

County Zoning Agency
MINUTES
August 15, 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 4:31 p.m.

Roll call – Committee members present were Chair Rick Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Carl Redenius, Tim Brellenthin, and Citizen Member Richard Kuhnke, Sr. Citizen Member Jim Van Dreser was absent. 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 Neal Frauenfelder, Senior Planner, Debora Grube, Senior Zoning Officer, Fay Amerson, Urban Conservation Specialist, and Matthew Zangl, Student Intern.

A “sign-in” sheet listing attendees on August 15, 2013, is kept on file as a matter of record.

Details of the August 15, 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

Dave Weber motioned to approve the agenda as amended to withdraw item 9.c.1.) County Zoning Agency Action to Rescind Existing Conditional Use re: Willow Run Condominium Association. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the July 18, 2013, Minutes and the Joint Meeting with the Land Conservation Committee Minutes. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Rich Brandl motioned to approve the AMENDED Page 1 June 20, 2013, Minutes. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:33:13 – 4:33:39

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Daniel and Alexander Gifford**, Proposed one lot Certified Survey Map, located in Section 26, Town 1 North, Range 18 East, Town of Bloomfield. Tax Parcel # MB2600002. The applicant is seeking County Zoning Agency approval for a modification of Section 58-11.1(a) and 58-01 1.6(3) of the Walworth County Subdivision Ordinance which requires lots to have a minimum 50-foot of frontage on

a public road or other officially approved way for the purchase of roadway access. The proposed frontage on Twin Lake Road is 30-feet. Additionally, the CZA needs to consider removing a previously recorded restriction placed on this parcel as the result of a farm separation CXM (MA390400001) approved by Walworth County in 2005.

**Dave Weber motioned to approve with the following conditions: 1) ~~Approval is subject to the Town of Bloomfield forwarding the rezone on this parcel to the County Board or~~ Approval is subject to ~~the Town of Bloomfield forwarding the rezone to the County Board and~~ receiving County Board approval of the rezone; 2) Approval is subject to recording the affidavit removing the restriction on this parcel with the Walworth County Register of Deeds; 3) Approval is subject to meeting all applicable State Statutes and County Ordinances. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose
Disc Count #4:33:43 – 4:54:23**

2. **Jason Eck, Woods School, Applicant**, restriction amendment and affidavit of correction request on Certified Survey Map #3342 also identified as Tax Parcel #'s JA334200001, JA334200002, JA334200003 and JA334200004 located in Section 34, Town 2 North, Range 16 East, Town of Geneva. The applicant is requesting approval from the Walworth County Zoning Agency to move a previously approved Private Road right-of-way location in order to accommodate the relocation of a water utility easement and the construction of 6'x6' well equipment utility shed.

**Dave Weber motioned to approve with the following conditions: 1) Approval is subject to obtaining Town of Geneva and City of Lake Geneva approval; 2) Approval is subject to receiving conditional use approval for a utility; ~~3) Approval is subject to Walworth County Board of Adjustment approval for the location of the utility shed; 4) Approval is subject to obtaining approval for the lot line adjustment;~~ 3) Approval is subject to the applicant recording the Affidavit of Correction with the Register of Deeds Office; 4) Approval is subject to meeting all applicable State Statutes and County Ordinances. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose
Disc Count #4:55:15 – 5:01:10**

Old Business - Ordinance Amendments – None

Old Business – Discussion Items

1. Discussion / possible action re: General Bonding Issues – Michael Cotter, Fay Amerson

**Motion by Dave Weber to place on file. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor, 0-oppose.
Disc Count #5:01:20 – 5:09:04**

2. **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.

Richard Kuhnke, Sr. motioned to TABLE to next month until after BOA consideration. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose
Disc Count #5:09:04 – 5:29:16

3. **Zioto Enterprises, LLC**, George Paziotopolus – Applicant, Section 8, Darien Township. Conditional use for ongoing multiple contractor storage activities to occur in the A-2 and B-4 zone districts. Tax Parcels B D-8-2 and 5.

Dave Weber motioned to approve. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose
Disc Count #5:29:16 – 5:33:11

New Business - Ordinance Amendments - None

New Business – Discussion Items

1. Discussion/possible action re: Review of parking standards and definitions of the Walworth County Code of Ordinances – Michael Cotter, Debora Grube

Rich Brandl motioned to TABLE matter to September (30 days) to have proposed language for review (B-5 District mainly). Seconded by Richard Kuhnke Sr. Motion carried. 6-favor 0-oppose
Disc Count #5:33:19 – 5:40:28

2. Discussion/possible action re: Wisconsin DNR 2010 Wetland Inventory maps – Michael Cotter, Debora Grube.

Richard Kuhnke motioned to keep the maps on file for information. Seconded by Rich Brandl. Motion carried. 6-favor, 0-oppose
Disc Count: 5:40:28 – 5:42:44

3. Discussion / possible action re: **N3260 County Highway H LLC, Geneva Pines, LLC** Applicant – Section 23 & 26, Geneva Township. Amendment of a conditional use permit for outdoor food and beverage on an existing restaurant patio removing existing condition #16. Tax Parcel #JA136800001

Rich Brandl motioned to approve with proposed conditions as amended. Seconded by Dave Weber . Motion carried. 6-favor 0-oppose
Disc Count #5:42:44 – 5:47:26

Public Hearing: 5:58 P.M.

