try to determine if we can do some kind of collection on these older ones. There was discussion regarding uncollectible personal property taxes. Bretl said collections are usually done at the municipal level and depend on how aggressive the municipal treasurer may be. The county has the option to make the municipality whole, but we always have. **The motion carried 3-0.**

Discussion and possible action regarding 2012 donations and fundraisers — Andersen said the report indicates activity in 2012. There is no substantial change from previous years. **Supervisors Kilkenny and Schaefer moved to accept the report; carried 3-0.**

Resolution **-05/13 Closing Fiscal Year 2012 — Andersen said we initially budgeted to use about \$3 million of General Funds. Because we had a good year, we were able to put back a little over \$2 million. The budgeted amount was to reduce the fund balance by \$3 million in 2012. Overall, we ended the year \$5 million better than budgeted for. Those funds will be applied towards the 2014 budget or whatever other programs the Board designates. **Supervisors Kilkenny and Schaefer moved to approve the resolution and close the fiscal year. Motion carried 3-0.**

Resolution **-05/13 Committing Fund Balances as of December 31, 2012 — Andersen explained that the fund balances are based on policies the Board established in prior years. There

are two categories of funding. Donations are restricted funds in that someone may make a donation to the county and put a restriction on how we can use the money. Committed fund balances, such as the \$50,000 designated for parks, are set aside by Board action. She added that finance staff will be meeting with some of the outlying departments to talk about their fund balances moving forward. **Supervisor Kilkenny moved to approve the resolution. The motion was seconded by Supervisor Schaefer. Motion carried 3-0.**

Correspondence — There was no correspondence presented.

Confirmation of next Finance Committee meeting:

- The next Finance Committee meeting was confirmed for Thursday, May 23, 2013 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee

Upon motion and second by Supervisors Schaefer and Kilkenny, Chair Russell adjourned the meeting at approximately 11:00 a.m.; carried 3-0.

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

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

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/22/10.)

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

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

MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

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

APRIL 23, 2013 MONTHLY MEETING

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

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

Secretary Correll read the minutes of the March 19, 2013 monthly meeting which were subsequently approved. Treasurer Schwarten read the March, 2013 Treasurer's report which was subsequently approved.(copy of these minutes and the Treasurer's report are attached.)

Old Business:

Chairman Lutz reported that, although the dam is apparently o.k., the spillway has noticeable cracks. He feels that can probably be taken care of with concrete grouting.

Tree removal around the dam has been completed...all trees removed within 30 ft.

New Business:

Chairman Lutz indicated he had contacted Jeff Johnson about this season's mowing and Spring cleanup, and also about replacing necessary dam boards.

Curt Fredrich has been contacted about some damage to both East and West Lakeshore Drives and that there is minimal to no shouldering in some areas.

Chairman Lutz gave a very brief report of the Wisconsin Lakes Assoc. meeting which he recently attended. Main topics addressed were invasive species and mining. He said that he would give a more thorough report at the next meeting.

The has been some "problems" with a beaver in the area. Chairman Lutz indicated that he can legally shoot it if necessary.

Mike Weinkauf reported that on Saturday, 4/20, a car, eastbound on Potter Road, missed the "S" curve on the bridge over Sugar Creek and went into the Creek. The car was driven by a teenage girl with another girl as a passenger, reportedly on their way to a prom. A nearby homeowner assisted in removing the girls from the car. Mike also said that the DNR reportedly had said that the car must be removed in 30 days. (This has not been confirmed, but causes great concern due to the leakage of gasoline, oil, antifreeze into the Creek and subsequently into Honey Lake.) (I photographed the car and area on Wednesday, 4/24, and found the car had been washed about 200 ft. further downstream from the point of entry where it appeared to be caught and stabilized by a fallen tree or shrubbery.)

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

A motion was made and seconded to adjourn the meeting at 7:25 p.m. (This was an intentionally brief meeting because of another meeting scheduled for 7:30 p.m. by the Spring Prairie Town Board, and the Rochester Village Board and Fire Department to discuss the recent decision by the Spring Prairie Town Board to eliminate Rochester from its fire and rescue coverage and use only East Troy and Lyons as reported in the March, 2013 report.)

Respectfully submitted,



Robert E. McIndoe 4/24/13

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, April 22, 2013
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

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

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

Others present:

County Board Supervisors: Tim Brellenthin

County staff: County Administrator David Bretl; Director of Central Services Kevin Brunner; Assistant Public Works Superintendent John Miller; Public Works Purchasing Manager Peggy Watson; Deputy County Administrator-Finance Nicki Andersen; Sheriff David Graves Capt. David Gerber and Lt. Jamie Green, Sheriff's Office; Health and Human Services Director Linda Seemeyer

Members of the Public:

Jeffery Knight, 405 Panther Court, Whitewater, Wisconsin, President of the Greater Whitewater Committee; Robert Arnold

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

Supervisors Stacey and Schaefer moved to approve the March 18, 2013 meeting minutes as prepared. The motion carried 5-0.

Public comment period – No one in the audience asked for recognition to speak.

Regular Business

Correspondence from Deputy County Administrator-Finance - Confirm September 16, 2013 date for appeals/adjustments to Administrator's 2014 Capital Improvement Plan (CIP). Supervisors Monroe and Schaefer moved approval. Motion carried 5-0.

Review USH 12 freeway extension – Greater Whitewater Committee

Jeff Knight, President of the Greater Whitewater Committee, was introduced by Director of Central Services Kevin Brunner. Copies of the resolutions adopting the 2035 Jurisdictional Highway System Plan (May 2011) and urging the State to proceed expeditiously to complete the environmental impact analysis (October 2011) were included in the packets. Knight thanked the Board for supporting the need to proceed with the Environmental Impact Analysis (EIA) as soon as possible. Since then, Knight's Committee, the "Redline" group and businesses who will be impacted by the freeway extension have written a significant amount of letters to Governor Walker and the Secretary of the Wisconsin Department of Transportation (DOT), explaining the importance of conducting the study now. Knight said the next step is to get the 2013-2015 State Budget amended through the Legislature. Knight is working with some State legislators who have committed their support for the study. The Greater Whitewater Committee has contributed \$6,000 toward lobbying on the project and they are putting together resources to distribute information on the need for the EIA. Knight added that the University of Wisconsin-Whitewater continues to grow, and is the only four-year campus in the state not served by a four-lane highway. Knight asked for financial support from the county. Bretl said the county hasn't directly contributed funds for lobbying projects of this sort before. He suggested that the Committee contact the Wisconsin Counties Association, and offered assistance in procuring meeting space, engaging the Association, etc. **Supervisors Monroe and Stacey moved to approve a resolution supporting the inclusion of funds in**

the state budget for the EIA. The motion carried 5-0. Mr. Knight thanked the committee and the Board for their time and support.

Sheriff's shooting range remodel

Review and approval of operations plan (distributed at March 13, 2013 committee meeting)

Lt. Green redistributed the revised plan that was included in the March agenda packets. The red underlined language indicates the changes made per committee directive. Chair Russell said the item discussed last month about the Sheriff being the only one to approve Sunday use of the range needed to be added to Page 2 of the plan. Bretl asked the Sheriff if there was any information as to what Gateway planned on doing since the referendum containing the new training facility failed. Capt. Gerber said they would probably maintain the status quo until they could bring the item back for approval in some other form. Chair Russell asked about the environmental assessment of the range, and Brunner said that the scope of architect services includes the assessment. The Quality Based Selection (QBS) process for the architect for the range has taken place, and the county team including Brunner, John Miller, Lt. Green and Capt. Gerber of the Sheriff's Office and the County Administrator met and reviewed the submissions. Interviews of selected architects will hopefully take place before next month's committee meeting, and the recommendation of a firm to hire will be provided at the May or June committee meeting. Chair Russell wanted the plan to be incorporated into ordinance form to ensure continuity in the future. Supervisor Stacey asked about Public Works performing maintenance at the range – are they reimbursed? Peggy Watson, Public Works Business Office Manager, said that the Sheriff's Office is a governmental fund, and we have specific budgeted accounts for the range maintenance. Public Works does not charge back the Sheriff's Office, since it is not an enterprise fund like the nursing home. Chair Russell said the lease to the Elkhorn Pistol Club needs revision to include a clause prohibiting shooting after 9:00 p.m. In addition, a clause prohibiting subleasing by the Club needs to be inserted in the lease. **Supervisors Monroe and Redenius moved to approve the operations plan for the Sheriff's range as revised and to codify the plan; and to approve the lease with the Elkhorn Pistol Club, as amended to include the requested additions. The motion carried 5-0.**

Approval of sale of Sheriff's office light bars

Capt. Dave Gerber explained that the surplus light bulbs and flashers have been accumulating for years in their storage facility. His office is working with Purchasing and their current vendor who also sells used police equipment, to either sell the surplus light bars or trade for other equipment. Gerber said they do not feel comfortable selling the police equipment on the open market. The vendor has offered \$100 - \$200 per light bar. The Sheriff's Office needs approval to sell/trade because it deviates from the county's surplus procedures. **Supervisors Stacey and Schaefer moved approval. The motion carried 5-0.**

2013 Rehabilitation projects – CTH M and CTH O

- **Approval of bid specifications (p. 14)**

Supervisors Schaefer and Stacey moved approval of the bid specifications prepared by Patrick Engineering. The motion carried 5-0.

- **Bid award**

Brunner said that both the CTH M and O roadwork projects were included in the 2013 CIP. The CTH M engineering estimates were based on using recycled asphalt, but the geotechnical analysis revealed that is not feasible on CTH M. In addition, because one of the local contractors is no longer in business and only two companies bid the project, the bid results were higher than anticipated. The total of the two lowest bids is approximately \$1.5 million more than was budgeted for both projects. Thus, staff consensus is to only do the CTH O roadwork project at this time. Within the CTH O project, more than \$900,000 is included for extra base below subgrade (EBS). The EBS could vary significantly on these projects, but is an unknown until actual construction begins. If after the CTH O project is underway (projected start right after Memorial Day) and we determine that the EBS required is much less than anticipated within 40 days of the project start, we could keep the prices on CTH M and award that project work this year. If not, the CTH M project will have to be delayed until 2014. Kurt Feuerstein, of Patrick Engineering, agreed with Brunner, and said he isn't hopeful there would be an excess of funds on the EBS, as CTH M and O have poor underlying soils. Chair Russell was disappointed that there weren't

more companies bidding the projects. Brunner said that the two bids received were competitive with an approximate 7% difference in the base bids. **Supervisors Schaefer and Stacey moved to approve the contract to Payne & Dolan, Inc. for the CTH O rehabilitation project, contingent upon County Board approval of the transfer of funds from the road construction committed fund balance account to the CTH O roadwork project. The motion carried 5-0.**

Resolution Authorizing the Transfer of Funds from the Road Construction Committed Fund Balance Account to the CTH O Roadwork project
Supervisors Schaefer and Monroe moved to support the resolution. The motion carried 5-0.

Bid award for flat bed chassis

The flat bed chassis is a replacement unit, used for de-icing bridges, crackfilling, painting, etc. There are 2013 funds budgeted for the purchase. **Supervisors Stacey and Monroe moved to approve the bid award for the flat bed chassis to Lakeside International Trucks in the amount of \$79,668. The motion carried 5-0.**

Approval of bid specifications for security door upgrades at Health and Human Services

There are budget funds available for the project, which includes adding electric operators to four doors at the building. **When the operators are installed, they will be integrated with the card readers. Supervisors Schaefer and Redenius moved to approve the specifications. The motion carried 5-0.**

Review of Public Works Department Strategic Plan

Over the past six months, Public Works management staff has sent out surveys to other departments and outside entities on how the Department is doing; in addition a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis was done by department employees. From that process, a new mission statement was developed as well as department values and goals to be accomplished over the next five year period. He subsequently shared the information with Administrator Bretl. Brunner said it is important to share this strategic plan with the committee to see if the Department is on target with their perceived goals. Bretl asked for committee input and said unless there are big differences of opinion, he suggested that the mission statement, values and goals be codified to give more transparency to the operations. Chair Russell commented that the Plan is a great idea, saying that it is important for employees to be aware of the goals they are trying to accomplish. **Supervisors Stacey and Redenius moved to approve and codify the Public Works Department Strategic Plan as presented. The motion carried 5-0.**

Courier service at Walworth County Child Advocacy Center

Bretl said that the Child Advocacy Center has moved from the Health and Human Services building to their new facility across the driveway. They have asked for the provision of courier service to the building. Bretl said no money was provided in the budget for this service, but the charges are \$5.00/day for two stops. He recommended extending the service, adding that it benefits our County departments who interact regularly with the Center. **Supervisors Monroe and Stacey moved approval of the courier service for the Walworth County Child Advocacy Center. Motion carried unanimously.**

Report on Lake Beulah Dam

Brunner said he put this item on the agenda to keep the committee abreast of developments on the project. Staff and our engineers have met a couple of times with the Lake District and Department of Natural Resources (DNR). Brunner said the Lake District appears to be at odds with the DNR concerning the draw-down structure required by the DNR. As we are moving closer to construction, this issue will need to be resolved. Kurt Feuerstein of Patrick Engineering said that they got a late start on design engineering at the end of 2012 and necessary wetland delineations haven't been completed yet. The Lake District has hired their own consultant to derive data on the draw down structure concerning maintaining flow on the downstream impact. The DNR has agreed to review the consultant's conclusions. Brunner said he believes the DNR will ultimately require the draw down structure for emergency purposes under very specific conditions. Supervisor Stacey asked if the county would be vulnerable to a lawsuit if the DNR and the District cannot reach an agreement. Bretl replied that while it is important to remove every

roadblock before the project commences, the county's position first and foremost is dam safety as this is classified as a high hazards dam and failure would affect many properties downstream.

