

County Zoning Agency
MINUTES
September 19, 2013 – 4:30 p.m.
100 West Walworth Street
Elkhorn, Wisconsin
* * * **D R A F T** * * *

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

Roll call – Committee members present were Chair Rick Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Carl Redenius and Tim Brellenthin, Citizen Member Richard Kuhnke, Sr. Citizen Member Jim Van Dreser. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, and Associate Planner Matt Weidensee.

Present for a portion of the meeting / hearing was County Administrator David Bretl, Neal Frauenfelder, Senior Planner, Debora Grube, Senior Zoning Officer, Fay Amerson, Urban Conservation Specialist

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

Details of the September 19, 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. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the August 15, 2013, Minutes. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
No discussion. No questions by Committee.
Disc Count #4:33:20 – 4:33:45

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Lake View Preserve Condominium Final Plat**, David Hernandez, Declarant. Located in Section 2, Town 3 North, Range 16 East, Town of Sugar Creek, Parcel #G SC200007. The proposed plat contains 22.33 acres of land and is zoned C-2 Upland Resource Conservation District. This plat requires County Zoning Agency review and approval for a private road that will serve the proposed 4-unit condominium plat.

Dave Weber motioned to approve with the following conditions: 1) Approval is subject to complying with the conditional use permit; 2) Approval is subject to

the Private Road Easement Agreement and the Private Road Maintenance Agreement including language dealing with the northern half width (17.5) feet of Wandawega Drive owned by the neighboring property owner, Bollinger Estate and that the Bollinger Estate would need to approve and sign said Easement Agreement and Maintenance Agreement in order for the Bollinger property to be used for access to the proposed condominium plat; or purchasing the Bollinger property and recording an easement and maintenance agreement, or moving the proposed private road off the Bollinger property; 3) Approval is subject to recording the approved easement agreement and maintenance agreement that connects this parcel to the public road "Sycamore Street"; 4) Approval is subject to reducing the building box on Lot 3 to reflect the 150 foot lot width requirement parallel to the road right of way; 5) Approval is subject to the condominium plat showing the septic system sewer lines and identifying them as a limited common area; 6) Approval is subject to complying with County Construction Site Erosion Control and Stormwater Management Ordinances for any construction; 7) Approval is subject to adding a stormwater easement on unit 4, as shown on the Site Drainage, Grading and Erosion Control Plan, stamped by Warren Hanson on 5/14/13; ~~8) Approval is subject to any proposed construction complying with the County Construction Site Erosion Control and Stormwater Management Ordinances;~~ 8) Approval is subject to meeting all requirements of state statutes and county ordinances. Seconded by Jim VanDreser - Motion carried. 7-favor 0-oppose
Disc Count #4:33:51 - 4:43:45

2. **David A. Hernandez and Tereasa Surratt** proposed 1-lot, 1-outlot Certified Survey Map, Section 2, Town 3 North Range 16 East, Town of Sugar Creek. Parcel #'s G SC200007, GLW 00280 and GEW 00381. The proposed CSM contains 3.02 acres of land and is zoned R-1 Recreational Park District. This parcel consolidation CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Lake Wandawega Highlands Subdivision). It also requires CZA approval for a private road outlot that will serve an adjacent proposed 4-unit condominium plat.

Rich Brandl motioned to approve with the following conditions: 1) Approval is subject to complying with the conditional use permit; 2) Approval is subject to the private road maintenance agreement including language dealing with the northern half width (17.5 feet) of Wandawega Drive owned by the neighboring property owner, Bollinger Estate and that the Bollinger Estate approve and sign said maintenance agreement; or purchasing the Bollinger property and recording an easement and maintenance agreement, or moving the proposed private road off the Bollinger property; 3) Approval subject to correcting sheet 1 of the CSM to read Lake Wandawega Subdivision not Lake Wandawega Highlands Subdivision as stated; 4) Approval is subject to correcting the zoning district shown on the face of the CSM from R-1 to P-1; 5) Approval is subject to the applicant obtaining zoning permits for the existing tree house and cabin; 6) Approval is subject to the Department of Administration final review and letter concerning the need to discontinue vacating/discontinuing Lake Avenue R.O.W. included in Lot 1 prior to recording this CSM; 7) Approval is subject to

**making all corrections and additions stated in the D.O.A review letter.
Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Disc Count #4:43:50 – 4:51:01**

Old Business - Ordinance Amendments – None

Old Business – Discussion Items

Statement by Michael Cotter regarding amending agenda to hear item 7.a.2 and 7.a.3 first, putting 7.a.1 to the final discussion item. No objection by the Committee.

1. Discussion / possible action re: Review of parking standards and definitions of the Walworth County Code of Ordinances – Michael Cotter, Debora Grube
Disc Count #5:09:14 – 5:14:51
Discussion by Dave Weber regarding proposed amendments. Jim VanDreser indicated desire to add “striping” as option for identification.

Jim VanDreser motioned to bring ordinance amendment back for hearing and include striping in ordinance as a potential barrier for parking. Dave Weber seconded. Motion carried. 7-favor 0-oppose.

2. Discussion/possible action re: **Tower View Properties, Inc.**, Attorney James P. Howe – Applicant, Section 24, Geneva Township and Section 19, Lyons Township. Conditional use to construct a single family residence in the B-5 zone district as part of a Planned Commercial-Recreational Business development. Part of Tax Parcel JA4298-1

Recommended Conditions:

General:

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

5. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.
6. The Condominium declaration must be submitted to the County Land Management Department for review for consistency with County ordinances and requirements. Any changes to the condominium declaration, which in the opinion of the County affect County approvals, ordinances or requirements, must obtain County conditional use review and approval.
7. The applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations.
8. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County required approvals.
9. The applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. No additional structures shall be added to the plan without obtaining County approval and a zoning permit. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All structures will be required to meet the requirements of the zoning ordinance.
10. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas or an easement to be maintained by the Condominium Association and golf course owner. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No materials may be removed from the site.
11. All lighting shall be shielded and directed on site.
12. The County reserves the right to rescind this conditional use upon any violation of County regulations.
13. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations (including those within the condominium declaration). The Condominium declaration must be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the County Land Management Department is inconsistent with County approvals including the plan, amended narrative, ordinances or requirements, will require County conditional use review and approval.
14. The preliminary plat and final plat shall identify the building envelope on the individual unit within the development prior to approval. A Typical envelope diagram shall not be acceptable.

15. The applicant must phase construction substantially in compliance with the approved plan, use restrictions and condominium declaration. Any changes to phasing, ownership or specified use within each phase must be added to the condominium declaration by addendum and reviewed by the Land Management Department for approval.
16. Application with Walworth County for approval of the condominium plat, recording of the plat and the entire project plan shall occur within one year of this approval. The condominium plat shall be accompanied by the complete condominium declaration.
17. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

18. The road right of way width identified on the approved plan does not meet County road standards as provided for in the County Land Division Ordinance. The applicant will need to obtain a plat review modification from the right of way width requirement. The roadways are intended to remain private. The roadway shall be identified as a common element in the condominium declaration and on the approved plan. The total paved area shall be subtracted from the area net developable as part of the required density calculation for dwelling units per acre.
19. The applicant shall provide verification of available sewerage capacity for the project prior to construction starting on site. The County may require a replacement septic system(s) to be located anywhere within the condominium as deemed necessary in order to comply with sanitation requirements. The replacement system may be required to be located in any future golf course use easement. Failure to locate the septic system as proposed on the approved plan shall result in a need for amendment of the conditional use.
20. The density of dwelling units within the total golf course development as approved by this conditional use shall not exceed one dwelling unit per five acres excluding road right of ways and commercial areas. This approval is for one dwelling unit. To provide a maximum density of one dwelling unit per five acres, the Owner shall identify an additional balance of density area within the development and outside the condominium lands for exclusive use as golf course and/or open space. The lands shall be depicted on a map. The balance of development area may not include roadways and commercial areas (grassed golf course area shall not be considered commercial area). The balance of density area was used to provide the greater density within the one unit condominium in conformance with the County 2035 Land Use Plan. A maximum of 27 residential units may be allowed on site on the remaining non-restricted area outside of the designated balance of density areas and 70% open space area through future conditional use review.
21. Upon transfer in ownership of any unit in the Condominium, the new owner(s) shall be offered membership in Hawk's View Golf Course at the then current membership fee rate. A minimum of one membership shall be available for the unit owner(s) at all times (one membership per dwelling unit). Succeeding unit owners would acquire the right of

membership described herein and upon conveyance of a unit, the previous owner(s) rights of membership described herein shall terminate.

22. The B-5 zone district requires 70% open space within the total lot area. It is the developer's intent to create a separate condo lot for the one proposed dwelling unit. The project plan must identify the required 70% open space within total area of Hawks View. This PRD includes a modification of the 70% required open space for the one unit condominium as shown. The balance of 70% open space for the one unit condominium shall be located and shown on a CSM combining the golf course parcels together and shall be deed restricted as open space. The balance of density area and the balance of the required 70% open space for the one unit condominium located on the golf course parcel may not be used to satisfy open space requirements for future development of the golf course parcel.
23. Modification to the conditional use was allowed to provide for the three existing on premise business signs as shown on the project plan.
24. All conditions of the original conditional use for the golf course granted on March 9th, 1999 shall remain as part of this new conditional use approval with the exception of conditions #1 and #3. The applicable original golf course conditions of approval are as follows:
 - a. No disturbance or alteration to occur in the wetland areas without obtaining the required Federal, State, and local approvals.
 - b. All of the issues, concern, and requirements identified by the Walworth County Land Conservation Office shall be addressed and complied with.
 - c. The Krueger Rd. access point and State Highway 120 access points shall be provided and require review and approval of the Wisconsin Department of Transportation and Township.
 - d. Turn-on and turn-of lanes for Krueger Road and State Highway 120 access points shall be provided and require review and approval of the Wisconsin Department of Transportation and Township.
 - e. Dedicate increased right-of-way widths on Krueger Road to 80 feet and State Highway 120 to 120 feet and require review and approval of the Wisconsin Department of Transportation.
 - f. Coordinate surface water drainage problem mitigation efforts with Mt. Zion Church.
 - g. Golf Course laborers not to live onsite unless it is in a conditional use approved residential unit.
 - h. Work with town to reduce speed limit on Krueger Road to 35 M.P.H.
 - i. No strip Clubs, outdoor concerts, rodeos, or mobile home trailers permitted.
 - j. Shall obtain and implement an overall site erosion control, Land Disturbance and Stormwater Management plan approved by the County Land Conservation Office.

- k. Shall comply with all applicable Federal, State and Local regulations.
 - l. Work along and access from Krueger Road shall be submitted to the approved by the Town engineer. Applicant shall reimburse Township for services of the Town Engineer and submit a \$5,000 retainer fee before commencement of work.
 - m. Improvements at Krueger Road, Buckby Road, and Highway 120 shall be as required by the Department of Transportation. Applicant shall submit plans showing any proposed signage to be located at the southeast corner of said intersection for approval by the Town Board.
 - n. No lighting of the golf course or driving range for nighttime use shall be permitted.
 - o. Applicant shall obtain required approvals and permits from DNR, Army Corp of Engineers, SEWRPC and Walworth County.
 - p. No uses unrelated to the golf course shall be permitted such as a gentleman's club, gambling establishments, outdoor concerts or mobile home residences.
 - q. No outside storage is allowed.
 - r. Utility easement to be identified and preserved.
25. Modification to this conditional use shall allow for a solid fence enclosure around the dumpster and loading dock area not to exceed 8 foot 7 inches in height as shown on the approved plan.
 26. Modification of the 25 foot setback to a 10 foot setback from the access for the private SFR easement to the garbage containment and golf cart storage structures in the golf course parking area is provided for by the Planned Residential Development. (As per the Town).
 27. The condominium plat, declaration, access easement and the modification of setbacks allowed by the Planned Residential Development (PRD) for this single family residential unit approval shall be submitted to the Towns for review and approval as per the Town.
 28. The property owner shall obtain a variance from the 25 foot setback between the proposed SFR access easement and parking stalls within the golf course club house parking lot prior to this conditional use being valid.
 29. The property owner shall obtain a modification of the access width requirement from the 50 feet to a minimum of ___ feet during approval of the CSM prior to this conditional use being valid.
 30. The variance from the 25 foot setback from the easement to parking stalls granted by the County Board of Adjustment, modification of the setback from 25 feet to 10 feet from the access easement to the garbage containment and golf cart storage structures granted by approval of the Planned Residential Development and the required access easement width modification granted by potential approval of the CSM, are for access purpose only and

have no effect upon zoning code regulation of the number of required parking stalls, regulations of parking stall size requirements or parking lot configurations within the Hawk View Golf Course parking lot.

Dave Weber motioned to approve with conditions. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose
Disc Count #4:51:24 – 4:54:17

3. **JHGKL, LLC** – Helga Wantschik, applicant, Section 9, Sugar Creek Township. Amendment of an existing conditional use for a gravel pit to allow extension of time of operations by 10 years. New conditional use in an existing gravel pit to allow for increased depth of the pit with mining below the ground water table for construction of a pond, a wash plant, crushing operations and the import of offsite materials including recyclable concrete, asphalt and materials for use in restoration of the pit. Tax Parcel G SC-9-4.

Recommended Conditions:

General:

1. Approved as per the conditional use plan submitted and approved August 15th, 2013 for increase of the depth of the pit with mining below the ground water table for construction of a pond feature, a wash plant, crushing operations and the import of offsite materials for recycling of concrete and asphalt and import of earthen materials for use in restoration of the pit.
2. Time limit for completion of the project shall be set at 10 years beyond the date of issuance of this approval August 15th, 2023.
3. Implementation of dust and noise control measures shall occur at all times on site.
4. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County's Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all County fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.
5. A non-metallic Mining Reclamation Permit and Plan must be approved by the Walworth County Land Conservation Division. The applicant shall submit an acceptable form of bonding as part of the restoration plan – The bond shall remain in place for the life of the pit plus one full year after final restoration to allow for final stability review. A copy of the bond and any renewals shall be submitted to the County Land Conservation section of the Land Use and Resource Management Office. Renewals of bonds shall be submitted prior to expiration on a two year limited basis. The bond shall be release after final restoration and application for rezone back to the approved post mining land use/zone district. The operator

will certify to the County Land Conservation Division the completion of reclamation for a portion or the entire mining site.

6. **The post mining land use for this site shall be agriculture requiring A-1 zone district designation. This conditional use shall not be valid without a current post mining land use rezone application being on file with Walworth County. The property owner shall submit an application, fee and a post mining reclamation plan to Walworth County allowing for rezone of the property back to the post mining land use /zone district as specified above. The post mining land use rezone application shall be required to be kept current by the property owner during excavation and reclamation of the site. Should ownership of the site transfer prior to receiving Certification of Completion of Reclamation from the County (Sec. 26-293 (a.7)), the new property owner must re-sign the post mining land use rezone application and pay a new post mining land use rezone application fee at the current rezone rate in order to keep this conditional use valid.**
7. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday. No work shall be conducted on Sundays or holidays.
8. Road access and maintenance agreements shall be filed with the Town and County prior to hauling materials off site.
9. The County will not be liable for any damage to neighboring wells due to the operation of the project.
10. Any additional office/trailer or structures shall obtain approved zoning and sanitary permits.
11. Approval of the project shall be subject to all applicable gravel pit policies.
12. The project shall meet all applicable Federal, State and local regulations.
13. All material storage locations must be in an approved zoning district.
14. No materials allowed to be brought in from off-site other than those materials specified in the approved operations plan.
15. All topsoil generated from the site must remain on site for use in restoration. All topsoil will be re-graded evenly on the disturbed area.
16. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area. The site may not be dewatered until all sediment has settled in the open water area of the pit.
17. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.
18. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district. **The owner of property approved for non-metallic mining shall be required to submit an up-front application and fee**

for rezoning the property back to the pre-existing zone district. Upon completion of restoration the County shall hold a public hearing for rezoning of the property back to the original zone district. The County shall not release the required performance bond or surety until the property of concern has been restored.

19. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any **new** signs on site. No billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.
20. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
21. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The applicant has agreed to provide a copy of the liability insurance coverage document for the file.
22. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.
23. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.
24. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
25. **Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.**

Specific:

26. **Recyclable concrete and asphalt material shall be limited to the location and quantities as specified on the approved plan of operations.**
27. **The property owner shall submit a new reclamation plan for review and approval by the Walworth County Land Conservation Office and transfer the reclamation permit to the new operator prior to operations of the pit approved by this conditional use.**

Jim VanDreser motioned to approve with conditions. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Disc Count #4:54:22 – 5:09:00

Returned to agenda item #7.a.1 for discussion.

New Business - Ordinance Amendments - None

New Business – Discussion Items

1. Discussion/possible action re: – Zoning Ordinance for the Town of Bloomfield -Town of Bloomfield Representative.

Michael Cotter addresses Committee. Bloomfield representative has left. No statement made by County.

Dave Weber motioned to approve based upon submission. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose
Disc Count #5:15:00 -5:17:40

Public Hearing: 5:30 p.m.
5:32 p.m. in session.

Ordinance Amendments - none

Rezoning with Conditional Uses - none

Rezoning

1. Citizens Bank of Mukwonago – Douglas R. Bruins/President, Section 1, Lafayette Township. Rezone 1.07 acres of land from the B-5 Planned Commercial-Recreational Business District to the A-5 Agricultural Rural Residential District to bring an existing residence into compliance with the County Zoning Code. Tax Parcel KA230011

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

The rezoning petition will move forward to the October 8, 2013, Walworth County Board for possible action.

Disc Count #5:33:31 – 5:37:29

Conditional Uses

Snudden Farms LLC, Steven Snudden – Owner, Section 21 & 27, Linn Township. The property owner is requesting conditional use approval for a commercial livestock facility by expanding the animal units on a farm from 929 to 1852 in existing buildings along with combining separate farm operations. Tax Parcels I L-27-6 and I L-21-2B.

Recommended Conditions:

General: For a dairy operation with greater than 1000 animal units.

1. Approved as per plan submitted as a dairy feedlot with a limit of 1852 animal units subject to all additional conditions.
2. Hours shall be 24 hours per day. No animal waste spreading, pick-up or deliveries shall occur between 6:00 p.m. and 6:00 a.m.
3. The site must meet all applicable Federal, State, County and local regulations including any State well or water supply requirements.
4. The applicant must obtain the required zoning permit prior to construction.
5. Applicant must obtain approval of a nutrient management plan from the County Land Conservation Office. The plan must meet with all requirements of the County and the Wisconsin Dept. of Natural Resources. The applicant must comply with all recommendations of the approved nutrient management plan.
6. The applicant must install and maintain safety fencing around the manure storage facility if required by the manure storage ordinance.
7. The applicant must provide adequate manure storage. Storage shall be available for at least 4 months on site in order to allow storage during the winter months when manure will not be able to be incorporated to reduce odor. All manure from County approved storage facilities must be incorporated in the ground within 24 hours of spreading in order to limit odor from the farm operations. The storage facilities must be emptied within two weeks of any time that spreading begins. The applicant shall keep a record of the date that spreading begins and the date on which the storage facility has been emptied. If the applicant cannot empty the manure storage facility in the required time frame using existing equipment and farmland then the applicant may need to make arrangements with a commercial manure disposal company.
8. All structures shown on the approved conditional use plan shall fit within the footprint shown or a separate required zoning permit review fees shall be charged prior to zoning permit review.
9. Failure to begin construction on structures shown on the approved conditional use plan within two years of the conditional use approval shall result in the need for a separate zoning permit, fee and permit review.

10. All development on site shall be conducted in compliance with State Statute Chapter 51 and appendix A application and worksheets.
11. All outside lighting must be shielded and directed on site.
12. The applicant will be responsible for cleaning tracked soil or manure resulting from the farm operations off the Township or County Roadways on a daily basis.
13. 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.
14. 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:

15. An animal waste storage permit must be applied for and the manure structure must be designed and approved by a licensed engineer according to NRCS Technical standard 313.

Richard Kuhnke, Sr. motioned to approve. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose
Disc Count #5:37:30 – 5:40:54

Adjournment

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

The meeting was adjourned at 5:41 p.m..

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



**Walworth County Board Finance Committee
MEETING MINUTES
September 19, 2013**

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

The meeting was called to order by Chair Russell at 9:36 a.m.

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

Others in attendance included:

- Board members: Richard Brandl, Tim Brellenthin.
- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Stacie Johnson, Jessica Lanser-Finance; Sheila Reiff-Clerk of Courts; Dan Necci-District Attorney; Linda Seemeyer, Dr. David Thompson-Health & Human Services; Dave Ortin-Information Technology; Bernie Janiszewski-Lakeland Health Care Center; Tracy Moate-Lakeland School; Michael Cotter-Land Use & Resource Management/Deputy Corporation Counsel; Kevin Brunner, Peggy Watson-Public Works; David Graves, Kurt Picknell, Dave Gerber, Amanda Lagle-Sheriff's Office; Valerie Etzel-Treasurer's Office
- Members of the public: Ed Yaeger, Lake Geneva, WI; Kathy Seeberg & Michael Goril, Walworth County Visitors Bureau, Delavan, WI; Diane Boyd, Town of Sugar Creek, WI; William Radwell, Jr., Genoa City, WI; Debra L. Kinch, Town of Geneva, WI; Barbara A. Fischer, Town of LaFayette, WI; Ron Boettcher, Honey Creek, WI; Bob Carlson, Village of Williams Bay, WI; John P. Marra, Village of Williams Bay, WI; Denise Pieroni, City of Delavan, WI; Dennis Jordan, City of Lake Geneva, WI; Sam Tapson, City of Elkhorn, WI.

Agenda withdrawals — There were no agenda withdrawals. **Supervisors Kilkenny and Schaefer moved approval of the agenda.** Supervisor Grant requested that Agenda Item 8A regarding county buy-out of special assessments be moved to follow the public comment period and that the investment reports, Agenda Items 9E2 and 9E3, be moved to follow new business. **The agenda was approved 5-0 as amended.**

Approval of minutes of last meeting(s) — July 18, 2013 — **Supervisors Stacey and Schaefer moved to approve the minutes; carried 5-0.**

Public comment period — Chair Russell called for public comments. Ed Yaeger expressed appreciation for the work by staff and the Committee to enhance the Tax Incremental Financing (TIF) ordinance. It is compact, direct and easy to understand and should be beneficial in making informed decisions.

Unfinished business

Discussion and possible action regarding county buy-out of special assessments and review of correspondence from municipalities (Referred by the County Board) — Bretl indicated that a letter soliciting input from the municipalities was sent, as requested by the Committee at the July meeting. Their responses are included in the agenda packet. One theme in some letters was recognition of potential issues with developer agreements in TIF districts and the concept of just buying out “normal” specials. The Committee had previously explored that option but the Wisconsin Department of Revenue (WDOR) takes the position that counties must settle on all specials or on none. In 2010, the County sought changes in State law but was unsuccessful.

Chair Russell called for public comment.

Barbara Fischer, clerk/treasurer for the Town of LaFayette, distributed a letter to the Committee. Her assumption is that the County is not differentiating between special assessments and special charges. If the County were to discontinue settling specials, she feels there would be duplication of service. Taxpayers may be confused by collections from two different entities, e.g., the municipality and the County. The county established an Intergovernmental Cooperation Council (ICC) to promote consolidating or cooperative services between the County and municipalities. The State and the current administration also promote said cooperation. Fischer thinks the proposed policy is a slap in the face of that movement.

Diane Boyd, the Town of Sugar Creek clerk, said they include specials on the tax bills for garbage and recycling amounting to about \$200 per parcel. If the Town turned the service over to a hauler, the cost would increase by about \$25 per unit. She agreed with Fischer that we should not duplicate services. Boyd added that municipalities would have to start tracking what has been paid. They don't have the ability to increase their levies to cover this cost.

Bob Carlson, the Village of Williams Bay administrator, said the municipalities had not been aware that settling specials was “all or nothing.” He asked if there was a way to accept them all and yet protect the County from their areas of concern. That is the challenge the Committee is struggling with, according to Bretl. Collecting the “garden variety” kind of specials, such as mowing, sidewalks and so forth has worked reasonably well. Over the years, the Finance Committee has been seeing large obligations in developer agreements which, if they became delinquent, would become special charges and special assessments and therefore subject to settlement. The question is how to protect the county in those instances. He added that some counties pick and choose which specials they settle. The Committee considered that option but the problem is that the WDOR's interpretation is that State law doesn't give the county authority to settle specials under a certain dollar amount or to not settle developer agreements. Their opinion is not a published court decision but would probably be given weight in litigation or challenge. Some time ago, the County contacted all of our legislators in an effort to change State law. We didn't get much of a response but that doesn't mean we can't redo that attempt. Bretl's feeling is that changing the law is the best protection. Kilkenny asked Bretl if an Attorney General's opinion was available. Bretl was not aware of any. Kilkenny suggested an intergovernmental agreement. Bretl agreed a contract would be better than just an ordinance stating we would no longer settle, but there could still be a po-

tential liability for the County. Etzel recommended analyzing what we have paid out, what we collected and what is actually delinquent. That would provide a better idea of what the municipalities would be responsible to collect. We don't have a clear picture and they may not, either. Russell agreed the information could be useful but we would still have the same dilemma in that we can't pick and choose which to pay. Etzel commented that tax bills would still reflect specials and the County would continue to collect them. The difference is that we would not make the municipalities whole. If a taxpayer doesn't pay the full bill by settlement in August, we would cut periodic checks to each municipality for the specials that we collect, as well as the interest portion of the specials. By Statute, on a payment priority basis, special assessments and special charges are one of the first things that are paid out.

Bretl said if the consensus is that we would settle specials in smaller amounts, he would prefer to try again to change State law. Since we received such a great response from the municipalities, Kilkenny suggested they also write to their legislators and the governor.

Denise Pieroni, the City of Delavan administrator, suggested that the Villages and Cities meet with the County to discuss the issue of specials and legislative wording that would work for everyone. The county should form a subcommittee with representation from those who would most use intergovernmental agreements. We could then move forward to protect the County and the municipalities. Grant asked how many of the municipalities had contacted their legislators to change this law. Carlson said the municipalities were not aware that the decision to settle specials was not at the whim of the County. He agreed that they should contact their legislators.

Dennis Jordan, the City of Lake Geneva administrator, said he wasn't initially sure of the problem but now understands the County's concern. Instead of writing to the legislators, he suggested contacting the League of Municipalities to draft language. He feels they may get more response.