Ordinance Amendments - none

County Zoning Agency Action to Rescind Existing Conditional Use:

~~Willow Run Condominium Association, Section 13, Town of Sugar Creek. The Walworth County Zoning Agency will be holding a hearing concerning rescinding of a conditional use for two individual camp units at Willow Run Resort at the request of the Willow Run Condominium Association for continued violation of the non permanent residency requirements. The properties of concern affect the conditional use approvals for Unit 11, Frances Ciamprone and Unit 164, Veronica Prazza. The property is located on the south side of Highway ES approximately 650 feet west of the intersection of Highway ES and Highway 12/66.~~

~~— motioned to approve. Seconded by ——. Motion carried. 6-favor 0-oppose
Disc Count #5: TABLED PRIOR TO MEETING~~

Rezoning with Conditional Uses

Jodi A. Buckett/Van Wormer, Section 21, Lafayette Township. The property owner is requesting to rezone 35 acres of A-1 Prime Agricultural District to 22 acres of A-2 Agricultural District and 13 acres of A-5 Agricultural Rural Residential District with a conditional use on the proposed A-5 property restricting the area from further division. The property is located on the north side of Potter Road approximately 400 feet west of the intersection of Potter Road and Plank Road and is identified as Tax Parcel K LF-21-6.

Dave Weber motioned to approve. Seconded by Tim Brellenthin. Motion FAILED. 3-favor 3-oppose. (Roll call vote taken: Rick Stacey, Dave Weber and Tim Brellenthin in favor; Rich Brandl, Richard Kuhnke, Sr. and Carl Redenius opposed).

The rezone petition will move forward to the September 5, 2013, Walworth County Board.
Disc Count #6:01:34 – 6:19:48

Rezoning - None

Conditional Uses

JHGKL, LLC – Helga Wanschik, 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.6)), 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. **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.**

Richard Kuhnke, Sr. motioned to TABLE to September. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #6:19:55 – 6:31:06

Payne & Dolan, Inc. – William G. Buglass Applicant, Section 20, LaGrange Township.
Conditional use to install a permanent asphalt plant into the existing Nelson/Miller gravel pit with the use of recycled asphalt and recycled shingle product as inputs into the plant. Tax Parcels H LG-20-6, 20-8 and 20-1.

Recommended Conditions:

General:

1. Approved as per plan submitted for an asphalt plant with 500 tons per hour total capacity and the import of aggregates, recyclable asphalt materials and processed shingles with all additional conditions.

2. Must meet all applicable Federal, State, County and local regulations.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No fill, debris, branches or leaves may be brought back and disposed of on site, **unless materials are used for reclamation**. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit specific to the asphalt plant if required from the County Conservation Office.
7. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
8. The project site must be kept neat, clean, and mowed.
9. Implementation of dust and noise control measures shall occur at all times on site.
10. 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.
11. 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.
12. On site hours of operation for the asphalt plant shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with hours after 6:00 p.m. for off premise work and returning of equipment to the premises seven days a week. No operation on Sundays or Holidays, **with hours beyond if needed by contract and submitted to the Town and County**. The heater for the asphalt plan may run during non-operation hours.
13. No general public sales allowed on premises.
14. The project must meet with all State, Federal and local regulations including wetland regulations prior to any filling on site. No fill encroachment will be allowed into the wetland area. The applicant must survey and mark the wetland boundary prior to filling for the future buildings. The applicant must contact the U.S. Army Corp. of Engineers and the D.N.R. regarding wetland review and approval prior to construction.

15. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
16. Outside storage of material brought in from off-site shall be limited to the type and quantities of material specified on the plan of operations and in the narrative. (See storage locations).
17. The owner shall provide off street parking for trucks arriving prior to operation hours.
18. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.

Specific conditions:

19. All trucks and other vehicles shall enter and exit the project site via the US Hwy 12 entrance as per the Town.
20. In the event a contract requires running the plant beyond the stated hours, the operator shall notify the County Land Use and Resource Management (LURM) Zoning Office prior to proceeding as per the Town.
21. Trees shall be planted along the berm which is parallel to Jackson Road as per the Town.
22. The asphalt plan shall be located as indicated on the submitted plan and shall remain in that location as per the Town.
23. A berm shall be constructed along the south property line, beginning at the southeast corner of the site and extending to the northwest corner of tax parcel H LG-20-6A. The berm shall be placed within the setback and shall be a minimum of ten feet in height. The berm shall be seeded to grasses when complete. As per the Town.
24. The operator of the asphalt plant shall add odor suppressing additives to the liquid asphalt upon notification from the Town. The additive shall be used for a minimum of 30 consecutive days after notification from the Town. As per the Town.
25. The operator of the asphalt plan shall not proceed to erect the plant until and unless the WI, DNR has approved a permit to do so as per the Town.
26. The Town shall receive an annual operation update regarding complaints and general operation conditions of the asphalt plant from the ~~County Land Use and Resource Management Office (LURM)~~ **APPLICANT/OPERATOR** each November as per the Town.

Rich Brandl motioned to approve with an amendment to condition #26 with the APPLICANT/OPERATOR reporting to the Town. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #6:31:06 – 6:47:00

Lakeland Community Church, Section 25, Delavan Township. The property owner is requesting conditional use approval for expansion of an existing church by addition of a sanctuary to accommodate 400 people and provide for expansion of the parking lot. The property is located on the west side of Hwy 66 approximately 2400 feet north of the intersection of Hwy 66 and Hwy 50 and is identified as Tax Parcel FA3956-2.