**Next regularly scheduled Public Works Committee meeting date and time: Monday, May 20, 2013
- 3:30 p.m.**

Special Item of Business - Tour of Public Works shop and facilities

The tour commenced at the Public Works Department shop after conclusion of regular business. Brunner distributed a list of the limitations and concerns with the current shop and copies of the space study performed in 2002.

Adjournment at Public Works Department

After the tour of the Public Works shop, Supervisors Stacey and Monroe moved to adjourn the meeting. The motion carried 5-0, and the meeting adjourned at 5:45 p.m.

Minutes recorded by Becky Bechtel, Public Works Department

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



**Walworth County Board Finance Committee
SPECIAL MEETING MINUTES
Tuesday, April 16, 2013**

DRAFT

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

The meeting was called to order by Chair Russell at 5:32 p.m.

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

Others in attendance included:

- Board members: Richard Brandl, Tim Brellenthin, Kenneth Monroe, Carl Redenius, Tim Schiefelbein, David Weber.
- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen-Finance; Linda Seemeyer-Health & Human Services; Tracy Moate-Lakeland
- Members of the public: Attorney John L. Maier, Jr., Sweet & Maier, S.C.

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

Approval of minutes of last meeting(s) — March 21, 2013 — **Supervisors Grant and Schaefer moved to approve the minutes; carried 5-0.**

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

Unfinished business

Resolution 12-04/13 Approving Financing of Project on Behalf of Geneva Ridge Senior Housing Foundation LLC — Bretl said this item was on the Finance Committee's March 12, 2013 special meeting agenda. No action was taken because the Town of Geneva had not yet had an opportunity to vote on the issue. He introduced Attorney John Maier with Sweet & Maier, S.C., the project's attorney. Maier said the notice of public hearing had to be republished to include the word "condominium." The hearing was held on April 8, 2013, with no one speaking in opposition. The Town of Geneva unanimously passed a resolution endorsing the project. In order to move forward, State law requires that Walworth County approve a similar resolution. Maier added that the tax exempt part of the project, covering improvements that will only be used by the senior housing facility, is \$43 million. The overall total will be closer to \$50-60 million because the developer will also build a water tower and other infrastructure within the overall resort community. Those facilities will be used jointly by owners and the hotel and cannot be financed with tax exempt funding. Schaefer asked if the residents would be transient and whether room tax applies. Maier replied that all marketing and financing is based on longer term rent-

als. Room tax kicks in when rentals are for less than 30 days. The senior housing will be in one wing added to the east wing of the existing hotel. The project will include 100 independent living apartments, 40 assisted living apartments, and 20 memory care units. **Supervisors Schaefer and Grant moved to approve the resolution; carried 5-0.**

New business — There was no new business presented.

Correspondence — No correspondence was presented.

Confirmation of next Finance Committee meeting:

- The next Finance Committee meeting was confirmed for Thursday, April 25, 2013 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee

Upon motion and second by Supervisors Stacey and Schaefer, Chair Russell adjourned the meeting at approximately 5:39 p.m.; carried 5-0.

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

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

County Zoning Agency

MINUTES

April 18, 2013 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. A quorum was present.

County Staff present – Land Use and Resource Management Department 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, Darrin Schwanke, Code Enforcement Officer, Fay Amerson, Urban Conservation Specialist

A “sign-in” sheet listing attendees on April 18, 2013, is kept on file as a matter of record.

Details of the April 18, 2013, meeting / hearing are on a recorded disc which is on file and available to the public upon request / video to view on our website:

www.co.walworth.wi.us

Rich Brandl motioned to approve the agenda as amended to withdraw item 8.c.1.) West Rod Cottage Industries, item 8.e.4.) Kevin and Heidi Dawson, item 8.e.6.) Zioto Enterprises and item 8.e.7.) Tower View Properties, Inc. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

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

Zoning / Sanitation / Land Conservation Enforcement – Debora Grube

Disc Count #4:31:13 – 4:31:18

Subdivision Items – Old Business - none

Subdivision Items – New Business

Pedro Segura, proposed 1-lot Certified Survey Map, Section 15 and 22, Town 2 North, Range 17 East, Town of Geneva. Parcel #'s JA104000001 and JWSB 00018. The proposed CSM contains 11.80 acres of land and is zoned A-2 Agricultural Land District, C-1 Lowland Resource Conservation District and C-4 Lowland Resource Conservation District (Shoreland). This lot line adjustment CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Willow Bend Park Subdivision).

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

- 1) **Approval is subject to meeting all requirements of state statutes and county ordinances.**

Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Disc Count #4:31:36 – 4:37:41

Amended map is presented and signed by Chair Rick Stacy.

Gibson Family Community Trust, proposed 2-lot, Certified Survey Map, Section 11, Town 1 North, Range 16 East, Town of Walworth. Parcel #'s EM 00001 and E W 1100001B. The proposed CSM contains 5.98 acres of land and is zoned R-1 Single Family Residential District. This CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Mogg's Subdivision) and requires approval for 3 lots to access a private road easement along with approving a modification to the required 66 foot private road width to 50 feet and the waiver of the private road cul-de-sac requirement.

Rich Brandl motioned to approve this item with the following conditions:

- 1) **Approval is subject to removing the second residence on lot 1.**
- 2) **Approval subject to removing the accessory structure from lot 2.**
- 3) **Approval is subject to preparing and recording a maintenance agreement for the ingress and egress easement.**
- 4) **Approval is subject to meeting all requirements of state statutes and county ordinances.**

Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Disc Count #4:37:41 – 4:40:00

Old Business – Discussion Items - none

Old Business – Ordinance Amendments – none

New Business – Ordinance Amendments

Amendment to Sec. 74-264 Floodplain appendix of the Walworth County Code of Ordinances. During the year 2012, property owners have submitted evidence to the Federal Emergency Management Agency (FEMA) correcting the location of the floodplain. After FEMA has reviewed the information, FEMA makes a determination and sends a letter to each property owner. This amendment compiles a years worth of Letters of Map Amendment (LOMA) or Letters of Map Corrections (LOMC) received from FEMA, and documents them in the Shoreland Zoning Ordinance on the Appendix page.

Richard Kuhnke, Sr. motioned to approve this item. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

This item will be forwarded to the May 14, 2013 County Board meeting for discussing/possible action.

Disc Count #4:41:35 – 4:42:52

New Business – Discussion Items

Discussion / possible action re: Correspondence related to short term rental complaints in the Town of Delavan – Debora Grube

Dave Weber motioned to keep the letters on file and support the Land Use Resource Management Department on the ordinance. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

Disc Count #4:52:52 – 4:49:03

Discussion / possible action re: Scott Smith – Kevin Remer Applicant, Section 35, Spring Prairie Township. Modification request for a larger on-premise ground sign in the A-4 zone district for a wood milling business with sales of wood products, mulch, composting, landscape materials, meats and special event vending of agricultural related products. The property is identified as part of Tax Parcel O SP3500001.

Recommended Conditions:

General:

1. Approved as per plan submitted for a wood milling business with sales of wood products, mulch, composting, landscape materials, meat products, special event vending of agricultural related products and a caretaker's residence for an employee who works for the business (Arbor Images Inc.) with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. On site hours of operation shall be 8:00 a.m. to 5:00 p.m. Mondays through Fridays for general retail sales and 6:00 a.m. to 6:00 p.m. for product drop off or pick up seasonally (spring to fall).
4. Must meet all applicable Federal, State, County and local regulations.
5. Use of the residence shall be limited to use by a caretaker's for the onsite business. If the residence is no longer used for housing a caretaker, the applicant must notify the Walworth County Zoning Office.
6. Outside lighting shall be shielded and directed on site.

7. The applicant must obtain all required zoning permit approvals including a sign permit.
8. Wood chips, branches, leaves and grass brought on site for composting must meet with the specified material listed in the project narrative and DNR approvals.
9. The property owner must have adequate liability insurance at all times when the facility is in use.
10. No burning of materials shall occur on site.
11. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
12. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
13. The project site must be kept neat, clean, and mowed.
14. 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.
15. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific conditions:

16. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
17. General public sales allowed on premises must be agriculturally related and consistent with the project narrative.
18. Seasonal produce sales shall be allowed in the existing barn and shall be limited to the products identified in the project narrative on a seasonal basis during the months of July through October.
19. Garden art and wood carvings sales shall be allowed in the existing barn on a seasonal basis during the months of October through March.

20. The sales of meat products grown on the farm must meet all State and Federal regulations and shall be allowed in the existing barn as identified on the project plan on a year round basis. No slaughtering or meat packing shall be allowed on site.
21. Outdoor special vending events consisting of fresh produce vendors, artisan crafters of various wood products, ornamental garden art, nursery stock and musical entertainment along with concessions shall be allowed on site four times a year (one in the spring, summer, fall and winter). A special vending event shall be for two days, eight hours per day. The musical entertainment would be non-paid venues and only occur during the special vending events.
22. The owner shall keep a log of the dates and time of the special events and provide a schedule of events to be held each year to the County Lane Use and Resource Management Department prior to holding events on site.
23. Composting as located on the project plan shall be limited to a total of 563 cubic yards on site at any one time and shall meet with all requirements of NR Chapter 502.
24. Dying of the mulch materials must be conducted indoors within the chipping machine.

Jim Van Dreser motioned to approve with sign sizes as indicated on page 43 of the April 18 agenda packet. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Disc Count #4:49:03 – 5:01:50

Discussion / possible action re: Robert A. Pearce Farms Inc. – Robert A. Pearce Applicant, Section 3, Walworth Township. Amendment of conditional use approval for expansion of seasonal activities at an existing seasonal farm fruit and vegetable market. The expanded activities would include small car shows (maximum of 50 cars), tethered hot air balloon rides (only on days when the helicopter is not present), craft fair (max 30 vendors with 25% of vendors presenting agricultural products), food demonstrations (using foods that are locally grown and prepared in a healthy manner), BBQ cook offs (entries open to the public) and pumpkin launching events. These activities are requested along with already approved activities of a petting zoo, haunted house, a non-concert non-venue music stage and helicopter rides. The property is identified as part of Tax Parcel E W 300001.

Recommended Conditions:

***Amended 4-18-13**

General:

1. Approved as per plan submitted **and amended 4/18/2013** for a farmer's market with a haunted house, helicopter rides, a petting zoo, non-concert/non-paid venue

stage and concession stand, *small car shows (maximum of 50 cars), tethered hot air balloon rides (only on days when the helicopter is not present), craft fair (max 30 vendors with 25% of vendors presenting agricultural products), food demonstrations (using foods that are locally grown and prepared in a healthy manner), BBQ cook offs (entries open to the public) and pumpkin launching events, with all additional conditions.

2. Sales allowed on site shall be limited to the products identified in the project narrative on a seasonal basis. The business shall be open during the months of July, August, September and October.
3. Storage shall be limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
4. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week.
5. The site must meet all applicable Federal, State, County and local regulations.
6. Outside lighting shall be shielded and directed on site.
7. The applicant must obtain all required zoning permit approvals including a sign permit.
8. The number of employees shall be limited to the owners and five employees.
9. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
10. The property owner must maintain adequate liability insurance during use of the property.
11. The helicopter landing pad must meet all requirement of the Federal Aviation Administration.
12. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by the ordinance.
13. All parking and access to the site shall meet County and State D.O.T. requirements. All parking shall be installed according to County requirements within 60 days of this approval.
14. The project site must be kept neat, clean, and mowed.
15. 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.

Specific:

16. ~~*No permanent structures/rides or petting zoo shall be placed in the children's play area.~~
17. ***Helicopter rides and balloon rides shall not occur on site during the pumpkin launching events.**
18. **No car sales on-site at car shows.**

Jim Van Dreser motioned to approve as amended. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Disc Count #5:01:50– 5:12:30

Discussion / possible action re: Notification of Noncompliance and Request to Proceed with the Revocation of a Conditional Use Permit for Excavation and Restoration of a Gravel Pit – Roger Jacobsen (Mann Bros., Inc., Appl.) Part of Tax Parcel G SC2000004A and G SC2000008 pursuant to 74-71.2 of the Walworth County Code of Ordinances – Darrin Schwanke and Fay Amerson

Recommendation by Administrator Bretl to schedule agenda item for general review of bonding and revocation issues.

Dave Weber motioned to approve a 90 day extension to get bonding issues in order. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.
Disc Count #5:12:30 – 5:31:19

At 5:31 p.m. Rich Brandl motioned to recess before the public hearing portion of the meeting. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

Public Hearing:

Chair Rick Stacey called the meeting to order at 5:43 p.m.