Sam Tapson, the City of Elkhorn administrator, referenced the use of specials as security with TIFs and TIF financing. He agreed with Pieroni's suggestion that the County and the Cities meet. The damage as a result of the withdrawal of the current settlement could be potentially significant to the municipalities. He doesn't want to minimize concern for the County's position but said there may be instances when the only way for the City to make it plausible to move forward is through a developer's agreement. When TIFs were created in the past, they didn't think about the possibility of those being delinquent. The City of Elkhorn is within 2-3 years of closing their TIF. If the county discontinues settling specials, they may be looking at a distressed TIF. It's in everyone's best interests to close them. He thinks intergovernmental cooperation could provide a solution.

Carlson asked if delinquent utility charges are considered specials. Those represent 90% of what the Village of Williams Bay puts on the tax bill. It would be difficult for them if they weren't made whole. Kilkenny said it would be useful to know the amount by which the County makes municipalities whole each year, by municipality

Bretl distributed a letter from the Village and Town of Bloomfield that was received late. Since settlement occurs in August, we have time to work on this issue. The municipalities have provided good input. He would be happy to facilitate a meeting to develop strategies, whether seeking change in State law and getting a consensus on the language or other recommendations. He agreed with Jordan that the League would also be valuable allies in the process of legislative changes.

Supervisor Russell moved to recommend to the County Board that Walworth County not take action with regard to buying out special charges/assessments for the 2013 tax bills that will be paid in 2014. Everyone is in the process of developing their 2014 budgets so it would be fair to not impact the upcoming year. Kilkenny asked Bretl to clarify that the status quo would remain if the Board takes no action. Bretl affirmed. **Supervisor Grant seconded the motion.** We would be guaranteeing the municipalities that we won't affect their 2014 budgets. Kilkenny was concerned that the recommendation might limit our options if a solution to the County and municipal concerns about buying out specials were to arise. After that, it would depend on how things get worked out. Etzel reiterated that the County would run 2013 tax bills as they are and settle as we normally would in 2014. We could then move forward with a new decision for the 2014 tax bills which would be settled in 2015. The new tax software has been implemented and can pay out specials or not pay out specials, and generate monthly reports. **Supervisor Grant called the question. The motion carried 4-1 with Supervisor Kilkenny opposed.** Russell thanked the municipalities for their input.

Bretl commented that department heads had been notified that the Committee would be asked to amend the agenda to place the special assessments discussion at the front. Since not everyone has arrived yet, he suggested addressing consent items next.

Consent items — Russell requested that Agenda Item 9A4a, budget amendment PW003; Agenda Item 9B3 related to foreclosures be discussed separately. By earlier motion amending the agenda, Items 9E2 and 9E3, the investment reports, were moved to follow new business. Lanser has no TIF reports to present. **Supervisor Stacey moved to approve the remainder of the consent items. The motion was seconded by Supervisor Schaefer and carried 5-0.**

Budget amendments

County Administration

- CA001 — Reallocate payroll to reflect increased services related to Wisconsin Dept. of Children and Families IV-E grant
- CA002 — Reflect increase in Workforce Investment Act (WIA) grant funds
Health & Human Services
- HS009 — Redistribute budget from Community Recovery Services program
- HS010 — Reflect increased basic community allocation for youth aids contract
Lakeland School
- LS02 — Reallocate payroll to reflect transfer of support staff from local dis-

- tricts to Lakeland School
 - LS003 — Reallocate Federal IDEA Grant funds received from districts
- Public Works
- PW004 — Reflect increase to the state's winter routine maintenance agreement

Bids/contracts

- Hospice services for residents of Lakeland Health Care Center — By motion approving the consent items, LHCC hospice services were awarded to Seasons Hospice & Palliative Care of WI, Inc.; Aurora visiting Nurse Association of WI, Inc.; and Saint Jude Hospice WI LLC.
- Pharmacy and IV therapy services for Lakeland Health Care Center — By motion approving the consent items, LHCC pharmacy and IV therapy services were awarded to Shopko RxCare.

Notification of emergency procurement

- Rental of a chiller at the Lakeland Health Care Center
- Provide security for a public health case

Declaration of surplus

- Recommendation to declare sheriff's office squads as surplus and sell at online auction
- Recommendation to declare specialized sheriff's office squad equipment as surplus and trade in said items

Reports

- Quarterly sales tax report – 2nd quarter 2013
- Update on tax incremental financing (TIF) district(s)
- Out-of-state travel
 - Clerk of Courts
 - Katie Behl, National Association of Drug Court Professionals Annual Conference, Washington, DC
 - Health and Human Services
 - Kristi Reynolds & Sherri Skomski, National Association of Drug Court Professionals Annual Conference, Washington, DC
 - Sheriff's Office
 - Kurt Picknell, FBI National Academy Annual Training Conference, Orlando, FL

Chair Russell recessed the meeting at 10:37 a.m. The meeting reconvened at 10:50 a.m. Supervisor Kilkenny was absent.

Budget amendments

Public Works

- PW003 — Reflect increased revenue for sale of bituminous materials to local municipalities — Russell asked if we break even on these materials. Brunner affirmed. We sell to municipalities who can't purchase locally anymore. We charge them what we pay for the materials. It is cost-effective for the County to continue buying in large quantities from our source. **Supervisors Schaefer and Stacey moved approval; carried 4-0.**

Supervisor Kilkenny returned at 10:51 a.m.

Bids/contracts

- **Award sale(s) of tax foreclosure property** — Brunner reported that the Town of Delavan parcel F D 3200096 and the City of Whitewater parcel TRA 00059A were redeemed after the agenda packet was prepared. Staff recommends selling the remaining properties to the highest qualified bidders. **Supervisors Kilkenny and Stacey moved to accept all highest qualified bids for the foreclosure parcels, except for the two that were redeemed; carried 5-0.** We will go through one more round of foreclosures at the next meeting, according to Brunner. Staff will come back to the Committee to decide if we should then begin advertising through the online surplus property.
- **Parcel O SP 100039** – Town of Spring Prairie — Brunner reported that the Committee accepted a \$1,000 offer from Ronald and Wendy Boettcher for this parcel at their June 20, 2013 meeting. Staff request approval of the sale. Russell asked if we could send a letter assuring the Boettchers that no other charges would apply. The Boettchers are concerned about charges for razing. Cotter said we sell properties "as is, where is." He would be concerned that they could take such a letter as assurance that the County is on the hook if there is other cleanup to be done in the future. Russell said that we elected to take the house down and asked Cotter to clarify that the raze would not be included on the tax bill. Cotter said that is correct. Bretl agreed that we do not want to set precedent. The treasurer indicated we don't have the ability to put the raze on the tax bill. Part of the buyer's process should be due diligence. Boettcher told the Committee he was just looking for them to state that the County will not charge him for the raze and removal process or for the back taxes. Boettcher said today's discussion is enough assurance since it is public record. He thanked the Committee. **Supervisors Grant and Kilkenny**

moved to approve sale of Parcel O SP 100039 to Ronald and Wendy Boettcher; carried 5-0.

- **Parcel JLCB 00447** - Town of Geneva — Henry & Linda Ziobro were the high bidders. Their bid was disqualified because payment was by personal check rather than a cashier's check. Brunner noted that the Finance Committee has, in the past, allowed the high bidder to produce proper payment within 24 hours, when no other qualified bid is received, in order for the bid to be valid. **Supervisors Grant and Kilkenny seconded notifying Henry & Linda Ziobro that their bid will be accepted if they produce proper payment, in the form of a cashier's check, within 24 hours; carried 5-0.**

By earlier motion, the following action was taken on foreclosure properties:

- **Parcel CS 00219** - Town of Richmond – Awarded to William & Rae Ann Luehne
- **Parcel FDM 00014** - Town of Delavan – Awarded to Dixie Bernsteen & Tim Cossman.
- **Parcel GI 00105** - Town of Sugar Creek — Awarded to Larry & Sandra Wolf.
- **Parcel GI 00106** - Town of Sugar Creek — Awarded to Larry & Sandra Wolf.
- **Parcel HA313700001** - Town of La Grange — Awarded to Air Distribution Concepts, Inc.
- **Parcel JLCB 00464** - Town of Geneva — Awarded to Richard & Andrea Wald.
- **Parcel JLCB 00716** - Town of Geneva — One bid was received on this parcel but was disqualified. The bidder did not submit a bid form or deposit, and the bid was less than the minimum.
- **Parcel JLCB 00719** - Town of Geneva — One bid was received on this parcel but was disqualified. The bidder did not submit a bid form or deposit, and the bid was less than the minimum.
- **Parcel JLCB 01626** - Town of Geneva — Awarded to Robert & Rebecca Liden.
- **Parcel JLCB 01737B** - Town of Geneva — One bid was received on this parcel but was disqualified because it was less than the minimum.
- **Parcel LFL 00011** - Town of Troy — Awarded to Timber-lee Christian Center.
- **Parcel &PL 00430** - Town of Bloomfield — Awarded to Jeffrey & Douglas Liepins.
- **Parcel OHL1 00190** - Town of Sprint Prairie — Awarded to Matthew & Samantha Repsa.
- **Parcel SCO3 00065** – Village of Fontana — Awarded to 2121 N. Sheffield, LLC.
- **Parcel XLRR 01413** – City of Delavan — Awarded to Delavan Lake Lawn, LLC.
- **Parcel ZGC 00059** – City of Lake Geneva — Awarded to Lincoln Holding Group, LLC.

Special order of business

- **Summary presentation of the 2014 county administrator's budget** —Bretl suggested going into the appeals process unless someone wants specific information. **The next step will be to publish the 2014 Preliminary Budget which will be subject to amendment by the Board.**
- **Appeals to the 2014 county administrator's budget**
 - **Human Resources Committee recommendations**
 - **Public Works Committee recommendations**
 - **All other budget appeals**

Appeal A – This capital projects appeal, submitted by Supervisor Tim Schiefelbein, authorizes funds to purchase public health dental equipment subject to approval of an operational plan. The Public Works Committee voted 4-0 to recommend. **Supervisors Schaefer and Kilkenny moved to recommend Appeal A; carried 5-0.**

Appeal B – This personnel appeal, submitted by Supervisor Nancy Russell, is a technical modification covering pay and benefits for the department of public works Engineer position. The Human Resources Committee voted 5-0 to recommend. **Supervisors Stacey and Schaefer moved to recommend Appeal B; carried 5-0.**

Appeal C – This personnel appeal, submitted by Supervisor Nancy Russell, postpones elimination of the administrative assistant-facilities position in public works and creation of an administrative clerk position in county administration until March 23, 2014. The Human Resources Committee voted 5-0 to recommend. **Supervisors Grant and Kilkenny moved to recommend Appeal C; carried 5-0.**

Appeal D – This personnel appeal, sponsored by Supervisor Jerry Grant, transfers the proposed accountant position from finance to the public works department. This appeal failed for lack of second on motion at the Human Resources Committee meeting. The Finance Committee took no action on Appeal D.

Appeal E – This personnel appeal, sponsored by Supervisor Jerry Grant, postpones reclassification of a position in the District Attorney's office and in the finance department. Appeal E was withdrawn by Supervisor Grant at the Human Resources Committee meeting. The Finance Committee took no action on Appeal E.

Appeal F – This personnel appeal, sponsored by Supervisor Jerry Grant, postpones reclassification of a position in the health & human services department. The Human Resources Committee voted 4-1 to deny Appeal F. The Finance Committee took no action on Appeal F.

Appeal G – This appeal, sponsored by Supervisor Jerry Grant, denies the request for an 18-month expenditure for an additional District Attorney. **Appeal H**- This appeal is sponsored by Supervisors Richard Brandl, Tim Schiefelbein and Dan Kilkenny. The appeal removes funding for the Assistant District Attorney position, with the savings to be applied to lowering the tax levy.

Bretl explained that the County Administrator's Budget included an 18-month expenditure for an assistant DA. The intent of Appeals G and H is similar. Kilkenny said the levy impact is the same. **Supervisors Grant and Kilkenny moved to combine Appeals G and H, given that the intent is similar and the levy impact is the same.** Necci related statistics pertaining to staffing and caseload in the District Attorney's office from 1980 to present as well as population growth and increases in violent crime in Walworth County. In 1991, Wisconsin Act 71 added a 4th judicial branch to the County. Written into the Act is a provision for support for the prosecutor. Unfortunately, the State did not follow through with that. A 2012 study reported that 4 full-time positions were required for the office to operate effectively, though not at optimum level. Necci compared his office to similar counties in the state. He has fewer staff than Eau Claire County but his prosecutors are handling 34% more crimes. He understands the Supervisors' concerns about not trusting the Legislature to follow through. Necci said Representative August helped him meet with every member of the state's Joint Finance Committee to request funding. The Wisconsin District Attorney's Association has now stated they plan to address the Body on the issue of staff. Representative August, who is now Speaker Pro Tempore of the Assembly, has pledged to stand with us on this issue going forward into the next biannual budget. Necci cannot guarantee the State will provide funding but feels that the County would make a big statement about how important this is by funding for 18 months. He has a highly qualified candidate in mind that lives in the County. This individual knows the position could be county-funded for 18 months with no guarantees beyond that. Grant asked what would happen if, at the end of that time, the Legislature still has not approved funding. Necci said he would report what the individual contributed to the County during that period and request a decision whether to keep funding the position at the County level. Kilkenny was concerned that it would be less likely for the State to fund if we have already solved our problem. An argument to provide funding should be made to the Legislature. We have already reduced county FTEs due to budget restraints. The CJCC is available to facilitate the DA's administration of criminal justice and develop ways to ensure safety. There may be other players besides the CJCC. Schaefer asked Bretl to clarify what was included in the 2014 budget. Bretl said it \$90,000 to fund the position for the full year, with an additional 6 months to be proposed for the 2015 budget. We would also have to set up an office for the individual, purchase a computer, etc. Since the funding is already in the County Administrator's Budget, this Appeal does not request additional dollars. Supervisor Brandl feels approving this request could be a slippery slope. Other departments could ask for similar help. He agrees this is a State issue.

Grant suggested the County Board could send a letter to the State Legislators in support of state-level funding. Russell commented that it could be more difficult to terminate the position at the end of 18 months if the State doesn't provide funding by that time. **Denial of Appeals G and H, as combined, carried 4-1 with Supervisor Schaefer voting no.**

Appeal I – This appeal, sponsored by Supervisor Nancy Russell, is a technical correction to appropriately allocate additional routine maintenance agreement (RMA) revenues in the public works department. **Supervisors Stacey and Grant moved to recommend Appeal I; carried 5-0.**

Appeal J – This appeal, sponsored by Supervisor Jerry Grant, authorizes budgeting for the maximum tax levy allowed by law. Grant said the Appeal might increase the budget by a small amount but we have reduced costs and personnel wherever we could. We should look towards the future in case expenses increase later. **Supervisor Grant moved to recommend Appeal J.** Russell agreed in principle but thinks it should be in the form of an ordinance rather than a budget Appeal. Bretl said this is a pure policy question for the Committee, given that there is no second to the motion. Kilkenny thinks the County is in a sound financial position. If we were to have trouble in a future year, we have reserves and borrowing capacity, if needed. Stacie feels the taxpayers deserve not to be "taxed to the max." Russell commented that the portion of the budget needed for operating expenditures is much higher than you would expect with a 0% increase in the budget. We have been fortunate to pay down debt which provided extra funding. She cautioned that we are running out of callable bond issues so we are going to face a situation where we can no longer rely on those kinds of cushions. **The motion to recommend Appeal J failed for lack of second.**

- **Recommendation of the 2014 county preliminary budget** — Supervisors Schaefer and Kilkenny moved and seconded recommending the 2014 County Preliminary Budget, incorporating the appeals decided at today's meeting, and directing that the budget be published; carried 5-0.

Unfinished business

Ordinance **-10/13 Amending Section 62-104 and Creating Sections 62-105 and 62-106 of the Walworth County Code of Ordinances Relating to Tax Incremental Financing Districts — Bretl said the modifications requested by the Committee at their July meeting have been incorporated. Russell asked Lanser if all of her suggestions are included. Lanser affirmed but added that she had recommended eliminating the frequency for mandatory Joint Review Board meetings. She feels the schedule will be different for every TIF district. **Supervisors Schaefer and Kilkenny moved to approve the ordinance; carried 5-0.**

New business

Discussion and possible action regarding Walworth County Visitors Bureau's fiscal 2012 audit — Kilkenny moved that the proposed suggestions from the County's audit be followed. Andersen said the response from Visitors Bureau is included in the packet and identifies how they are agreeing to move forward. Supervisor Stacey seconded the motion; carried 5-0.

Discussion and possible action regarding communication from William Radwell, Jr., President of W.S. R. Corporation, in regard to foreclosure of his property (Referred by the County Board) — Bretl said Radwell is in attendance. Radwell explained that another individual had represented him when he was away on personal family business. The events that resulted in the foreclosure would be hearsay, having been related to him by that individual. He thanked the treasurer's office and Supervisor Russell for their efforts to help him. Bretl said staff have been trying to piece together what happened. Etzel believes the parcel Radwell referred to was included in the 2011 foreclosure sale. There are 3 additional parcels with 2009 delinquent taxes in the current sale that Radwell can redeem as long as back taxes and fees are paid in full. Russell asked Bretl if there was anything the County could do if a parcel was already sold. Staff can pull together a report on this particular transaction if it would be useful to the Committee. Russell said it would be useful to reconstruct what happened.

Discussion and possible action regarding Wisconsin Department of Administration on-site monitoring of the Community Development Block Grant Emergency Assistance Program — Russell said the letter is self-explanatory. Since it was addressed to her, ultimately she is responsible for the grant requirements being fulfilled. She has been following up periodically with Lt. Ennis. It appears that the only things left are the single audit letter and single audit report. This is the first time we applied for the grant and Lt. Ennis came into it after the process had already begun.

Update regarding automated timekeeping system for the Department of Public Works — Brunner consulted with IT which resulted in a joint decision to take a step back. Staff will do a systems analysis, look at all existing software products, evaluate where the State is going with regard to performance-based systems, and come back with a comprehensive software solution to recommend for the 2015 budget. Russell said no action is needed.

Discussion and possible action regarding Post-reunification Support (PS) program — Russell reported that Health & Human Services asked her during the earlier break to pull this item. They will not be moving forward with the pilot program.

Discussion and possible action regarding volunteer reimbursement — Andersen said the HHS Board's recommendation is included in the supplemental packet handed out just before today's meeting. Bretl explained that we have never had a separate section for volunteer reimbursement. Employees have to be traveling outside the county to be eligible for meal re-

imbursement. Several volunteers expressed concern that their meal requests were denied. They would like to get a meal if they are working a lengthy shift driving people around. The HHS Board recommended lowering the evening meal allowance from \$23 to \$16. Employees may be reimbursed up to \$23 but, typically, their evening meal would be at a conference or hotel as opposed to a volunteer getting a meal "on the go." This policy will only apply to HHS volunteer drivers. Meal reimbursement doesn't extend to other county volunteers. We don't know what the budget impact may be but combined meal expense heretofore was about \$1,000. **Supervisors Schaefer and Stacey moved to approve Ordinance No. **-10/13 Amending Sections 30-457 Through 30-464 of the Walworth County Code of Ordinances Relating to Volunteer Meal and Mileage Expense Reimbursement as presented. Supervisors Russell and Grant moved to amend the lunch criteria language to "Begin work before 10:00 a.m. and conclude work after 2:00 p.m." Andersen recommended that the gratuity be capped to a percentage of the bill. Supervisors Russell and Grant moved that gratuities not exceed 20% and that the total reimbursement must remain at or under the capped rate. The committee voted 5-0 to approve the ordinance as amended.**

Ordinance **-10/13 Creating Section 30-315 of the Walworth County Code of Ordinances Relating to Grant Report Requirements — Andersen said the ordinance clarifies that staff given the responsibility for grant management are responsible to meet all grant requirements and any specifications therein. The finance department reviews financial information and related reports for the departments assigned to them. Bretl suggested amending lines 12 and 13 to include language that department heads and elected officials shall ensure that supporting materials have been completed. When we get grants to review, they should include an assurance that everything is in order rather than just a request to "sign here." If the committee supports the concept, we can send the ordinance to the Board with the revised language. **Supervisors Kilkenny and Stacey moved to approve the ordinance with the modifications recommended by the county administrator.** Kilkenny commented that the grant requirements for the Community Development Block Grant Emergency Assistance Program seemed incredibly burdensome. Russell said the part of the grant application she saw did not include the ramifications but we probably would still have applied. The feds understandably want to know where their money is going. Kilkenny agreed that we need a checklist. Andersen said that, in this case, interim reports were not submitted, resulting in the review. The manager should have reviewed the list of requirements and checked them off. Bretl said we can update our administrative procedures for grant reporting so managers attest that everything is in order when they forward the application for approval. **Motion carried 5-0.**

Ordinance **-10/13 Creating Section 30-157 of the Walworth County Code of Ordinances Relating to Purchase and Use of Gift Cards — Andersen explained that a number of departments have begun using gift cards. They are perceived to be the same as cash so additional controls over their use are needed. Programs where we think it is reasonable to utilize gift cards have been identified. **Supervisors Schaefer and Grant moved to approve the ordinance; carried 5-0.**

Reports —

- Quarterly investment report – 2nd quarter 2013 — Lanser said our interest earnings continue to decrease because investment rates keep going lower and lower. Our annualized earnings are just under 0.5%. Andersen added that every time we reinvested money, it was at a lower rate. Russell asked what municipalities we invest in. Lanser said they are always the top 2 rated. Andersen said we never buy bonds that are related to TIF districts. Russell asked about the loss on our BMO investments. Lanser said when the market starts going up; it will look like we have a loss because we have to adjust to what the market is doing. Our investment manager can sell rather than holding to maturity if they feel it would be better to invest in something else. Russell commented that Mid America is paying 0.59% for their collateralized money market but we have a fairly small investment there. Can we increase? Andersen explained that some institutions limit what we can hold with them. Lanser noted that our money market funds give us the ability to do something with the money with a short turnaround.
- Other post-employment benefits (OPEB) investment report as of June 30, 2013 — Lanser summarized the components of the report. We put in about \$3.9 million in 2012, took some out to pay obligations, and have additional earnings between January-June, 2013. In the final section, our investment advisors provide an overview of where our funds are invested and how they are managing our money. Russell complimented the finance department on their excellent job in providing the investment reports.

Supervisors Grant and Schaefer moved to accept the investment reports and place them on file; carried 5-0.

Correspondence — No correspondence was presented.

Confirmation of next Finance Committee meeting:

- The next Finance Committee meeting was confirmed for Thursday, October 17, 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/Grant, Chair Russell adjourned the meeting at 12:29 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.

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

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

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

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

MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

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

SEPTEMBER 17, 2013 MONTHLY MEETING

Present: Lutz, McIndoe, Trimberger, Schwarten., Weinkauf,
Absent: Correll (husband died)

Meeting was called to order at 7:04 p.m by Chairman Lutz

Chairman Lutz read the minutes of the August 20, 2013 monthly meeting which were subsequently approved. Treasurer Schwarten read the August 2013 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.) Copy of meeting agenda and budget also attached.

Old Business:

Mike Weinkauf reported that "NO DUMPING" & "NO PARKING" signs have been prepared for the triangular parcel of land adjacent to the Schryer property (see report for August 20, 2013) and the signs, together with pole barriers, will be installed later this week.

Chairman Lutz reported that B& W Surveying has completed and installed a plate at the dam indicating the certified elevation.

Chairman Lutz indicated that the vandalized cutting of barbed wire protecting the dam area will be repaired/replaced.

New Business:

In late August, there was a fire in a small barn next to Hwy "FF" (Academy Road) east of the railroad tracks (in Racine County). Fire equipment from about 6 communities responded, drawing water from Honey Creek just north of Hwy "DD" north of Honey Lake. Upon completion, one of the trucks discharged its load of water by directing the hose over the dike on the east shore of Honey Lake near the overflow outlet. Chairman Lutz had been present at that time and had attempted to speak to the personnel and caution them about what they were doing, but they would not talk to or listen to him. For whatever reason, the direction of the hose "lowered" with the result that it created a groove in the dike more than a foot deep and about 25 feet long. Mike Weinkauf agreed that, even though we do not know which community's truck did this, it is the responsibility of the Rochester Dept. as the department in charge. Mike will check with the department to determine whether Rochester will make the needed repairs or if the Honey Lake District will have to do so and then bill Rochester. It is

quite important that this be done quickly....it needs to be filled in, compacted, and reseeded and covered with straw.

Chairman Lutz asked for approval to purchase "Quicken" software to be used by the new Treasurer after he replaces retiring Treasurer Schwarten in November. Approval given.

Informal discussion followed relative to the negative impact upon the District's sub-standard roads by trucks from the four (4) different garbage collection companies "serving" the District. Trimmerger indicated that the Town of Spring Prairie is considering implementing mandated Town-wide collection provided by a single collector. This would then reduce this "traffic" over the District's roads.

Treasurer Schwarten read the bills ready for payment, with a motion then made and seconded for payment.

A motion was then made and seconded for adjournment at 7:45 p.m.

Respectfully submitted,



Robert E. McIndoe 9/18/13

**Walworth County Land Conservation Committee
MINUTES**

September 16, 2013 – 2:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 2:00 p.m. by Chairperson Kilkenny.

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

Others present – David Bretl, County Administrator; Michael Cotter, Deputy Corporation Counsel/LURM Director; Louise Olson, Deputy LURM Director; Fay Amerson, Urban Conservation Specialist, Supervisor Carl Redenius, and Greg Igl, CD/NRCS.

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 May 20, 2013 Land Conservation Committee meeting and the July 18, 2013 Joint Land Conservation Committee and County Zoning Agency meeting minutes were moved and seconded by Vice Chair Russell and Supervisor Schiefelbein, with no withdrawals, and carried 5 – 0.

Public comment: None.

Discussion/Possible Action – General Discussion of Ordinance amendment regarding requested review of a determination - David Bretl. (enclosures, pages 5 - 6) Discussion by County Administrator David Bretl regarding the proposed Ordinance amendment concerning the request for review of a determination requested under Chapter 68 of Wisconsin Statutes. Discussion regarding pros and cons of this alternative and other options available. Statement by Supervisor Schiefelbein regarding the proposed procedure. Statement by Chairman Kilkenny requesting clarification. Bretl states requested amendments for clarification can be discussed and researched. Kilkenny requests clarification: Committee review only subject to judicial review? Question by Russell regarding scope of the review power. Statements by Michael Cotter regarding scope of language and applicability. Bretl to research language and propose amendments, options and flow charts. Matter to be held over for further review. Statement by Lou Olson regarding recent hearing expenditures.