Recommended Conditions:

General:

1. Approval of the proposed church building and require parking lot expansion plans to accommodate a building seating capacity of 400, stormwater and sanitary waste facilities, as delineated on drawings dated 2-12-13 with all additional conditions.
- 2.
3. Any infrastructural expansion of the facility beyond that identified on the approved plan, dated 2-12-13, will require additional conditional use review.
4. The project must meet all Federal, State, County, and local regulations including Walworth County Zoning approvals for all structures located on site.
5. The church must obtain a Land Disturbance, Erosion Control and Stormwater Permit approval from the County Land Conservation Office and the Town Engineer prior to construction on site.
6. No camping on grounds allowed.
7. No outdoor activities allowed after 10:00pm.
8. Outdoor lighting shall be shielded and directed on site.
9. The access shall be approved by the Department of Transportation and located as identified on the approved plan.
10. No Outdoor PA or sound system will be allowed on site.
11. All other conditions applicable to the main church conditional use shall apply to church expansion project as proposed.
12. Any changes to the character, intensity, or use of this site not capable of being discerned by the Walworth County Land Management Department as consistent with this approval must be brought before the Land Management Committee for additional conditional use review.
13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time

extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

14. The church agrees there will be no expansion or modification of plans submitted, without Town of Delavan approvals as per the Town.
15. The church shall follow the Yerkes Observatory Lighting Standards as per the Town.
16. Execution of a Developer's Agreement between the church and the Town of Delavan prior to construction, including the following as per the Town:
17. A Letter of Credit for all public improvements, as well as private storm water drainage improvements and erosion controls.
 - a. Town approval of storm water drainage plans.
 - b. Town approval of erosion control plans.
 - c. Town approval of landscaping berms and screening required.
 - d. Town approval of lighting, signing, and landscape plans.
 - e. The church is responsible for all outside costs incurred by the Town for engineering review, inspection, and attorney's fees.
 - f. Town approval of dry hydrant system, per Fire Chief.
 - g. Execution of a Municipal Service Agreement between the church and the Town as per the Town.
18. No primary or secondary education facilities allowed on the property as per the Town.
19. The church agrees that it will not expand the building, which appears on the aforementioned plan, past its existing size; unless a municipal sanitary sewer system becomes available, and only after presenting new plans to the Town Plan Commission for approval as per the Town.
20. The church shall be granted approval of the septic system as presented, with the following conditions as per the Town:
 - a. Pre-treatment included, to be as presented
 - b. Full depth of limiting factor to 36", as presented
 - c. Cell size to be no smaller than designed without pre-treatment, as presented
 - d. Dialer system to be installed for alarm notification in case of system failure
 - e. Walworth County Sanitarian to receive copies of 6 month maintenance contract reports, for the life of the system, and reports should include any system failures recorded, all alarm activations and actions taken by owners, and all meter readings within each 6 month period.

21. The church agrees to enter into a Maintenance Agreement for the septic system with a reputable firm, with inspections occurring every 6 months, and more if necessary, and the church further agrees to furnish the Town with a copy of the signed agreement as per the Town.
22. The church agrees that at such time as sanitary sewer, or the ability to hook-up to sanitary sewer becomes available at the intersection of STH 66 & 50, the church at its own expense, will connect and pipe its effluent to that hook-up location as per the Town.
23. The church must obtain sanitation approval for the proposed sanitation system prior to any construction on site. If a Holding Tank is approved, the applicant must provide a copy of the contract between the applicant, waste hauler, and the sanitary treatment facility to insure that all waste is capable of being properly disposed as per the Town.
24. The conditional use approved the 19th day of January, 2012 for three year temporary use of an office/classroom trailer shall terminate upon completion of the church addition or within the time allotted by the original approval whichever comes first.

Statement made by Attorney Les Johnson, attorney for Lakeland Community Church.

Dave Weber motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose

Disc Count #6:47:00 – 6:54:53

Martin Badt, Jason C. Eck applicant, Section 34, Geneva Township. The property owner is requesting conditional use approval for a pump house shelter for well equipment for a joint well that serves four residential lots and Wood School Joint School District #4. The property is located on the east side of Snake Road approximately 450 feet south of the west intersection of Snake Road and Hwy 50 and is identified as part of Tax Parcel JA3342-4.

Recommended Conditions:

General:

1. Approved as per plan submitted as a shared well utility with required conditions added.
2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan).
3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
4. Construction related activities are only allowed on site between sunrise to sunset.
5. The easement must be used for the purpose for which it was granted.

6. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.
7. All spoils spreading activities must be conducted in the approved identified locations.
8. All access to the site must be made as identified on the approved plan.
9. The applicant shall meet all applicable Federal, State and local regulations.
10. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #6:55:00 – 6:57:58

Adjournment

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

The meeting was adjourned at 6:58 p.m..

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

DRAFT 8/12/13

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING

SATURDAY, AUGUST 3, 2013, 9:35 AM
LAGRANGE TOWN HALL

MINUTES

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

Absent: Doug Behrens (2016), Pat Kachur (2014)

Public Attendance: Rick Callaway, Peter Schuler, Jim Mueller

1. Approval of Agenda (Dave): Motion to approve the Agenda (Bob/Ted). Carried unanimously.
2. Approval of Minutes (Marcia): Motion to approve the Minutes of 5/4/13 (Bob/Ted). Carried unanimously. Motion to approve the Minutes of 6/29/13 meeting to elect officers (Bob/Don). Carried unanimously.
3. Treasurer's Report (Ted): As of 7/31/13, the balances in the People's Bank accounts are:

Checking	\$42,593.36
Money Market (reserve acct)	\$39,727.64
Grant Fund	\$22,232.22
Total	\$104,553.22

Motion to approve the treasurers report (Bob/Don): Carried unanimously.