West Rod Cottage Industries– East Troy Township / Kevin & Heidi Dawson– Lafayette Township / Zioto Enterprises, LLC – Darien Township / Tower View Properties – Geneva Township will not be heard.

Ordinance Amendments - none

Rezones with Conditional Uses

Rezones

Walworth County at the request of The Wisconsin Department of Natural Resources (DNR) is required to remove a portion of a stream tributary to the White River from the

navigable stream inventory. The DNR determination of non-navigability shall result in adjustment of the shoreland boundary by removal of the shoreland designation south of a point where the stream crosses under a driveway approximately 800 feet north of a manmade dam on Tax Parcel N LY-14-2. The shoreland zoning designation removal will result in a change of a 2.84 acre wetland from C-4 shoreland wetland to C-1 non-shoreland wetland. The water course of concern is located in the NE ¼ of Section 14 of Lyons Township. A locational map is available at the Walworth County Land Use and Resource Management Department)

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

The DNR determination of non-navigability request will move forward to the May 14, 2013, Walworth County Board for possible action.
Disc Count #5:45:31 – 5:49:10

Conditional Uses

Talmer Bank & Trust – Attorney Randolph French Applicant, Section 33, Lafayette Township. Conditional use to conduct an engineered fill and cut of earthen materials and the install of two 18” culverts within the 100 year regional floodplain in order to upgrade an existing residential driveway. The property of concern is identified as parts of Tax Parcels KBR 00001, KBR 00003 and KBR 00004.

Recommended Conditions:

General:

1. Approved as per plan submitted for a fill and cut and the addition of two 18” culverts in the 100 year floodplain for maintenance of an existing residential driveway without increase in the regional floodplain elevation with all additional conditions.
2. Time limit for completion of the project shall be established, as the same period needed for the driveway improvement project.
3. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from Land Conservation. The applicant must comply with all established standards of the Land Restoration and Land Disturbance, Erosion Control and Stormwater Management permits.
4. 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. The applicant must submit a project-sequencing schedule for each phase leading to completion prior to approval.
5. All material from the offsetting floodplain cut shall be placed above the 1012.4 elevation.

6. No fill shall be placed in any wetland area.
7. Implementation of dust and noise control measures shall occur at all times on site.
8. 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 holidays.
9. The project shall meet all applicable Federal, State and local regulations.
10. All soil and equipment storage must be in an approved location.
11. No materials shall be brought in from off site other than those materials specified in the approved operations plan.
12. All soil generated from the site must remain on site for use in restoration. All topsoil will be graded evenly on the disturbed area consistent with the approved restoration plan.
13. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area.
14. No storage of chemicals and petroleum products shall occur on site.
15. The County shall not be party to the soil disposal project. The applicant shall be held solely responsible for any damages resulting from use of the disposal site. The County will not be liable for any damage to the property affected by the fill or to any neighboring property or drain tiles due to the project.
16. 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.
17. 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.
18. 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:

19. The owner of Lot 1 and Outlot 2 shall agree to perform installation of, and necessary maintenance for drainage through, all culverts within the drainage way under the private roadway as shown on the engineered study as per the Town.

Jim Van Dreser motioned to Table the item for engineer review by the DNR per Matt. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Disc Count #5:49:10 – 6:18:52

Jim Van Dreser is excused from the meeting.

Yvonne M. Barr, Section 26, Troy Township. Conditional use for an indoor kennel / doggie daycare in an existing garage with supervised outside exercise area for a maximum of 20 dogs. The Town has recommended limiting overnight stays to five dogs indoors. The property of concern is identified as Tax Parcel LA173000004.

Recommended Conditions:

General:

1. Approved per plans submitted as an indoor kennel with a maximum capacity of 20 dogs for day care and five dogs for overnight kenneling with all additional conditions.
2. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Parking must meet with requirements of the county zoning ordinance. All parking must be set back 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 20 dogs for day care and five dogs for overnight indoors. No dogs will be boarded outside.
5. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. for drop off and pick up of dogs.
6. All outdoor lighting shall be shielded and directed on site.
7. The site must be kept neat, clean and mowed.
8. All animal waste must be disposed of on a daily basis in a sanitary fashion as to prevent occurrence of nuisance.

9. 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.
10. 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:

11. There shall be no composting of dog manure as per the Town.
12. The dogs must be kenneled and the dogs must be supervised at all times when not in the kennel as per the Town.
13. The building must be finished as proposed before business begins to include insulation of the ceiling and walls, and finished hard surfaces as per the Town.
14. The portion of the proposed exercise area fence extends onto the neighboring property and will have to be relocated onto the owner's property prior to use of the proposed exercise area.

Rich Brandl motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Disc Count #6:18:52 – 6:46:25

Country View Condominium Association, Kim O'Keefe – Applicant, Section 23, Delavan Township. Conditional use for larger and multiple business signs for a business condominium with nine separate business units so each unit may keep business signs that have been constructed on site. The property of concern is identified as Tax Parcels FCVP 00001 thru FCVP 00006, FCVP 00011, FCVP 00017 and FCVP 00018.

Recommended Conditions:

General:

Approved to allow a modification for two free-standing business signs with a total of 240 square feet per side and 254 square feet of wall sign as per plan submitted. The modification does not increase the height of the signs beyond what is required by code.

Rich Brandl motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Disc Count #6:46:25 – 6:52:18

Gordon Polyock Family Trust, Jacob Polyock – Applicant, Section 33, Linn Township.
Conditional use for the addition of a 60 foot diameter grain storage silo, a grain drier with a leg elevator to an existing grain elevator and distribution facility. The property is identified as part of Tax Parcel I L 3300003.

Recommended Conditions:

1. Approved as per revised plan submitted June 23, 2011 and amended to allow an additional 78 foot diameter grain storage bin and a dual zoned driveway as recommended by the Town **and amended as per plan submitted March 14, 2013 to allow the addition of a 60 ft. diameter grain silo, a grain dryer alteration from a 20 ft. X 20 ft. dryer to a 30 ft. diameter dryer and a leg elevator tower** as a grain elevator facility with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
7. The applicant must submit a road access and maintenance agreements with the governing municipality prior to hauling to the site.
8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.
9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
10. Implementation of dust and noise control measures shall occur at all times on site.

11. Any additional office / trailer or structures shall obtain conditional use approval and an approved zoning and sanitary permit.
12. No general public sales allowed on premises.
13. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
14. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
15. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
16. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
17. 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.

Specific conditions:

18. Grain elevators must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust systems shall meet all requirements of the State and Federal code including hours of operation and noise.
19. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
20. The property owner must provide a copy of the easement crossing the neighboring property for the railroad spur for the conditional use file prior to this conditional use being valid.
21. The property owner must provide a copy of the agreement with the railroad company providing for the installation and use of the railroad spur for the conditional use file.
- ~~22. The property owner will attempt to eliminate the dual zoned driveway by seeking rezone of these areas from A-1 to A-4.~~
- ~~23. This approval does not include the additional A-4 area for future setbacks as depicted on the site plan. The owner must apply for a separate rezone for the additional setback area in order for the A-4 area to be divisible from the A-1 area on the parcel. Should the rezone for the additional A-4 area be approved the~~

conditional use shall be amended to include all grain storage bins shown on the plan. In addition, the property owner shall be required to obtain a variance for the grain elevator over the rail spur or adjust the height of the structure to meet the setback prior to zoning permit approval.

24. The 30 foot wide railroad spur easement shown on tax parcel I L 3300003 shall be removed from the site plan as the railroad spur and land is owned by the property owner. The note for the easement on the site plan shall be relocated onto the railroad spur easement on the adjacent property. A new plan showing these corrections shall be submitted for the conditional use file prior to zoning permit issuance.

25. The property owner shall extend the building restriction area on the A-4 parcel to the north to cover the potential fall zone for the new leg elevator shown on the amended site plan submitted March 14th, 2013.

**Richard Kuhnke, Sr. motioned to approve as amended without restrictions.
Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #6:52:18 – 7:07:03**

Adjournment

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

The meeting was adjourned at 7:07 p.m.

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

Walworth County Board of Adjustment

MINUTES

April 10, 2013 - Hearing – 8:30 AM

April 11, 2013 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on April 10 & 11, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on April 10, 2013, were Secretary Ann Seaver, 1st Alternate Elizabeth Sukala and 2nd Alternate Frank Jones. Vice-Chair Gregory E. Guidry, Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on April 11, 2013, were Vice-Chair Gregory E. Guidry, Secretary Ann Seaver, 1st Alternate Elizabeth Sukala and 2nd Alternate Frank Jones. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Gregory E. Guidry stepped down and Franklin B. Jones sat in for both the hearing and decision of the two petitions in order to avoid possible conflict of interest due to Gregory E. Guidry's building inspector duties in the Town of Richmond. Gregory E. Guidry sat in on Thursday, April 11, 2013, as Acting Chair, for item 6A. Reconsideration Request for Jennifer Leischner Litowitz Trust, Town of Delavan. At that time Frank Jones did step down. "Sign-in" sheets listing attendees on April 10, 2013, and April 11, 2013, are kept on file as a matter of record.

The April 10, 2013, hearing was called to order by Acting Chair Ann Seaver at 8:30 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as printed. Seconded by Frank Jones. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the March 13 & 14, 2013, Minutes and dispense with the reading. Seconded by Frank Jones. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Elizabeth Sukala motioned to recess until 8:30 A.M. on Thursday, April 11, 2013. Seconded by Frank Jones. Motion carried. 3-favor, 0-oppose.** The April 10, 2013, hearing went into recess at approximately 9:55 A.M.

On April 11, 2013, at 8:30 A.M., Acting Chair Ann Seaver 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. **Elizabeth Sukala motioned to approve the agenda as printed. Seconded by Frank Jones. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the May 8, 2013, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The April 11, 2013, decision meeting adjourned at approximately 9:08 A.M.

Two variance hearings were scheduled and details of the April 10, 2013, hearings and the April 11, 2013, decisions are on audio recorded discs which are on file and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

New Business – Variance Petitions

Disc #1 Hearing – Count #8:33:00 – 8:47:34 / Disc #2 Decision – Count #8:30:33 – 8:33:04
The First Hearing was Barbara L. Anderson Trust, owner / Robert C. Leibsle, Godfrey, Leibsle, Blackbourn & Howarth, S.C., applicant – Section(s) 9 – Richmond Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure.

REQUIRED BY ORDINANCE: The Ordinance requires an accessory structure located in a side yard to meet a 20.8' street yard setback (established).

VARIANCE REQUEST: The applicants are requesting a 10' street yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of April 10 & 11, 2013, for the petition of Barbara L. Anderson Trust, owner / Robert C. Leibsle, Godfrey, Leibsle, Blackbourn & Howarth, S.C., applicant, voted to APPROVE the request to permit a 10' street yard setback for an accessory structure.

A motion was made by Elizabeth Sukala to approve the variance request. Seconded by Frank Jones. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the unique property limitations to be that Lake Road was not located as platted and there are steep slopes on the property. The Board found the topography of the lot leaves a limited buildable space. The Board found that when measuring from the road as located, the structure is approximately 40' from the pavement. The Board found no safety issues in approving the variance request. The Board found the structure does meet the shore yard setback requirement. The Board found the lot size and setbacks preclude reasonable use of the lot which would justify a variance. There was one letter of support from the Town of Richmond. There was no opposition.

Disc #1 Hearing – Count #8:47:35 – 9:04:43 / Disc #2 Decision – Count #8:33:05 – 8:46:12
The Second Hearing was Gordon Polyock Family & Jeanette H. Polyock Trust, owner / Jacob Polyock, applicant – Section(s) 33 – Linn Township

Applicants are requesting a variance from Section(s) 74-51 / 74-102 of Walworth County's Code of Ordinances – Zoning to construct a 145' tall leg elevator and a 130' tall grain dryer.

REQUIRED BY ORDINANCE: The Ordinance requires special structures to not exceed in height their distance to the nearest line (145' setback for leg elevator and a 130' setback for grain dryer).

VARIANCE REQUEST: The applicants are requesting an approximate 111' setback for a leg elevator and an approximate 80' setback for a grain dryer. The request is a variance from Section(s) 74-51 / 74-102 of Walworth County's Code of Ordinances – Zoning to construct a 145' tall leg elevator and a 130' tall grain dryer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of April 10 & 11, 2013, for the petition of Gordon Polyock Family & Jeanette H. Polyock Trust, owner / Jacob Polyock, applicant, voted to APPROVE, subject to Conditional Use approval by the County Zoning Agency, the request for an approximate 111' setback for a leg elevator and an approximate 80' setback for a grain dryer.