Discussion/Possible Action – Operational Agreement Between Walworth County and the United State Department of Agriculture Natural Resources Conservation Service – Lou Olson (enclosures, pages 7 - 15) Discussion by Deputy LURM Director Lou Olson regarding a proposed agreement between Walworth County and NRCS regarding roles of respective parties for supplies, reports and development of conservation priorities and policies. Clarification by Chairman Kilkenny regarding continuance of agreement in existence without any significant changes.

Draft

Motion to approve made and seconded by Vice Chair Russell and Citizen Member Bellman, and carried 5-0. Agreement to be signed after meeting. Bretl sees no problem with signing proposed agreement.

Discussion/ Possible Action - WLWCA Thursday Note – Lou Olson (enclosures, pages 16 - 19) Lou Olson shares information concerning the WLWCA Thursday Note with the LCC members to make sure they receive this newsletter and give them an option to make comments or ask questions. This publication contains important issues regarding the Conservation offices getting their State funding and no cuts for 2014, and merger concerns with other counties. No action necessary by the Committee. All receiving the publication were noted.

Discussion / Possible Action - Volunteer Notice of Non-Compliance Farmland Preservation Program: Arthur L. Anderson, Erkitz Revocable Trust, Perry Moyer, Carolyn Rambow – Lou Olson. Discussion by Deputy LURM Director Lou Olson regarding the notices of non-compliance for Farmland Preservation having been initiated at the request of property owners. Main reasons for dropping per Olson: some did not claim the tax credit for farmland preservation, and not wanting to go through the red tape associated with said credit. Committee makes motion to authorize Lou Olson to sign off on documentation provided to DATCP and Department of Revenue for tax purposes was moved and seconded by Supervisor Schiefelbein and Vice Chair Russell, and carried 5-0.

Discussion / Possible Action - Southeast Land & Water Conservation Association Tour - October 9, 2014 Milwaukee – Lou Olson (enclosures, pages 20 - 21). Discussion by Lou Olson regarding the scheduled Conservation Association Tour presented by Southeast Area Land and Water Conservation Association. LCC members interested please contact Fay Amerson. Statement by Michael Cotter regarding order of County's tour presentation for the next few years.

Chairperson Kilkenny did not have any announcements.

The next regular meeting of the land conservation committee was confirmed for Monday, October 14, 2013, 2:00 p.m.

Adjournment. On motion and second by Supervisor Schiefelbein and Citizen Member Bellman, Chairperson Kilkenny adjourned the meeting at approximately 2:50 p.m.

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

DRAFT

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

Chair Nancy Russell called the meeting to order at 3:34 p.m.

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

County staff in attendance: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Director of Central Services Kevin Brunner; Public Works Director of Operations Larry Price; Budget Analyst Stacie Johnson; Lakeland Health Care Center Director Bernie Janiszewski; Director of Health and Human Services Linda Seemeyer; Captain Dave Gerber; Sheriff David Graves; Undersheriff Kurt Picknell; Sheriff's Office Business Manager Amanda Lagle; Public Works Assistant Superintendents Dave Woodhouse and John Miller; Jessica Igl, Comptroller; Public Works Business Office/Purchasing Manager Peggy Watson; Deputy Corporation Counsel/Director of Land Use and Resource Management Michael Cotter

Others present: Brian Bliesner, Systems Operations Manager; Jim Forseth, Project Development Supervisor; and Tom Longtin, Programming Engineer, Wisconsin Department of Transportation, Southeast Region; Attorney William Scott; David Dorn and Dave Bitter, Lake Beulah Management District; Terry O'Neill, Lake Geneva

Agenda withdrawals/approval

Supervisors Stacey and Schaefer moved to amend the agenda by considering items 7. c. and 7. d. and item 6. c. for first consideration, and to approve the agenda as amended. The motion carried 5-0.

Approval of July 15, 2013 meeting minutes

Supervisors Stacey and Schaefer moved to approve the July 15 meeting minutes as prepared. The motion carried 5-0.

Public comment period

Terry O'Neill, 954 George Street, Lake Geneva, thanked the Committee and staff for writing to the Lake Geneva City Council requesting they consider moving the CTH H roadwork project forward. Director of Central Services Kevin Brunner said he recently met with the Lake Geneva City Administrator, and he and county staff are supposed to meet with Lake Geneva's public works committee in October.

Special orders of business

Annual Report from Wisconsin Department of Transportation - WisDOT priorities; 2013 RMA status; 2014 RMA projection; Status of local bridge programs; Six-year improvement program schedule; Safety

Brunner introduced Brian Bliesner, Operations Chief for the Southeast (SE) Region of the Wisconsin Department of Transportation (DOT), Jim Forseth, Project Development Supervisor, and Tom Longtin, Programming Engineer. Bliesner distributed a folder of information to the committee. Included in the packet is an organizational chart with contact information for the SE region. The DOT is emphasizing its performance management system through use of a new tool called a "MAPPS" performance scorecard to measure mobility, accountability, preservation, safety and service. Major project summaries were included in the information, with a link to the website. Financial information on the 2013 Routine Maintenance Agreements (RMA) was included for all 72 counties; Walworth County's 2013 costs by

project; the 2014 RMA changes; a summary of the County's Local Bridge Improvement Program; and the DOT 2014 – 2019 Improvement Program for Walworth County. In 2014, there is an anticipated average 10% increase in RMA funding statewide – Walworth County's is 12.4%. Walworth County also received \$320,000 in supplemental funding because of last year's long winter. The DOT is implementing some initiatives on a county by county and/or region by region basis, wherein the State would solicit pricing from counties in a region and choose the county with the best pricing, level of service options and ability to meet scheduling requirements. Tom Longtin provided details on the 2014-2019 improvement program. Supervisor Schaefer complimented the DOT for the fine roadwork in his jurisdiction, especially praising their effective signage and good shouldering work. Schaefer asked about the possibility of implementing more frequent mowing on state roads for safety and aesthetic purposes. Bliesner said that is on the DOT's list to consider for additional funding. Brunner said the public hearing on the CTH NN project was held last week, and the county is coordinating its project with the DOT's replacement of the USH 12 bridge. The county will be reconstructing CTH NN in 2015, and will hold an informational meeting next spring for our section of the project. Prior to the meeting, Brunner distributed copies of the handout on the project that was presented at the public hearing by the State's engineers. The Chair thanked the officials for their informative presentation.

Concerns of Lake Beulah Management District over proposed dam

Attorney William Scott, Dave Bitter, Chair of the Lake Beulah Management District, and David Dorn addressed the committee. Attorney Scott said the Lake District is opposed to the draw down structure on the plans for the dam, which he said has not been required in writing by the Department of Natural Resources (DNR), and stated that use of the draw down could cause devastation of the Lake and great economic harm. The dam has been in place for 100 years, Scott added, and a draw down has never been needed. The District wants the County to amend its plan set to omit the draw down structure. If it were used, he claimed it would lower the water level 4 feet, creating 4 basins, and boat travel between the basins would be impossible. Scott said the DNR has not performed an environmental assessment. Scott said the lakeshore property is worth \$353 million, and he claimed that the threat of the draw down structure would devalue the property by as much as 50%. Alternatives to a draw down structure would be using divers to perform repairs, or installation of a coffer dam to allow work to be done on the structure. Scott claimed that no permanent structure is necessary. He added that the Lake District would take the risk should it ever be needed in the future. The Lake District requested that the draw down structure be eliminated from the plans and submitted to the DNR. Dave Bitter, Chair of the District, commented that a draw down structure isn't required to reconstruct the dam – why then would it be needed later? Supervisor Stacey asked if there are existing dams with draw down structures. Bitter replied that Lake Geneva has always had one, but never Lake Beulah. Chair Russell said we received the grant from the DNR and is concerned that eliminating the draw down structure could jeopardize the grant funding. Deputy Corporation Michael Cotter said that the DNR is administering the grant and that not including the structure would impact it. Also, the plans have been submitted to the DNR and they are currently reviewing them. Bitter said that if necessary, the District could probably cover the costs the grant would have paid for if the dam were done without the draw down structure, but added that he would have to get official approval from his board.

Closed session pursuant to the exemption contained in Section 19.85 (1)(e) of the Wisconsin Statutes for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Closed session discussion: Discussion of proposed intergovernmental agreement with Lake Beulah Management District. Upon motion by Supervisors Monroe and Stacey and unanimous roll call vote, the meeting continued in closed session. Supervisors Stacey and Monroe moved to reconvene in open session. The motion carried 5-0. Supervisors Stacey and Monroe moved to reject the proposed intergovernmental agreement and to direct staff to proceed as discussed in closed session. The motion carried 5-0.

Supervisor Stacey was excused from the meeting.

Discussion/possible action concerning guidelines for use of county roads for special events

Brunner summarized the proposed items developed from the meeting with the Sheriff's Office to include in the ordinance to govern the future use of county roads: 1) a permit would be issued by the County for the use of county roads for special events; 2) the cost of the permit would be determined based upon how much staff time (both Public Works and the Sheriff's Office) and equipment the event requires; 3) a 25% deposit would accompany the permit application; 4) permit approval would need to be authorized by both departments no less than 30 business days in advance of the event; and 5) the Sheriff's Office will be responsible for billing and collecting the charges associated with the permit. Special municipal events such as parades would need a permit, but there would be no fees charged for such permits. Chair Russell asked that a procedure also be included on proper notification to affected cities, townships, residents and Board members on upcoming events. Brunner added that the Alpine Valley concerts would be exempt, as there is already an ordinance in place for those events. **The County Administrator will draft an ordinance incorporating the suggestions and bring it back to committee for approval.**

Presentation of the County Administrator's five-year Capital Improvement Plan (CIP)

Bretl said there is one appeal concerning Health and Human Services' Public Health dental equipment. Public Works prepared a PowerPoint presentation so the committee could see pictures of and get descriptions of the large items of equipment included in next year's CIP. Larry Price and Dave Woodhouse presented the PowerPoint and provided more information on some of the individual items of equipment. Price said the vacuum truck, \$259,000, would be used for sweeping and vacuuming bridges, parapet walls and cleaning expansion joints, sweeping curbs, gutters and ends of ramps, accident clean up, catch basins, blow ups, milling, culvert cleaning, hydro excavating in front of culverts and utility locating. Brunner added that when he first started at the county, he was amazed we didn't have one – the City of Whitewater has two of them. Price said also with the increased use of the roadways by motorcycles and bicycles, the Department of Natural Resources is requesting more frequent clean up on the roads. Brunner said that the State has encouraged our department to buy a vacuum truck for the past several years. Estimated useful life of the truck is 15 years with proper maintenance. Price went through the other items of equipment, including the purchase of two tandem axle trucks and explained the advantage of standardizing the fleet with Mack. We do have competition between Mack dealers; Racine Mack delivers parts to Elkhorn twice a day, 5 days a week; Central Illinois Truck will deliver once a day; the standardization with support from dealers has allowed a drastic reduction in parts inventory; with one brand of truck our mechanics are proficient and expedient in service and repair; and the standardization allows drivers to be placed in any truck and be familiar with the location of all equipment in the truck, which is much safer and more operationally efficient. Four years ago, the parking lot at the Darien salt dome absorbed water, froze, and the pavement cracked. The DNR comes out every year to inspect the area and they have been concerned about the cracks and seepage. Crews have crackfilled the lot every year, but the lot needs to be completely redone. There is \$45,000 in the 2014 requests for the renovation. The mini cargo van would be principally used to transport furniture and equipment in inclement weather and would replace a light duty truck. The \$40,000 for a facility study is to update the 2002 Barrientos study that was done for the shop and future improvements. The implementation of the plans would occur in 2016. Price summarized the rest of the requests and asked for questions from the committee.

Appeals/adjustments to the CIP

One appeal was received from Supervisor Schiefelbein concerning the Public Health dental clinic, asking for an operational plan. Health and Human Services Director Linda Seemeyer concurred with the appeal. **Supervisors Redenius and Monroe moved to approve the appeal concerning inclusion of an operational plan for the Health and Human Services Public Health dental clinic operational plan. The motion carried 4-0.**

Supervisors Schaefer and Monroe moved to recommend the Administrator's CIP with the inclusion of the appeal concerning the Health and Human Services Public Health dental plan, except for the Judicial Center court security improvements to be discussed in closed session. The motion carried 4-0.

Upon motion by Monroe and Schaefer and roll call vote, the committee convened in closed session pursuant to the exemption contained in Section 19.85(1)(d) of the Wisconsin Statutes, "except as provided in s. 304.06(1)(eg) and by rule promulgated under s. 304.06(1)(em), considering strategy for crime detection or prevention." In closed session, the following item was discussed: 2014 proposed Judicial Center Court Security improvements. Supervisors Schaefer and Redenius moved to convene in open session and to approve the proposed Judicial Center Court Security improvements in the County Administrator's 2014 CIP. The motion carried 4-0.

Regular Business

Approval of sale of Sheriff's Office specialized surplus

Supervisors Monroe and Schaefer moved approval of the sale of the Sheriff's Office specialized surplus. The motion carried 4-0.

Discussion and possible action concerning potential amendment to Section 17-35 of the Walworth County Code of Ordinances relating to sole source procurements

Bretl said the purpose of the ordinance amendment is to clarify the Sheriff's Office process for sole sourcing its collision repair, if they wish to continue doing so. Bretl added that the annual costs for collision repair over the last several years have ranged from \$20,000 to \$44,000. Chair Russell asked if the Sheriff's Office could competitively bid their collision services rather than using a single source. Captain Dave Gerber said that they have gone with the same vendor because of their quick turnaround to get the squads back in service as soon as possible and added that their current vendor is a pre-approved provider by their insurance company. The vendor also prioritizes the Sheriff's work. Supervisor Monroe added that insurance companies as a rule prefer certain body shops for service. Undersheriff Kurt Picknell said they have been using the same shop for over 10 years and have gotten excellent service, and asked for committee endorsement of the ordinance amendment. Supervisors Monroe and Schaefer moved to approve the ordinance amendment. The motion carried 4-0.

Approval of resolution adopting the revised Sheriff's Office parking lot map

Brunner explained that the Sheriff's Office is reorganizing its parking plan for increased efficiency, and the revised map incorporates the addition of marked spaces for Sheriff's squads. Supervisors Redenius and Monroe approved the resolution to adopt the revised parking lot map for the Sheriff's Office. The motion carried 4-0.

Approval of bid specifications – door upgrades for Lakeland Health Care Center

John Miller said the door upgrades are required by state fire protection standards. Supervisors Schaefer and Redenius moved to approve the bid specifications for the door upgrades. The motion carried 4-0.

Bid award for demolition dump trailer

Brunner said that the lowest bidder, DeCleene Trailer Sales, delivered the dump trailer in May; however, the equipment as delivered did not meet the original bid specifications. Staff recommended awarding the bid to the next lowest bidder Leach Enterprises in the amount of \$36,118.70. Supervisors Schaefer and Monroe moved to approve the bid award to Leach Enterprises. The motion carried 4-0.

Approval of non-contract highway culvert construction on CTH H

Brunner said two large 12' culvert pipes under CTH H that drain Sugar Creek need replacing. The Highway Division has the resources to construct this project yet this fall, but pursuant to State Statute Section 83.04, the county's highway committee must approve large preventive maintenance work that is not contracted out. Brunner says this issue raises the question of what projects performed by Highway crews need committee approval. Unlike public construction projects, there is more leeway in the statutes for constructing roads. In this case, the formal bid process would take too long to allow the work to be

done this fall. Brunner suggested the committee consider refining this process by using the guidelines as to what constitutes “routine,” “corrective” and “preventative” contained in the Memorandum of Understanding between the Wisconsin Roadbuilders, DOT and the Wisconsin County Highway Association. **Supervisors Monroe and Schaefer moved to authorize the culvert construction on CTH H by Public Works Department forces. The motion carried 4-0.**

Approval of State/Municipal Agreement for the CTH NN Overpass Project

The copy of the State/Municipal Agreement for a State-Let Highway Project is in the packet. This agreement is for the USH 12 bridge replacement on CTH NN. This will require no county funding, but after the construction, the county would take over the maintenance. **Supervisors Schaefer and Redenius moved to approve the State/Municipal Agreement. The motion carried 4-0.**

Discussion concerning county policy for mowing on county and state roads

Supervisor Redenius expressed concern about the mowing along county roads, asking how often they are mowed, and how much is mowed. He said that some roadsides were mowed 10’ wide, some are 15’, and wondered why there is a discrepancy. Larry Price said that county roads are mowed twice each year. The first time, crews do one pass, the second time they mow fence-to-fence. Redenius had taken some photographs that showed tall grass in areas, adding that constituents had expressed concern over vision obstruction. He also asked if crews monitor farmers who plant in the right-of-way. Price said he wasn’t aware of the concerns about the mowing and it is his responsibility to make sure that problems are resolved. He said typically 4 – 6 crew members are mowing at the same time, working on one quarter of the county together at a time. Price said he would investigate Supervisor Redenius’ concerns. Brunner added that next summer, the plan is to have summer Limited Term Employees to better keep up with roadside mowing.

Unfinished/ongoing business

Automated timekeeping/systems analysis project

At the July 15 meeting the Committee directed staff to look at pricing for the proposed Kronos activities and replacing the CHEMS system used for state reporting. Brunner said he reviewed the project with the Administrator and met with the IT department about the project. The recommendation is to do a systems analysis and in-depth study of the Public Works Department’s current system, and from that study, develop an RFI and an RFP for an integrated software program that will best suit the department’s needs. There is \$40,000 in next year’s CIP for the study.

Capital projects

Health and Human Services HVAC project change order request

During the demolition process, it was discovered that additional insulation, exhaust fans, damper controls, etc., were needed for the new system. Brunner reported that the project is anticipated to be complete in December and is well within the contingency. The staff has adjusted very well to the changes and challenges during the project, and Brunner gave John Miller credit for his work in helping the project run smoothly. **Supervisors Schaefer and Monroe moved to approve change order DPW BR 002 in the amount of \$73,542. The motion carried 4-0.**

CTH O roadwork project –project report and change order request

Brunner reported that the CTH O project was approximately \$1 million under budget due to the minimal EBS discovered during excavation. The remaining funds will be applied to next year’s roadwork projects. **Supervisors Monroe and Schaefer moved to approve change order DPW PD 001 in the amount of \$19,953. The motion carried 4-0.**

Next regularly scheduled Public Works Committee meeting date and time: Monday, October 14, 2013 at 3:00 p.m. (a tour of 2014 road projects and HHS will be conducted)

The Committee will convene at the Government Center on October 14 at 3:00 p.m. for a tour of the Health and Human Services building and next year's roadwork projects. Public Works will provide transportation and the meeting will continue at the Government Center after the tour.

Adjournment

Supervisors Monroe and Schaefer moved to adjourn the meeting. The motion carried 4-0 and the meeting adjourned at 6:44 p.m.

Minutes recorded by Becky Bechtel, Public Works Department

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

DRAFT 9/19/13

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING

SATURDAY, SEPTEMBER 14, 2013, 8:00 AM

LAGRANGE TOWN HALL

MINUTES

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

Absent:

Public Attendance: Rick Callaway

1. Approval of Agenda (Dave): Motion to approve the Agenda (Bob/Pat). Carried unanimously.
2. Approval of additional funding of weed control (Dave/Marcia): On 8/27/13 additional acres of milfoil growth were found and treated on 9/3/13. Motion to take \$5000.00 from operating reserves to fund the budget shortfall for weed control treatment for 2013 (Ted/Pat). Carried unanimously.

Motion to adjourn at 8:10 am (Bob/Don). Carried unanimously.

Respectfully submitted,

Marcia M Sahag, secretary
PLPRD

Walworth County Board of Adjustment

MINUTES

September 11, 2013 - Hearing – 8:30 AM

September 12, 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 September 11 & 12, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on September 11, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on September 12, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. "Sign-in" sheets listing attendees on September 11, 2013, and September 12, 2013, are kept on file as a matter of record.

The September 11, 2013, hearing was called to order by Chair John Roth at 8:30 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the August 14 & 15, 2013, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, September 12, 2013. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The September 11, 2013, hearing went into recess at approximately 9:24 A.M.

On September 12, 2013, at 8:30 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the October 9, 2013, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The September 12, 2013, decision meeting adjourned at approximately 8:44 A.M.

Two variance hearings were scheduled and details of the September 11, 2013, hearings and the September 12, 2013, decisions are recorded and 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

Hearing – Count #8:34:49 – 8:41:36 / Decision – Count #8:33:33 – 8:35:23

The First Hearing was Martin A. White, owner – Section(s) 35 – Whitewater Township

Applicant is requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 20' x 20' detached garage.

REQUIRED BY ORDINANCE: The Ordinance requires a 10' street yard setback.

VARIANCE REQUEST: The applicant is requesting a 5.8' street yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 20' x 20' detached garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of September 11 & 12, 2013, for the petition of Martin A. White, owner, voted to **APPROVE** the request for a 5.8' street yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the options for placement of an accessory structure were limited due to the topography of the parcel and the steep slope. The Board found the existing slab has been used for parking for some years. The Board found to approve the request would cause no harm to public interests as other accessory structure garages on Ridge Road are as close or closer to the road. The Board found to approve the request to use the existing parking foundation would minimize land disturbance and would not harm the public's interest in navigable waters. There was no support. There was no opposition.

Hearing – Count #8:41:42 – 9:24:06 / Decision – Count #8:35:24 – 8:43:46

The Second Hearing was Tower View Mobile Court Inc., owner / Attorney James P. Howe of Godfrey, Leibsle, Blackbourn & Howarth, S.C., applicant – Section(s) 24 – Geneva Township – Section(s) 19 – Lyons Township

Applicants are requesting a variance from Section(s) 74-55 / 74-74 / 74-131 of Walworth County's Code of Ordinances – Zoning to install an ingress / egress easement for a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 25' street yard setback for all structures and parking areas to an ingress / egress easement.

VARIANCE REQUEST: The applicants are requesting to locate an ingress / egress easement to serve one single-family residence within 0' of existing parking stalls. The request is a variance from Section(s) 74-55 / 74-74 / 74-131 of Walworth County's Code of Ordinances – Zoning to install an ingress / egress easement for a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of September 11 & 12, 2013, for the petition of Tower View Mobile Court Inc., owner / Attorney James P. Howe of Godfrey, Leibsle, Blackbourn & Howarth, S.C., applicant, voted to **APPROVE with Conditions** the request to locate an ingress / egress easement to serve one single-family residence within 0' of existing parking stalls. The conditions are: 1) as per plans C7 and C8 submitted September 10, 2013 showing the safety striping, 2) approval is for one single-family residence and 3) subject to County Zoning Agency approval.

A motion was made by Ann Seaver to approve the variance request per plan C8 as presented for a single family residence and showing the safety striping.

An amended motion was made by Ann Seaver to approve the variance request per plans C7 and C8 dated September 10, 2013, as presented for a single family residence and showing the safety striping. Seconded by Gregory E. Guidry.

An amended motion was made by Ann Seaver to approve the variance request per plans C7 and C8 dated September 10, 2013, as presented, showing the safety striping, and with the condition the dwelling be a single family residence, and subject to County Zoning Agency approval. Gregory E. Guidry amended his second. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the unique property limitation is due to the environmentally sensitive areas surrounding the parcel and the owner is limited in easement location options. The Board found to approve the request would allow the owner to use existing impervious surface. The Board found to approve the request would cause no harm to public interests as the owner is using an existing drive up to the property. There was one letter of support from the Town of Geneva. There was no opposition.

Other

- A. 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 October 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.

WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, SEPTEMBER 6, 2013 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

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

Crawford	Tom Cornford, 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	
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	x		Carol Held	
	Chris James	x		John Miller (10:03)	x
				Dennis Polyka, Asst. Secretary (XCom)	x
Grant	Gary Ranum	x	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)	x	Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig			Dick Mace	
	Jack Demby			Fritz Ruf	

Executive Committee met quorum

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Mary Penn, WRRTC Administrator • Troy Maggisi, SWWRPC • Forrest Van Schwartz, pro bono Consultant • Ken Lucht, WSOR • Kim Tollers, Frank Huntington, LeAnna B Wall, WDOT 	<ul style="list-style-type: none"> • Tom Stetzer, Strand Associates • Jeff Maloney, Vandewalle & Associates • Jeff Kramer, Kramer Development • Aimee Bauer, Key Commercial Real Estate LLC • Mike Davis, Mark Opitz, City of Middleton
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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, PA*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
 - *Motion to approve agenda – Polyka/Sweeney,, Passed Unanimously*
5. Action Item. **Approval of draft August Meeting Minutes**– *Prepared by Penn*
 - *Motion to approve draft August Meeting Minutes with corrections – Kuhnke/Gray, Passed Unanimously*
 - *"minutes" in header*
 - *Item 11, ¶ 7, 5th sentence, "TIGER VI" to "TIGER V"*
 - *Item 12, ¶ 3, 1st sentence, "either" to "eight"*
 - *Item 15, ¶ 2, 16th sentence, "he here – "there"*
 - *Item 15, ¶2, 17th sentence, "fencib" – "fencing"*
 - *Item 15, ¶2, 2nd to last sentence, "Van Schwab" – "Van Schwartz"*
6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
 No public comments.

WRRTC EXECUTIVE COMMITTEE SEPTEMBER MEETING MINUTES – DRAFT

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

Penn distributed handouts from Forrest Van Schwartz. They included one from the Wisconsin State Journal (“Judge sends rail crossing closings back to agency”) and another from Railway Age (“Despite crude strength, U.S. freight traffic slips”). He talked about the Freight Rail Day event, distributing a draft agenda of the event and recommended the Commissioners attend. Van Schwartz said that he had not heard anything from the attorneys’ or landowners on the Spring Grove property issue, adding that “no news is good news”.

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

REPORTS & COMMISSION BUSINESS

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

Gene Gray gave the treasurer’s report, saying there was only one bill to pay Dane County Highway for \$201.81. He said Jim Matzinger would be back next month.

- *Treasurer’s Report for August and Payment of Bills – Anderson/Sweeney, Passed Unanimously*

10. **Wisconsin & Southern Railroad’s Report**

Ken Lucht gave his report, saying that the rail detector car had been out on and there had not been any major defects found to date but WSOR would be replacing rail on some of the lines, particularly those with non-welded rail. There was also some bridge work being done, including one on the Prairie sub. For some of the bridge work, WSOR is hopeful that some grant dollars will be available so they can begin asking for bids.