Ted requested putting a preliminary Budget discussion on the November agenda.

4. POA Report (Peter Schuler):
 - a. Fish Management report: We are stocking 75 to 80 northern pike again this fall. The DNR stocked northern in the spring. The Fish Cribs are built with the potential to built additional but smaller cribs. We are figuring out how to install them in the lake and researching pier companies to assist with their barges and cranes.
 - b. Website & Directory report (Ted): The changes received at the annual meeting have been made on the website which generates the directory.
5. Aquatic Plant Management/Weed Control report (Dave/Marcia): The lake has cleared up. Roy Carlson did the pre-treatment survey 7/26/13 and has contacted Heidi Bunk to get the permit and schedule the treatment. Once he informs us of the date, the notices will be sent out. The SEWRPC plant survey will take place the week of 8/12-8/16/13. Jim, Bert, Peter and Dave have volunteered to drive their pontoon boats. A schedule will be arranged once we have the exact dates from SEWRPC.
6. Drain Report (Dave/Marcia): The engineers are working on Task 3 of the RA Smith Proposal which was read. Task III:

The initial part of this task and prior to the detailed survey noted in task IIA, we will evaluate the general effects of each alternative (up to four) as it relates to lake level and duration of time it would take to drawdown the lake level, where applicable. Assuming the survey data shows that the alternative chosen is feasible, we would begin design of the improvements. The design work includes finalizing engineering calculations to size the drawdown structure and pipe size necessary to meet the goals of the project, and preparation of construction plans. The design will be limited to improvements on the west side of Pleasant lake Road. At

completion, we will meet with representatives of the District to review the plans at R.A. Smith National's office. It is anticipated that the WDNR will require an alternatives analysis, so we would prepare that document under this task.

RA Smith has worked on options for the drawdown system one using a 24 inch pipe another using 10 inch pipe like we currently have. They have charted different drawdown times depending on different rates of precipitation. They are proposing using a drop box structure for the inlet which is more efficient than the current pipe. We will meet with them in mid-August to discuss and narrow down the options depending on their feasibility. DNR approval also has to be considered.

7. Goose Control report (Dave): There are few geese on the lake for some reason. The season started with 9. The reason is unclear. The round-ups that the Lauderdale Lake Management District does may affect us. They captured 32 birds this year in June. Last year it was around 60. They plan to continue their goose round-up next year.

8. Water Quality discussion (Dave): As Phil reported to the POA, the water clarity has improved since the beginning of the year. Roy Carlson felt that the high level of plankton could be a carry over from last year and just has taken longer to clear up. He thinks the water clarity will continue to improve and that this has just been an unusual event.

9. Audit Committee report and recommendations (Dave): The audit committee submitted some concerns and recommendations to the Board which were sent on to the Finance Committee for review, implementation and recommendations. Ted will plan to have a Finance Committee meeting in December or January to consider these and begin the budget procedure.

10. Terry Property on Lauderdale Lakes update (Marcia): The Terry family's second pier application to place a 140 foot pier with 2 moorings in one of the most environmentally sensitive areas of Lauderdale Lakes has been approved by the DNR with some constraints. The LLLMD plans to request a contested case hearing to challenge the DNR decision. This pier placement application does not conform with Town Ordinances and it would have to come to the Town for a variance. This may lead to litigation. This situation has broad implications.

11. Schedule meeting dates (Dave): Next meetings are November 2, 2013, February 1, 2014, and May 3, 2014. We need to consider Annual Meeting dates. If the annual meeting is in August it should be before school starts in Illinois. We may survey property owners in February to see when the most people could attend.

Motion to adjourn at 10:00 am (Ted/Bob). Carried unanimously.

Respectfully submitted,
Marcia M Sahag, secretary
Pleasant Lake Protection & Rehabilitation District

County Zoning Agency
MINUTES
July 18, 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 4:56 p.m.

Roll call – Committee members present were Chair Rick Stacey, Vice-Chair Dave Weber was absent-excused, Supervisors Rich Brandl, Carl Redenius and Tim Brellenthin, Citizen Member Richard Kuhnke, Sr. and 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 Neal Frauenfelder, Senior Planner; Fay Amerson, Urban Conservation Specialist; and Darrin Schwanke, Code Enforcement Officer, Matthew Zangl, Student Intern.

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

Details of the July 18, 2013, meeting / hearing are recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us

Rich Brandl motioned to approve the agenda as amended to withdraw item 8.d.2.) Citizen’s Bank of Mukwonago, and item 8.e.2.) Payne & Dolan, Inc., Wm. Buglass Applicant; and to move Agenda Item 8.b.5.) JHGKL, LLC to Public Hearing session at 5:30 to be heard with item 8.e.1. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose

Richard Kuhnke, Sr. motioned to approve the June 20, 2013, Minutes. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:57:57 – 4:58:55

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. Maureen Doheny and Denise Fitzpatrick restriction removal and affidavit of correction request on lot 13 of Arrowhead Park Addition Number 1 Subdivision also identified as Tax Parcel # HAPA 00003 located in Section 35, Town 4 North, Range 16 East, Town of LaGrange. The applicants are requesting the County Zoning Agency to remove a previously approved building setback limitation identified on the Subdivision Plat.