A motion was made by Elizabeth Sukala to approve the variance request subject to approval of the conditional use request at the April 18, 2013, Walworth County Zoning Agency meeting. Seconded by Frank Jones. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board approved the variance request subject to the applicant receiving conditional use approval from the County Zoning Agency (expected April 18, 2013). The Board found the exceptional and unique property limitation is the structures must be located near the rail spur. The Board found the existing structures are connected underground and have to be in alignment in order to operate successfully. The Board found to approve the variance request would provide support to the agricultural community of Walworth County. The Board found no harm to public interest in granting the variance request. The Board of Adjustment recommends that the County Zoning Agency review the "no build arc" and consider a condition to the conditional use that would restrict a larger "no build" area instead of the owner recording a restrictive easement, since the abutting property is now zoned A-4 also. There was one letter of conditional support from the Town of Linn. A neighboring property owner and a business associate spoke in support. There was no opposition.

Other

- A. Discussion / possible action regarding a reconsideration request for Jennifer Leischner Litowitz Trust, Town of Delavan
After discussion the Board of Adjustment found to deny the reconsideration request.

REQUIRED BY ORDINANCE: The Ordinance requires an existing substandard structure to be reconstructed to their original design (building envelope) and location (footprint).

VARIANCE REQUEST: The applicants are requesting a RECONSIDERATION of a February 13 & 14, 2013, Board of Adjustment decision to permit changes to the roofline (exceed envelope) of a boathouse. The request is a variance from Section(s) 74-167 / 764-219 of Walworth County's Code of Ordinances – Shoreland Zoning to permit a boathouse to exceed the envelope of a substandard structure.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of April 10 & 11, 2013, reconsidered the petition of Jennifer Leischner Litowitz Trust, owner / Attorney Daniel A. O'Callaghan, Michael Best & Friedrich LLP, applicant. The Board voted to DENY the reconsideration request.

A motion was made by Gregory E. Guidry to deny the reconsideration request. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found no additional information presented in the submittal to justify a change of the decision made by the Board on February 14, 2013. The Board found past variances granted is not a legitimate reason to reconsider as each case is looked upon individually.

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

Staff Reports

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

Proposed discussion for next agenda

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

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

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

DRAFT 4/8/13

PLEASANT LAKE PROTECTION & REHABILITATION DISTRICT
FINANCE COMMITTEE MEETING
SATURDAY, APRIL 6, 2013, at 2:00 PM
LAGRANGE TOWN HALL
MINUTES

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

Absent:

Public Attendance: Bernie Slupik, Doug Behrens, Dave Stamm

1. Approval of the Agenda: Motion to approve the Agenda (Phil/Rick) Carried unanimously.
2. Approval of prior meeting Minutes: The meetings of January and February were canceled due to no quorum. Motion to approve the Minutes of 12/1/12 (Bob/Kevin). Carried unanimously.
3. Discussion of budget: Several budget items were revised. The Total Operating Expenses remained at \$26,610.00 with the deficit coming from reserves and a tax levy of \$18,000.00.
4. Submission and approval of budget to District Board: Motion to recommend the budget to the District Board as presented and adjusted by:
 - Combining Lake Association and Lake Dues to one item Lake Association Dues and changing the amount to \$150.00
 - Changing the Legal Fees amount to \$950.00
 - Changing the Directory amount to \$300.00
 - Leaving the Total Operating Expenses the same, \$26,610.00 (Bob/Pat)Carried unanimously.
5. Schedule of next Finance Committee meeting

Motion to Adjourn at 3:00 PM (Rick/Kevin). Carried unanimously.

Respectfully submitted,

Marcia M Sahag

Walworth County Land Conservation Committee
MINUTES

March 25, 2013 – 1:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 1:13 p.m. by Chairperson Kilkenny.

Roll call – In attendance were Chairperson Kilkenny, Supervisor Schiefelbein and Citizen Members Bellman and Badame. Vice Chairperson Russell had recused herself. A quorum was declared.

Others present – Supervisor Carl Redenius; David Bretl, County Administrator; Michael Cotter, Deputy Corporation Counsel/LURM Director; Louise Olson, Deputy LURM Director; Fay Amerson, Urban Conservation Specialist; Chris Rieck, Conservation Tech; Attorney Bill White, Michael Best & Friedrich, LLP; and Andrew, James and Jean Baker.

Public comment period – none

Public Hearing related to Certificate of Completion Reclamation of a Nonmetallic Mining Site is Complete; Burdick Trucking and Excavation, Inc. Mining Site Operator, Baker Enterprises, Owner. Attorney White continued with his case. Andrew Baker pointed out that Exhibit F from the Bakers' binder had been removed from the evidence. He wanted to replace that excluded exhibit with the Affidavit of James Baker. He requested that be put into evidence. Attorney White called Fay Amerson to the stand, and Chairperson Kilkenny administered the oath. Amerson was questioned by both parties.

Exhibits numbered 1-18 provided by the County shall be labeled Exhibit A; Exhibit B shall be the four sheets of the reclamation plan; Exhibit C shall be the 2010 photos; Exhibit D shall be the 2011 photos; and Exhibit E shall be the 2012 photos. Attorney White had no objection to the new evidence from Andrew Baker.

On motion and second by Citizen Member Badame and Supervisor Schiefelbein, the exhibits were moved into evidence. The motion carried 4 – 0.

Citizen Member Bellman left at approximately 3:04 p.m. The remaining three members will be responsible for the deliberations. At approximately 3:33 p.m., Andrew Baker gave his rebuttal

On motion and second by Supervisor Schiefelbein and Citizen Member Badame, the Affidavit of James Baker was moved into evidence. The motion carried 3 – 0.

The committee took a brief break at 3:37 p.m. The hearing reconvened at 3:51 p.m. Andrew Baker offered his closing statements at 3:52 p.m. At 4:05 p.m., Attorney White offered his closing statements.

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Discussion/Possible Action – Baker Final Determination – Committee may make their determination at this time or in writing within 20 days. At 4:25 p.m., the Committee began deliberations. Bretl suggested that the Committee could deliberate now to reach a preliminary vote on how they stand on this issue. Supervisor Schiefelbein felt that if there was a procedural failing, such as the public hearing not being held, the case would be closed. Bretl stated that the Committee needs to weigh the totality of the evidence. Supervisor Schiefelbein felt that the County acted within their purview, but he was not sure how to reconcile the lack of a public hearing. Citizen Member Badame did not feel that the County acted inappropriately. Bretl stated that the Committee could request briefs from both parties. If they chose to do that, he suggested a simultaneous exchange of briefs. Chairperson Kilkenny stated that there were two issues at hand: the lack of the owner's consent on the plan and the requirement for public notice and opportunity for public hearing.

The Committee requested that briefs be sent to County Administrator Bretl by April 15th. He will then distribute the briefs to the Committee members. The decision will then be made at the regular Land Conservation Committee meeting on April 22nd. It was clarified that Citizen Member Bellman and Vice Chairperson Russell would not take part in the deliberations.

Chairperson Kilkenny did not have any announcements.

The next regular meeting of the land conservation committee was confirmed for April 22, 2013 at 2:00 p.m.

Adjournment. On motion and second by Citizen Member Badame and Supervisor Schiefelbein, Chairperson Kilkenny adjourned the meeting at approximately 5:04 p.m.

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



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES

March 21 2013

The March 21 2013 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:00 PM. Board members present were Ernie Roy, Brad Corson, Chuck Chamberlain, Larry Brady by conference phone, Jerry Grant, County Representative. Rich asked the board if there are any changes to the agenda. No changes needed to be made. Jerry motioned to approve the agenda, seconded by Ernie. Motion Carried

Absent: Norm Prusener, Town Representative.

Clerk absent: Susie Speerbrecher

Guest Present: none

ADMINISTRATIVE

Minutes from the February 14th, 2013 meeting was approved by a motion from Brad and seconded by Ernie. Motion Carried.

PUBLIC INPUT – None

COMMISSIONER REPORTS

Secretary – Correspondence: about 20 Goose permission slips for Dave Clevens

Finance – Brad reviewed the check register handout given to the board. There were expenses of \$525.87 for February. Brad motioned to accept the check register as presented. Chuck seconded the motion. Motion Carried. Rich asked for \$400.00 for expenses for the upcoming conference he is attending in Green Bay. It was approved. Chuck asked about the trailer and Brad said he will get with Jeff to get it opened and moved

Weed - Larry is pursuing the harvesting permits.

Chemical – Ernie had contacted Clean Lakes Midwest and informed them they will be awarded the contract and they have applied for the weed chemical permit, which we hope to have this month.

Bog – Rich reported the new 10 year permit is being worked on.

Equipment – Chuck reported the 7' harvester has been picked up and work has started. Dennis from Inland Marine, sent some pictures to Chuck regarding some of the problem areas that need repair. Dennis also expressed concern about the maintenance that has been performed on the

equipment. For instance the filter for the hydraulic fluid was completely clogged and the fluid was bypassing the filter and going into the equipment. A discussion on how to make JNT more responsible for the maintenance and possibly hiring some outside consultants to check the equipment to make sure the maintenance is being done. Chuck will look into it.

REPORTS OF STANDING TEAMS

Fish Stocking – Rich reported for Tom Potrykus saying he was getting the permits necessary for stocking fish for 2013.

Goose Management Program - None

Safety – Larry reported that he will try and have a Boat Safety Program in May. Rich reported that the Town of Whitewater has increased the Safety Patrol budget for more hours on the lakes.

Audit – Brad will be getting the information for the audit to the auditor.

Water Quality – No report from Tom.

OLD BUSINESS

Review of By-Laws – tabled to next month

Review contracts status – Brad will contact Jeff from JNT about getting the Storage Agreement back.

DNR Grants. Ernie reported he has not heard anything about the Chemical Application Grant yet. Chuck reported he is still trying to get help for applying for an equipment repair grant. He has emailed Dr. Jeff Thornton , from SEWRPC, and has not heard from him. Rich said he may have some contacts for Chuck to help him with the grant.

NEW BUSINESS

2013 Budget: Brad handed out the 2013 Summary Comparative Income Statement. A discussion about moving funds within each expense categories would not need a motion as long as the expenses did not exceed the budget within the major categories. Line items were reviewed and the bottom line is not being changed.

2013 Schedule: The Lake Management Key Timeline report was reviewed. The awarding of the weed harvesting and equipment support and storage should be moved to the 1st Quarter. Add a Long Range category. It should include: An Aquatic Plant Management Plan For Whitewater and Rice Lakes., done by SEWRPC , for a 5 year plan due in 2015, but funded and started in 2014., a Bog Permit for 10 years due in 2013., Weed Harvesting permit due every 2 years, due in 2013.

Kettle Moraine Land Trust – tabled until Dave returns to Wisconsin

OTHER BUSINESS

Ernie asked about the Web Page and Rich said he will be working on it.

NEXT MEETING - Change in Thursdays - We will meet the third (3rd) Thursday. That meeting will be on April 18th, 2013, at 6:00 PM., Whitewater Town Hall.

Motion to adjourn the meeting was made by Jerry and seconded by Chuck. Meeting adjourned at 7:30 PM.

Respectfully Submitted

By Ernest Roy for

Susie Speerbrecher, Clerk

Walworth County Health and Human Services Committee

MINUTES

March 20, 2013 Meeting – 1:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 1:19 p.m.

Roll call – Committee members present included Supervisors Grant, Schaefer, Brellenthin, Schiefelbein, Monroe and Citizen Representatives Seegers, Pious and Wucherer. Citizen Representative Wagie-Troemel 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 Health and Human Services; Juliet Young, Health and Human Services; Nancy Russell, County Board Chair; Lori Muzatko, Health and Human Services Manager; David Bretl, County Administrator; Suzi Hagstrom, Human Resources; Elizabeth Walsh, Health and Human Services Supervisor; Bernadette Janiszewski, Nursing Home Administrator; John Miller, Department of Public Works; Kevin Brunner, Department of Public Works; Carl Redenius, County Board Supervisor

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

There were no agenda withdrawals. Supervisor Grant asked to amend the agenda to combine item 20a and 22a. **Motion and second made by Supervisor Schiefelbein/Schaefer to approve the agenda as amended. Motion carried 8-0.**

The Health and Human Services minutes from the February 20, 2013 meeting were approved. **Motion and second made by Supervisors Monroe/Schiefelbein to approve the minutes. Motion carried 8-0.**

Public Comment – There were no comments from the public.

Unfinished business – There were no items of unfinished business.

New Business –

Future Direction of Transportation Program and Possible Action – Mr. Bretl opened with a brief overview of the transportation issues. Ms. Seemeyer and Ms. Muzatko presented a PowerPoint presentation on the current state of the transportation program.

Supervisor Grant asked for clarification on what is considered a “trip.” Ms. Muzatko stated that taking a consumer to an appointment and then picking them up and taking them home is considered two one-way trips.

Citizen Representative Wucherer asked what percentage of transports is for disabled consumers. Ms. Muzatko stated it is 5% of the transports.

Supervisor Grant encouraged public comments.

Supervisor Russell stated that downsizing the number of beds at Lakeland Health Care Center a few years ago was done with an understanding that elderly population would have access to transportation in lieu of becoming residents at LHCC. She is passionate about this population and wanting to keep this program for their needs or at least coming up with viable options.

| Andy Kerwin at 1719 Miller Court in Lake Geneva and the owner of Geneva Crossings offered a statement. He feels it is understood that the need is grand. He has been involved in transportation studies for Walworth County and feels there are models available. He is an advocate of maximizing the limited resources and feels collaboration is key to the success of the DHHS transportation program. He asked if there was another avenue to explore to fund the mobility manager option and added a thank you to Roger Zierfuss and his years of service and to Ms. Muzatko for her continued support.