In grain, Lucht said most seems to have been shipped to market, finishing off last year’s crop and new grain is now being harvested and shipped. Lucht said WSOR expected grain shipments to pick up dramatically in September and October. He said that steel (scrap) is also moving. He said that WSOR was still training its new summer hires and said in 4th quarter 2013 WSOR will be hiring 12 more people.

Lucht said the TIGER V application was not granted, with no money awarded to Wisconsin at all. He said if there is a TIGER VI offer WSOR might pursue it, reexamining their approach to find improvements to the application and he thanked the Commission for their support on the application.

In regard to the Wisconsin State Journal handout passed out during Item 7, Lucht said that the order to close some crossings had gone back to the Commissioner of Railroads for reassessment. He said that it had been alluded that WSOR had tried to persuade the COR, an allegation that WSOR was taking very seriously.

Sweeney asked about the proposed quiet zone in Milton and Lucht said that while he had spoken to the Mayor, he was not aware that an application had been made. He added that the municipality would have to submit a petition to begin the quiet zone process. Lucht said most of the process is between the municipality and the Federal Railroad Authority (FRA) and that WSOR was supportive of quiet zones and worked with municipalities to create them. Frank Huntington said Tammy Wagner at FRA is the contact.

Gene Gray asked Lucht if, through the rail detector car, the number of defects had gone down. Lucht said they had gone down as maintenance had gone up and Continuous Welded Rail (CWR) is being installed. Gray also asked if there had been an additional new WSOR hires, not counting the 12 for 4th quarter previously mentioned. Karl Nilson asked how people could apply for jobs and Lucht said the WSOR website is where a person could apply. John Miller asked if a person was hired as conductor would they work in “regular” area or all over Wisconsin. Lucht said that it was in a regular area but employees could bid on jobs, with those with more seniority getting preferential choice to those employees who were newer hires. Lucht said a person could train anywhere in their system but were assigned to certain areas. Nilson said the conductor is the “train boss” and the engineer drove the train under orders of the conductor.

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

Frank Huntington said there have been ongoing negotiations with UP on the Reedsburg purchase with progress being made. He did not want to go into the price but said that they were “getting close” to an agreement. As a result of this purchase, he said WDOT had been holding back on their grants although they would move forward with some, such as projects in Baraboo and between Fitchburg to Oregon.

WRRTC EXECUTIVE COMMITTEE SEPTEMBER MEETING MINUTES – DRAFT

He said WDOT also was moving ahead with several loan projects including one in Cambria (in Gideon), one in Blair for a grain facility, one in Oconto Falls, and one in Zenda for a grain elevator.

Huntington said there was one property issue that WDOT had moved ahead, giving approval on the Spring Green Royal Bank project. This property was very close to the ROW. He said WDOT gave approval because the project would improve the situation. He noted the property is outside the 33' ROW centerline and while typically WDOT would have brought the issue to the Commission's attention, due to timing WDOT agreed to the work although Huntington noted WDOT has not given final approval yet. He also mentioned another current project, a depot that was having some work done but it was all within their easement area.

Lastly, Huntington mentioned the railway WDOT meeting in November and reiterated an invite to the Freight Rail Conference mentioned in Item 7.

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

Penn reported she had fixed problem with the WRRTC website and past meeting minutes, agendas, and treasurer reports were once again available.

13. Possible Creation and Distribution of WRRTC Information Brochure – Mary Penn, WRRTC Admin.

Penn explained to the Commission that she had been given a newsletter/information brochure from Ken Lucht which she had brought initially to the August meeting as part of her report. She told the Commission that if they wanted such a marketing piece, they would have to tell her who the audience would be, the number of times per year it would be produced, and they would have to supply content. There was discussion about the need for such a piece. Van Schwartz suggested that instead of a paper copy, Penn should post news and information relating to the Commission and railroading in general to the WRRTC website.

- *Motion to have Penn add a news tab to the WRRTC website; Sweeney/Polivka, Passed Unanimously*

14. Spring Green Royal Bank ROW Encroachment During Remodel – Frank Huntington, WDOT

Penn distributed handout relating to the issue. Frank Huntington said that WDOT once sure there was no excessive drainage on the site, gave a permit with the provision that there would be no issues with the 0' setback on the ROW. He also said the permit stipulated that the work would not impact or impede WSOR or WDOT needs. Nilson asked if WSOR was ok with the project and Lucht said there was no issue.

15. Presentation and Discussion: City of Middleton Hwy 12 Road Connection Project Involving ROW Encroachment – Tom Stetzer, Strand Associates, Inc.

Tom Stetzer of Strand Associates, Inc. introduced the others presenting on the issue and explained the problem the City of Middleton was trying to address. The City was proposing to construct a roadway on the railroad ROW under the USH 12/14 bridge. He said that the distance of the road is 35' from the centerline of the railroad track. He also described what the City wanted to pursue as a way to address their traffic needs. Jim Maloney, Vandewalle Associates, said they had met with WDOT on issues relating to the access control on USH 14. He explained that access has changed on University Ave. and said the City wanted to connect downtown to Greenview and was trying to bridge the gap over/under the beltline. He said there is potential for much development. Nilson asked for clarification on the layout and Gray asked if there were any plans in the concept state west of Demming Way. Maloney said it would only go as far as Demming Way because the parcel becomes small and there was no proposal for a bike trail in this project. Van Schwartz asked if they were going to fence the railroad ROW and Maloney said they could discuss that although it was not on the drawing board yet. There was further discussion on the clearance of the bridge. Stetzer said he understood the ROW width was 99' and the road would encroach 15' onto the rail ROW for a short distance under the USH12/14 bridge, adding that by the time it reached the Mill property they would be out of the ROW. He said the piers were 30' from the centerline on the north side of the track and the proposed roadway would be outside of the piers; on the S side it was approximately 35' to 40' centerline to pier. Nilson asked if the piers were the first solid thing that was met. He was told that they were. It was also discussed that a proposed sidewalk was inside the piers and would be 24' from the centerline of the track.

Huntington asked what other access points were being looked at and Maloney said for this proposal it would all be current access. Huntington then asked about current and future access along the Lycon site. Stetzer and Maloney answered questions regarding access. Mike Davis, City of Middleton Administrator, said having sidewalks along this proposal was very important to encourage traffic between University and downtown and also noted that it would relieve traffic congestion. Kim Tollers asked about the Estimated Daily Traffic (EDT) and Stetzer said it was just under 30,000; on Terrace Ave it was 1500; on Highpoint it was 5,000. Tollers then asked if they were aware that the proximity of the new intersection to the tracks created a crossing site problem that was potentially hazardous. Stetzer acknowledged there was a site issue at the intersection. Chris James asked about locating the sidewalk on a terrace on the north side of the roadway and suggested splitting the retaining the wall, asking if it were stepped would that work for the sidewalk. Stetzer said they did not yet know if they would have the room but Maloney said it was a good idea. Van Schwartz

WRRTC EXECUTIVE COMMITTEE SEPTEMBER MEETING MINUTES – DRAFT

said there was a good example of what they were proposing in an area east of John Nolan. It was stated that the road and sidewalk would stay out of the ROW except for the segment under the USH 12/14 bridge. Mark Ovitz said that long term the City would like to see this area opened up to try to connect the project area to the downtown area.

Gary Ranum asked if the Commission had been saying it did not want anything to come inside the piers and Van Schwartz said it would depend on the width of the ROW. Nilson said the issue is that the piers were already within 30' of the track centerline and that the sidewalks would come further in. Lucht said that WSOR does not want to consider anything between the line and the piers and encouraged the group to look at different options. Asked by Lucht as to a potential start date, Jeff Kramer, Kramer Development, said the ideal start date would be next summer. Lucht then asked what the next steps would be as they already had access to the site. Kramer responded that they were concerned that west bound traffic would be locked from the site. He said it was critical to get people in and out of the downtown. He added that if the Commission were to give approval, the City would continue to work with the developers to rezone properties. In response to a question about the future of Lycon, it was stated that there was no timeline set as to when or whether Lycon would leave.

James asked if they could meet ADA requirements and the suggestion of a pedestrian underpass (under the railroad and track west of the US 12/14 bridge) was discussed. Nilson said "anything outside the piers is ok". Huntington cautioned the Commission, saying WDOT needed to get word on approvals addressing how the project would affect the piers and the US 12/14 bridge. Nilson said they were not going to be taking any action today. John Miller asked about where the pedestrian crossing might be and suggested another location. Charles Anderson asked with such a narrow street why not make it a one way and what would the City do with winter snow removal. Stetzer said it was a short span and snow would have to be moved and it would be a maintenance item the City would have to address. He agreed that it was a narrow street and with the suggestions given they could take another look at options. Gray talked about pedestrians and safeguarding the railroad from pedestrians. Ranum concurred and said there was general consensus that people will not walk a long distance to stay on a sidewalk. Van Schwartz said to "seal off the railroad corridor" for safety.

Lucht asked for an update on the Good Neighbor Trail. Mike Davis, City of Middleton, said the connection would be on a property the City wanted to annex. He said the section of the Welton property to the Capitol Brewery could be accommodated outside the rail corridor. Lucht then asked about benefits of the project to the Commission or WSOR or would it be for public benefit. Davis said it would reduce trespass and minimize traffic load on HWY 14.

Nilson called a 10 minute break at 11:12 AM
Meeting reconvened at 11:24 AM

(Tom Stetzer and others presenting on Item 15 left during the break.)

16. Encroachment and Corridor Sharing policy development - Karl Nilson, WRRTC

Nilson handed out an example of a RR Encroachment application form given him by Van Schwartz. Van Schwartz reminded the Commission that there are many encroachments coming up and said he had been looking for a standardized process to address encroachment requests. He emphasized that any process should require advance notification and that he had looked for examples of a state DOT with a written ROW encroachment policy. The example distributed was the North Carolina DOT application for the state agencies to consider encroachment. He said North Carolina was the only state mentioning encroachment in their railroad plan, adding that North Carolina's plan called for blanket protection for active rail. Nilson asked if this form was for inactive rail and if the railroad had the final say. Van Schwartz said the state owned the major railroad. He gave some background on it, adding that it was now a major corporation, noting that it was not under NCDOT control. Van Schwartz said he hoped the example would become a common standard for any encroachment. He added that in the case of the Spring Grove property issue, his attendance, mileage, printing, etc. cost the Commission \$400 and the Commission should have this information brought to it, not the Commission to encroachment requestors. He said with all the encroachments coming up, part of the process should include an application and a fee. Nilson said that if there were a formal process it might make people think that if they went "through the hoops" they could expect approval. Sweeney said he thought the application could include a process of approval or denial which would help the applicant understand the process. Huntington reminded the Commission that the Commission only had authority inside the 33' and outside that WDOT could permit. Nilson then said should all encroachments be referred to WDOT. Huntington said most encroachments did come through WDOT and WSOR before they came to WRRTC. Van Schwartz said the 33' from centerline should be public information and that that information should be part of a package for an applicant. He said WDOT could put in writing what would be helpful so applicants would not waste anyone's time on what the "ground rules" were. Huntington said up to now there had not been an abundance of formal requests so there was not anything in writing. He said something more formal could be done but that might engender more administrative rules.

WRRTC EXECUTIVE COMMITTEE SEPTEMBER MEETING MINUTES – DRAFT

There was more discussion on whether or not it would be helpful to have a more formal process. Charles Anderson asked Lucht if WATCO had a standard form for encroachment. Lucht said they did not but WATCO owned most of their lines and there was only one encroachment for recreational purposes on an inactive line. He said there was an informal process, not a formal one. Lucht added that he had been told to cooperate, noting that WATCO did not get these requests on the rest of their lines. Ranum said if there were a fee it would separate the pretenders from the active applicants. Tollers said an application would require administrative fees outside the 33'. Van Schwartz said that the cost was to the WRRTC. Tollers agreed that applicants could bring their own copies. Nilson said that he envisaged a 3 item form consisting of 1) no encroachment within 33', 2) don't like it? Go to #1, #3) over 33' got to WDOT, but he said that if Penn needed to make copies or there were additional administrative duties there should be a fee. Huntington said that there would only be a cost if it were in Illinois. He said WDOT did issue permits within the 33' if it was in a pinch point, adding that the 33' was in the Commission's agreement and within the 33' there needed Commission approval; outside 33' was up to the WDOT. Van Schwartz asked if anything within 33' went to WDOT and Huntington said yes. He also said that WSOR needed to be on board as they carried the insurance. Troy Maggied, SWWRPC, said that for a permit, the fee was for administrative purposes but there was no financial value for the administrative services. Nilson said that a permit implied you could buy something. Van Schwartz said it could be an application fee.

Lucht said the reason he was concerned about the growing encroachment requests was the definition of "pinch point". He said he was not sure what the WDOT thought was a pinch point and gave the example of the Goodman Trail as an example of a widening definition of "pinch point". He said he would like to examine the word "pinch point" because that could lead to an examination of all possible solutions to encroachment issues. He added he would like to see guidelines for recreational safety impacts and rail impacts due to encroachment. He said there needed to be more benefits from an encroachment and said applicants could build benefits into their applications so the railroad got some benefit out of it. Lucht said he thought they needed to be firm on the 33' of the centerline, and that WSOR appreciated the help from WDOT. Polivka said the 33' was a necessity and being able to define it would be helpful for applicants to know. Ranum noted that there were situations when an exception was required but in cases of convenience (i.e. Goodman Trail) the impact on safety was critical. Gray said in the case of denial they could educate applicants. There was more discussion on the issue of safety and the question of safety perception. Nilson said for now their policy would be to continue what they were doing and the Commission would not be creating an application. He said the Commission would continue to talk about the issue and said he did not want to pursue a permitting process with a fee as it implied an applicant getting permission.

Lucht asked Huntington and LeAnna B. Wall about pinch points and if WDOT thought the current applications were pinch points. Huntington said in the Goodman Trail all the trail was outside 33' except for one point under the bridge. He said the City was making the argument that if they could not build the trail along the corridor the funding would "go away" and said that the City had gone to extreme measures to stay out of the corridor. He said WDOT had not indicated what a pinch point was and they would look to WSOR for guidance because they carried the liability; WDOT was not giving ultimatums. He said the Secretary did not tell WDOT to change how they addressed encroachments. Huntington said his expectation was that WDOT would use WSOR's recommendation on any particular encroachment.

17. Consideration and Possible Approval of 2014 WRRTC Budget – Mary Penn, WRRTC Admin.

Sweeney said he had been asked for a number for Rock County's county contribution and Gray said that Jim Matzinger had made the budget but was not at the meeting due to summer hours. Gray recommended Matzinger be at the meeting adopting the budget. He said that there were some items he would like to see on the budget.

- *Motion to Table the Budget Approval and Inform Commissioners the County Contribution will not exceed \$28,000 in the 2014 budget - Gray/Sweeney, Passed Unanimously*

18. Action Item. Adjournment

- *Motion to adjourn at 12:02. Cornford/Gustina, Passed Unanimously*

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

AUGUST 25, 2013 ANNUAL MEETING

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

Absent: Weinkauf

Also present: Ten (10) Honey Lake residents.

Meeting was called to order at 1:30 p.m by Chairman Lutz

Secretary Correll read the minutes of the August 26, 2012 annual meeting which were subsequently approved. Treasurer Schwarten read the August 25, 2012 Annual Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.) Copy of meeting agenda and budget also attached.

Reports:

Chairman Lutz reported on the status of the Honey Lake roads. All are in reasonably good condition except for County Line Blvd. (east side in Racine County; west side in Walworth County) From the intersection with Hwy "FF" and "DD" to about 150 – 200 yards to the south, the road is in poor condition and needs repairs. Water settles on the roadway and then freezes during sub-freezing temps and causes breakup. The road needs to be built up to prevent future such damage. Chairman Lutz has contacted some companies but due to their present workloads, he will have to try again later in the Fall. For the benefit of those who might not be aware of how the District's "road funds" are handled, Chairman Lutz explained that they are collected via taxes, and then Racine County portions are kept by the Village of Rochester, and Walworth County portions are held by the Town of Spring Prairie until needed.

Chairman Lutz reported that the three lakes are in good shape. During past heavy storm periods, there were problems with floating logs against the dam, and the overflow from Honey Lake into Honey Creek flowed backwards due to the rise in level of the Creek....but no major damage. There is currently a problem with the "outflow" area in Lake Tahoe which will be addressed via scooping material out with a backhoe in the near future.

Old Business:

Chairman Lutz reported on the dam inspection and condition. A permanent benchmark plate with a stamped elevation figure has been installed. Dam failure analysis has been approved by the DNR. Trees and brush have been removed back 20 ft. from the spillway, and downstream vegetation also removed, both per DNR instructions. The DNR wants photos of all dam repairs and maintenance. When the boards are pulled up before Winter, they will be replaced with new boards prior to the lowering next Spring. (Specific size data in past

monthly reports) Chairman Lutz described the vandalism recently done in the dam area. The area is surrounded by 7'-8' high chain link fencing, with three (3) strands of barbed wire above. The barbed wiring has been cut, permitting individuals to climb over into the dam area. The Racine County Deputy Sheriff has been made aware of the vandalism and will patrol the area. Local residents were requested to keep their eyes open for this as well.

New Business:

"Purging Of Old HLP&R District RECORDS"

Chairman Lutz explained that, between the Chairman, the Treasurer, and the Secretary, there are LOTS of old files, records, misc correspondence etc. being retained in various locations. Each of these three (3) individuals has file cabinets and multiple boxes of "stored" material. Our Attorney has indicated that we should legally retain documents for seven (7) years, but he suggested ten (10) year's retention. All meeting agendas and minutes have been retained on disc. Retention of all "Bills of Sale", "Surveys", "Maps" will be kept in their hardcopy form. All of the other items would then be carefully checked over during the process of being discarded for possible retention. McIndoe suggested that, from this period forward, the three elected Commissioners routinely separate items to be permanently retained and those to be eventually destroyed, putting them into a yearly file for ease of discarding. After considerable discussion among the residents, it was then voted upon and approved with the proviso that such review and discarding be done every five (5) years for everything then ten (10) years old. The procedure of just "how" to discard this old material was then discussed. It was mutually agreed that "shredding" would be the best manner...but "how" and "by whom", and what might it cost? After some discussion, one of the residents indicated that he has farm friend who routinely shreds paper for animal bedding, and that he might be willing to do it for free. He will contact his friend to determine if that might possible and then get back to Chairman Lutz.

PROPOSED BUDGET FOR 2013-2014: (Copy attached on reverse side of agenda)

Chairman Lutz read the proposed budget, explaining the differences between the former and the new budgets. 2102-2013 = \$47,400; 2013-2014 = \$33,900; a reduction of \$13,500 (28.5%). After a brief discussion, the budget was approved by a voice vote from the residents. They then also voted and approved the new "Tax Levy".

ELECTION:

Chairman Lutz's three (3) year term has expired, and he had filed a nomination paper for re-election, with no opposition. A secret vote was held with Chairman Lutz receiving 12 votes for re-election, and no negative votes.

Before adjourning, one of the residents living near Lake Tahoe said that there is a house nearby which has been vacant for 4 or more years with no one maintaining the yard or the house. It was suggested that he bring the matter to the attention of the Village of Rochester for possible action, since the Honey Lake Protection and Rehabilitation District has no legal authority to do anything about the situation.

At 2:30 p.m., a motion was made and seconded to adjourn the meeting.

Subsequent to that adjournment, a special meeting was called to order during which McIndoe made a motion that all three (3) Commissioners retain their same elected positions for the next year. That motion was seconded and passed. (Standard procedure) That meeting subsequently adjourned after about one minute.

Respectfully submitted,



Robert E. McIndoe 8/25/13

P.S.: In my report of the August 20, 2013 meeting, I indicated that Treasurer Schwarten had advised Chairman Lutz that he no longer wished to be Treasurer after about November of this year.....and that Chairman Lutz had no replacement in mind at that time. After the conclusion of this afternoon's meeting, Chairman Lutz said that he has reached an agreement with a resident of Honey Lake who will take over that position. (He has considerable auditing and financial experience) When Treasurer Schwarten officially resigns, his replacement will be then appointed by the Board to fill out the remaining two (2) years of Treasurer Schwarten's term, after which he will then have to run for "re-election" if he chooses.

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

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DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

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

AUGUST 20, 2013 MONTHLY MEETING

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

Absent: Schwarten, (on Honeymoon!...87 years old!)

Also present: Racine Deputy Sheriff Cindy Milam,
and Honey Lake resident Heather Schryer, (Racine County)

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

Secretary Correll read the minutes of the July 16, 2013 monthly meeting which were subsequently approved. In Treasurer Schwarten's absence, Chairman Lutz read the July, 2013 Treasurer's Report, which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

Meeting started out with Heather Schryer explaining the problem which she and her husband are putting up with. Adjacent to their property, there is a smallish triangular-shaped parcel formed by two blacktopped roads and a gravel "path", with a grassy area in the middle. One nearby resident, Gary Kempken, has been using that area as a dump site for cardboard boxes, etc., and other debris, some of which has been coated with asphalt. (The District has a LONG history of problems with Mr. Kempken and he has been warned and cited by the Sheriff's Deputy over zoning and other violations.) In addition, other residents have also been using this site as a "depository" for grass clippings, tree branches and limbs, unwanted furniture items etc.....sometimes even burning the debris pile. Residents in that area have also been using the gravel "path" as a "roadway", with their car tires encroaching more and more upon the Schryer's property. Heather indicated that she had spent considerable time checking with Racine County and the Village of Rochester trying to determine the "ownership" of this triangular parcel. After considerable discussion, the following was resolved. Deputy Milam will again contact Mr Kempken, advising him that he is to cease using this area as a dump site. (and also re-cite him for excessive business vehicles parked at his residence). Mike Weinkauf will arrange to have Village of Rochester personnel erect metal posts around the entire area as well as signs prohibiting the use of the site as a dumping area.

Old Business:

** Kenny Mosher has been on vacation and has not, to this point, had time to address the cleaning out of the overflow area of Tahoe lake. He has, however, completed mowing of the dike areas.

** A copy of the billing from Bienemann's Tree Service was distributed, indicating the charges

for tree removal needed because of past storm damage. (Copy attached)

** Brief discussion/clarification held relative to the dam boards which will need to be replaced by 2015, as reported in the July, 2013, report. Boards need to be 3" thick and 12' long, of white oak, with 2 boards per gate for each of the 8 gates.

** There has been some vandalism in the dam area, with some restrictive wiring clipped.

** Ref: July, 2013 meeting report's indication of possible "high hazard" dam rating should any building be erected on properties owned by Mike Kasperzak next to the dam. Mike Weinkauff had checked with the Village of Rochester personnel and had been advised that the area in question is classified as a floodplain and therefore no permit would be given for erection of a building.

New Business:

(No "new business".)

Brief discussion relative to the District's Annual meeting to be held on Sunday, August 25th.

Chairman Lutz indicated that Treasurer Schwarten had advised him that he no longer wanted to function as the Treasurer after November, 2013 No potential candidates for replacement at this time.

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

A motion was then made and seconded for adjournment at 8:15 p.m.

Respectfully submitted,



Robert E. McIndoe 8/21/13

Walworth County Board of Adjustment

MINUTES

August 14, 2013 - Hearing – 8:30 AM

August 15, 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 August 14 & 15, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on August 14, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 1st Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, Nick Sigmund, Code Enforcement Office, Matt Zangl, Intern, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on August 15, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 1st Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, Matt Zangl, Intern, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Gregory E. Guidry stepped down and Elizabeth Sukala sat in for both the hearing and decision of Sugar Creek Dairy LLC – Richmond Township in order to avoid possible conflict of interest due to Gregory E. Guidry's building inspector duties in the Town of Richmond. "Sign-in" sheets listing attendees on August 14, 2013, and August 15, 2013, are kept on file as a matter of record.

The August 14, 2013, hearing was called to order by Chair John Roth at 8:30 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Gregory E. Guidry motioned to approve the agenda as printed. Seconded by Ann Seaver. Gregory E. Guidry rescinded his motion. Gregory E. Guidry motioned to approve the agenda and move item #8 (Robert S. & Jaclyn M. Luke / La Grange Township) to #3 and move the remaining hearings down. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the July 10 & 11, 2013, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, August 15, 2013. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The August 14, 2013, hearing went into recess at approximately 12:06 P.M.**

On August 15, 2013, at 8:30 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed with #5 (Sugar Creek Dairy LLC / Richmond Township) being moved to #1. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the September 11, 2013, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The August 15, 2013, decision meeting adjourned at approximately 9:46 A.M.**

Two appeals and six variance hearings were scheduled and details of the August 14, 2013, hearings and the August 15, 2013, decisions are digitally recorded and are on file and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Hearing – Count #8:36:00 – 10:17:15 / Decision – Count #8:38:45 – 8:46:25

The First Hearing (appeal) Growth Management Corporation, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Section(s) 21 – Delavan Township

Applicant is appealing the interpretation and decision of the zoning administrator that a single-family dwelling is to be used as living quarters for one family and a dwelling shall not include boarding or lodging houses, motels or hotels based on Section(s) 74-181 / 74-263 of the Walworth County Code of Ordinances – Shoreland Zoning.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that a single-family dwelling is to be used as living quarters for one family and a dwelling shall not include boarding or lodging houses, motels or hotels based on Section(s) 74-181 / 74-263 of the Walworth County Code of Ordinances – Shoreland Zoning. The applicants' interpretation is that a single-family dwelling is permitted to be used as occasional weekly, arms-length rental provided the primary use of the property is a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 14 & 15, 2013, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that a single-family dwelling is not permitted to be used as occasional weekly, arms-length rental in a single-family residence district.

A motion was made by Gregory E. Guidry to uphold the interpretation and decision of the zoning administrator. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found that the rental of a residence is a business. The Board found the County Zoning Ordinance definition of Lodge fits the rental use of this property. The Walworth County Zoning Ordinance does not permit a Lodge in the R-2A zoning district as a permitted use or a conditional use. The Board found it reasonable for residents with a residential zoning district, to not expect the rental of neighboring property. The Board determined that if a use is not listed as prohibited in a zoning district does not infer that the use is permitted. The Board found this property is rented just over five months of the year per the attorney. The Board found the owner received special licensing for local taxes at the time of purchase (2010) of the property to enable rental of the property showing the owners business intent for the property. Testimony was given regarding a recent application with the Wisconsin Department of Health Services to operate a tourist rooming house. Nick Sigmund testified on behalf of Walworth County. There was one letter of support from a renter at Vista Pointe. Three neighboring property owners and a concerned citizen from the Town of Delavan spoke in opposition.