Rich Brandl motioned to approve the removal of the building setback limitation on the Subdivision Plat with the following conditions: 1) Approval is subject to the applicants recording the Affidavit of Correction with the Register of Deeds Office, and 2) Approval is subject to meeting all applicable State Statutes and County Ordinances. Seconded by Jim Van Dreser. Statement by Tim Brellenthin voicing concerns. Motion carried. 5-favor 1-oppose (Supervisor Brellenthin opposed)

Disc Count #4:59:04 to 5:04:11

2. Ronald L Condroski Revocable Trust proposed 3-lot, 1-outlot Certified Survey Map located in Section 22, Town of North, Range 16 East, Town of LaGrange, Tax Parcel # H LG2200007. The proposed CSM contains 63.27 acres and is zoned C-2 Upland Resource Conservation District and A-2 Agricultural Land District. The applicants requesting a modification to the County Subdivision Ordinance Private Street Standards to allow 3 lots within the proposed CSM and one existing parcel adjacent to the proposed CSM to gain access to a Public Road (Territorial Road) thru two proposed 66-foot wide Easements.

Tim Brellenthin motioned to approve with the following conditions: 1) Approval is subject to the applicant preparing and recording maintenance agreements for the access easements, 2) Approval is subject to Town Board Approval, and 3) Approval is subject to meeting all applicable State Statutes and County Ordinances. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Disc Count #5:04:46 – 5:12:08

Old Business – Ordinance Amendments - None

Old Business – Discussion Items

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

Jim VanDreser motioned to approve to TABLE based upon statement by Atty Howe to October 17 meeting with no new activity/restoration on the site. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose
Disc Count #5:12:17 – 5:26:10

2. Discussion / possible action re: Shawn and Jennifer Donnelly – Shawn Donnelly applicant, Section 10, Spring Prairie Township. Conditional use to expand an existing commercial horse boarding facility on lands zoned A-2 from 27 horses to 42 horses, have an outdoor horse riding arena and remove

an approved dog kennel. The property of concern is identified as Tax parcel O SP-10-4C - Matt Weidensee.

Rich Brandl motions to approve amended conditional use. Seconded by Jim Van Dreser. Motion carries. 6-favor 0-oppose.

Disc Count #5:26:12 – 5:29:33

New Business - Ordinance Amendments - None

New Business – Discussion Items

1. Town of Richmond Ordinance No. 5/21/13-2 – An ordinance amending Chapter 10 of the Town Code of the Town of Richmond relating to Buildings and Building Regulations – Michael Cotter

Jim Van Dreser motions to place on file. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose.

Disc Count #5:29:38 – 5:30:32

2. Town of Richmond Ordinance No. 5/21/13 – An ordinance amending and replacing Chapter 39 of the Town Code of the Town of Richmond, Wisconsin, to provide for the licensing of center pivot manure distribution systems in the Town of Richmond – Michael Cotter

Richard Kuhnke, Sr. motions to place on file. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose.

Disc Count #5:30:32 – 5:31:36

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

Tim Brellenthin motioned to TABLE to October meeting. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Disc Count #5:31:37 – 5:33:06

4. Discussion / Possible Action re: Jerry and Ellen Dean, Section 5, Walworth Township. Rezone .43 acres of M-1 Industrial District to A-5 Agricultural-Rural Residential District in order to bring an existing building into residential use compliance with the County Zoning Ordinance after review for a special exception by the Board of Adjustment. Tax Parcel E W-5-11A

Jim Van Dreser motioned to approve. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

Disc Count #5:33:06 – 5:34:31

5. Discussion / Possible Action re: JHGKL, LLC – Helga Wantschete, 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. Tax Parcel G SC-9-4.

Agenda Item 8.b.5.) JHGKL, LLC Moved to Public Hearing session at 5:30 to be heard with item 8.e.1.

Rich Brandl motioned to adjourn until 5:30 portion of meeting. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose Adjourned at 5:34 p.m.

Public Hearing: 5:42 p.m.

C. Rezones with Conditional Uses

1. Mark and Kathy Gorecki, Section 23, Sugar Creek Township. Rezone 1.48 acres of A-1 Prime Agricultural District and A-5 Agricultural Rural Residential District to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for a contractor storage yard as a conditional use. Part of Tax Parcel GA3561-1

Recommended Conditions:

General:

1. Approved per plans submitted for a contractor storage yard for a snow plowing and earth moving business with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No filling shall be allowed in any wetland areas.
6. No filling shall occur on site without proper permit approvals.
7. Access approval must be obtained from the Town Highway Department.
8. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land

Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.

9. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Friday and 6:00 a.m. to noon on Saturday with hours for return of equipment from off site until 9:00 p.m.
10. No burning shall be allowed on site without a State burning facility license and any required local approvals.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.
14. There shall be no more than 120 cubic yards of earthen materials stored on site in the designated earthen materials storage location once the contours are established for the minor filling as shown on the site plan.
15. All equipment moved from the storage building to the garage and back again shall use the Town roads and not cross the property without construction of a 24 foot wide commercial driveway between the two buildings and a vehicle access door on the back of the garage/shop structure.

Jim Van Dreser motioned to approve with conditions and amendment to building size stated by Applicant. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose

The rezone petition will move forward to the August 15, 2013, Walworth County Board for possible action.

Disc Count #5:46:27 – 5:52:24

2. J & J Fabricating Real Estate LLC – Jeff Reed (Applicant/Owner), Section 21, Linn Township. Rezone .65 acres of R-1 Single Family Residential District to M-1 Industrial District for addition of industrial zoned lands to an existing industrial facility along with conditional use review for metal fabrication of piers and boatlifts with outside storage of boatlifts and piers. Part of Tax Parcel IL-21-10.