Cindy Simonson from VIP Services in Elkhorn made a statement. She said that VIP has expanded their transportation services over the past twenty years. As Health and Human Services transports have declined, VIP has picked up these other transports. As an example in February 2011 there were 15 medical appointment transports done for non-VIP consumers. That number grew to 91 in 2012 and 273 transports last month.

Patti Pagel, who is a Walworth County resident and registered nurse, provided examples of a typical situation in Walworth County involving the elderly population. She said that are driving who should not be driving and getting involved in car accidents. She encourages the formation of a task force to look into this transportation need.

Dan Taylor, Lake Geneva, who works in the healthcare community – he stated that less rides provided does not mean there is less need. He felt the average cost per ride seemed high and was concerned about residents leaving Walworth County due to a lack of transportation and how that impacts local businesses.

Jan Peterson of 721 S Curtis Street, Lake Geneva stated that healthy seniors want to see concerts, movies, etc. to stay healthy and active.

Colleen Lesiniak, Walworth County Volunteer Coordinator stated that volunteer drivers take the more ambulatory consumers and she would like that to continue. She added that her dad uses county transportation to go to the senior dining and he benefits greatly being with people his own age.

Sharon Shelton of Lake Geneva and a member of the Walworth County Aging Network (WCAN) stated that she feels that the county should be proud of the Lakeland Health Care Center. She said she joined WCAN due to transportation concerns she had when her mom

was in assisted living. She feels it is time to stop talking about transportation issues and start doing something about them.

Patti O'Brien from Volunteer Connections said that there is a great need for transportation to area food pantries.

Supervisor Grant thanked everyone for their comments and told them they should attend the annual public hearing regarding transportation issues.

Supervisor Monroe asked about taxi service in Walworth County. Ms. Muzatko stated only Lake Geneva and Whitewater have a taxi service.

Supervisor Monroe asked if there are bus companies in the area to help with transportation. Ms. Muzatko stated this has been looked into and there are liability issues. WCAN did a study to look at other providers for transportation.

Supervisor Monroe asked about the tax levy. Mr. Bretl stated that the zero levy cap will still need to be met next year. The program needs to work with existing funding.

Supervisor Schiefelbein asked if some of the transportation funding is for transports for hospitalizations and Madison. Ms. Aldred stated the addition of a caged card has helped reduce ambulance costs and that overall DHHS is transporting less consumers to hospitals. The costs have been decreasing over a period of several years.

Citizen Representative Wucherer asked what was the position cost for the transportation supervisor. Ms. Hagstrom stated that with wage and benefits the position would cost \$60,000 to \$80,000 per year.

Supervisor Grant asked what would be the result of holding off on replacing the current transportation supervisor when he retires at the beginning of April. Ms. Muzatko stated that she would be taking on the day to day supervision of the transportation department and may have to have one of the county drivers work in the office rather than transport consumers. Ms. Muzatko stated that proper administration of this program is needed to reduce liability. Supervisor Grant stated he would like to see a subcommittee dedicated to the transportation program. Ms. Muzatko stated there are options that a subcommittee could be considered but would like to see a timeline for this subcommittee.

Citizen Representative Wucherer asked for clarification on state statutes regarding transportation. Ms. Seemeyer stated that DHHS is not obligated to provide transportation under state statutes.

Discussion followed regarding the formation of a transportation subcommittee. Ms. Seemeyer added that the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has offered to do a transportation study at no cost to Walworth County. Supervisor Schiefelbein stated he was not comfortable with SEWRPC and does not feel that they have the best interest in Walworth County. Mr. Bretl stated the advantages of

using SEWRPC is it is free, they would just make recommendations and they have more tools and resources available. He added that the downside of this committee would be bridging the gap of Mr. Zierfuss' retirement. Ms. Simonson added that she also has not be impressed by previous SEWRPC studies and feels that they do not reflect the best interests of the county. Supervisor Grant suggested SEWRPC include subcommittee members when doing their study.

Mr. Kerwin suggested a concurrent process of the SEWRPC study and the formation of a transportation subcommittee. Supervisor Grant suggested a timeline of giving SEWRPC two to three months to do their study and then forming a committee based on their recommendations. Supervisor Russell stated that SEWRPC is overburdened and has doubts that they can put something together that quick and agrees with Mr. Kerwin's suggestion. Supervisor Grant asked that DHHS advertise for volunteers for the transportation subcommittee and to contact SEWRPC to perform their study. Mr. Bretl stated that a structure for the subcommittee should be determined prior to advertising for volunteers and suggested doing public hearings on the issue. Ms. Muzatko stated she had an outline for the formation of this subcommittee.

Citizen Representative Wucherer asked if in lieu of the zero tax levy increase if the cost per ride could be increased. Ms. Muzatko stated there is a co-pay structure for the elderly and disabled. There is no charge for DHHS consumers. Mr. Wucherer asked if billing insurance was a revenue option. Ms. Muzatko stated that DHHS no longer provides Medicaid transportations and there are no other insurance billing options.

Supervisor Grant asked if people who receive transportation and are financially eligible to pay are charged for their rides. Ms. Muzatko stated that they are charged.

Supervisor Schiefelbein asked if the \$59 per ride charge was an average of all rides. Ms. Muzatko stated when taking into consideration all vehicle and administration costs and dividing that total cost by the number of rides provided the average is \$59 per ride.

Supervisor Monroe asked how soon the transportation supervisor position could be replaced. Ms. Hagstrom suggested changing the position to a Limited Term Employee (LTE) position that would not have benefit costs to fill the position quickly but without a long term commitment.

Supervisor Schiefelbein asked how much notice did Mr. Zierfuss of his retirement. Ms. Muzatko stated he gave one month notice.

The committee decided that prior to next month's meeting that there would be a solution to filling the transportation supervisor position, a structure for the transportation subcommittee and that SEWRPC would be contact by Ms. Seemeyer.

Resolution Acknowledging Deb McDaniel Winning the 2013 Caring for Kids Award – Ms. Seemeyer stated that five workers in the state were recognized for their efforts. Ms. McDaniel has worked on shaken baby prevention, a teen pregnancy group and is on the

child death review. Ms. Seemeyer stated that the department is very proud of Ms. McDaniel for receiving this honor.

Motion and second made by Supervisors Brellenthin/Schiefelbein to recommend the resolution acknowledging Deb McDaniel winning the 2013 Caring for Kids award to the county board. Motion carried 8-0.

Reports –

Biennial Budget Update – Due to time constraints Ms. Seemeyer would like to speak on this next month.

HVAC Project Update – Ms. Seemeyer stated that the first phases of staff moves have been completed with the relocation of 22 DHHS staff members. The Aging & Disability Resource Center (ADRC) will move to their temporary location on April 12th. The construction on the first areas of the Health and Human Services Center will begin on May 1st.

Supervisor Grant asked how long the project is projected to last. Ms. Aldred stated it should take nine months.

Correspondence –

Communication received from Southeastern Wisconsin Regional Planning Commission (SEWRPC) in regard to Transmittal of 2012 Public Transit – Human Services Transportation Coordination Plans – This item was discussed under new business.

Announcements –

Human Services Day at the Capitol/County Ambassador Program – Ms. Seemeyer invited committee members to join her for this event. Supervisor Grant stated he may be able to attend.

Next Meeting Date – The next meeting is scheduled for April 24, 2013 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors Monroe/Schiefelbein Chair Grant adjourned the Health and Human Services meeting at approximately 2:45. Motion carried 8-0.**

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

Walworth County Lakeland Health Care Center Board of Trustees
MINUTES

March 20, 2013 Meeting – 1:00 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

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

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director Health and Human Services; Bernadette Janiszewski, Nursing Home Administrator ; Juliet Young, Health and Human Services; Nancy Russell, County Board Chair; Kevin Brunner, Public Works Director; William Wucherer, Health and Human Services Citizen Representative; James Seegers, Health and Human Services Citizen Representative; Ella Eva Pious, Health and Human Services Citizen Representative; David Bretl, County Administrator; Suzi Hagstrom, Human Resources; Elizabeth Walsh, Health and Human Services Supervisor; John Miller, Department of Public Works; Kevin Brunner, Department of Public Works

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the February 20, 2013 were approved. **Motion and second made by Supervisor(s) Schaefer/Monroe to approve the minutes. Motion carried 5–0.**

The Lakeland Health Care Center Board of Trustees Special Joint Committee meeting with Finance minutes of the March 12, 2013 were approved. **Motion and second made by Supervisor(s) Schaefer/Monroe to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business –

Strategic Planning - Planning for the Future Presentation – Ms. Janiszewski continued the monthly presentations regarding future planning for the operation of Lakeland Health Care Center, this month focusing on the human resources.

Supervisor Schiefelbein asked about Licensed Practice Nurses (LPN) versus Registered Nurses (RN) and the use of Physician Assistants (PA). Ms. Janiszewski stated that LHCC does not employ PAs. In the future, Accountable Care Organizations (ACO) may employ hospitalists that would work in nursing homes. Currently, the ACOs that are part of the

federal pilot program employ a group of physicians to follow all patients admitted to the hospital. As skilled nursing facilities become part of the program, it may be cost effective for the hospitals to extend hospitalist services to long term care.

Supervisor Schaefer asked about Community Bases Residential Facilities (CBRF) and if having this type of specialty unit would create competition with others in the county. Ms. Janiszewski stated that LHCC is not looking to compete with other facilities in the county. She stated this and other specialty options will be discussed next month.

Supervisor Grant asked if establishing a CBRF unit would create a more landlord rather than nursing home situation. Ms. Janiszewski stated that would be an argument that can be discussed further next month when we discuss other revenue options.

New Business –

New LHCC Positions to Replace DPW Facilities Workers – Ms. Janiszewski stated this recommendation will be going to the Human Resources Committee later today.

Supervisor Grant asked if this change would provide more control over staff and save administrative time. Ms. Janiszewski stated this would be one of the benefits of having supervision of these positions at LHCC. Lakeland Health Care Center would assume the responsibility for building and equipment maintenance as well as grounds keeping. Public Works would still provide snow plow services for both parking lots and driveways. LHCC would submit a service request for work beyond the scope of the maintenance technicians, such as frost heave between sidewalk slabs.

LHCC is working on a Memorandum of Understanding (MOU) with Public Works. Ms. Seemeyer stated that Public Works would be compensated on a time and materials basis for any work done.

Reports –

LHCC Administrator's Report and Financial Update – Ms. Janiszewski stated that the budget is on track and just a couple of minor workers compensation injuries were reported by staff in February.

Correspondence – There were no correspondence.

Announcements –

Upcoming Resident Events – Ms. Janiszewski reviewed the upcoming events.

Supervisor Schiefelbein asked if there will be a press release regarding LHCC being named as one of the best nursing homes in 2013 by the U. S. News and World Report. Ms. Janiszewski stated that one would be sent to the media.

Next Meeting Date – The next meeting is tentatively scheduled for April 24, 2013 at 1:00 p.m.

Adjournment – On motion and second by Supervisor(s) Schaefer/Brellenthin, Chair Grant adjourned the Lakeland Health Care Center Board of Trustees meeting at approximately 1:19PM. Motion carried 5-0.

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

Walworth County Human Resources Committee
MINUTES

March 20, 2013 – 3:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin
DRAFT

The meeting was called to order at approximately 3:02 p.m. by Chairperson Brandl.

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

Others present – Supervisors Nancy Russell and Tim Schiefelbein; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Suzi Hagstrom, Labor/Employee Relations Director; Kevin Brunner, Director – Central Services; Donna Pruess, Register of Deeds; Linda Seemeyer, HHS Director/LHCC Superintendent; Liz Aldred, Deputy HHS Director; Bernie Janiszewski, LHCC Administrator; Tracy Moate, Director of Special Education; Seth Rehbaum, Administrative Assistant; John Miller, Assistant DPW Superintendent – Facilities.

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

Approval of the February 12, 2013 and February 20, 2013 Human Resources Committee meeting minutes was moved and seconded by Supervisor Monroe and Vice Chairperson Grant, and carried 5 - 0.