Hearing – Count #8:36:00 – 10:17:15 / Decision – Count #8:38:45 – 8:46:25

The Second Hearing (appeal) was Vista Pointe LLC, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Section(s) 32 – Delavan Township

Applicant is appealing the interpretation and decision of the zoning administrator that a single-family dwelling is to be used as living quarters for one family and a dwelling shall not include boarding or lodging houses, motels or hotels based on Section(s) 74-181 / 74-263 of the Walworth County Code of Ordinances – Shoreland Zoning.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that a single-family dwelling is to be used as living quarters for one family and a dwelling shall not include boarding or lodging houses, motels or hotels based on Section(s) 74-181 / 74-263 of the Walworth County Code of Ordinances – Shoreland Zoning. The applicants' interpretation is that a single-family dwelling is permitted to be used as occasional weekly, arms-length rental provided the primary use of the property is a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 14 & 15, 2013, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that a single-family dwelling is to be used as living quarters for one family and a dwelling shall not include boarding or lodging houses, motels or hotels.

A motion was made by Gregory E. Guidry to uphold the interpretation and decision of the zoning administrator. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found that the rental of a residence is a business. The Board found the County Zoning Ordinance definition of Lodge fits the rental use of this property. The Walworth County Zoning Ordinance does not permit a Lodge in the R-2A zoning district as a permitted use or a conditional use. The Board found it reasonable for residents with a residential zoning district, to not expect the rental of neighboring property. The Board determined that if a use is not listed as prohibited in a zoning district does not infer that the use is permitted. The Board found this property is rented just over five months of the year per the attorney. The Board found the owner received special licensing for local taxes at the time of purchase (2011) of the property to enable rental of the property showing the owners business intent for the property. Testimony was given regarding a recent approval from the Wisconsin Department of Health Services to operate a tourist rooming house. Nick Sigmund testified on behalf of Walworth County. There was one letter of support from a renter at Vista Pointe. Three neighboring property owners and a concerned citizen from the Town of Delavan spoke in opposition.

Hearing – Count #10:57:19 – 11:03:41 / Decision – Count #8:46:26 – 8:49:23

The Third Hearing was James J. Schamne, owner – Section(s) 5 – Sugar Creek Township

Applicant is requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 20' x 20' accessory structure in the side yard of a residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 25' street yard setback and a 15' side yard setback.

VARIANCE REQUEST: The applicant is requesting a 5.6' street yard setback and 3' side yard. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 20' x 20' accessory structure in the side yard of a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of James J. Schamne, owner, voted

to **APPROVE** the request for a 5.6' street yard setback and 3' side yard.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the narrow lot being the last property on a dead-end street to be a unique property limitation. The Board found it to be an unnecessary hardship to deny the request leaving the owner no option for storage. The Board found the owner proposed to locate the accessory structure at the widest area of the property and as far as able from the lake to be as code compliant as possible. The Board found to approve the request would cause no harm to public interests as to enclose items needing storage will improve the value and aesthetics of the neighborhood. The Board found the request to be a small increment of relief. There was one letter of support from the Town of Sugar Creek. There was no opposition.

Hearing – Count #11:03:50 – 11:22:10 / Decision – Count #8:49:24 – 8:53:06

The Fourth Hearing was WW III LLC, owner / David Hillstrom, applicant – Section(s) 35 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct uncovered decks and an uncovered stoop and steps.

REQUIRED BY ORDINANCE: The Ordinance requires an uncovered deck to meet a 41.5' shore yard setback (average) and uncovered deck and stairs to meet a 3' street yard setback.

VARIANCE REQUEST: The applicants are requesting a 24' shore yard setback for an uncovered deck, a 0' street yard setback for a stoop and steps and a .5' street yard setback for an uncovered deck. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct uncovered decks and an uncovered stoop and steps.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of WW III LLC, owner / David Hillstrom, applicant, voted to **APPROVE** the request for a 24' shore yard setback for an uncovered deck, a 0' street yard setback for a stoop and steps and a .5' street yard setback for an uncovered deck.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the property to be steeply sloped with the existing residence very near the road right-of-way. The Board found it would cause unnecessary hardship to deny the request as no code compliant ingress / egress currently exists on the residence. The approved stoop and stairs to the front and the deck and stairs to the side of the residence will allow the ingress / egress needed for safety reasons. The Board found the shoreyard deck will provide safe access to the shore and that there was a deck previously located in the shoreyard. The Board found to approve the request will cause no harm to public interests.

The Board found the owner should work with conservation staff to ensure the steps down to the lake are as code compliant as possible. There was one letter of support from the Town of Whitewater. There was no opposition.

Hearing – Count #11:22:17 – 11:44:36 / Decision – Count #8:33:42 – 8:38:00

The Fifth Hearing was Sugar Creek Dairy LLC, owner / Marleen & Rick Adams, applicants – Section(s) 18 & 19 – Richmond Township

Applicants are requesting a variance from Section(s) 74-44 / 74-181 / 74-51 of Walworth County's Code of Ordinances – Zoning to construct a heifer barn and manure storage basin.

REQUIRED BY ORDINANCE: The Ordinance requires livestock structures to be 100' from all property lines.

VARIANCE REQUEST: The applicants are requesting an 83' rear yard setback for a heifer barn and a 14.5' rear yard setback for a manure storage basin. The request is a variance from Section(s) 74-44 / 74-51 of Walworth County's Code of Ordinances – Zoning to construct a heifer barn and manure storage basin.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of Sugar Creek Dairy LLC, owner / Marleen & Rick Adams, applicants, voted to **APPROVE** the request for an 83' rear yard setback for a heifer barn and a 14.5' rear yard setback for a manure storage basin.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the owner had limited options for placement of the proposed heifer barn and manure storage basin on the small property. The Board found to approve the request will allow upgrading and improved maintenance of the existing farm operation. The Board found no harm to public interests. The Board found the owner considered the neighbors as much as possible when proposing a location for the manure pit. The Board found ag operations are regulated by State and County agencies to ensure codes are followed. The Board found the manure product will benefit neighboring agricultural properties and the farming community in general. There was one letter of support from the Town of Richmond. Two people spoke in support. There was one letter of opposition. Two people spoke in opposition.

Hearing – Count #11:44:37 – 11:49:49 / Decision – Count #8:53:07 – 8:56:36

The Sixth Hearing was Jason C. & Kirsten M. Eck and Martin A. Badt, owners / Joint School District No 4, Ed Brzinski, applicant – Section(s) 34 – Geneva Township

Applicants are requesting a variance from Section(s) 74-66(4) of Walworth County's Code of Ordinances – Zoning to construct a utility building to house well equipment.

REQUIRED BY ORDINANCE: The Ordinance requires a utility building (shed housing well equipment) to be 50' from lot lines.

VARIANCE REQUEST: The applicants are requesting to be as close as 7' to lot lines with a utility building. The request is a variance from Section(s) 74-66(4) of Walworth County's Code of Ordinances – Zoning to construct a utility building to house well equipment.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of Jason C. & Kirsten M. Eck and Martin A. Badt, owners / Joint School District No 4, Ed Brzinski, applicant, voted to **APPROVE** the request to be as close as 7' to lot lines with a utility building, subject to Conditional Use approval.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the well exists and a school is serviced by the well. The Board found to approve the request would improve safety in maintenance of the well via a pump house rather than the existing well pit. The Board found to approve the request would extend the life of the equipment in the pump house. The Board found to approve the request would benefit public interests in keeping the school viable. There was one letter of support from the Town of Geneva. There was no opposition.

Hearing – Count #11:49:50 – 12:06:15 / Decision – Count #8:56:37 – 9:05:25

The Seventh Hearing was Okoboji LLC, owner / V3 Builders Inc., applicant – Section(s) 25 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to replace deck and add a screen room addition to a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 71.8' shore yard setback (average).

VARIANCE REQUEST: The applicants are requesting a 49.5' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to replace deck and add a screen room addition to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of Okoboji LLC, owner / V3 Builders, Inc., applicant, voted to **APPROVE** the request for a 49.5' shore yard setback.

A motion was made by Gregory E. Guidry to approve the variance request to replace the deck and the addition of the screen porch on top of the deck as presented. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the steep slope in the shore yard to be a unique property limitation. The Board found to approve the variance request would permit the owner to bring the unsafe existing deck up to code and the screen room will be in the footprint of the existing deck. The Board found to approve the request would cause no harm to public interests as vegetation obstructs the view of the deck and screen room. The Board found

the owner has support for the project from neighbors and from the Town. The Board found to approve the request would not harm the public's interest in navigable waters. There were three letters of support. One person spoke in support. There was no opposition.

Hearing – Count #10:18:30 – 10:52:18 / Decision – Count #9:05:26 – 9:44:30

The Eighth Hearing was Robert S. & Jaclyn M. Luke, owners / Attorney Richard W. Torhorst, applicant – Section(s) 35 & 36 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of retaining walls, stone patio, play set, stone pavers, stone steps, brick patio and a storage bin and to permit the construction of a flagstone walkway in the shore yard.

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

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback for all structures, only permits retaining walls where necessary to control erosion and walkways only where necessary due to steep slopes or wet, unstable soils.

VARIANCE REQUEST: The applicants are requesting retaining walls within the shore yard setback with the closest structure having an approximate 56' shore yard setback, an approximate 224 square foot play set with an approximate 20.5' shore yard setback, stone steps with the closest structure having an approximate 60' shore yard setback, stone paver walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 58' shore yard setback, stone patio with the closest structure having an approximate 67' shore yard setback, flagstone walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 15' shore yard setback, a stone patio with the closest structure having an approximate 0' shore yard setback, a brick patio with the closest structure having an approximate 73' shore yard setback and a 9.3' x 2.5' storage bin with an approximate 20' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of retaining walls, stone patio, play set, stone pavers, stone steps, brick patio and a storage bin and to permit the construction of a flagstone walkway in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 14 & 15, 2013, for the petition of Robert S. & Jaclyn M. Luke, owners / Attorney Richard W. Torhorst, applicant, voted to **APPROVE** the request for retaining walls within the shore yard setback with the closest structure having an approximate 56' shore yard setback, voted to **DENY** (2 – 1) an approximate 224 square foot play set with an approximate 20.5' shore yard setback, voted to **APPROVE** stone steps with the closest structure having an approximate 60' shore yard setback, voted to **APPROVE** stone paver walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 58' shore yard setback, voted to **APPROVE** stone patio with the closest structure having an approximate 67' shore yard setback, voted to **DENY** (2 – 1) flagstone walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 15' shore yard setback, voted to **APPROVE** a stone patio with the closest structure having an approximate 0' shore yard setback,

voted to **APPROVE** a brick patio with the closest structure having an approximate 73' shore yard setback and voted to **APPROVE** a 9.3' x 2.5' storage bin with an approximate 20' shore yard setback.

A motion was made by Gregory E. Guidry to approve the variance request for retaining walls within the shore yard setback with the closest structure having an approximate 56' shore yard setback. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose

APPROVAL of retaining walls within the shore yard setback with the closest structure having an approximate 56' shore yard setback: The Board found the retaining walls existed at the time of purchase, therefore hardship was not self-created. The Board found to approve the request would eliminate the need to remove the retaining walls and replace them with stairs for the necessary ingress / egress. The Board found to deny the request would harm public interests in navigable waters in requiring disturbance of land around the lake to obtain the necessary ingress / egress.

A motion was made by Ann Seaver to deny the variance request for an approximate 224 square foot play set with an approximate 20.5' shore yard setback. Seconded by John Roth. Motion carried. 2-favor (John Roth / Ann Seaver) 1-oppose (Gregory E. Guidry)

DENIAL of approximate 224 square foot play set with an approximate 20.5' shore yard setback: The Board found it is not necessary to locate the structure in the shore yard. The Board found the owner did not prove circumstances unique to the property. The Board found to approve the request would set a precedent.

A motion was made by Gregory E. Guidry to approve the stone steps with the closest structure having an approximate 60' shore yard setback, and the stone paver walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 58' shore yard setback. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

APPROVAL of stone steps with the closest structure having an approximate 60' shore yard setback / stone paver walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 58' shore yard setback / stone patio with the closest structure having an approximate 67' shore yard setback: The Board found to approve the requests would allow the ingress / egress necessary for the dwelling unit. The Board found approval of the structures keeps a reasonable grade for the ingress / egress. The Board found to deny the request and require removal of the structures would cause unnecessary hardship and create shoreland disturbance.

A motion was made by Gregory E. Guidry to approve the stone patio with the closest structure having an approximate 67' shore yard setback. Seconded by Ann Seaver. Motion carried 3-favor 0-oppose

APPROVAL of stone steps with the closest structure having an approximate 60' shore yard setback / stone paver walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 58' shore yard setback / stone patio with the closest structure having an approximate 67' shore yard setback: The Board found to approve the requests would allow the

ingress / egress necessary for the dwelling unit. The Board found approval of the structures keeps a reasonable grade for the ingress / egress. The Board found to deny the request and require removal of the structures would cause unnecessary hardship and create shoreland disturbance.

A motion was made by Gregory E. Guidry to deny the flagstone walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 15' shore yard setback. Seconded by Ann Seaver. Motion carried. 2-favor (Gregory E. Guidry / Ann Seaver) 1-oppose (John Roth)

DENIAL of flagstone walkway (not on steep slopes or unstable soils) with the closest structure having an approximate 15' shore yard setback: The Board found the property owner did not prove exceptional or unique circumstances to the property. The Board found the slope is not steep enough to justify approval of the variance request. The Board found to deny the request would not cause unnecessary hardship.

A motion was made by John Roth to approve a stone patio with the closest structure having an approximate 0' shore yard setback. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

APPROVAL of a stone patio with the closest structure having an approximate 0' shore yard setback: The Board determined that a patio did exist in this approximate location prior to replacing the patio. The Board found to deny the request would be an unnecessary hardship as the owner would not have a safe landing for the pier. The Board found to deny the request and require the removal of the structure so close to the shore would cause harm to the public's interest in navigable waters.

A motion was made by Gregory E. Guidry to approve the brick patio with the closest structure having an approximate 73' shore yard setback. Seconded by John Roth. Motion carried. 3-favor 0-oppose

APPROVAL of a brick patio with the closest structure having an approximate 73' shore yard setback: The Board found the structure to be existing. The Board found the variance request to be a small increment of relief. The Board found the owner had received Walworth County zoning permit approval for the pool and the additional patio was an error.

A motion was made by Gregory E. Guidry to deny the 9.3' x 2.5' storage bin with an approximate 20' shore yard setback. Seconded by Ann Seaver. Motion failed. 0-favor 3-oppose

A motion was made by Gregory E. Guidry to approve the 9.3' x 2.5' storage bin with an approximate 20' shore yard setback. Seconded by John Roth. Motion carried. 3-favor 0-oppose

APPROVAL of a 9.3' x 2.5' storage bin with an approximate 20' shore yard setback: The Board found it would be an unnecessary hardship to not have marine equipment storage. The Board found to require the structure to be relocated would not allow marine equipment storage where it is needed. The Board found to approve the request will allow safe storage that is aesthetically

pleasing.

Other

- A. 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 September 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.

BOARD OF ADJUSTMENT HEARING

Wednesday, August 14, 2013

PLEASE SIGN IN

NAME (Please Print)	ADDRESS (Please Print)	TOWNSHIP & PHONE NUMBER (Please Print)
Franklin B. Jones	312 Summer St	Delavan 728-2309
Chad Bock	W5162 Stewart Dr	Labronse 262-215-4200
Sandra Cutler	3302 Bay Rd., Delavan	(262) 728-4552
JAN WILLIAMS	3306 Bay Rd. Delavan	262-740-1060
Rick & Marleen Adams	N5633 Cty O Elkton	262-728-0702
GLORIA STODOLN	3307 Bay Rd, DELAVAN	262.728.9930
ROBERT HOLLAND	N 7618 RIDGE ROAD	WHITWATER 262-472-0958
Rose Holland	N 7618 Ridge Road	Whitewater 262.472.0958
JAMES SCHAMNE	W6686 BARKERS RD.	SUGAR CREEK 262-742-3388
DAVID HICKSTROM	N 7630 RIDGE RD	WHITWATER 262-472-9068
Nicholas Sigmund	LURM	
WALTER LARSEN	W9437 Co. A	DELEVAN 608-887-2635
James Boehning	N 7552 CO. O	WHITWATER 262-49-8200
Heidi Kennedy	101 S Webster St. ^{Madison} WI	608-261-6430
Joe Pakis	N7729 Laura Lane	312.771.6666 Labronse
Andria Murdock	839 N. Jefferson St	Milwaukee 414-732-2424
Jan Moore	8521 Augusta Dr	Lincoln, NE 68526
Roger Moore	11 11	11 11
Ed Krzinski	N2731 Skyline Dr. G	Lake Geneva WI 262-248-84
Dan Boy	W8667-R.D. Rd.	Delavan WI
Chris Boss	W8805 - R4D Tomlin Rd	Delavan WI
Don Henderson	N7730 Laura Ln Elk	LABRONS 262 742 4970
Richard Torhorst	500 Commercial Ct	Lake Geneva WI 248-3333
ROBERT LUKS	W5332 ISLAND Way	ELKTON. WI 620-547-9789
Laura Lyons	402 S. Rice St	WHITEWATER WI 249-071
NISA MAE BEAULT (myself)	3307 Bay Rd DELAVAN	109-977-2300

**Walworth County Human Resources Committee
and
Children with Disabilities Education Board**

**Joint Meeting
MINUTES**

August 15, 2013 – 3:45 p.m.
County Board Room 114 – Government Center
Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 3:45 p.m. by CDEB Chairperson Weber.

Roll call – In attendance were HR Chairperson Brandl, CDEB Chairperson Weber, HR Vice Chairperson/CDEB Secretary Grant and Supervisors Redenius, Monroe, Brellenthin, Schiefelbein and Schaefer. A quorum of both committees was declared.

Others present – Supervisor Nancy Russell; David Bretl, County Administrator; Suzanne Diestelmann, Assistant Director – Special Education.

Approval of the agenda was moved and seconded by Supervisors Brandl and Schaefer, with no withdrawals, and carried unanimously.

Public comment period – none

Res. No. 45-08/13 Approving a Collective Bargaining Agreement By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2013 to June 30, 2014. Chairperson Weber questioned the one-year term. Bretl explained that part of the intent is for the school to begin using a performance-based pay system for evaluations. Once that is up and running, the County may seek longer contracts. Diestelmann reiterated Bretl's statements.

Supervisors Monroe and Schaefer moved and seconded approval of Res. No. 45-08/13 Approving a Collective Bargaining Agreement By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2013 to June 30, 2014. The motion carried 5 – 0 (CDEB).

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of Res. No. 45-08/13 Approving a Collective Bargaining Agreement By and Between Walworth County and the Walworth County Children with Disabilities Education Board and Lakeland Education Association for the Period of July 1, 2013 to June 30, 2014. The motion carried 5 – 0 (Human Resources Committee).

Chairpersons Brandl and Weber did not have any announcements.

Adjournment. On motion and second by Supervisors Monroe and Grant, Chairperson Weber adjourned the meeting at approximately 3:50 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

FULL COMMISSION MEETING - FRIDAY, AUGUST 9TH, 2013 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:02 AM **Call to Order – Karl Nilson, Chair**

Nilson called the meeting to order and then introduced Dick Mace to the group as the newest WRRTC Commissioner. Mr. Mace spoke briefly about his history with Waukesha County.

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)	excused
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Terry Thomas (10:18)	x
	Jim Haefs-Fleming	excused		Marty Krueger, Alternate	
	Chris James	x		Carol Held	x
				John Miller (10:09)	x
Grant	Gary Ranum	x	Walworth	Dennis Polivka, Asst. Secretary	x
	Vern Lewison	x		Jerry Grant	excused
	Robert Scallon, 2 nd Vice Chair (XCom)	x		Richard Kuhnke, 4 th Vice Chair (XCom)	x
				Allan Polyock	absent
Iowa	Charles Anderson, Secretary (XCom)	x	Waukesha	Karl Nilson, Chair (XCom)	x
	William G Ladewig	x		Dick Mace	x
	Jack Demby	x		Fritz Ruf	excused

The Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> Mary Penn, WRRTC Administrator Kim Tollers, Frank Huntington, LeAnna Walls, Roger Larson, WDOT Derrick and Justin Owen 	<ul style="list-style-type: none"> Kim Erdmann, WEDO Ken Lucht, Roger Schalma, WSOR Alan Anderson, Pink Lady RTC
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3. Action Item. **Certification of Meeting's Public Notice – Noticed by Penn**
 • Motion to approve public notice of meeting – Gustina/Polivka, Passed Unanimously

4. Action Item. **Approval of Agenda – Prepared by Penn**
 • Motion to approve agenda – Kuhnke/Cornford, Passed Unanimously

5. Action Item. **Approval of draft July Meeting Minutes – Prepared by Penn**
 • Motion to approve draft July Meeting Minutes with amendments – Held/Ranum, Passed Unanimously

6. Updates. **Public Comment – Time for public comment may be limited by the Chair**
 No comments.

7. Updates. **Correspondence & Communications – Discussion may be limited by the Chair**
 Penn listed the past month's correspondence and distributed an article from The New Railway Age from Forrest Van Schwartz.

8. Updates. Announcements by Commissioners – No Discussion Permitted

Jack Demby said he had been told by the Iowa County Administrator that the TIGER VI Grant awards are pending, and thanked Ken Lucht for his help in answering some questions about tracks in Arena. Gene Gray passed around a photo showing flooding during the 1950's along the track.

REPORTS & COMMISSION BUSINESS

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

- Treasurer's Report for July and Payment of Bills

Checks included

- SWWRPC, 2013 Q1 revised
- Mileage, Global Transportation Consulting (Forrest)
- UW Board of Regents, Final Study payment
- McHenry Co., 2nd installment taxes (due 9/5/13)
- SWWRPC, 2012 Quarters 1 & 2

Gene Gray gave the Treasurer's Report and told the Commission there had been a late fee for McHenry County tax payment because the Commission did not meet in June and no one realized the due date would be before the next meeting. He also explained that the SWWRPC Q1/Q2, 2012 check was due to changes in personnel and proposed that the Commission be billed quarterly, as well as establish a policy of Jim Matzinger paying bills as they come due to prevent the penalty check issue with approval for any such bills to be done at the next scheduled meeting. Karl Nilson explained to new Commissioner Dick Mace how Matzinger worked with the Commission and agreed with the suggestion of the process for the Treasurer and Accountant to pay in case of a missed meeting.

- *Motion to approve the Treasurer's Report and payment of bills – Anderson/Scallon, Passed Unanimously*
- *Motion to approve payment of bills in the normal course of business and time sensitive manner to avoid penalties, Scallon/Mace, 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 introduced Roger Schaalma who is replacing Ben Meighan. He said the rail detector was out and working in WRRTC territory as well as the brush cutter. On the Prairie sub he said they were very busy trying to find capacity between Avoca and Prairie du Chien, noting that a passing siding was being looked at (passing tracks as well as loading tracks). He said that as of this morning (8/9/13) WSOR was going to bid on the Wauzeka Bridge over the Kickapoo River. Schaalma spoke about this bridge's needs, including more water capacity, which would require raising the bridge. Lucht spoke of the new hires WSOR has made, referencing his comments from the July meeting. These new hires were a result of lack of service to customers and Watco decided that there needed to be more capacity. Lucht said that about half were local hires. He said that possibly there would be more hires in the 4th quarter. Schaalma spoke about the flooding damage on the Prairie sub and the corrections needed on that line. Bill Ladewig asked if WSOR would have to buy land for the possible siding, and Lucht said not for this one but perhaps in the future. Lucht then discussed the possibilities for WSOR buying land for a siding versus WRRTC buying it. Alan Anderson asked about the cost of the Wauzeka Bridge. Bob Scallon asked about the siding location on the Prairie sub but Lucht said the sight had not yet been identified, but added that it was proposed to be 8500' and there were not many places where this would be possible.

11. Presentation / Consideration / Possible Action – WSOR's 5-year Capital Plan – Ken Lucht, WSOR

Lucht distributed a handout listing the projects for the WRRTC 5-year Capital Plan. He showed a power-point outlining the plan, noting specifics for each project. He said that the 5-year Capital Plan development began when WSOR was acquired by Watco. He said that WSOR would continue to rely on state dollars for public rail infrastructure. He also emphasized that they would continue with the private/public partnership that has endured for over 30 years. Using a map, he pointed out the WSOR sub system, telling the group to ask questions if need be. Sub by sub, Lucht described the different needs and projects per subdivision. Mace asked about the possibility of the purchase of the Reedsburg line and Lucht said that WDOT was in negotiations to do so and that WDOT personnel at the meeting would speak to that.

WRRTC FULL COMMISSION AUGUST MEETING – DRAFT

The power-point showed capital expenditures and Lucht emphasized that the information shown was for capital projects, not routine maintenance. The overall cost of the plan was \$185M with 20% contributed by WSOR and 80% from the State, with third party contributions at \$4.4 M. Lucht walked the group through the total costs for growth projects (\$61M) with carryover projects amounting to \$9.7M. He said that WSOR was assuming the growth and maintenance projects would lead to Class 2 rails for all projects. He reiterated that this plan had been written in recognition that they could only plan with today's information and could not know projects that might come up from unforeseen event. Mace asked about bridge management and bridge inspection. Schaalma explained the ongoing bridge inspection process.

Sub by sub, Lucht explained the specific projects. Projects including new ties, new crossings, bridges, surfacing, switches, etc. He said the primary cost for projects for Continuous Welded Rail (CWR) was high. Schaalma spoke about the work currently underway on the Fox Lake Sub, saying there were 5 bridges going into engineering at this time. Lucht said bridge replacements had been scheduled in Illinois, none of which were eligible for state or WRRTC contributions and would be paid entirely by WSOR. Nilson explained that all the Illinois ROW is owned by the WRRTC, not the State.

Lucht said in 2013 he had asked that the WRRTC contribution be dedicated to GWR. He said the Capital Plan listed the WRRTC as contributor to CWR projects.

Madison sub: Lucht said it had all new rail, with some bridges and surfacing work remaining. Schaalma said the bridge work was scheduled to be completed by the end of September and thus close out the project. He added that there was some more bridge work and surfacing work within the 5 year plan to maintain what had been put in. Mace asked about the train that had stopped traffic in Madison earlier in the summer and whether a radio controlled switch would address this problem and Schaalma said it would. Lucht said WSOR was trying to plan for the Commission to tour the Madison sub either this fall or next spring.