Recommended Conditions:

General:

1. Approved as per plan submitted for welding, construction work, mechanical work, and maintenance of equipment, and outside storage of boat lifts and /or piers with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
7. The applicant must submit a road access and maintenance agreements with the Town prior to hauling materials off site.
8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.
9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
10. Implementation of dust and noise control measures shall occur at all times on site.
11. The County will not be liable for any damage to neighboring wells due to the operation of the project.

12. Any additional Office/trailer or structures shall obtain approved zoning and sanitary permits.
13. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with No operation on Sundays or Holidays.
14. No general public sales allowed on premises.
15. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
16. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
17. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
18. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
19. 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.
20. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific conditions:

21. The residential structure shall be removed within 60 days of this approval.
22. No outside storage of chemicals shall occur on site.
23. Any painting and finishing area of the industrial building must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.

24. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
25. The property owner shall install an adequate screening buffer between the west parcel boundary line and the neighboring residential property. A landscape plan showing the screening shall be submitted to the Town prior to construction on site as per the Town.

Rich Brandl motioned to approve. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose

The rezone petition will move forward to the August 15, 2013, Walworth County Board for possible action.

Disc Count #5:52:24 – 5:56:59

3. Eugene and Donna Frodl, Section 32, Whitewater Township. Rezone 40.33 acres of a temporary borrow for the Hwy 12 Whitewater bypass project from the M-3 Mineral Extraction District to 34.90 acres A-1 Prime Agricultural District for addition to A-1 farmland and 5.43 acres of A-5 Agricultural Rural Residential District for a residential lot. The rezone to the A-5 district is accompanied by a conditional use for a Planned Residential Development to allow for a condition that the lot is not further divisible. Part of Tax parcel D W-32-1.

Recommended Conditions:

General:

1. Approved as per plan submitted as a one lot Planned Residential Development (PRD) with all additional conditions.
2. The owner must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan.
3. The owner must meet State highway access requirements.
4. The project must meet all Federal, State, County and local Ordinances.
5. The property owner shall submit a deed restriction within 60 days of this approval stating the parcel shall not be further divisible without approval from the Town and County by restriction removal.
6. The County reserves the right to rescind this conditional use upon any violation of County regulations.

7. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
8. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

Richard Kuhnke, Sr. motioned to approve. Seconded by Carl Redenius. Motion carried. 6-favor 0-oppose

The rezone petition will move forward to the August 15, 2013, Walworth County Board for possible action.

Disc Count #5:57:01 – 6:01:50

D. Rezones

1. William M. and Lorraine A. Norem, Section 18, Lafayette Township. Rezone 10.5 acres of R-5 Planned Residential Development District and A-2 Agricultural District (road right of way) to A-5 Agricultural Rural Residential District to allow the two existing parcels to be used as single family rural residential lots. Tax Parcel K LF-18-1C and part of Tax Parcel KA1640-2

Tim Brellenthin motioned to approve. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose

The rezone petition will move forward to the August 15, 2013, Walworth County Board for possible action.

Disc Count #6:01:50 – 6:11:00

~~2. Citizens Bank of Mukwonago—Douglas R. Bruins/President, Section 1, Lafayette Township. Rezone 3.07 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 KA2300-1.~~

~~_____ motioned to approve. Seconded by _____ Motion carried. _____ favor 0-oppose~~

The rezone petition will move forward to the August 15, 2013, Walworth County Board for possible action.

Disc Count # _____

TABLED PRIOR TO MEETING

E. Conditional Uses

1. JHGKL, LLC – Helga Wantschik Applicant, Section 9, Sugar Creek Township.

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 C-SC-9-4.

Recommended Conditions:

General:

1. Approved as per the conditional use plan submitted and approved July 18th, 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 June 20th, 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 and rezoned.**
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. 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 Van Dreser motioned to TABLE matter prior to public comment to next month. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose
Disc Count #6:11:00 – 6:19:08**

2. Payne & Dolan, Inc. – William G. Buglass Applicant, Section 20, LaGrange Township. Conditional use to install a permanent asphalt plant into the existing Nelson/Miller gravel pit with the use of recycled asphalt and recycled shingle product as inputs into the plant. Tax Parcels H.L.G. 20-7, 8 and 1.
TABLED PRIOR TO MEETING

3. Tower View Properties, Inc., Attorney James P. Howe – Applicant, Section 24, Geneva Township and Section 19, Lyons Township. Conditional use approval to construct a single-family residence in the B-5 zone district as part of a Planned Commercial-Recreational Business development. The property is identified as Part of Tax Parcel JA429800001.

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 variance from the right of way width requirement. The roadways are intended to remain private. The roadways may not be dedicated to the public without bringing the parking into compliance with parking setback requirements from public roadways. 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 Road 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-off 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.

Rich Brandl motioned to TABLE item to September meeting allow applicant to receive variance approval through BOA for driveway easement through the existing parking lot; and to recommend staff discussion of the Ordinance for possible amendment concerning this issue at the August meeting. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose
Disc Count #6:19:08 – 7:01:29

4. Zioto Enterprises, LLC, George Paziopolus – Applicant, Section 8, Darien Township. Conditional use for ongoing multiple contractor storage activities to occur in the B-4 zone district. The property is identified as Tax Parcels B D 800002 and B D 800005.