Public comment period – none

Update and discussion of plan for potential Employee Wellness Council Blood Drive. Wilson stated that this item had been discussed in November. The committee had given staff the directive to come up with an action plan with regard to a blood drive. The Red Cross requires 25 participants. Based on the survey results, Walworth County would have more than enough participants. Staff then came up with an action plan and tentatively reserved a room at HHS for the drive. The Red Cross wants Walworth County to solicit at least two volunteers. If Walworth County cannot come up with any volunteers, the Red Cross would try to find their own. Wilson stated that Walworth County staff will not be doing anything but showing the Red Cross where the blood drive is going to take place. Vice Chairperson Grant questioned why a finance staff member would have to do that when someone at HHS could do that. Wilson stated that the check-in piece could be coordinated with a potential volunteer. Wilson suggested doing this blood drive as a one year trial to see how it goes. The Red Cross and the Blood Center of Wisconsin both do drives in the county, so perhaps in the future, they could alternate years. Wilson stated they would report back to the committee after the first year. Supervisor Brellenthin asked about refreshments for donors. Rehbaum stated that the Red Cross would provide all of the refreshments. Ideally, there would be a volunteer to take care of the refreshment area. Wilson stated that lining up volunteers typically has not been a problem in the past. Colleen Lesniak, Volunteer Organizer, is on the Wellness Council, so she is aware of the

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potential blood drive. Supervisor Russell was concerned with who would be responsible for publicizing the event, recruiting donors and scheduling appointments. Wilson stated that Rehbaum would be responsible for promoting the event and scheduling appointments. It is anticipated that the amount of time spent on this would be pretty minimal. Chairperson Brandl was under the impression that no county staff time would be spent on this. Wilson stated that staff was not sure what their involvement would need to be, but there will definitely be some staff time involved. Wilson clarified that the county would only advertise the event to county employees, but the Red Cross may advertise beyond that. Vice Chairperson Grant felt that there would have to be no staff time at all involved in order for this to be approved. Bretl stated that these things have come up in the past, and staff time is kept to a minimum. He appreciated the committee's concern. He suggested seeing how the first blood drive goes before determining whether it will be an annual event.

Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the blood drive as agreed upon. The motion carried 5 – 0.

Wilson stated that he will report back to the committee on how the event goes.

Discussion and possible action regarding wellness proposal and health insurance. Bretl stated that this item had been agendaized broadly to permit discussion on a variety of aspects of the wellness and health insurance study. There were several different things that the committee had wanted to look at, such as the comparable rates in comparable counties, HSA options and options offered by WCA for their health insurance program. Wilson stated that he circulated an email to eight of our surrounding counties to find out about what they offer in terms of their health plans. Chairperson Brandl would like staff to look at HSA's, both with employer contributions and without. Vice Chairperson Grant is getting information on the state plan, so he can share that information with the committee. In terms of the wellness proposal, Vice Chairperson Grant would not be supportive of the fitness portion. There are many facilities already available to employees. He suggested that the county provide employees with vouchers for such facilities. Vice Chairperson Grant suggested putting the idea of a clinic on hold until a decision is made with regard to insurance. If the county continues to be self-insured, a clinic might make more sense. Supervisor Brellenthin was in favor of a wellness clinic, but he was not in favor of a building project to house the clinic. Supervisor Brellenthin is opposed to the fitness portion of the proposal. Andersen added that the county has been approached by the school district about the clinic and/or fitness area. Bretl stated that there are a couple of different components to all of this. The county needs to make a decision with regard to health insurance before making any decisions on the clinic portion. The school district was looking at a remodel and possible addition to their fitness center. Their focus was on the fitness aspect. Another company had approached the county with space available for lease. The committee could choose to say no new construction, or they could choose to say no to the fitness component all together. Vice Chairperson Grant stated that if the school district wants to be part of some sort of voucher program, he was fine with that, but he did not want to enter into any sort of contract with them.

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Vice Chairperson Grant and Supervisor Redenius moved and seconded recommending to the full board that the county not take part in supporting a county-owned and maintained fitness center for employees. The motion carried 5 – 0. Chairperson Brandl added that once the board makes a decision on health insurance, the clinic portion can be discussed further. **Vice Chairperson Grant and Supervisor Brellenthin moved and seconded recommending to the board that based on the outcome of the insurance decision, if the county is to proceed with a clinic, building a new facility is out of the question. The motion carried 5 – 0.** Staff will continue to gather comparable information from other counties as well as information from our consultant on HSA's. Vice Chairperson Grant will also share the information he receives on the state health plan.

Update and discussion regarding contracted safety coordinator. Bretl stated that Rock and Jefferson counties have decided against sharing a safety coordinator position, and going through WMMIC for the position is not an option either. Bretl feels this is a very important service that the county needs. The safety coordinator would be an expert in the field who would determine policies and coordinate trainings, etc. on a countywide basis. Unfortunately, this will create additional costs as a county position. Bretl did not anticipate that we would be successful in recruiting someone if this position is posted at less than full-time. He estimated that it would cost approximately \$83,000 for salary and benefits. The position would need supervision, so then the question arises as to what department this position would best fit in. Central services would be a good fit, but Brunner has his hands full with the reorganization. Finance would be another possibility. That would require a bit of reorganization of the department. Chairperson Brandl asked if there are groups that provide this service that the work could be bid out. Bretl stated that Alpha Terra has been working on safety procedures with public works, which is what they specialize in. Hagstrom stated that an RFP had been done two years ago. At that time, what the county had been seeking was not in the realm of possibility, but perhaps it is now. Staff could add to the previous RFP and resubmit it. If this was made a county position, Chairperson Brandl suggested that the position be put under Hagstrom so that HR could oversee the position. Bretl stated that they could look at other county departments as well. Given the potential for lawsuits, Vice Chairperson Grant suggested that corporation counsel oversee this position. Bretl reminded the committee that he is corporation counsel as well. Bretl stated that regardless of which department this position ends up in, there will be a fairly significant reorganizational cost. Hagstrom offered to survey other counties to see what position they have. Hagstrom stated the committee would probably not want to do a job description and an RFP. Bretl added that the last RFP was over the county's budget. Andersen stated that she would be happy to oversee the position. She is the county's WMMIC representative and deals with the insurance, so this position would fit well with the other programs in finance. The committee agreed that they need to find someone for the position who is well-versed in all aspects of safety issues. Vice Chairperson Grant would like to see a job description and costing of the position as well as information on what other counties do. Staff will report back to the committee on these items.

The committee did not take any action on this item.

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Ordinance No. 766-03/13 Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Elimination of a Janitor III and a Building Maintenance Engineer I and the Creation of a Mechanic II at Public Works and discussion and possible action regarding the Elimination of Positions in Public Works and the Creation of Positions at LHCC. Bretl stated that the committee may wish to discuss this item in connection with item 8a. Bretl had given the direction for a restructuring to take place whereby the nursing home was in charge of their own building maintenance to allow for quicker response time. Ordinance No. 766 had been pulled off of the County Board agenda to avoid staff having to come back later to amend what had just been approved. Hagstrom asked the committee to disregard Ord. No. 766. She explained that a BME I, II and III are assigned to LHCC. The BME II and III retired, leaving just the BME I. The plan is to eliminate those three positions from public works and recreated three FTEs at LHCC. They are requesting a maintenance coordinator and two maintenance technicians. The person who is currently in the BME I position at LHCC would go back to public works where there is a vacant BME I. Ordinance No. 766 originally eliminated that vacant position. A Janitor III would be eliminated and a Mechanic II created. Because of the higher classification of the Mechanic II, this would cost an additional \$15,000 annually. Brunner stated that there may be some offsetting revenue associated with this mechanic position. The hope is that mechanic services can be provided to municipalities for a fee. Brunner also added that the mechanic position is needed because public works is not able to keep up with all preventative maintenance. Janiszewski added that the LHCC is a very sophisticated building, and the new maintenance employees will need further education. Chairperson Brandl questioned the need for the BME position in public works. Brunner stated that the position is needed to cover the work at the Government Center. He anticipated coming back to the committee with further reorganization plans at a later date.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the LHCC/PW reorganization as presented. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Sections 15-6 and 15-1515 of the Code Relating to At-Will Employment and Title/Unit Changes in Health and Human Services. Hagstrom stated that this amendment is just for “housekeeping.” The amendment fixes references to position/unit titles that were changed with budget adoption. In addition, this amendment adds the HR Generalist position to the list of positions under at-will employment. That position, which is now salaried exempt, would be under contract if it were to be re-filled. Hagstrom clarified that all employees are now at-will, but certain positions are under employment contracts. Bretl stated that the issue of employment contracts may be something the committee wishes to discuss. Prior to Act 10, employees were under for cause protection, but Act 10 made everyone at-will. The question then arises as to whether or not the county should continue with employment contracts. It could be argued that employment contracts favor the employee now because they provide severance and provide a stipend in exchange for waiver of health insurance. That being said, employment contracts can be a useful recruiting tool. Hagstrom clarified that the proposed amendment will not extend employment contracts to anyone else.

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Supervisor Brellenthin moved and Vice Chairperson Grant seconded approval of the ordinance amendment as presented. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Section 15-517(e) of the Code relating to the Scheduling of Accrued Benefits. Hagstrom stated that this item is in regards to accrued benefit time and when that time can be used. The ordinance lacked clear guidance on this issue. The ordinance was clear that vacation time could not be used on a holiday, but there was no clear direction on using sick time when scheduled to work on a holiday. This amendment clarifies that an employee won't get paid for the holiday and sick leave. Say, for example, an employee is scheduled to work on a holiday, but he or she calls in sick. As it stands now, the employee would get paid the eight hours of sick leave, plus eight hours would be put in the employee's holiday bank for use later. When a person leaves the county, the holiday bank gets paid out. For new employees, however, sick leave is not paid out when they leave the county. Andersen stated that this amendment would eliminate that holiday payout liability. Hagstrom added that the holiday bank limit had been reduced. If the bank is full, the hours are paid out, not lost. If, for example, a person is at their holiday bank limit, and they call in sick on a holiday, they would get paid for the holiday and the sick time.

Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the amendment to Sec. 15-517(e). The motion carried 5 – 0.

SWOT analysis: discussion regarding post Act 10 changes. Bretl stated that this was an initiative that finance had included in the budget. SWOT stands for Strengths, Weaknesses, Opportunities and Threats. Act 10 had been listed as a strength. Bretl would like to discuss that to determine if it is a fair assessment to include that as a strength. The county was ahead of many others in terms of implementing Act 10 changes. While we know what changes the county as a whole made as a result of Act 10, Bretl thought it would be helpful to hear about what individual departments have done to reduce costs and improve services using the Act 10 tools. Chairperson Brandl suggested scheduling a couple of departments each month to submit written comments. Bretl suggested starting with the first departments this summer. He will get the word out to departments.

The committee did not take any action on this item.

Chairperson Brandl did not have any announcements.

The next regular meeting of the human resources committee was confirmed for April 24, 2013 at 3:00 p.m.

Adjournment. On motion and second by Supervisor Monroe and Vice Chairperson Grant, Chairperson Brandl adjourned the meeting at approximately 4:45 p.m.

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

Walworth County Board Executive Committee
Monday, March 18, 2013 - 10:00 AM
Walworth County Government Center – County Board Room 114
100 W. Walworth St., Elkhorn, Wisconsin
Draft Minutes

Chairman Weber called the meeting to order at 10:00 AM.

A quorum of executive committee members was in attendance, including Chairman Weber, Vice Chairman Kilkenny and Supervisors Schiefelbein, Brandl and Russell. Also in attendance were Supervisor Brellenthin, Carlo Nevicosi, Human Services Manager - Behavioral Health Services; John Ennis, Emergency Management Director, Sheriff's Office; and, Donna Pruess, Register of Deeds.

Agenda approval was moved and seconded by Supervisors Kilkenny and Brandl; motion carried 5 – 0.

The February 18, 2013 executive committee minutes were approved on motion/second by Supervisors Brandl and Russell; motion carried 5 – 0.

There was no comment during the public comment period.

Ongoing/unfinished business

Advisory resolution requesting elected state officials and the Governor to re-examine the policies that have led to historically high incarceration rates in Wisconsin. The committee reviewed a draft resolution. The county's Criminal Justice Coordinating Committee (CJCC) recently reviewed Outagamie County's resolution and unanimously recommended that our county board adopt a similar resolution. **Russell and Kilkenny moved and seconded recommending county board adoption. The motion carried 5 – 0.**

Update concerning JAG Pre-Trial Diversion Program 2011 Grant. The grant would fund a position that would work on pre-trial diversion. The executive committee previously stipulated conditions of grant acceptance: that the grant be approved by the CJCC; that the County HHS department be able to support the program within its existing budget; that there be no county obligation to provide funding for the pre-trial diversion program in future years. The CJCC met specially on March 15; there was *not* unanimous support of the grant. Members were okay with the program concept. One concern was that of the \$80,000 grant funding, approximately \$71,000 would be used to pay an assistant district attorney to work on the program. That formula would leave little programming dollars after paying an assistance DA. Bretl spoke with the grant program administrator at the Office of Justice Assistance, who indicated that grant funding would still be available when the CJCC was ready to proceed. Carlo Nevicosi said without knowing how many participants there would be, it was tough to determine whether HHS has the capacity to accommodate the diversion programming based on the grant criteria. Some diversion programming would pull HHS staff away from other programs. Probation and Parole staff wasn't sure HHS staff would be given the authority to use the COMPASS assessment tool, owned by the Wisconsin Department of Community Corrections; however, they thought that because only low-risk probationers would participate in the program, it would be okay to accept grant funding. The District Attorney's assessment of a potential participant would be relatively quick, but staff time invested in program treatment would involve many hours. Schiefelbein said he had a problem with the District Attorney applying for the grant without following the usual county procedures for grant applications. CJCC members agreed that minor offenders should not be under continuous supervision. Program participation requires \$75 initially and \$25 per month from each participant; this revenue stream would go to the district attorney and not HHS, where the greatest expenditure of staff time

would be involved. **Kilkenny moved to hold action on this until there is a unanimous recommendation by the CJCC. Russell seconded the motion, which stipulated that the original executive committee conditions of acceptance enumerated in this paragraph remain in place. Motion carried 5 – 0.**

County Board compensation for 2014-2016 elected term. Mr. Bretl indicated there was no need for the committee to make a recommendation on this before November 2013. The idea was to get it on the table early rather than waiting until the end of the year. **Russell asked what the committee thought and suggested this be forwarded to the full county board without a recommendation because the full county board is affected by it. Kilkenny stated that he fully agreed it impacts all supervisors. Russell moved to forward this to the county board without recommendation; Kilkenny seconded the motion, which carried 5 – 0.** Weber thought perhaps population was a common denominator in determining salary compensation. Bretl said although that might be true in some instances, other measures include the workload for programs a county operates, which the board must review and be involved in, oversee and approve. For example, Waukesha County has a population nearly three times that of Walworth but does not operate a nursing home or special needs school. Seasonal fluctuations from summer residents affect law enforcement and other county operations and services. The number of board members is another germane factor. Population would be a less determinative factor than how the board does its work, which is perhaps the most important consideration. There is a high level of involvement and participation by our board in issues. This might not be well understood or appreciated, generally, Bretl said. Kilkenny said supervisors in other counties might receive more compensation than our board because of the method of payment for meeting attendance. Brandl suggested the board consider additional compensation for the board chair because of the time commitment of that position.