Oregon sub: Lucht talked about the reinstatement of service to serve a concrete manufacturer in Oregon that was required to use rail for shipping. He said the municipalities had turned over operating authority in order to expedite this project but it would probably be next spring before that track would be operational.

Prairie sub: Lucht said it is the longest sub WSOR has and that business in the last five years had gone up dramatically with grain, lumber, sand and gravel, and some plastics with the result that this sub had developed into a mainline with a growing customer base. He noted that a couple of major bridges are on this track that WSOR was watching for needed repair and maintenance. In view of long term capacity it could lead to possible land acquisition. New ballast, CWR, and new ties were all in the offing and would help make this sub a strong class 2 status. He said if the TIGER VI grant came thru, that would greatly help in funding. Scallon asked about the Woodman Bridge. Schaalma said there was some work ongoing on two Woodman bridges. Mace asked if it were possible to raise bridges or get the track out of the 100 yr flood plain. Schaalma said that some bridges could be raised (as in Wauzeka) but there was general consensus that moving the tracks out of the floodplain would not be possible.

Reedsburg sub: Lucht said the biggest cost was the possible acquisition which they estimated as \$35M with \$2M estimated as a local match, based on some inferences of local land values and UP's infrastructure value, adding that those amounts were "guesstimates". He also said that in 2016 there was capital expected to go into the Merrimac Bridge to extend its life another 10 years. He said this was good news for Sauk and Dane counties since customers in those counties depended on that line.

Sauk sub: there was no capital plans on this sub because there were no customers but Lucht said WSOR would continue to market on that line.

Watertown sub: Lucht said that line had not received any state funding since acquisition. He said currently it was below Class 1 status and currently they were doing some tie replacement and bridge repairs. He said CWR was not scheduled since the market did not warrant it. The intention was to get it to Class 2 status so train speeds could go up.

Waukesha sub: Lucht said there was some concern about this sub due to high traffic, track speeds, and tie conditions which were creating some inefficiencies. He said there was a pending grant application on this project which would be mostly rail and some bridge work (carryover). He said this would require new switches. Forrest Van Schwartz said that WRRTC owned 2.5 miles of track through Waukesha and it was all CWR. Schaalma said a track resurfacers had been installed to protect the CWR investment.

Anderson asked about the amount of state funds received and how would that affect the projects if the TIGER VI grant did not come through. Lucht said the Capital Plan was not developed based on funding.

WRRTC FULL COMMISSION AUGUST MEETING – DRAFT

John Miller asked what sort of revenue had been collected via Merrimac and was told that traffic was up as was revenue. Anderson said Sauk County (Pink Lady RTC) would be doing an economic study this fall to show revenues.

Nilson called a break at 11:09 AM

Meeting was reconvened at 11:19 AM (Roger Schaalma left during the break.)

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

Frank Huntington gave his report and said that negotiations were continuing with UP on price for the Reedsburg line. He said was a sizeable amount of money available for acquisition and projects. He talked about other projects currently ongoing in the State, including track replacements, engineering for potential projects, and line rehabilitation. He said there were a number of carryover projects finishing up and a lot of bridge projects statewide (around 60) which was work for the next few years.

Mace asked questions about the Sheboygan Falls project and there was discussion about various lines near SheyboGAN and their status. Kim Tollers said that one of the tracks in Sheboygan had become a trail. Ladewig asked about project costs and how they were applied but Huntington said they were holding off on awards until the Reedsburg acquisition was closer to completion. He said after the Reedsburg line WDOT would reevaluate priorities.

Terry Thomas asked how many RTC's Huntington worked with in the state and was told there were about either and that WDOT tried to work with all of them. Vern Lewison asked about the Mineral Point to Monroe line and ownership and was told it was a Rails-to Trails corridor.

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

Penn reiterated the reason behind the first tax installment to McHenry County being late. She then said she had gotten a WRRTC brochure/ newsletter from Ken Lucht that had been done by SWWRPC in 2004 and said she would be making it an agenda item for the next meeting to discuss the possibility of creating a new newsletter and if so, its timeline and audience. She told the Commission she would no longer be including adopted meeting minutes in meeting packets due to rising postage costs. Adopted meeting minutes would be available on the website but she noted that the website has been experiencing problems and she was trying to resolve them to get meeting information online in a timely manner. She said she had worked with Sauk County on meeting their budget request and schedule and thanked Dennis Polivka for volunteering to present the WRRTC's request to the Sauk County budget review body.

14. **Blivin Street Depot, Spring Grove, IL- Fuel Storage and Fence, Public Hearing update** – *Forrest Van Schwartz, Consultant*

Penn distributed Van Schwartz's Spring Grove Report he had written that described his visit to the public hearing in regard to a rezoning request on property adjoining WRRTC property. He said the planning and zoning board had developed a plat map and discovered substantial encroachments that had been put in by the Milwaukee Road sometime in the past of which no documentation could be found and was probably done prior to the creation of the WRRTC. He said that the present fence had isolated the property from the ROW. As a result of Van Schwartz's conversation with the village, the petitioner will erect a fence on their own property to protect their investment. This would also isolate the petitioner's propane storage tanks from the ROW. Van Schwartz said that he would like to get the old fence removed sometime in the future and had talked to WSOR about the possibility of them removing it. Van Schwartz said he had re-sent a message to the petitioner, cautioning them not reenter the property and not to take down the fence. He said that in the past there had been issues between the WRRTC and the Village but he was happy to report that the Village has been very good to work with and that Fish Hatchery Road has been completed and that issue nicely resolved. All the communications had been recorded and were on the record. Nilson thanked him for his efforts and said that since Eileen was not able to advocate for the WRRTC in Illinois, it was good that Van Schwartz was willing to go and advocate on the RTC's behalf. Mace asked about the distance of propane tanks from the ROW and Forrest said that Illinois had no required setback for freight rail but the current location of the tanks was far enough back to protect the track. Ladewig asked if a motion was needed to get rid of the fence but Nilson said it was a maintenance issue.

15. **Encroachment and Corridor Sharing policy development** – *Karl Nilson, WRRTC*

Penn distributed a list of proposed line share projects. Nilson explained the background of the issue, particularly trespassing issues that have developed over time. He asked Frank Huntington to give some background on this issue, adding that previous issues with track encroachment had sponsored this discussion, as railroads are an attractive nuisance.

Lucht spoke about trespassers and the fact that railroad corridors are for trains. He said that in the last couple of years there have been many proposals by municipalities and he anticipated there would be a lot more new proposals coming to the Commission in the future. He gave some examples of trespassing WSOR has experienced and said as more people move along the corridor, the more trespassing incidents would occur. He said exposure to damages, liability, future capacity, and safety are the paramount considerations when

working on possible encroachment proposals. He said the fact that more federal money for pedestrian transportation projects was available might be behind the number of upcoming proposals. There was a great deal of discussion about the issue. The issue of assumed liability on the part of the railroad and the lack on the part of the City of Madison to post or fence the railroad was brought up. There also were comments about the public's perception that railroad are public parks. Chris James made a point of the linear corridors available to the County and said that a one-size-fits all policy from the WRRTC would not work and hoped that there would be flexibility in any potential policy. He also talked about the Recreational Immunity Act (RIA) and that it was state law which covered accidents on trails or other recreational locations. He said he believed and hoped that the railroads could incorporate the RIA into a policy. Mace said that perhaps the legislation should be asked to adjust the RIA to cover railroads. Huntington said that the RIA could be changed but if it were done it would perhaps open the Commission to more suits, issues, and legal fees. He also noted that outside of 33' of centerline the State could act without the WRRTC's approval. When a proposal was within the 33"ROW, WDOT and WRRTC acted in concert. He here might be more exposure if a policy would be written to make exceptions. He said in the past each proposal had been addressed on a case-by-case basis, but most of the cases had been bridges and in most cases fencing had been done. He said this had not always been cheap. In the case of rail corridors becoming trails, many proposals costs had been born by trail organizations and gave some examples of successful trails working together with the railroad. From WDOT's perspective, Huntington said there were both pros and cons to share proposals. Overall what had been handled so far had been well handled and were not easy processes. Huntington credited WSOR with their willingness to cooperate in the past and said it had been a good partner with the results of good public service and good public transportation. He said WDOT was doing everything it could to protect the corridor. Alan Anderson asked if there were any other states with public corridors that were farther along with this issue and if the RTC could look at those examples. Nilson said they would come up with a set of criteria to apply in each case. Ladewig asked about indemnification and said if there were lots of exceptions, indemnification would "go out the window". He suggested there not be any allowances within the 33'. Huntington said in some parts of the railroad the ROW was not 33': in some cases it was less and in other cases (e.g. bridges, historical buildings, century-old trees, safety issues) encroachment had been the only solution. Lucht asked what the definition of a pinch point was and commended WDOT for considering WSOR when proposals like this came up. He said the case by case basis was good but now the proposals were evolving to create "pinch points within a pinch point" situations. In the past, he said, most of the proposals were single points but now there were more and this was disturbing. He recommended the definitions be "ironed out". He said if the Goodman path was approved in its entirety it would establish a disturbing precedent. Van Schwartz asked where would the proposals end. Nilson said this would be on the September agenda and said that the railroad needed to be a railroad.

16. Action Item. Adjournment

- Motion to adjourn at 12:08 PM – *Ladewig/Cornford, Passed Unanimously*

DRAFT



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, July 18, 2013**

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

The meeting was called to order by Chair Russell at 9:34 a.m.

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

Others in attendance:

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen, Jessica Lanser, Dale Wilson-Finance; Dr. David Thompson-Health & Human Services; John Orr-Information Technology; Bernie Janiszewski-Lakeland Health Care Center; Peggy Watson-Public Works; Amanda Lagle-Sheriff's Office.
- Members of the public: Ed Yaeger, Lake Geneva, WI.

Agenda withdrawals — Public Works requested that agenda Item 8A3b, budget amendment PW002, be pulled from the agenda. This project was placed on hold at the recent Public Works Committee meeting. **Supervisors Schaefer and Grant moved to amend the agenda; carried 3-0. Supervisors Schaefer and Grant moved to approve the agenda as amended; carried 3-0.**

Approval of minutes of last meeting(s) — June 20, 2013 — **Supervisors Schaefer and Grant moved to approve the minutes; carried 3-0.**

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

New Business

Discussion and possible action regarding Holton Manor financing request — Bretl recommended addressing Agenda Item 9A related to the Holton Manor financing request. Their financial consultant is awaiting our phone call to conference into today's meeting. Bretl explained that this nursing home is located in Elkhorn. The building is owned by Wisconsin Illinois Senior Housing, Inc. (WISH). They hire a manager to provide a skilled nursing facility. Several weeks ago, Bretl was approached with WISH's financing request. They are asking the County to lend its name to their bond issue. The tax code includes provisions that allow favorable tax treatment of bonds if the County were to sign on. We would not be liable to repay the debt nor would WISH's bond issue count against the County's debt limit. Municipalities previously approached by WISH were either planning to bond themselves or felt they were out of the nursing home's service area. A public hearing would be required and the County Board would need to adopt an authorizing resolution. Bretl added that we made it clear to WISH that the County should incur no liability on the

bonds, their request would be reviewed with our bond counsel, and any costs the County may incur would be reimbursed by WISH. If approved, this transaction would need to be disclosed in our annual audit.

Bretl said the company essentially plans to build a new nursing home connected to the existing Holton Manor. The money would be used for major renovations and refinancing some of their other debt. Although you could consider this a competitor to the County's Lakeland Health Care Center, it is in the public interest to have good nursing homes in the area. Additionally, there would be new jobs at Holton Manor as well as people employed in construction of the facility.

Andersen said she contacted the County's bond counsel and auditors. Assuming this issuance will be an industrial revenue bond under a specified section of the Statutes, bond counsel indicated the county would not have a liability for payback. Our auditors stated that the transaction should remain on our financial statements for the life of the bonds. Memos of Understanding were suggested to ensure that WISH provides the annual information we are required to post on our financials. Andersen added that we will submit this to bond counsel for review when more specific information is available. Bretl said we don't necessarily need to endorse the concept yet but he recommended establishing a public hearing in September and directing that appropriate resolutions and documents be submitted to the County Board.

The phone conference to Steve Fenlon, the financial consultant for WISH, was initiated. Fenlon explained that Holton Manor is a subordinated affiliate of WISH. They own 7 campuses in Wisconsin, with Elkhorn being the oldest and most outdated. Use of the County's name in bonding would gain them bank-qualified status to take advantage of additional tax incentives. Fenlon stressed that the County has no obligation. The sole and exclusive responsibility lies with WISH. Andersen said this bonding would count against our annual \$10 million limit to borrow as bank-qualified. For example, if we had issued \$8 million in road construction bonds in 2013, we could only offer \$2 million to this project. Grant asked how much of the loan would stay in the City of Elkhorn. Fenlon responded that both banks they are working with have a presence in Elkhorn but are part of a holding company. Loan results are consolidated with those of all other offices within the holding company. WISH will be refinancing about \$3 million in existing debt and \$6.4 million for construction of the Elkhorn campus project. Schaefer asked if the new owners would take on the bond if Holton Manor were to be bought out. Fenlon explained that, by entering into this loan, WISH has relinquished its autonomy to accept future sales. Their lenders would have to determine if the new buyer was a reasonable credit risk.

Russell asked if the facility would be a nursing home or assisted living. Do they currently take Medicaid patients and would they continue to do so? Fenlon responded that Holton Manor will remain a 60-bed ambulatory nursing home. The only difference will be that they are adding onto the facility. The beds will be aligned along the periphery and the center will be administrative offices and expanded physical therapy. With regard to Medicaid patients, by improving the facility, it is possible the mix of residents could change. As far as the specifics, his background is in public finance so he will refer this question to Bob Seidel, the CEO of WISH, and let Bretl know his response. He asked Russell to restate her question so he could make a note of the exact language.

She replied: 1) Will Holton Manor take Medicaid patients? 2) If someone comes in as a paying patient and subsequently goes on Medicaid, will they be allowed to stay?

Russell assumes from earlier comments that since Holton Manor is a 501(c)(3), they don't pay real estate taxes. Fenlon said his job is to arrange for an issuer and handle bank negotiations and their attorneys. He was not able to comment with regard to real estate taxes. Bretl said we can research that issue for the public hearing. Janiszewski asked if any of the proposed beds were for a locked unit for dementia patients. Fenlon will include that as a question for Bob Seidel.

Supervisor Kilkenny arrived at 10:06 a.m.

Bretl said the public hearing will be scheduled for September. Will we have all documentation available so, at the conclusion of the public hearing, the full Board can vote on the resolution? Fenlon affirmed. He hoped that the Finance Committee would make a recommendation that the Board consider approval. Russell said that will be done following the public hearing. Bretl commented that we have a full day on September 5 including the Committee of the Whole budget workshop and a public hearing for transportation at 2:30 p.m. The Board will consider the resolution at their 6 p.m. meeting. **Bretl requested a motion to establish a public hearing on September 5, to include a meeting of the Finance Committee at 3 p.m. that day, and to direct staff to ensure all necessary documents are in order prior to the public hearing. Supervisors Schaefer and Grant moved as stated; carried 4-0.**

Unfinished business

Resolution **-09/13 Adopting the Walworth County Library Plan for the Period January 1, 2013 Through December 31, 2014 — Russell commented that attachments to the Plan have now been included. **Supervisors Grant and Schaefer moved to approve the resolution; carried 4-0.**

Bretl suggested discussing the consent items next in order to free up staff time.

Consent items — Russell reminded the committee that Agenda Item 8A3b, budget amendment PW002, has already been withdrawn. **Supervisors Schaefer and Kilkenny moved to approve the consent items; carried 4-0.**

Budget amendments

Health & Human Services

- HS007 — Reflect additional state funding for 2013 income maintenance contract
- HS008 — Reflect additional state funding to support increased workload related to implementation of the Affordable Care Act for 2013

Lakeland Health Care Center

- LH001 — Transfer funds for temporary staffing and increased RN coverage

Public Works

- PW001 — Transfer funds for Health and Human Services (HHS) elevator “B” replacement
- PW002 — Transfer funds for the Public Works automated timekeeping project
[*By earlier motion, this item was withdrawn from the agenda.*]

Bids/contracts

- Countywide life insurance

Reports

- Quarterly delinquent tax report – 2nd quarter 2013
- Quarterly property loss report – 2nd quarter 2013
- Update on tax incremental financing (TIF) district(s)
- Out-of-state travel
 - Health & Human Services
 - Mahin Para-Cremer, Behavioral Health Association for Behavior Analysis Conference, Minneapolis, MN
 - Sheriff’s Office
 - Michael Lambert & Robert Craig, Mobile Forensics World Conference, Myrtle Beach, SC
 - Troy Anhalt, Sniper Supervisor Course, Fischers, IN
 - UW-Extension
 - Colleen Lesniak, National Conference on Volunteering and Service, Washington, DC

Unfinished Business

Discussion and possible action regarding special assessments — This item was included on today’s agenda to keep the issue moving forward, according to Bretl. The committee expressed concern in the past with regard to settling specials. For example, TIF developments require a certain level of assessed valuation which municipalities could add as a special assessment if the valuation is not achieved. Those could be large amounts. By statute, settling specials is “all or nothing.” We cannot pick and choose which ones we will settle. In 2010, we contacted state legislators seeking an option to settle specials under \$5,000, however, no legislative changes resulted. Bretl said Etzel was unable to attend today’s meeting. He recommended delaying action until she’s had an opportunity to deal with questions/concerns of local treasurers. In order to discontinue settling specials, we must determine how much notice to give municipalities and how to make the transition. There are pros and cons. If we decide the change will happen in 3 years, for example, we could see a lot of large assessments coming through. On the other hand, municipalities need time to figure out their budgets. There has been concern about the potential for large specials. We don’t know what’s out there because they’re contained within developer agreements. Even the more common specials can be cause for concern. Some property owners have very large sewer assessments, for example. It may be time to give serious consideration to discontinuing our practice of settling special assessments. Orr stated that the new tax software recently implemented is able to handle the necessary transactions.

Kilkenny asked if we could enact the policy change effective for the 2013 tax rolls that will be coming out in December. Bretl replied that the Statutes require taking affirmative action to settle. Historically, the Board would pass a resolution in November or December indicating the county would settle special assessments for the upcoming year. In 1994, the annual resolution was amended to the continuing resolution under which we currently operate. A motion to rescind that resolution would be required to discontinue settling specials. Bretl added that he was not able to find anything regarding the timing of our notice to the municipalities other than the following language in Wis. Stats. 74.29: "A county may, by resolution adopted by the county board, direct the county treasurer to pay in full to the proper treasurer all special assessments and special charges included in the tax roll which have not previously been paid to, or retained by, the proper treasurer." Schaefer asked how much, overall, the county settles with the municipalities. Andersen would have to ask the treasurer for that figure. Bretl said we have been settling specials since the 1960's. If there is concern that we may get large bills, you could set a dollar limit for the upcoming year as a transitional rule, with the understanding that some counties settle some specials but not all, and that the Department of Revenue says the practice is probably suspect. He was not sure who would enforce that.

Kilkenny feels we owe it to county taxpayers to discontinue settling specials as soon as it is practical. Russell added that when we first started doing this, specials were small amounts and not a lot of risk to the county. That has changed dramatically, especially with TIF districts. It is probably too late for the 2013 tax bills but she thinks we should notify all municipalities that the county will discontinue settling specials with the 2014 tax bill that would be paid in 2015. Schaefer asked if the municipalities would then have to budget to pay sanitary districts. They may not have the cash flow. Bretl doesn't know the relationship between the districts and the municipalities. Grant asked if we could set a maximum amount for specials that we would pay in 2014 against any one property or district and notify municipalities that we will discontinue settling specials in 2015. Setting the limit would be a good way to protect us for 2014. Bretl replied that a number of counties set limits but the Department of Revenue indicates either settling all specials or none. Kilkenny asked Bretl to clarify the process. Bretl said rescinding the existing continuing resolution would remove the treasurer's authority to settle specials. He added that Etzel may be concerned about doing this at the same time we are implementing the new tax software. Orr thinks Etzel may have half of the municipalities signed up. The property lister is using the new software and we will be using it to run tax bills this year. Bretl promised to get Etzel's input so he suggested drafting a resolution rescinding the earlier one and waiting for her comments. We already know we will settle with the municipalities on August 20. Schaefer requested that the treasurer report to the committee what each municipality is being paid. Bretl will forward that request. Russell thinks the resolution should be worded to inform the municipalities that the county will not accept specials after the cut-off date. They might not understand what rescinding the previous resolution means. **Supervisor Kilkenny moved to carry this topic over to the September Finance Committee meeting. Supervisor Schaefer seconded the motion.** Grant suggested sending a letter to the municipalities so they can budget accordingly. Bretl agreed. Let them know that this issue will go to the County Board in October so they can keep it in mind when preparing their budgets. We might bring people in to the next Finance Committee meeting to hear their opinions. **Supervisor Kilkenny**

amended his motion to direct staff to notify municipalities of the county's history with the continuing resolution since 1994, indicate the effect that rescinding that resolution would have, and carry the topic over to the September Finance Committee meeting. We have a duty to the county taxpayers but also need to let the municipalities know what we are contemplating. **Supervisor Grant seconded the motion.** Bretl was concerned that there would be an assumption we will discontinue settling specials as soon as possible. If the majority of the committee feels we should delay until 2014, we could include that in our letter. He will talk to the treasurer regarding whom to notify. There are additional taxing entities such as sewer districts. **Motion carried 4-0.**

Discussion and possible action relating to tax incremental financing (TIF) districts — Bretl distributed a draft ordinance which includes changes requested at last month's meeting. The first section is already codified. It identifies factors the comptroller takes into account when evaluating a TIF plan or amendment to a plan. The comptroller is the County Board's appointed representative to TIF joint review boards (JRB). As such, she needs to be able to exercise discretion to vote based on factors the County Board wants her to take into account. There may be provisions in a TIF plan that would be "deal killers" because they remove our authority to review the plan and allow the municipality sole discretion to make changes. Additionally, we can't exercise oversight on behalf of the taxpayers if we are not adequately informed. The third section relates to communication with the other JRB members. If our representative can analyze plan information in advance, it can be furnished to the other members for their consideration.

With regard to the proposed Sec. 62-104(2)(b), Lanser said she will not know if annual reports have been filed with the State. She only knows whether we receive them. She asked that the language be amended to indicate that the county has received the reports rather than the State. Andersen suggested deleting 62-104(2)(b). Bretl agreed. He noted that 62-104(7) was changed to include information being provided in advance of JRB meetings. Grant asked if we wanted to include a specific number of days. Lanser said she often has sufficient notice of meetings but the project plan may not be distributed until the day of the meeting or shortly before. Plans don't include a lot of information. She may not know much until she gets to the first JRB meeting and hears what the project is actually about. Sometimes the municipality schedules the JRB meeting, the public hearing, and the Plan Commission meeting for the same night. There isn't time to share thoughts with other JRB members before the Plan Commission meets. Russell asked if we could change the language to specify that sufficient time should be allowed between the planning meeting and city council meetings. Lanser thinks that would help. Ideally, you want time for potentially two JRB meetings before the Plan Commission. The first would be to hear about the project. The JRB members could review numbers and determine what other questions they may have once they understand the plan. The plan would be discussed at their second meeting, and then the Plan Commission could meet.

Kilkenny said project plans can lack specificity. The Statutes say the plans should include specific projects and detailed costs. If the municipality wants to do things differently after the plan has been approved, then they should amend it. Bretl said we could leave the lan-

guage as is and let our representative have discretion in saying whether enough information is available to vote. For example, you could say unless the project plan is furnished well in advance and contains sufficient detail, normally a second JRB meeting should be held prior to the Plan Commission's approval. Kilkenny asked that page 3, lines 9 and 10 be amended to read "...should not exceed 15% of the amount stated in the project plan." He would like to strike "nor 10% of the entire project cost." If a project plan says they will spend \$20 million to install sewers and \$300,000 on administrative costs, they could go 15% over the \$300,000. That should pass the test of reasonableness.

Bretl continued reviewing proposed amendments to the TIF ordinance. Kilkenny suggested striking "such as construction of a municipal building" on page 3, line 16 and adding "and disproportionately benefits local taxpayers" or "would normally be a project paid for by local taxpayers." The Statutes say the plan should demonstrate why all surrounding taxpayers benefit. Sometimes those benefits are stretched pretty far. Lanser would have support in the Statutes to say that something doesn't improve the county. If she is comfortable with 62-104(11) as is, that's fine. Lanser said it was ok. Bretl agreed we'd leave the language as is. Lanser asked to discuss 62-104(10) regarding a business's ability to pay its property taxes during the life of the TID. How would she know if a business would be able to pay its taxes 15 years from now? Maybe this should be more broad. Grant agreed. We don't know how businesses will do in the future. Bretl wasn't sure how to capture the concerns. We don't necessarily want to vote in the negative because the proposed plan deals with a single business but having 3 potentially shaky businesses instead of 1 wouldn't improve the risk. Lanser added that she may not always know what business(es) the municipality is maneuvering to bring in nor would she have their financials. If the plan depends on the success of a single business, she can state her concerns accordingly.

Section 62-105 talks about prohibited TID provisions. These could delegate the county's oversight or keep us in the dark so we can't make an informed decision, according to Bretl. Lanser was concerned that the language may be too strenuous. It doesn't allow much leeway to move things from one line item to another. When you're putting together a 30-year plan, you want some flexibility. Kilkenny feels that if the change is substantial, it should not be a burden to reconvene the JRB. Depending on how well the projects are defined in the plan, this section could be moot. Rather than giving them unchecked discretion for 30 years, it would be better to amend the plan. Lanser added that we should be clear as to how specific we want them to get. If a line item is for "highway improvements," is it just roads or do we want them to indicate that it is from this segment to that segment? Kilkenny said the language doesn't prevent Lanser from approving projects but the plans need to be more detailed. Bretl said the prohibited provisions are a new concept and go against the catch-all language in some of the newer plans. Russell was concerned that the other JRB members could go ahead and vote "yes" without the county. We may not get the rest of the partners on board with this part of the ordinance. Kilkenny said the Statutes don't give unilateral discretion to municipalities. They can describe their plan with some flexibility but need a certain amount of specific language. With unilateral authority, they can say they will spend \$100,000 and end up spending \$1 million. He realizes Lanser thinks the section is over-technical so perhaps she can review it more without granting

unfettered discretion. Russell agreed that Lanser should review the language before the next meeting and make suggestions she thinks would make it more palatable.