Recommended Conditions:

General:

1. Approved as per plan submitted for a temporary contractor storage yard with equipment storage, an office, storage trailers, material storage, and parking for contractor personnel based upon a one tenant only occupancy, namely Minnesota Limited with required conditions as stated.
2. All materials, dumpsters, portable toilets, and parking of any nature will be as reflected in the Amended Site Plan.
3. The site plan shall be amended to show no contractor storage occurring upon the A-2 property.
4. Contractor storage activities, with the exception of parking, are allowed only between sunrise and sunset.
5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management Permit from the County prior to any land disturbance activities taking place on the site.
6. All access to the site must be made as identified in the approved plan.

7. All contractor storage shall be located as identified in the approved plan.
8. The applicant shall meet all applicable federal, state, and local regulations.
9. The applicant shall obtain all necessary permits for any temporary sanitary facilities.
10. Storage-related activities, including parking, shall not occur within 25 feet of the right-of-way or the required vision triangle.
11. With the exception of the min-shed display area, no other uses shall be allowed on the site in conjunction with this approved temporary use, and no other person or party shall be allowed to take advantage of or use the CUP other than Minnesota Limited LLC.
12. The approved CUP is for a term of 12 months, and shall expire on the earlier of July 1, 2014, or the expiration or termination of the lease of Minnesota Limited LLC as per the Town.
13. There shall be no full-time employees located on the subject premises.
14. Materials stored on site, other than parking, are limited to wood mats, plastic culverts, portable lights, dumpsters, and a portable toilet.
15. Beyond the approved uses as set forth above, there shall be no other use of the premises during the term of the CUP.
16. No permanent buildings shall be allowed on site as part of this approval.
17. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.
18. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

19. There shall be no fabrication, painting, welding, washing of materials or equipment, cutting, milling, chipping, sorting etc. allowed on site. Storage of specified equipment and materials only.
20. Failure to make the required contact with the County and or provide the required information for review prior to use of the site shall result in County citation and/or enforcement.

21. The topsoil pile located on site shall remain for use in final restoration of the contractor storage yard.
22. No topsoil, fill or other earthen materials may be mined and/or removed from the site.
23. No earthen materials, debris and or spoils may be disposed of on site.
24. All area utilized for contractor storage shall be covered by gravel prior to use.
25. The property owner shall provide temporary sanitary facilities on site when the site is used for contractor storage.
26. The mini-storage sheds located on the premises and reflected in the applicant's revised plan may remain on site for a 12 month period provided the applicant complies with all of the necessary conditions as itemized above and the applicant provides the name of the designated lessee displaying the sheds. The temporary use of the property for the mini-storage sheds shall not transfer to any other lessee. (as per the Town).

Rich Brandl motioned to TABLE item for submission of to-scale plan as recommended by County Staff. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose

Disc Count #7:01:29 – 7:15:54

Adjournment

Rich Brandl motioned to adjourn. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose

The meeting was adjourned at 7:16 p.m..

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

Walworth County
Joint Land Conservation Committee – County Zoning Committee
MINUTES

Thursday, July 18, 2013 at 4:00 p.m.
Walworth County Government Center
County Board Room
Elkhorn, WI 53121
**** DRAFT ****

The meeting was called to order by Chair Rick Stacy at 4:02 p.m.

Roll Call – Committee members present included: For CZA, Chairman Rick Stacey, Vice-Chair Dave Weber was absent-excused, Supervisors Rich Brandl, Carl Redenius and Tim Brellenthin, Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser; A quorum was declared. For LCC, Supervisors Dan Kilkenny, Nancy Russell and Tim Schiefelbein, USDA/FSA Representative Sue Bellman was absent, Citizen Member Rosemary Badame; A quorum was declared.

County staff present – David Bretl, County Administrator was present for a portion of the meeting, Michael Cotter, Director of Land Use Resource Management (LURM), Louise Olson, Deputy Director/LURM, Fay Amerson, Urban Conservation Specialist, and Associate Planner Matt Weidensee. Present for a portion of the meeting / hearing was Neal Frauenfelder, Senior Planner,

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

Details of the July 18, 2013, meeting / hearing are recorded 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 Carl Redenius. Motion carried. 10-favor 0-oppose

Discussion General Bonding Issues. LURM Director Michael Cotter summarizes discussions to be had during the meeting. Fay Amerson addresses Board members concerning bonds for mining and reclamation plans and reviews documents contained in the handout. Questions by Dan Kilkenny concerning rights of bonding company to cancel the bond on 90 days notice. Discussion concerning rights of County to call in the bond. Statement by Michael Cotter regarding notification of cancellation of bond and calling in a bond. Matt Weidensee addresses Boards regarding current inspection of gravel pits and bonding issues. Statement by Fay Amerson concerning DNR partnership in permitting. Closing statement by Michael Cotter concerning possible further discussions. Bonding issues can be discussed at CZA and send further to LCC. Nancy Russell recommends discussion of junk yards.

Richard Kuhnke, Sr. motioned to have bonding issues rescheduled to CZA August meeting. Seconded by Rich Brandl. Motion carried 10-favor 0 opposed.

Disc Count #4:04:25 to 4:49:07

Adjournment

Rich Brandl motioned to adjourn. Seconded by Dan Kilkenny. Motion carried. 10-favor 0-oppose

The meeting was adjourned at 4:49 p.m..

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



**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 Killenny, 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.

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

JULY 16, 2013 MONTHLY MEETING

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

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

Secretary Correll read the minutes of the June 18, 2013 monthly meeting which were subsequently approved. Treasurer Schwarten read the amended May, 2013 and June, 2013 Treasurer's reports both of which were subsequently approved. (Copies of minutes and Treasurer's reports attached.)