Appointments. Aging & Disability Resource Center (ADRC). Administrator Bretl's nomination of La Verne Duncan for reappointment was moved and seconded for approval by Russell and Brandl, and carried 5 – 0.

Consent items. Supervisor Stacey's mileage reimbursement claim for \$19.21 was unanimously approved on motion and second by Supervisors Brandl and Russell.

New business.

Comprehensive Emergency Management Plan (CEMP). Emergency Management Director John Ennis is seeking county board approval to promulgate the new CEMP. In 1996, the board approved the current Emergency Operations Plan (EOP). Ennis' work plan includes annual review and update of the EOP. The EOP is being upgraded to the CEMP, a more extensive plan that will provide a framework for departments as a guide in real emergencies. The highway division, for example, is in charge of debris clean-up and management following a tornado. A plan for that is already in place, but the new plan breaks down the emergency operations plan into more manageable components assigned to each department, to be activated as necessary. Kilkenny said he'd like to see the full plan and chain of command. He stated that the plan he had seen for Darien Township is complicated. Schiefelbein expressed interest in hands-on training for county board supervisors. Five of the eight southeastern counties participated in the state's Urban Area Security Initiative (UASI), said Ennis. Walworth County sat in and participated in the meetings to learn how to convert our EOP to the CEMP. The plan breaks emergency response into the five county annexes and emergency support functions. The Sheriff's Office already has the traffic management plan in place. Recovery functions that are part of

the CEMP include, for example, where board meetings would be held during emergency recovery, where the public would go to file deeds and pay taxes, etc. Hurricane Sandy was an example of the worst case scenario of a natural disaster that all but shuts down “business as usual.” Ennis summarized the major components of the CEMP and indicated the full document would be made available in electronic format for supervisors to review. **Schiefelbein moved and Kilkenny seconded recommending county board review and adoption of the plan. The motion carried 5 – 0.**

Resolution Proclaiming April 21-27, 2013 Volunteer Week in Walworth County and Recognizing Walworth County Volunteers. The board is being asked to recognize 2012 County volunteers in April, in coordination with National Volunteer Recognition Week, as the board did last year. The county's Volunteer Organizer will invite the volunteers to be recognized at the April 16 board meeting. **Supervisors Kilkenny and Schiefelbein moved and seconded approval of the resolution; the motion carried 5 – 0.** Chairman Weber encouraged supervisors to attend the volunteer reception.

Discussion and recommendation regarding participation in the Wisconsin Counties Association (WCA) County Ambassador Program (CAP). Bretl said no action was requested or necessary. Supervisor Ken Monroe has been serving in the CAP, increasing our county participation in WCA. Russell and Brandl moved and seconded placing the correspondence on file; motion carried 5 – 0.

Price County Board Resolution No. 10-13, Petition Wisconsin State Legislature To Reconsider Requirement for Counties To Set Constitutional Officer Salaries for Their Entire Four-year Term. Compensation must be fixed prior to the elected term. The constitutional officers don't all run for office in the same year. It is difficult to predict economic conditions in the future. Passing a similar resolution would require significant changes in state law. **Kilkenny and Russell moved and seconded placing the Price County resolution on file; motion carried 5 – 0.**

Outagamie County Resolution No. 122--2012-2013 Opposing any proposal which gives the State Legislature the ability to dictate the amount of local property tax dollars spent on a specific county department. This is about the debate in the state legislature regarding the Milwaukee County Board and is an issue about local control. Bretl said it is a politically charged issue in Milwaukee County. Supervisors Kilkenny and Brandl moved and seconded placing the resolution on file. The motion carried 5 – 0.

Review of Walworth County SWOT analysis: accomplishments and the future of the county's Intergovernmental Cooperation Council (ICC). One of Administrator Bretl's 2013 goals is to review the county's strengths, weaknesses, opportunities and threats (SWOT). He said it was valuable to commit this to paper by adopting it in the 2013 budget. He is interested in supervisor feedback and any additional items that should be included. The ICC has improved cooperation among local government units. Town attendance at ICC meetings has been good. Meetings have been largely informational, with speakers on topics of wide interest, including consolidation of police services, such as in the Village of Darien; however, there have been no breakthroughs in terms of consolidation or cost savings as ICC initiatives. The next step, to achieve savings, might be to invite a facilitator to do some planning with the ICC, Bretl said. Weber asked whether it might be typical, that a newly-formed group starts meeting with lots of positive energy and then reaches a limit regarding what can be accomplished. Kilkenny said the City of Delavan is covering police services for the Town and Village of Darien and asked if that cooperative effort came from the ICC. He said if meetings are not resulting in additional cooperative efforts and cost savings, then more frequent meetings might not be

useful. Russell said those who attend are enthusiastic and learn from each other. She suggested polling ICC members or perhaps rotating the chair position annually. She thought there was more animosity among local units of government prior to the formation of the ICC. Weber agreed that reviewing issues of mutual interest has value. He further agreed with Bretl that the ICC focus may need to be re-energized and perhaps fewer meetings should be held. He suggested encouraging municipalities and towns to use the county as an avenue of communication and cooperation. Bretl thanked the committee for their feedback. Russell suggested allowing any ICC member to call a meeting. Kilkenny asked Bretl about the history of tax collections, i.e., collection by the local (town, city, village) clerk, who then turns it over to the county treasurer with a report. The tax key system is currently being revised. Bretl said he would provide a future report to the committee about ICC efforts.

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

The next executive committee meeting date was confirmed for April 22, 2013 at 10:00 AM.

Claims and litigation. On motion and second by Brand and Kilkenny, 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. All supervisors voted "aye."

- a) Notice of claim for vehicle damage, Melody Burch vs. Walworth County
- b) Notice of Claim for Vehicle Damage received from Daniel John Vaara
- c) Statement of Relief Sought for damage sustained to her vehicle, received from Carrie Carlsen
- d) Summons and Complaint – United States of America acting through Rural Housing Service (RHS), Successor In Interest to Farmers Home Administration, Plaintiff, v. Kathrine L. Moser f/k/a Kathrine L. Swanson, Walworth County Clerk of Circuit Court, Wisconsin Bureau of Child Support, Defendants
- e) Waiver of Construction Lien and Release of Claim received from George Schroeder Trucking, Inc. for Walworth County Project CTH D – Lafayette to Spring Prairie, CTH ES to East County Line
- f) Waiver of Construction Lien and Release of Claim received from Rock Road Companies, Inc. for Walworth County Project CTH D – Lafayette to Spring Prairie, CTH ES to East County Line
- g) Final Waiver of Lien received from Straight Edge Concrete for the Hwy D Project

The committee reconvened in open session on motion and second by Kilkenny and Brandl. Kilkenny and Brandl moved and seconded following action consistent with the committee's closed session discussion in regard to the above-referenced agenda items, i.e., placing on file items a, c, e, f and g, and holding on items 'b' and 'd'.

Chairman Weber adjourned the meeting at approximately 11:35 AM on motion and second by Vice Chairman Kilkenny and Supervisor Schiefelbein.

Submitted by Suzanne Harrington, County Administrator's Office. Minutes are subject to review and approval by the Walworth County Executive Committee.

Walworth County Land Conservation Committee
MINUTES

March 18, 2013 – 2:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 2:07 p.m. by Chairperson Kilkenny.

Roll call – In attendance were Chairperson Kilkenny, Vice Chairperson Russell, Supervisor Schiefelbein and Citizen Members Bellman and Badame. A quorum was declared.

Others present – Supervisors Carl Redenius, Ken Monroe and Rick Stacey; David Bretl, County Administrator; Michael Cotter, Deputy Corporation Counsel/LURM Director; Louise Olson, Deputy LURM Director; Fay Amerson, Urban Conservation Specialist; Attorney Bill White, Michael Best & Friedrich, LLP; Chris Rieck, Conservation Tech; Thomas Portle, WDNR; Warren Hansen, Farris, Hansen & Associates; and Andrew, James and Jean Baker.

Approval of the agenda was moved and seconded by Supervisor Schiefelbein and Citizen Member Badame, with no withdrawals, and carried 5 – 0.

Approval of the October 15, 2012 Land Conservation Committee meeting minutes was moved and seconded by Vice Chairperson Russell and Supervisor Schiefelbein, and carried 5 – 0.

Public comment period – none

Public Hearing related to Certificate of Completion Reclamation of a Nonmetallic Mining Site is Complete; Burdick Trucking and Excavation, Inc. Mining Site Operator, Baker Enterprises, Owner; Discussion/Possible Action – Baker Final Determination – Committee may make their determination at this time or in writing within 20 days. On the advice of counsel, Vice Chairperson Russell recused herself from the proceedings due to the fact that she had been on-site when the reclamation was made. There was still a quorum, so the proceedings continued. Bretl briefly explained the procedure for the hearing. As Corporation Counsel, Bretl was representing the committee and could provide the committee with legal advice if they wanted. He added that this is a more formal procedure than normal. A record needs to be created in case this issue goes to court. He reminded everyone that the proceedings are being recorded and speakers would need to use the microphones. The parties introduced themselves, with the aggrieved party going first. Attorney White pointed out that Andrew Baker is not listed as an aggrieved party in the appeal. Attorney White questioned Andrew's role. Andrew Baker stated that he is not an attorney, but he had been asked to come and speak on his grandparents' behalf. Bretl recommended that the committee note that objection. Chairperson Kilkenny noted the objection, and the proceedings continued. It was pointed out that Burdick Trucking could potentially be affected by the decision in this matter, but they were not represented at the hearing. At approximately 2:15 p.m., Andrew Baker began giving his opening statement. Baker provided the committee with a binder of exhibits. Chairperson Kilkenny then swore in Andrew

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Baker. At approximately 2:37 p.m., Baker completed his opening statements, and Attorney White began his cross examination of Baker. Once the parties concluded, Bretl suggested the committee determine which items would be entered into evidence. Attorney White objected to Exhibit F in the Bakers' binder, which was a letter from their attorney.

On motion and second by Supervisor Schiefelbein and Citizen Member Badame, the Bakers' binder, with the exception of Exhibit F, was moved into evidence. It was clarified that Exhibit F was excluded because the letter was hearsay, and the county did not have the ability to cross-examine the person who wrote the letter. The motion carried 4 – 0.

Attorney White gave his statements. At approximately 3:31 p.m., Attorney White called Tom Portle to testify. Chairperson Kilkenny administered the oath to Mr. Portle, and Mr. Portle provided his testimony. At approximately 3:42 p.m., Warren Hansen was sworn in as the County's next witness. Both parties were given the opportunity to question Mr. Hansen.

Chairperson Kilkenny stated that the hearing needed to adjourn for today. The committee members were not to discuss the issues with the parties. Attorney White stated that he would like attachment 3 from the Land Conservation Committee packet moved into evidence.

On motion and second by Supervisor Schiefelbein and Citizen Member Badame, Mr. Portle's letter to Fay Amerson (dated August 31, 2012) was received into evidence. The motion carried 4 – 0.

The parties discussed a date for the next meeting. Andrew Baker wanted to have the meeting on-site when conditions allowed. Attorney White objected. The parties agreed to reconvene on March 25th.

On motion and second by Supervisor Schiefelbein and Citizen Member Badame, the hearing was set to continue on March 25th at 1:00 p.m. The motion carried 4 – 0.

Chairperson Kilkenny did not have any announcements.

The next regular meeting of the land conservation committee was confirmed for April 22, 2013 at 2:00 p.m.