Yaeger agreed with Russell that the ordinance could generate more JRB meetings, however, this is the kind of control we need. He is concerned about timely closure and excess project funds, particularly with regard to Lake Geneva. He doesn't see a mechanism to address that issue. Bretl said we are trying to be more analytical in our approach. We didn't insist on detailed provisions with earlier plans. It would be good to also include a statement about closing when the projects are done. Bretl will review the language on page 3. He asked if the committee had a problem stating that joint review boards should be maintained as a standing board and requiring financial reports. There was no disagreement.

Bretl asked about the language related to developer agreements in Sec. 62-105(c) on page 4. Kilkenny suggested addressing this if we decide not to discontinue settling specials. Bretl will remove the language from the prohibition section. He will make the changes discussed today and send the revised ordinance to Lanser for review before including it in the September agenda packet.

Referring to Yaeger's comments, Russell asked if it is legal or appropriate to include a provision that if the balance of funds grows without spending the money, the JRB will meet to encourage either termination or project revisions. There may not be many districts with that problem but Lake Geneva does just keep accumulating money. It's possible certain people in the City feel they can't discontinue the TIF because they're using it to pay for things that should come out of operational funds. Bretl said the cleanest way to address that concern is to require specificity in the projects for analysis purposes. Instead of saying "roadwork," specify that the work will be done on "George Street to wherever." Lanser suggested adding language to the plans stating that the JRBs will reconvene at the point when 25%, 50% and 75% of the total project budget has been spent to reevaluate the current project line items. That would force re-evaluation. It could be a timeframe or where the project is at in terms of the total budget. Russell asked her to think about it.

New business

Discussion and possible action regarding change in accounting policy for prepaid expenses — Andersen said our auditors brought up this issue for review. It was also mentioned by our prior audit firm. There are two allowable ways to record expenditures in governmental funds. One is to record expenses as you pay them. The other is to use an accrual method. Historically, the county utilized the record-as-you-pay method simply because one of our biggest concerns was that the in-house payroll system would not allow us to record appropriately without a lot of manual intervention. At that time, the IT department did not want to update the programming because we were looking at new software. Andersen said changing from our current recording method to accrual would impact the 2013 budget. There would be a one-time increase in fund balance because the prepaid portion of expenses would be classified as an asset, not a current year expense. Part of our problem is that we don't have consistency between funds so adjustments must be made to bring all

of our year-end financial statements into balance. Staff recommend formally adopting the accrual method for our governmental fund as well as our enterprise funds. Our 2013 financial reports would be footnoted to indicate our transition to the accrual method. **Supervisors Grant and Kilkenny moved to authorize staff to make the recommended change in the county's accounting policy for prepaid expenses; carried 4-0.**

Discussion and possible action regarding Walworth County Investment Guide — Lanser explained that staff recommend updating the Investment Guide. Currently, we are limited as to the amount we can hold in one institution, as well as in single agency securities. The amount invested cannot exceed 50% of the total portfolio, which varies throughout the year. Andersen added that it is difficult to stay in compliance. We want to set a more consistent number. The recommendation is based on the 3-year history of our investments and 60% of the rolling average. We know we won't go below that amount of cash holdings at any point. **Supervisors Grant and Kilkenny moved to approve revising the Investment Guide; carried 4-0.**

Correspondence

- Correspondence from Southeastern Wisconsin Regional Planning Commission in regard to their Calendar Year 2014 Budget (Referred by the County Board) — Russell commented that payment for SEWRPC's services is allocated through State Statute. Andersen said the allocation is based on equalized value. Changes depend on which municipality is growing faster or slower than another. This funding will be included in our 2014 budget, according to Bretl, so the correspondence can be placed on file.

Confirmation of next Finance Committee meeting — The following meetings were confirmed:

- Thursday, September 5, 2013 at 5:00 p.m. in County Board Room 114 at the Government Center – Budget Workshop
- Thursday, September 19, 2013 at 9:30 a.m. in County Board Room 114 at the Government Center – Regular Business Meeting and Budget Appeals

Adjournment of Finance Committee

Upon motion and second by Supervisors Kilkenny and Schaefer, Chair Russell adjourned the meeting at approximately noon; carried 4-0.

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

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

Walworth County Health and Human Services Committee
MINUTES

July 17, 2013 Meeting – 1:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Grant at 1:23 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services/Lakeland Health Care Center Superintendent; Elizabeth Aldred, Deputy Director of Health and Human Services; Juliet Young, Health and Human Services; David Bretl, County Administrator; Ety Wilberding, Health and Human Services Manager; Nancy Russell, County Board Chair

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

There were no agenda withdrawals. **Motion and second by Citizen Representative Wagie-Troemel/Supervisor Schaefer to approve the agenda. Motion carried 8-0**

The Health and Human Services minutes from the June 19, 2013 meeting were approved. **Motion and second made by Supervisors Schiefelbein and Grant to approve the minutes. Motion carried 8-0. Motion and seconded by Supervisors Monroe/Grant to make a correction to the minutes. Motion carried 8-0.**

Public Comment – There was no public comment.

Unfinished business –

Transportation Coordination Committee – Ms. Seemeyer stated that applications were received for citizen representation for this committee. A few other members of the community are being sought and the committee plans to have its first meeting in September.

Supervisor Grant asked about the approval process for the citizen representation. Mr. Bretl stated the County Board needs to make the formal appointments.

Motion and second made by Citizen Representative Wagie-Troemel and Supervisor Schiefelbein to have the executive committee to approve citizen appointments. Motion carried 8-0.

Citizen Representative Wagie-Troemel suggested contacting Rich Gruber at Mercy as a possible member for the TCC.

WCDHHS Child Protective Services Case Practice Report – Ms. Seemeyer reviewed the enclosure. Etty Wilberding, Health and Human Services Manager clarified that the hand out is a draft until approved by the State. She gave a history of this report and what the Department has done to improve practices.

Supervisor Grant asked if HHS has contacted other counties. Ms. Wilberding stated she has and was still working on it. She hopes to have a report by the first quarter of 2014.

Citizen Representative Wagie-Troemel asked if information has been relayed to staff. Ms. Wilberding stated that there have been meetings with Children's Unit staff on what is happening. She had also spoken to staff on an individual basis to gather information.

Supervisor Grant asked if they have a copy of the handout presented at this meeting. Ms. Wilberding stated they have this handout but not the full report. She wants staff to focus on the big picture and not single out individual staff.

Citizen Representative Wagie-Troemel asked about training staff. Ms. Wilberding stated she is working on trainings and will work on possibly making trainings available online.

Supervisor Schiefelbein asked about training new staff. Ms. Wilberding stated it will be part of their orientation and there will be some group trainings.

Citizen Representative Wagie-Troemel asked for clarification on repeating training. Ms. Wilberding stated it may happen more often than every other year. She will monitor staff and schedule trainings to keep up with changes and to prevent staff from drifting back into previous habits.

Citizen Representative Wagie-Troemel asked if the Southern Child Welfare Training Partnership has trainings available. Ms. Wilberding stated the trainings she is looking for do not exist yet and is working with this group.

Citizen Representative Wagie-Troemel asked about random monthly peer reviews. Ms. Wilberding it is a review of report and practice and that there is a different review on specific cases. There is also a day to day review and discussion that is used more as an educational tool.

Citizen Representative Wagie-Troemel asked if there are more screen ins with these changes. Ms. Wilberding stated that there has been an increase. She stated they just started collecting this additional data in April and will come back to this committee with a report when she has more data.

Supervisor Schiefelbein asked how many cases are screened in a week now compared to a year ago. Ms. Wilberding stated that the process has changed and it is difficult to compare the two years.

Citizen Representative Wagie-Troemel asked for a follow up at the September meeting and then quarterly updates.

New Business –

Non-Emergency Medical Transportation – Ms. Seemeyer stated this information was just to inform this committee on the change in the state's contracted transportation provider. She added that service standards are now more strict.

Supervisor Grant asked if HHS is contracting with this new vendor. Ms. Seemeyer stated that HHS is not in contract with them and they have not asked to be in contract with HHS. Ms. Seemeyer stated she would have to review the reimbursement rate to decide whether or not to go into contract with them.

Set General DHHS Public Hearing date – Ms. Seemeyer asked for guidance from this Board to set the date for the annual public hearing for HHS concerns.

Motion and second made by Citizen Representative Wagie-Troemel and Supervisor Schiefelbein to hold the public hearing on Thursday, September 5, 2013 at 2:30 p.m. in the county board room. Motion carried 8-0.

Post-Reunification Support Program Introduction and Timelines – Ms. Seemeyer stated that this item is on the agenda this month due to the fact there will not be an August meeting. At this time there is not much known about this program and HHS will learn more at a meeting in August. Once HHS learns more about how much money is available, the model being used and how it will work with current services it will be brought back to this committee.

Supervisor Schiefelbein stated he is interested in the services provided. Ms. Wilberding stated that HHS has not made a commitment to this program and is just looking.

Motion and second made by Supervisor Schiefelbein and Citizen Representative Wagie-Troemel to proceed with looking into this program and the specifics with the understanding that if it does not meet HHS standards the application will be pulled. Motion carried 8-0.

Reports –

Mission of Mercy Update - Ms. Seemeyer gave an overview of the success of this event. She thanked board this board for their support of the program.

Supervisor Grant stated he toured the event and thought it was amazing program.

Supervisor Schiefelbein stated he was amazed by the volunteers and precision of how the event was run.

IM Update – Ms. Seemeyer stated that the budget has passed and that contracts were being signed at this time. Health and Human Services is in the process of hiring five additional ESS workers to help during the initial phase. There may be a funding issue but will not affect HHS until 2016.

HVAC Project Update – Ms. Aldred stated that the project is moving along on schedule. The main entrance has been reopened and there are a lot of staff moves coming up in the next few weeks as the project moves into another area of the building.

Correspondence – There were no correspondences.

Announcements –

Ms. Seemeyer reminded the board about the upcoming Holiday Care Golf Outing.

Citizen Representative Wagie-Troemel invited this committee to the Tree House (WCAC) open house event on July 31st from 5:00 p.m. to 8:00 p.m. A ceremony will be held at 6:00 p.m.

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

Adjournment – **On motion and second by Supervisors Monroe/Sandy Schiefelbein and Brellenthin. Chair Grant adjourned the Health and Human Services meeting at approximately 2:43. 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

July 17, 2013 Meeting – 1:00 p.m.

Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

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

Roll call – Committee members present included Supervisors Grant, 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 of Health and Human Services; Bernadette Janiszewski, Nursing Home Administrator; Juliet Young, Health and Human Services; Ella Eva Pious, Health and Human Services Citizen Representative; Sandy Wagie-Troemel, Health and Human Services Citizen Representative; Ety Wilberding, Health and Human Services Manager; David Bretl, County Administrator; Nancy Russell, County Board Chair

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the June 19, 2013 were approved. **Motion and second made by Supervisor(s) Monroe/Schaefer to approve the minutes. Motion carried 5–0.**

Public Comment – There were no comments from the public.

Unfinished Business – There were no items of unfinished business.

New Business – There were no items of new business.

Reports –

LHCC Administrator's Report and Financial Update – Ms. Janiszewski's budget is on track. The Admissions Coordinator has returned from her leave. Ms. Janiszewski is proud of her staff for the teamwork they displayed during her absence and the fact that they maintained census levels.

Summary of the County Board's decision regarding changes to the RN positions and adding the dietary department to the in-house staffing pool – Ms. Janiszewski stated that LHCC has formed a taskforce to look at licensed staff schedules. The entire nursing department is being asked to share ideas for improvement. Although the in-house staffing

pool is not fully functional, it is working. At today's Human Resources Committee meeting LHCC is seeking approval to add the dietary department to the staffing pool. *Update on the building project* – Ms. Janiszewski shared a memo showing monies spent on the project. The LHCC maintenance technicians were able to perform some of the work. Vendors involved during construction were very cooperative in completing the work. Supervisor Grant asked if anyone admitted any wrongdoing? Ms. Janiszewski stated that although the regulations were in place when the facility was built, no one fully enforced some of the rules at that time. The federal government is now enforcing life safety codes. Considering it's taken seven years to address the issues with the vendors. Ms. Janiszewski believes that that the work was performed at a reasonable price. Supervisor Grant asked about an item that can't be fixed? Ms. Janiszewski stated that the few remaining items will not stop the sprinkler system from running properly in the event of an emergency. If a surveyor feels differently we can go through the informal dispute process to make our case. Supervisor Grant asked if it was on the list from the last survey. Ms. Janiszewski stated it was not.

Supervisor Schiefelbein asked if recognizing this problem on public record was cause for alarm. Mr. Bretl praised Ms. Janiszewski and her staff on the improvements. He said that often there are different interpretations of a code. If we have a valid defense, we can make it.

Ms. Janiszewski explained a recent problem with a chiller malfunctioning at LHCC. There are two circuits and one has gone bad. The emergency repair process has been started and the entire project will cost between 25,000 to \$28,000. A rental chiller will arrive from Kansas City to be used during the repair

Supervisor Grant asked if the portable unit was on a semi truck? Ms. Janiszewski stated that is was. .

Supervisor Grant asked about a stationary replacement timetable. Ms. Janiszewski stated that the chiller is not being replaced, just the sensors. The vendor needs to drain and shut down the system to fix the sensors. Mr. Bretl added that the decision to rent a chiller is justified because of the nursing home population. There is always a chance that the vendor will begin the repair and another part will break.

Supervisor Grant asked if the vendor was sure it was just the sensors that needed replacing. Ms. Janiszewski stated they did a lot of testing and feel confident that the problem is just the sensors.

Correspondence – There were no correspondence.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is tentatively scheduled for September 18, 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 1:21PM. 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

July 17, 2013 – 3:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 3:00 p.m. by Chairperson Brandl.

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

Others present – Supervisors Nancy Russell; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Suzi Hagstrom, Labor/Employee Relations Director; Linda Seemeyer, HHS Director/LHCC Superintendent; John Orr, Information Technology Director; Donna Pruess, Register of Deeds; Bernie Janiszewski, LHCC Administrator.

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

Approval of the June 19, 2013 Human Resources Committee meeting minutes was moved and seconded by Supervisors Monroe and Brellenthin, and carried 5 – 0.

Public comment period – no members of the public

Amendment to Section 15-810 of the Walworth County Code of Ordinances relating to updates to job titles. Bretl explained that Section 15-810 includes the chart indicating which employees are subject to random drug testing. The proposed amendment updates the list and corrects several position titles. There are no issues with the ordinance itself. Hagstrom distributed a revised version. She explained that a previous Union agreement had allowed for the testing of the Senior IT Support Specialists, so those positions have been added to the list. The desktop lead position in the Sheriff's Office has also been added.

Supervisor Brellenthin and Vice Chairperson Grant moved and seconded approval of the amendment to Section 15-810 of the Walworth County Code of Ordinances relating to updates to job titles. The motion carried 5 – 0.

Discussion and possible action regarding dietary staffing pool at Lakeland Health Care Center. Bretl explained that this item had been discussed at the special meeting. Janiszewski explained that since the dietary department was downsized, there are not as many employees to cover open shifts when employees are absent. She would like to add dietary to the in-house staffing pool. She has tried to use an outside agency in dietary, but it has not worked. There is currently an opening in dietary, and Janiszewski would like to fill that position and hire two more people for the pool. Hagstrom's experience with food service positions is that there will be many applicants but very few who pass the required tests. Janiszewski stated that if this doesn't work, they will have to look at the entire dietary department. Vice Chairperson Grant suggested filling the

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vacant position and determining when the pool will start based on the quality of applicants. Janiszewski feels that posting the position as food service/cook will get more applicants. Hagstrom was concerned that the pool positions would not be attractive to potential employees. This would be two separate postings – one for the pool and one for the full-time position. Hagstrom stated that it would probably be the end of August before interviews would even be completed.

Vice Chairperson Grant and Supervisor Monroe moved and seconded proceeding as discussed (posting the food service/cook position). The motion carried 5 – 0.

Discussion and possible action concerning Supervisor input into department head performance evaluations. Bretl stated that this item had been requested by Vice Chairperson Grant. Historically, Bretl would meet with liaison committees in closed session and get supervisor input on department head performance evaluations. This process worked reasonably well. Bretl would take the input into account, but it would not actually be part of the evaluation. Over the years, Bretl had gotten away from doing this. The premise was that supervisor input was very valid. In fact, the department head's relationship with supervisors was included in the evaluation. They moved away from this, however, in part because not every department head interacts with supervisors regularly. It appeared as though department heads supporting a committee were singled out. If supervisors have issues with a department head, they can bring those concerns to Bretl, and he will take them into consideration. Bretl explained that there are several ways that input could be given. His evaluation, for example, is done in closed session. He leaves the meeting, and the committee discusses it. WCEDA circulates a written survey to its stakeholders to evaluate the director. There is value in evaluating in a meeting format and in a written format. You might get a more objective or systematic response when the evaluation is in a written format. There are people who are not comfortable sharing their views in a group setting. On the other hand, there is some value in group discussions. If the committee has a particular direction they would like to take this, Bretl could put the thoughts together and bring them back to the committee in September. Chairperson Brandl was concerned with how the board could evaluate a department head who they don't regularly see or interact with. If the committee decides to do this, Chairperson Brandl suggested doing this with the full board as a committee of the whole in closed session. He does not want to provide feedback in the form of a written response. He feels it should be verbal. Bretl would like to put together a more formal approach and bring it back to the committee in September.

The committee did not take any action on this item.

Discussion and possible action concerning recruitment and hiring of a Human Resources Director. Bretl stated that he had begun having discussions with HR Chairperson Brandl and County Board Chair Russell regarding the recruitment and hiring of an HR Director after Hagstrom's departure. Hagstrom is currently the Labor/Employee Relations Director, which is technically not a department head position. Hagstrom currently reports to Bretl in Administration. Going forward, Bretl's recommendation would be to recruit for a human

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resources director. At this point, he is not seeking a title change or ordinance amendment. He would like to first see what kind of applicants they get for an HR Director.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded authorizing staff to advertise and recruit for a Human Resources Director. The motion carried 5 – 0.

Discussion and possible action concerning recruitment and hiring of a County Engineer. Bretl stated that he has spent time out at Public Works since the director's leave of absence. After taking a look at the operations at Public Works, Bretl feels that a county engineer is a necessity. Hagstrom distributed a draft job description. An engineer would be able to provide more accurate budget estimates for projects. The county has huge investments in its infrastructure. Right now, the county relies on engineers hired as consultants on projects. Bretl stated that if the committee approved proceeding with the recruitment of a county engineer, staff would put together more detailed information and a fiscal note. Bretl stated that he is going to propose a significant reorganization on the facilities side of Public Works in the 2014 budget. The county engineer could assist with this reorganization. While he cannot guarantee that this will be levy neutral, Bretl felt that the reduction in outside contracts along with the reorganization would bring the cost down to a reasonable level. He was seeking the committee's authorization to advertise for this position and see what kind of applicants we get. The committee would be authorizing the recruitment process at this point, not the position itself. Bretl does not want to amend the ordinance if they do not get any qualified applicants. Chairperson Brandl agreed that the county needs an engineer.

Vice Chairperson Grant and Supervisor Monroe moved and seconded authorizing staff to advertise and begin recruitment for a county engineer. The motion carried 5 – 0.

On behalf of the committee, Chairperson Brandl thanked Hagstrom for her years of service to the county.

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

Adjournment. On motion and second by Supervisor Monroe and Vice Chairperson Grant, Chairperson Brandl adjourned the meeting at approximately 3:46 p.m.

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

Walworth County Agriculture and Extension Education Committee
MEETING MINUTES
Monday, July 15, 2013 – 1:00 PM

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

The meeting was called to order by Chairman Kilkenny at 1:00 p.m.

Committee Members Present

Roll call was conducted. Committee Chairman Daniel Kilkenny, Supervisor Tim Schiefelbein, Supervisor Nancy Russell, FSA/Ag Representative Sue Bellman, School Representative Pam Knorr, Michael Krejci, Mary Kaye Merwin, and Bob Handel were present. A quorum was declared. Kathleen Papcke was excused.

County Staff Present

County Administrator David Bretl, Department Head/Family Living Educator Jenny Wehmeier, Agriculture Agent Peg Reedy, Community & Economic Development Educator Joshua Clements, and Volunteer Coordinator Colleen Lesniak were present.

Amendments or Withdrawals from Agenda

There were no amendments or withdrawals from the agenda. **Supervisor Schiefelbein and Krejci moved and seconded approval of the agenda. The motion carried 8-0.**

Approval of Minutes

1. May 20, 2013
 - a. There were no additions or corrections to the minutes. **Supervisors Schiefelbein and Russell moved and seconded approval of the minutes. The motion carried 8-0.**
2. May 22, 2013
 - a. There were no additions or corrections to the minutes. **Supervisor Schiefelbein moved to approve the minutes, which was seconded by Merwin. The motion carried 8-0.**

Public Comments

There were no public comments.

Unfinished Business

1. Discussion and Possible Action to amend Section 2-132 (c) of Walworth County Code of Ordinances regarding AEE Public Hearing
 - a. Wehmeier stated that this is a carryover item from the previous meeting. The May 22, 2013 Public Hearing had only three members of the public in attendance, so UW-Extension is looking to change or remove the need for a Public Hearing from the Code of Ordinances. The office will be doing a county-wide needs assessment this year, along with the many ongoing program evaluations. Bretl added that the hearing is a creation of the committee, so it is up to the committee to decide what to do with it. There was some discussion, with the general consensus being to keep the Public Hearing section in the Code of Ordinances. The ordinance stands.

New Business

1. UW-Extension Summer Affirmative Action Internship Program (SAAIP) – Karissa Kolle (Family Living) and David Albino (Economic Development)

- a. Kolle updated the committee on the programs she has been working on, including Independent Living, Healthy Hearts, Holiday Home, Get Moving, summer school programs, and Community Action.
- b. Clements spoke on behalf of Albino, stating that he has mainly been working on an Economic Market Analysis and Housing Study in Whitewater.

Reports

1. 2016 Farm Technology Days Update – Peg Reedy, Executive Secretary
 - a. Reedy stated that she and Wehmeier attended Farm Technology Days in Dallas, WI to see what our county will need to plan for. Several of the executive board members also attended. The committee is final, with the officer election coming up at the next meeting, and the host farm applications will also be coming out soon. The host farm applicants will have until October to apply. Walworth County will be in charge of the hospitality tent at the 2015 Farm Technology Days in Dane County.
2. UW-Extension outreach and educational events
 - a. Reedy gave an update on her agriculture programming. The 10th issue of the Farm Fresh Atlas is currently being updated, with a new format and a new board. She is also working on a Farm Financial Management workshop with Badgerland Financial, a farm succession workshop, and creating an exit plan workshop. She just finished Tractor Safety with 19 youth, and is continually working on soybean aphid traps and field trials of herbicides.

Chairperson's Report

Chairman Kilkenny had no report.

Announcements

1. The 4-H Youth Development Coordinator position has been posted, and the committee will be contacted when interviews are scheduled.
2. The Walworth County Wisconsin Nutrition Education Program (WNEP) Coordinator, Kristi Jones, has resigned due to the acceptance of a job offer in Madison.

Set/confirm next meeting date and time

The Monday, September 16, 2013 committee meeting at 1:00 p.m. in Room 114 at the Government Center was confirmed.

Adjournment

On motion and second by Knorr and Krejci, Chairman Kilkenny adjourned the meeting at 1:42 p.m.

Submitted by Brittany Wierzbach, recording secretary. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

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**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, July 15, 2013
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

Call to order and roll call. Chair Russell called the meeting to order at 3:30 p.m.

All members were present: Chair Nancy Russell, Vice Chair Carl Redenius, and Supervisors Ken Monroe, Joe Schaefer and Rick Stacey.

Others in attendance:

County staff: County Administrator David Bretl; Public Works Director of Operations Larry Price; Assistant Public Works Superintendent John Miller; Purchasing/Business Office Manager Peggy Watson; Jenny Wehmeier, UW-Extension Family Living Educator; Captain Scott McClory, Sheriff's Office; Lakeland School Administrator Tracy Moate; Deputy County Administrator-Finance Nicki Andersen; Deputy Corporation Counsel/LURM Director Michael Cotter

Members of the public:

Mary Jo Fesenmaier, 955 George Street, Lake Geneva; Terry O'Neill, 954 George Street, Lake Geneva; Thomas Sullivan, N2132 CTH H, Lake Geneva

Agenda withdrawals/approval

Supervisor Monroe moved to move items 5 i) and b) up for first consideration to accommodate members of the public and to approve the agenda as amended. Stacey seconded the motion and it carried 5-0.

Motion by Schaefer and Stacey to approve the July 1, 2013 meeting minutes as presented. The motion carried 5-0.

Public comment period

The Chair said that she would recognize the members of the public in attendance when their item of business was discussed.