Adjournment. On motion and second by Supervisor Schiefelbein and Citizen Member Badame, Chairperson Kilkenny adjourned the meeting at approximately 4:07 p.m.

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

WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, MARCH 8, 2013 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:00 AM **Call to Order – Karl Nilson, Chair**

2. Roll Call. **Establishment of Quorum – Mary Penn**

Crawford	Tom Cornford, 3 rd Vice Chair (XCom)	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford	x		Wayne Gustina	x
	Vacant			Alan Sweeney, 1 st Vice Chair (XCom)	x
		Terry Thomas (10:51)		x	
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	excused		Carol Held	
	Chris James (10:03 AM)	x		John Miller	
		Dennis Polivka, Asst. Secretary (XCom)		x	
Grant	Gary Ranum		Walworth	Jerry Grant	
	Vern Lewison			Richard Kuhnke, 4 th Vice Chair (XCom)	x
	Robert Scallon, 2 nd Vice Chair (XCom)	x		Allan Polyock	
Iowa	Charles Anderson, Secretary (XCom)		Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig			Richard Manke	
	Jack Demby			Fritz Ruf	

Others present for all or some of the meeting:

<ul style="list-style-type: none"> Mary Penn, WRRTC Administrator Ken Lucht, WSOR (10:02 AM) Frank Huntington, Ron Adams, WDOT Ben Meighan, WSOR 	<ul style="list-style-type: none"> Forrest Van Schwartz, Consultant Jim Matzinger, Dane County Highway Dept. Alan Anderson, Pink Lady RTC Kim Tollers WDOT (10:41 AM)
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Penn**

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

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

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

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

Penn said that a name correction in Item 14 was needed, specifically, Vicki Breunig, Administrator of Sauk City.

- **Motion to approve draft February Meeting Minutes – Gray/Sweeny, Passed Unanimously**

6. Updates. **Public Comment – No Comments**

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

Penn told the Commission she had informed Lamar about their February decision to not renew their sign lease. She said they had sent another lease with significantly less information and if a commissioner wished to revisit the issue, they could request an agenda item at next month’s meeting. Forrest Van Schwartz distributed two articles and talked a little about them as they related to railroading and its economic outlook in 2013 which is predicted to be very good. Ron Adams, WDOT concurred.

8. Updates. **Announcements by Commissioners – No Announcements**

REPORTS & COMMISSION BUSINESS

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

- Treasurer's Report for February and Payment of Bills

Jim Matzinger gave the Treasurer's Report, noting that he could close the 2012 projects and send out the 2013 billings. He said that in 2013 there would be some write-off of bad debt for Crawford which was expected to be paid off this year. After 2013 all money collected from counties minus anything they need to subsidize operations will go to WSOR. If the Commission did not bill the counties this year, WRRTC would come up about \$3K short. There was discussion on the funding of the Commission and incoming revenue would impact it. Currently the budget is negative but Matzinger gave some explanation as to the expenses and revenue. There was additional discussion on the Commission and how it would be very difficult to decrease expenses to make up shortfalls due to lower than expected revenue (lack of crossing permit fees, lack of lease revenue, etc.).

Matzinger distributed his letter to the member counties requesting their contributions for 2013 and said in the past insurance was included as part of capital spending and that might explain some of the issue (related to the shortfall). Ken Lucht said in the past most of the counties were concerned about some of their capital funding going to operations. Also, it seemed to him that the counties are being asked to contribute more to operations. Lucht said before the capital budget was separated from the operations budget. Karl Nilson said when the bad debt goes away, there would be no issue. Rocky Rocksford and Tom Cornford both spoke to Crawford County making good on their obligation. Nilson also pointed out that the counties have not been keeping up with their 10% of the 20% (of local contribution). Matzinger said he would rephrase his letter to the counties, to show the differences between insurance and capital. Frank Huntington said at one time (the 80's and 90's) administrative costs were also part of the county contribution. There was discussion about how to represent the request (either \$26,500 for capital projects and \$2,000 for insurance or just ask for \$28,000 without explanation). Lucht said WSOR just wanted to know what the commitment from the Commission would be, which in the past equaled \$225,000, and be sure that what was approved by motion be met. Polivka asked for a simple explanation to bring to his county as to why there was an increase in the budget.

- **Motion to approve Treasurer's Report and Bill to WSOR (\$180,000 for 2012 Rail projects Check #1228) – Sweeney/Gray, Passed Unanimously**

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

- Update on Monthly Maintenance Activities
- Update on Capital Projects
- Update on Business Development
- Other continuing issues/topics

Ken Lucht updated the Commission on monthly maintenance and capital projects. He said that the brush cutter was out on the Waukesha Sub and once done, would head east for additional work. He said there is work on the Fox Lake Sub and near Milton. Lucht said WSOR's maintenance plan will soon be ready for WDOT's review. He said it would include some ultrasonic rail testing and the geometry car would be going out to do the entire system in June/July. Weed spraying will happen this summer. Tie replacements will be made near Wauszeka, also on the Fox Lake Sub (Illinois) for which there are no grant dollars available as it is outside the state. He said that work is continuing on the sub between Madison and Milton which should be completed in the next 3-4 months. WSOR currently is gearing up for a lot of bridge work this construction season. The Prairie sub is operating 7 days a week now, based on customer demand. This demand is giving WSOR challenges in maintaining that Sub. For other projects in the planning stages, Lucht said that welded rail is due to be put in various locations and in Rock County they are planning an 8500' siding to correct a bottleneck, complicated by a lack of capacity in the Janesville yard.

Lucht mentioned that WSOR's applications (mentioned in the February meeting) had been submitted and equaled almost \$45M dollars in project funding (not including the UP line acquisition). The biggest priority for 2014 (starting in July '13) are the Prairie Sub bridges and the rehabilitation of the Fitchburg/Oregon line to meet the needs of an Oregon shipper who has already broken ground and must ship by rail.

Lucht then spoke about a recent Office of the Commissioner of Railroads preliminary decision to open up a crossing in Mazomanie which would be available for all sorts of users (eg. pedestrians, cars, horseback riders, snowmobiler's, etc.). He said this decision is in a 15 day comment period and Lucht said this is not a good situation and WSOR will respond to it. He said that if the Commissioner approves this new crossing it will be second new crossings in 6 months with no crossings being closed in the same time period. He did not know if any liability would come to the Commission as a result of this crossing. WSOR will be offering some viable alternatives to the Village of Mazomanie and Lucht recommended Penn getting on the Office of the Commission of Railroad's mailing list so the Commission knows about these decisions.

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Due to increased traffic, Lucht said that all the sidings between Prairie and Mazomanie would be pretty full this summer due to lack of siding space in Prairie du Chien. He said that the communities of Blue River, Bridgeport, and Muscoda would see increased traffic on a regular basis, which might cause concerns to the respective counties. At this point Lucht did not ask the particular commissioners to get involved, (although if the Commission felt it necessary, they could support the position of the RR).

Referring back to the crossing issue in Mazomanie, Van Schwartz said that based on the Commission's history there is an argument that since the railroad was not notified as landowner, the Commissioner of the Railroad's decision cannot be legal but Huntington said their authority is over the railroad. Van Schwartz said that they should inform the railroad about the crossing of it before it goes in. Huntington said this is a public crossing, not a private one. Lucht said there is a competing trail proposal on the north side of the track as well as the south side resulting in two parallel trail proposals along the line. Chris James said he thought that Mazomanie had some existing crossing already platted but were not using it and didn't understand why they didn't cross there. Lucht said that the Village convinced the Commissioner of the Railroad they could not cross and regardless, there is no crossing there now and the Commissioner can't honor a crossing location that never was built. Van Schwartz asked Huntington and Ron Adams if WDOT has an official position as to reducing train crossings and Adams said no. When asked if there was a reason, the reply is that it was the purview of the Office of the Railroad Commissioner.

Nilson asked Lucht about the status of the Plymouth to Kohler job and Lucht said that is on the move and bids are going out.

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

Penn reported she had followed up an email from last month regarding unclaimed dollars from the State Treasurer's office in the amount of \$240.00 dollars and anticipated hearing from them sometime in the next 3 months.

12. WDOT Report– Frank Huntington, WDOT

Huntington said that some of the projects are being reviewed that were submitted last month and they are getting close to awarding the grant funding. He said a lot of the projects are last year's projects, adding that some of the delay was due to WSOR's acquisition by WATCO. He mentioned a WATCO project application for acquiring about 300 miles of rail line in northern WI (former CN line). He also said that WDOT is working with the newly formed RTC in northern Wisconsin. He said while WATCO asked about using public funding, other railroad operators are looking at using private money for the same purchase. This could be completed by the end of 2013. Nilson asked if CN was the one that spent a lot of money fixing up the Barren to Ladysmith line but Huntington said it was CN owned but was farther east. Huntington said that this sale has been suspected of happening someday but Adams said as yet there is no commitment from CN and is not definite. Huntington said they did not have details yet but those lines are captive to CN so CN could roll that off and all the traffic could go to CN. He said south of Cameron the track is leased to UP; east and west of Cameron it was leased to CN. At this point, Huntington reiterated that they did not know details yet: this is a preliminary discussion. He said that CN will be meeting with the Northern Wisconsin RTC next month to share information and discuss the situation. Also, WDOT will be presenting results of a rail impact study at that meeting, similar to the one sponsored by WRRTC this past year.

Lastly, Huntington said the \$60M in the Governor's Transportation budget still stands and nothing has been earmarked yet. Lucht asked for an update on the UP appraisal in regard to the potential sale of the Reedsburg line and Huntington said they'll be meeting next week to decide on how to approach the issue and by the end of March probably will have submitted an offer to UP.

At this point Nilson returned to item 9 with a rewrite of the county contribution letter written by Jim Matzinger. Nilson read the letter and said that these letters will be sent to the member county clerks. Robert Scallon asked when they had last increased the contribution and Matzinger said he would check. Alan Sweeney asked about the invoices as there was some question about Rock County's. The invoices were included with all the county clerk contribution letters.

10:58 Meeting Break

11:08 Meeting Resumed

Nilson distributed copies of the county clerk letters to the specific commissioners of that county. He requested that Penn send copies of the letter to the Iowa County commissioners as they were not in attendance.

13. Ditches and drains in McHenry County, IL, possible maintenance issues - Mary Penn, WRRTC Admin.

Penn said she had received a letter from a Marlene Lane about a ditch located next to a Township of Burton road (Linden Road) in McHenry County Illinois along the Fox Lake sub. She distributed an aerial image of the specific location. Lucht said that he did not know particulars about the issue but he did follow up with WSOR's Road Master and he (RM) was unaware of this problem and due to the snow cover it really could not be seen. Ben Meighan said they would have to wait until spring melt to determine if there were

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drainage issues. Nilson asked if the woman was mistaken and it might be the Township that maintained the ditches. He also asked if there were documentation showing that the railroad was responsible in maintaining ditches along the road. Gene Gray asked what was higher, the road or railroad grade and Nilson said that judging by the scale of the image, the road is outside the ROW. Meighan said there could be some overlap. Penn said that she would respond to Ms. Lane and tell her that the railroad has not cleaned ditches in IL and Nilson suggested language to read “we have no record of the WSOR maintaining town road ditches in McHenry County in the letter. Penn also said she will tell Ms. Lane that WSOR can investigate after spring runoff.

14. Village of Shorewood Bike Path permit – Kim Tollers, WDOT

Referencing a handout showing the project, Huntington told the Commissioners that as far as he knew, the Village did not have an issue with WSOR’s stipulations (highlighted in an email included with the handout) in proceeding. Huntington explained that the layout of the trail proposal, including the treatment of a fairly deep ditch. He said the ditch will stay and act as a deterrent to trespassers. He said there would be some replanting of vegetation (although low growing) to serve as an additional barrier, add to aesthetics, and help with erosion control. He also said that in the Village there is a park along this area and in the area of the swimming pool the trail will be within the DOT property. This is to preserve a very large tree. He said at this point the trail would be within 31’ of the centerline and WSOR accepts this. He added that there is also a box culvert and a row of trees for shading and privacy by the tennis courts. The trees will come out to remove them from the ROW and the bike path will go in their place. There will be a 6’ fence along this path and the trail will be separated by the deep ditch or the 6’ fence. The removal of the box culvert will also help prevent pedestrian access to the line. He said that WSOR and the Village and WDOT have been working on this for some time and it seems like now everyone is in agreement. Because it is within the 33’ of the centerline, the Commission needs to take an action. Lucht said in concept WSOR agrees with it, adding that WSOR will have to give final approval to the permit but this has been in the works for some time and the Village has had this proposal refused several times. Polivka asked that the permit have language in it that protects WSOR and if the trail is needed for rail in the future, the trail be removed.

- **Motion to approve a Village of Shorewood Bike Path permit as submitted with the agreement of WDOT, WSOR and WRRTC legal counsel – Gray/Thomas, Passed Unanimously**

Nilson introduced Ben Meighan, WSOR, to the new Commissioners and welcomed him. He also thanked Kim Tollers for her help in preparing materials for Item 14.

15. Action Item. Adjournment

- **Motion to adjourn at 11:28 – Cornford/Scallon, Passed Unanimously**