Regular Business

Discussion and possible action regarding safety concerns and permitting process for use of county roads in connection with special events, such as the Lake Geneva Triathlon
Tom Sullivan, who lives on CTH H in Lake Geneva, called the Chair concerning the Triathlon that was held on June 23 on CTH H and other adjoining roads in Walworth County. Mr. Sullivan reported that he was not notified of the bike race and when backing out of his driveway he saw 120 bicycles racing down his road. Sullivan did not observe Sheriff's Deputies directing traffic and stated that the road was closed and the bike racers were allowed to ignore the stop signs. He called the Public Works Department and staff was not aware that the road had been closed for the race. In addition, Bloomfield Township was not informed of the race, and a portion of the race went through Bloomfield. Sullivan contacted the Lake Geneva City Clerk, who issued the bike race organizers a permit in February, but the clerk said he was unaware of the route the race was following. Sullivan said there were 1,000 bicycles in this particular race and that riders were informed they only had to yield to emergency vehicles on the roadway. He expressed his concern for the safety of the participants, for motorists and residents in the area of the race, and feels that citizens should be notified in advance of such upcoming events. He also feels that the county should receive a fee from such events for use of the roadway. Captain Scott McClory of the Sheriff's Office responded, stating that the Sheriff's Office was

aware of the event sponsored by Ram Racing, and that deputies provided traffic control for the event and the Sheriff's Office was paid by Ram Racing for deputies' time. The Sheriff's Office, the Town of Linn and City of Lake Geneva were involved in the event planning, McClory reported, and a press release was issued by Ram Racing to the Sheriff's Office, Linn Township, City of Lake Geneva, local media and to Milwaukee and Chicago media outlets. McClory stated that if the consensus is that there is a disconnect between citizens and the Board, he could address it with Ram Racing at their next board meeting. Further, McClory said he can advise the group that they need to distribute informational flyers to affected residents, local police departments and county board members in the future and issue passes to residents affected so they can safely travel on the roadway. Supervisor Schaefer thanked Sullivan for bringing it to the Board's attention. Bretl asked the committee to consider whether they wished to formalize the process in the future. To date, the Sheriff's Office has been the "gatekeeper" of these events. Is the process broken, does it need fixing, do we require an insurance policy, approval to use the roadway, etc.? Discussion ensued. **Capt. McClory and the Administrator were directed to work together to draft some guidelines for future events and report back at a future committee meeting.**

Request from residents on George Street (CTH H) in Lake Geneva for Walworth County to move up roadwork on CTH

Terry O'Neill and Mary Jo Fesenmaier, residents on George Street (CTH H) in Lake Geneva, addressed the committee. Mr. O'Neill distributed photos of the condition of the roadway surface, and a copy of the petition to the county to move up the scheduled roadwork. The .09 mile stretch of CTH H between CTH NN and Williams Street is in poor repair (currently rated a 3), Mr. O'Neill said, and the average daily traffic on the road is between 4,500 – 5,000 vehicles. The last time the road was worked on was 1985. Mr. O'Neill understood that the county offered to do the road rehabilitation and asked the City to take over the section of the road once it is repaired; however, there has been no progress on the proposal. The petitioners are asking the City to cooperate and coordinate with the county to complete the project and to submit a cost estimate for the infrastructure for the project. O'Neill asked who is responsible for maintaining the signs along the road. There is also a tree obscuring one of the warning signs. Director of Operations Larry Price said that the county is only responsible for regulatory signs – the pedestrian crossing sign is the City's responsibility. In addition, the tree blocking the sign is in the City's terrace. Within City limits, the county is responsible for the traveled roadway surface only to the face of the curb. O'Neill said that the speed limit signs on the road are not consistent – one side of the road is posted 25 mph and the other side 35 mph. Price said there have been several discussions in the last year and that the City Administrator and Public Works Director have said they were going to address the roadwork with the Council and have come back to the county asking for more information. Supervisor Schaefer asked if staff from the Public Works Department could attend a meeting in the City to address the issue. Mary Jo Fesenmaier spoke, saying that a petition from 39 George Street residents is attached to the material handed out at this meeting. Director of Central Services Kevin Brunner met with residents and observed the traffic noise and condition of the roadway. Fesenmaier thanked Brunner for taking time to meet with them. She added that the heavy truck traffic has also impacted the road condition. She realizes that the project is scheduled in the county's CIP, but something needs to be done as soon as possible. Bretl asked if something could be done in the interim, and Price said that temporary patching could be done in the cracks, but it would only be a temporary fix, as the base of the road is the problem. Bretl said he understands the frustrations of the residents and suggested that a formal request be made of the City to begin discussions for the repair and eventual jurisdictional transfer of that portion of the road. Chair Russell said it is not uncommon for a road to go more than 20 years before reconstruction. She thinks it makes sense to transfer the road to the City after reconstruction; Whitewater maintains all of its state and county roads within its city limits. **Schaefer and Monroe moved to direct the county administrator to draft a letter to the City Council requesting that the issue of the rehabilitation and transfer be discussed at a council meeting. In addition, staff was directed to notify Lake Geneva that their signs need replacing and that the tree obstructing the sign needs to be trimmed. Public Works staff is to investigate any spot repairs that could be performed this year. Making the speed**

limit uniform on both sides of the road is to be referred to the Highway Safety Commission for review/action. The motion carried 5-0.

Request from UW-Extension to except alcohol prohibition on county grounds

Jenny Wehmeier, UW-Extension Family Living Educator, referred to her memo request in the agenda packet. Now that they have the new meeting rooms and kitchen, there are opportunities to invite area chefs to do demonstrations with cooking and regular wine. Wehmeier emphasized that she would not buy wine for the demonstrations; if a chef wants to use it, he/she shall provide it for the cooking. Bretl said that this has been a sensitive issue. The county has had numerous requests in the past from groups asking for exceptions to the alcohol prohibition. He said that if the wine is used solely for the purpose of food preparation, he is not opposed to it. Chair Russell said she isn't comfortable with allowing it; the county has already denied alcohol at the nursing home for a resident "happy hour." Supervisors Stacey and Schaefer said they aren't opposed as long as any wine left over is removed from the premises after the demonstration. **Supervisors Stacey and Schaefer moved to amend the county ordinance governing alcohol on county premises to allow for alcohol only to be used in food preparation, as long as the alcohol is removed from the premises immediately after the demonstration. The motion carried 5-0. The amendment will be presented to the full Board in September for approval.**

Bid specifications for Court Security improvements at the Judicial Center and finding of emergency

Bretl said the U.S. Marshall's office, at the request of our court security committee, reviewed the existing security at the Judicial Center and compiled a list of recommendations. The Sheriff's Office court security staff feels it is in the best interest of safety to implement some of the recommendations from the Marshall's office. The customary process is to prepare detailed specifications and send them out for bids. However, the Sheriff's Office is concerned that if the detailed specifications with the particulars on the improvements were published, security could be compromised. Bretl said the statutes on public bidding were adopted long before 9/11 and enhanced security measures; but they do permit an exception if the bidding would endanger public health or welfare – i.e., the divulging of what the security improvements are and where they would be located. Assistant Public Works Superintendent John Miller said that our architectural firm for small projects prepared the specifications. The recommendation is to contract with JP Cullen and Sons. There is \$50,000 in the CIP for 2013 and will be additional funds in 2014. **Supervisors Stacey and Monroe moved to approve the bid specifications and to approve the sole source purchase pursuant to sec. 59.52(29)(b), Wis. Stats., because following the public bidding process in this instance would endanger the public health and/or welfare of the county. The motion carried 5-0.**

Bid specifications for spillway replacement at the Lake Beulah Dam

Bretl said the project is becoming more controversial. Deputy Corporation Counsel Michael Cotter said the Lake Management District is adamantly opposed to the draw down structure (for water control) that the Department of Natural Resources (DNR) is requiring. If we do not follow the DNR mandate for the project, we might not receive the grant funding, which is \$400,000 on \$1.2 million. Cotter said he is meeting with the DNR and the Lake Management District on July 18. The draw down structure would be used to control the water level when repairs or maintenance are necessary, and Cotter said the county has no interest in controlling the water level. Bretl said he is in favor of moving ahead on the structure and following DNR requirements; but he wanted to make the committee aware the Lake District is unhappy about the draw down structure. **Supervisors Stacey and Schaefer moved to approve the bid specifications for the spillway replacement at the Lake Beulah Dam. The motion carried unanimously.**

Bid award for teen and young adult play area at Lakeland School

Supervisors Monroe and Schaefer moved to approve the bid award to Gerber Leisure Products, Inc., in the amount of \$99,052. The motion carried 5-0.

Possible bid award for CTH M roadwork project (held over from July 1, 2013 meeting) Bretl said we are ready to formally give up the idea of moving forward with the CTH M roadwork this year, as we are not at a point on the CTH O project to make a final determination. Price said that thus far, no EBS has been discovered on CTH O. **Supervisors Monroe and Stacey moved to reject the bid for the CTH M roadwork project and to re-bid it early next year for construction in 2014. The motion carried 5-0.**

Request to purchase truck mounted message board in 2013

Bretl said staff wants to purchase the message board this year from available funds from the wheel loader that came in under budget. He supports buying it this year, as it could be used during road painting this summer. He feels the new sign might help mitigate damage claims. The department does not currently own a programmable sign. **Supervisors Schaefer and Stacey moved to approve the purchase of the truck mounted message board in 2013. The motion carried 5-0.**

Report on State budget and Routine Maintenance Agreement

Bretl said our regional Wisconsin Department of Transportation (DOT) representatives declined to come to the meeting. Bretl said that the State has always assured us that we would be paid for the maintenance and that they have never failed to do so. However, DOT has never committed to putting in writing that they would make us whole. Larry Price is arranging a conference call to talk to officials about the agreement. Schaefer asked about mowing along the state roads, and Price replied that their policy is one round per year on state highways in the summer, per state mandate. County roads are mowed one round in the summer and fence-to-fence in the fall. If there are vision obstructions at the intersections, the state will allow those areas to be mowed as determined. Peggy Watson distributed a handout on budget comparison on the RMA as of June 30, 2013. The comparison is separated into different areas and separates the summer and winter maintenance fees. The figures include supervision, administrative fees, equipment storage and insurance. **No action needed on this item.**

Approval of Kronos Activities project

Watson explained that CHEMS is the program used for reporting to the State. The program is older and the version is no longer supported. Administrative staff currently does a lot of manual entering, and information is entered more than once into Kronos and CHEMS. Public Works keeps track of highway and state reporting, including the number of hours on specific jobs. Employees swipe into Kronos for their time, which in turn goes to the Munis system for payment. Job codes are handwritten onto timesheets, and special pay grades such as "loader" also have to be noted on individual timesheets. Watson showed examples of employee timesheets for various activities. CHEMS only allows one entry of equipment used per line. Once this information is keyed into CHEMS, staff reconciles the hours to Kronos. Two people check timesheets after the Superintendents have checked them and signed off. Watson wants to have the employees enter their time directly into Kronos via a computer, timeclock, GPS, smart phone, etc. She met with Dane County, who also uses CHEMS and Kronos, and they are interested in partnering in the project. Arkansas is using this system and they have achieved greater accuracy and accountability. The proposed module would have validation, so the employees couldn't punch in an incorrect job code combo and couldn't punch out if their time wasn't in sync. An interface between the CHEMS and Kronos software would be required to enter all rates, equipment, etc., which would pass into both CHEMS and Kronos. She hasn't pursued a potential cost savings by partnering with Dane County in this project. The estimate from Kronos for the programming, licensing and software is \$65,000. Complete hardware costs have not been identified. There is \$125,900 available in our General Transportation Aids (GTA) for the project. Chair Russell said that if CHEMS is outmoded, if we wouldn't be using it in the near future – what happens when it becomes obsolete and the interface is in place? Stacey agreed with Russell's concern. Watson said there is a glitch in the newer version of CHEMS, CHEMSPro, but our state representative is working on it. Watson said she could follow up with Kronos and get better cost estimates and potentially negotiate the fee if she is given permission by the committee to inform Kronos that we are interested in moving forward with the project. Bretl asked Larry Price for his input on the proposed project. Price expressed concern about the implementation of the

Walworth County Public Works Committee

July 15, 2013 Meeting Minutes

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project. He was gone when the preliminary discussions were held about the project, and he wonders about the logistics of 50 people coming in at the end of a shift and all attempting to enter their time at once. He said the current paper trail has become a nightmare – he thinks at least 8 people look at the timesheets before they are entered into Kronos and then it all has to be reconciled. However, as all the employees will be entering time at once and will need to be trained, he hopes it won't take even longer than the current process. He added that some of the crew aren't well versed in computers, so there would have to be a grace period for training. The Chair agreed, saying she wondered about efficiency if employees would have to stand in line to use the computers and clerical people would still have to balance the timesheets. She asked if there was a demo we could use to see how it would work. Bretl said his main concern is not getting cheap input devices; we want to make it as easy as possible for employees to input their data. **Supervisors Stacey and Redenius moved to approve the project in concept and directed Peggy Watson to express the committee's concerns about interfacing to Kronos and to prepare more specific costs estimates to bring back to the committee for consideration. The motion carried 5-0.**

Government Second Floor Meeting Rooms project - approval of final pay request

Staff is still waiting on the required documentation from the architect. This will be placed on the September agenda.

Next regularly scheduled Public Works Committee meeting date and time: Monday, September 16, 2013 at 3:30 p.m. (CIP appeals/adjustments)

Supervisors Redenius and Stacey moved to adjourn. The motion carried 5-0 and the meeting concluded at 5:50 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 Human Resources Committee

MINUTES

July 9, 2013 – 4:00 p.m.

County Board Room 114 – Government Center

Elkhorn, Wisconsin

DRAFT

The meeting was called to order at approximately 4:07 p.m. by Chairperson Brandl.

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

Others present – Supervisors Nancy Russell, Tim Schiefelbein, Dan Kilkenny, Dave Weber; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Suzi Hagstrom, Labor/Employee Relations Director; Linda Seemeyer, HHS Director/LHCC Superintendent; John Orr, Information Technology Director; Bernie Janiszewski, LHCC Administrator; Val Etzel, Treasurer; David Thompson, Deputy HHS Director; Kathy Kramer, CDEB Secretary-Confidential.

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

Public comment period – none

Ordinance No. 796-07/13 Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the 2013-14 Lakeland School Staffing Plan. Bretl explained that the federal government has delayed certain parts of federal health care reform. He suggested moving forward with the issues that were very straightforward, such as the changes that affect the five-star rating at the nursing home. Moate stated that the part-time employees at the school moving to full-time status would help counter-act the number of substitutes required. She added that many of the employees already work on days when they are not scheduled. If the county will have to offer the employees full-time benefits, Moate would like them to work full-time. With two retirements in the district, these changes can be made with no impact to the tax levy. For consistency, it makes sense to make these special education aides full-time employees. This will still result in an annual cost savings. Hagstrom wanted to double-check the FTE count before the county board approves this.

Vice Chairperson Grant and Supervisor Monroe moved and seconded forwarding the ordinance amendment relating to the Lakeland School staffing plan to the full board for adoption with clarification on the FTE count. The motion carried 5 – 0.

Ordinance No. 797-07/13 Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Staffing Changes at the Lakeland Health Care Center. Janiszewski stated that many of the changes suggested last week were due to the affordable health care act. The delay in implementation gives staff more time to look at staffing changes. Affordable health care affects the nursing home as a health care provider as well as an employer. The nursing home needs more RNs to retain their overall five-star rating. Two 0.5 FTEs would be eliminated to create a

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1.0 FTE RN. A 1.0 FTE LPN would also be eliminated (after a retirement) to create a 1.0 FTE RN. Janiszewski will be making other recommendations through the budget process.

Supervisors Brellenthin and Vice Chairperson Grant moved and seconded approval of the ordinance amendment relating to the staffing changes at LHCC. The motion carried 5 – 0.

Resolution No. 42-07/13 Approving Modifications to Walworth County's Self-Funded Health Insurance Plan. Bretl explained that this item had been held pending additional information from staff. Wilson distributed information to the committee. The proposal would take Tier 2 and make it an HSA-eligible plan. In order for a plan to be HSA-eligible, it must have certain deductibles and co-pays. Employees would be eligible to make contributions to their HSA, which would carry forward from year to year. Changes were made both to Tier 1 and Tier 2. If the plan is adopted as presented, the county would realize \$712,000 in savings. Employees who are paying the employee share of WRS could choose Tier 1 or 2. The county would give those employees a set amount toward their HSA. Bretl added that the county does allow county board supervisors, at their own cost, to purchase health insurance. Because they are not part of WRS, they would be in the HSA-eligible plan. Employees who are on the county's health plan and are also dependents under a spouse's health plan cannot have an HSA. \$750 single and \$1500 family would be the annual amount put into the HSA by the county. Vice Chairperson Grant pointed out that this will still cost the county more than the state plan would cost. Bretl agreed that the state plan would save a significant amount of money, but the concern is that it limits employees' choice if they want to see Aurora doctors. Vice Chairperson Grant also felt that the county would realize savings in terms of staff time to administer the state plan. Chairperson Brandl felt that the proposed plan modifications were a step in the right direction; they would save the taxpayers money while not overburdening employees. He recommended approval of Exhibit 2. Wilson pointed out that the county could realize more savings if more people moved to Tier 2. Supervisor Kilkenny felt that Vice Chairperson Grant made good points but that there was not enough support on the board to switch to the state plan. He felt that Exhibit 1 was reasonable. He would like to see employees move to Tier 2 voluntarily. Bretl stated that the information on the state plan had been distributed to department heads and posted on the county website, but it had received a cool reception by employees. Chairperson Brandl reminded the committee that they previously voted not to recommend the state plan.

Supervisors Brellenthin and Monroe moved and seconded recommending approval of Exhibit 2 to the full board.

Bretl explained that new hires would be able to go on Tier 1 if they are paying toward WRS. Chairperson Brandl suggested dividing the HSA payment into monthly payments so that an employee doesn't get a lump sum in January, and then leave the county. Andersen suggested front-end loading the HSA s for the first year, but then switching to monthly payments in subsequent years.

Supervisor Brellenthin amended his earlier motion to include language such that the HSAs would be front-loaded for the first year, but monthly payments would be made in

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subsequent years. When the plan is implemented on January 1, 2014 for new hires, they would receive monthly payments. Bretl clarified that new hires are automatically on Tier 2 currently. Wilson felt that employees might be more agreeable to Tier 2 if they are given a choice. He felt that employees should be allowed to go back and forth. Hagstrom clarified that newly-hired deputies would be able to choose between Tier 1 and Tier 2 because they are paying toward WRS. Deputies hired prior to 2012 are not paying toward WRS.

The motion carried 3 – 2 (Vice Chairperson Grant and Supervisor Redenius voted against).

Chairperson Brandl did not have any announcements.

The next regular meeting of the human resources committee was confirmed for July 17, 2013 at 3:00 p.m.

Adjournment. On motion and second by Vice Chairperson Grand and Supervisor Brellenthin, Chairperson Brandl adjourned the meeting at approximately 4:49 p.m.

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

Walworth County Human Resources Committee
MINUTES

July 1, 2013 – 1:30 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin
DRAFT

The meeting was called to order at approximately 1:30 p.m. by Chairperson Brandl.

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

Others present – Supervisors Nancy Russell, Tim Schiefelbein; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Dale Wilson, Payroll/Benefits Manager; Suzi Hagstrom, Labor/Employee Relations Director; Linda Seemeyer, HHS Director/LHCC Superintendent; Orr, Information Technology Director; Bernie Janiszewski, LHCC Administrator; Donna Pruess, Register of Deeds; Kim Bushey, County Clerk; Tracy Moate, Director of Special Education; Sheila Reiff, Clerk of Courts; Mike Recklies, Correctional Officer.

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

Public comment period – none

Discussion and possible action concerning potential staffing changes at Lakeland Health Care Center and Children with Disabilities Education Board in response to Federal Health Care Reform. Bretl explained that this is a very time-sensitive issue, as it has to do with Federal Health Care Reform. The county had made changes to the Code to reflect that only 0.75 FTEs and higher would be eligible for insurance. Under Federal Health Care Reform, the county must provide insurance, and it must be affordable. While this impacts the whole county, it has an even greater impact on LHCC and CDEB. Bretl stated that the committee may need to hold a special meeting prior to county board to approve any staffing changes. Finance staff met with LHCC and CDEB to discuss the most cost-effective way to manage staffing levels. Staff distributed information. Janiszewski stated that they were originally going to present the proposed changes as part of their 2014 budget request, but because of the health care act, they decided that the changes needed to be made sooner. The affordable care act affects LHCC as an employer and as a facility. The nursing home's five star rating is made up of several parts, and in order to maintain that rating, they need to increase the number of RNs. The nursing home could also lose revenue from Medicare if the number of RNs isn't increased. Many of the employees in 0.2 part-time positions work up to a 0.75, so the county would have to pay for their health insurance. The proposed changes will save the county money by increasing revenue. Janiszewski went over each of the proposed staffing changes, which would involve combining part-time positions to create full-time positions in some cases. She would also like to add dietary to the in-house staffing pool. The net change of the proposal is actually 0.85 FTEs less than the nursing home currently has. The way things stand now, the county could be liable for \$83,000 to \$210,000 in additional insurance. One of Janiszewski's main concerns is losing the five-star rating. She

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added that the county could realize savings between \$39,000 and \$138,492. Andersen stated that there will be an increased cost for certain employees, but the savings from creating pool employees will help offset the number of employees they are making full-time. Janiszewski added that some of the employees who will be going to full-time already have insurance. Andersen stated that finance could go through all of the numbers if the committee would like to see them at a special meeting. Hagstrom pointed out that with the in-house staffing pool, the nursing home will be moving away from having FTEs identified. She wants to make sure that the Board is clear on the actual cost. Janiszewski explained that the pool replaces the need for agency staff. There is an expense either way. Chairperson Brandl suggested having the finance department look over the proposal and provide final figures at a special meeting.

Moate explained the proposed changes at the school. This would involve five special education aides who are currently 0.8 FTEs. Under the affordable health care act, these employees would be eligible for health insurance, so Moate suggested offering them full-time status since they are typically working for the school full-time. This would help reduce the need for substitutes as well. The school currently has funds in the budget to help offset the cost of making these positions full-time. Because of retirements, the total FTE count has still been reduced. Andersen stated that they don't have the final costings for these, but she reiterated that recent retirements would help offset the costs. Moate added that some of these employees have their substitute teaching license, so they can be used in the classroom as teachers when necessary. Chairperson Brandl requested that final numbers be provided at a special HR meeting.

The committee agreed to hold a special meeting prior to County Board to go over the final version of the ordinances.

Discussion and possible action regarding modifications to Walworth County's Self-Funded Health Insurance Plan. Bretl explained that the committee had come to the consensus that the county would continue to be self-funded but plan changes needed to be made. Bretl proposed various modifications to Tier 1 and Tier 2. Tier 2 would become an HSA-eligible plan. To be HSA-eligible, the plan has to have certain deductibles and co-pays. The money in an HSA carries over from year to year. Bretl suggested that the county contribute to the HSA for those employees in Tier 2 who currently pay a portion of WRS. This would help compensate for the high deductible. The employees who were eligible to be on Tier 1 could stay on Tier 1 or choose to switch to Tier 2. All new hires would continue to be on Tier 2. Employees on Tier 2 who were contributing to WRS would be eligible for the county HSA contribution. The estimated savings of these changes is \$712,000. While this is far less savings than with the state health plan, it is also a far less radical solution for employees. Wilson explained that with the HSA plan, employees would pay everything up to their deductible. Once the deductible has been met, co-insurance is 90/10. Vice Chairperson Grant pointed out that once an employee reaches their deductible on the state plan, they don't pay anything else. Wilson added that employees would have to pay a much higher premium to stay with Aurora on the state plan. Wilson explained that wellness visits, for example, are covered at 100% and are not part of the deductible on the Tier 2 plan. Federal health care reform requires physicals to be covered at 100%. One of the advantages for employees of an HSA plan over Section 125 is that the money carries forward

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from year to year. With Section 125, if the money is not used in a certain period, it is lost. Supervisor Brellenthin questioned whether or not employees would have be able to switch from one tier to another. Vice Chairperson Grant suggested putting a two-year window on switching plans. After two years, an employee would have to remain on the plan of their choice. Andersen stated that the consultant recommends giving employees options. A voluntary conversion seems to work better for most employers. Chairperson Brandl wanted to see what the plan would look like with higher deductibles. Vice Chairperson Grant wanted to see what the cost would be if all employees were on Tier 2.

This item will be discussed at the special HR meeting prior to County Board.

Adopting 2014 pay ranges for certain hourly employees and salaried exempt employees.

Chairperson Brandl read the closed session language. Supervisor Brellenthin and Vice Chairperson Grant moved and seconded going into closed session. Roll call was taken. At approximately 2:25 p.m., the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1)(c) of the Wisconsin Statutes, "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." At approximately 3:45 p.m., on motion and second by Supervisors Brellenthin and Monroe, the committee reconvened in open session.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded adopting the pay ranges as presented in the pay study. The motion carried 5 – 0.

Chairperson Brandl did not have any announcements.

The next regular meeting of the human resources committee was confirmed for July 17, 2013 at 3:00 p.m. with a special meeting on July 9th at 4:00 p.m.

Adjournment. On motion and second by Supervisors Monroe and Vice Chairperson Grant, Chairperson Brandl adjourned the meeting at approximately 3:47 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
MEETING NOTICE**

May 14, 2013

5:30 PM

County Board Room 114

**Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin**

Dave Weber, Chairman *Dan Kilkenny, Vice Chairman*
Supervisor Rich Brandl *Supervisor Nancy Russell* *Supervisor Tim Schiefelbein*

Minutes

The meeting was called to order at approximately 5:41 p.m. by Chairperson Weber.

Roll call – In attendance were Chairperson Weber, Vice Chairperson Kilkenny and Supervisors Schiefelbein and Russell. Supervisor Brandl was excused. A quorum was declared.

Others present – Supervisors Tim Brellenthin, Rick Stacey, Joe Schaefer, Carl Redenius and Ken Monroe; David Bretl, County Administrator; Linda Seemeyer, HHS Director/LHCC Superintendent; Kevin Brunner, Director – Central Services.

Approval of the agenda was moved and seconded by Vice Chairperson Kilkenny and Supervisor Schiefelbein, with no withdrawals, and carried 4 – 0.

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

Ordinance No. 779-05/13 Creating Division 7 of Article III of Chapter 2 of the Walworth County Code of Ordinances Relating to a Transportation Coordinating Committee. Bretl explained that this item came out of discussions at the HHS Board meeting. The idea was to create a transportation coordinating committee, as recommended by State statute. The concept was by the committee, and Bretl feels that the draft ordinance amendment accurately reflects those discussions.

Vice Chairperson Kilkenny and Supervisor Schiefelbein moved and seconded approval of Ord. No. 779-05/13 Creating Division 7 of Article III of Chapter 2 of the Walworth County Code of Ordinances Relating to a Transportation Coordinating Committee. The motion carried 4 – 0. Bretl mentioned that there will be a technical amendment made on the County Board floor.

Resolution No. 26-05/13 Commending the Badger High School Culinary Team on their Championship at the 12th Annual National ProStart Invitational Management Competition. Chair Weber read the resolution.

Vice Chairperson Kilkenny and Supervisor Schiefelbein moved and seconded approval of Res. No. 26-05/13 Commending the Badger High School Culinary Team on their Championship at the 12th Annual National ProStart Invitational

Management Competition. The motion carried 4 – 0. This item will be moved up on the County Board agenda to recognize the students.

There were no reports/announcements by the Chairperson.

The next regular meeting of the executive committee was confirmed for May 20, 2013 at 10:00 a.m.

Adjournment. On motion and second by Vice Chairperson Kilkenny and Supervisor Schiefelbein, Chairperson Weber adjourned the meeting at approximately 5:48 p.m.

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