Old Business:

Chairman Lutz reported:

- ** Kenny Mosher has agreed to use his backhoe to clean out the out flow channel of Tahoe Lake, being careful to not disturb the sunken pipe which has been used in the past to drain the lake.
- ** He has discussed the ongoing maintenance with Derek Koenig who has indicated in the past that he, having now graduated from high school, wants to get a regular full-time job instead of doing the maintenance. He has now said that he has not been able to find a full-time job, and would like to continue to do the maintenance. Since his work has been excellent, Chairman Lutz has agreed to let him continue to do the maintenance.
- ** Although it is not required by the DNR until 2015, we will have to replace the dam boards this winter. Cost will hopefully be under \$10,000.
- ** During the period of heavy rains, the level of Honey Creek rose so high that, at the outlet pipe through which there is an overflow from Honey Lake into Honey Creek, the flow reversed, with water flowing from the Creek back into the Lake.
- ** Chairman Lutz will tour the District area between East Lakeshore Drive and Honey Lake with a rep. of Bienemann Tree Service marking those trees which need to be removed.

New Business:

Chairman Lutz reported:

- ** There is a large log half in and half out of the spillway. Chairman Lutz has been unable to remove it. He will have Bienemann's cut and remove it.**
- ** The Town of Spring Prairie has approved a "no parking" ordinance which will impact sections of the Honey Lake District. Walworth County Sheriff's Dept. will enforce as req'd.**
- ** Brief discussion held on the condition of County Line Blvd. It needs some patching now, as well as probable replacing. No decisions reached.**
- ** Chairman Lutz reported from a Walworth County Lakes Assoc. meeting in which a DNR rep. reported on possible dam rating changes. In the Racine County portion of the Honey Lake district, there are properties owned by Mike Kasperzak. (not certain how many "lots"). If one of those properties adjacent to the dam were to be built upon, Chairman Lutz said that our dam's rating would likely change from "low hazard" to "high hazard". Lutz asked Mike Weinkauff to check with the Rochester individuals to see if those properties could possibly be rezoned to prevent any possible building upon them.**
- ** Chairman Lutz presented a "rough" agenda for the District's Annual Meeting to be held In August. Two items of importance will be a report on the dam and its inspection and condition, plus the possible purging of old District records (Our Att'y recommends only 10 year retention.)**

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 7:50 p.m.

Respectfully submitted,



Robert E. McIndoe 7/17/13

Walworth County Executive Committee
July 15, 2013 at 10:00 AM
County Board Room 114 - Walworth County Government Center
Draft Minutes

Chairman Weber called the meeting to order. A quorum of committee members was in attendance, including Chairman Weber and Supervisors Brandl, Russell and Schiefelbein. Supervisor Kilkenny had not yet arrived.

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

The June 17, 2013 executive committee minutes were approved 4 – 0 on motion and second by Supervisors Brandl and Schiefelbein.

There was no comment during the public comment period.

Appointments

Land Information Advisory Council (LIAC). County Administrator Bretl nominated John Murphy for appointment by the County Board. Bretl said LIAC member Craig Workman resigned and took a job in Burlington. Bretl said Murphy's knowledge of public service infrastructure and GIS functions should be a good fit on this committee. Schiefelbein and Brandl moved and seconded recommending appointment of John Murphy; the motion carried 4 – 0.

Walworth County Transportation Coordinating Committee (TCC). Bretl's nominations were James Davis, HHS volunteer driver and Cynthia Simonsen, VIP Services Director. Bretl said he wanted to move forward with these appointments and had discussed them with HHS Director Seemeyer, who was supportive. In the future, if VIP Services bids on county transportation, Simonsen would need to recuse herself from voting. **Brandl and Schiefelbein moved and seconded support of Bretl's nominees; motion carried 4-0.** Russell asked if staff would contact Andy Kerwin of Geneva Crossings. He might be interested in serving.

Consent items. Schiefelbein and Russell moved/seconded approval of Rick Stacey's claims totaling \$38.42; motion carried 4-0. Schiefelbein and Brandl moved/seconded approval of Russell's claim in the amount of \$214.87; motion carried 3-0 (Russell recused herself).

New business

Discussion with WalCoMet Administrator Brad Huza regarding upcoming regulatory requirements and their budgetary impacts. Bretl thanked Mr. Huza for taking the initiative to attend the meeting and welcomed him. Huza has been on the job for approximately six weeks. He provided a summary of current WalCoMet business and initiatives, describing what he called "pressure points," including phosphorous removal required by the DNR. WalCoMet's goal is to meet the regulation as economically as possible. June rainfall has made operations challenging, leaving some issues to work on in the City of Elkhorn and Village of Darien. There was also heavy rainfall in April. WalCoMet has kept up with the rise at the lift station. WalCoMet will be convening a task force and enacting a case scenario with municipalities for similar situations with heavy rains. Huza stated that he was born and grew up in Wisconsin, and attended the University of Wisconsin. He is registered and licensed as a professional engineer in Wisconsin and in Arizona, and has worked in public utility management his entire career. He was the utility services director for the city of Prescott, Arizona and then managed the water district near Las Vegas, Nevada. He returned to Wisconsin and took the position with WalCoMet and lives near Lake Como. Huza said the village of Darien has been doing

a lot of work on their sewer system. There have been significant spikes at the lift station because of excessive June rainfall. From reviewing inflow data, it appears something broke down in the Darien system. Kilkenny asked if any municipalities run storm sewers into the WalCoMet system. Huza said they are not supposed to, although he thought some sump pumps might have been discharged during June. The inflows came quickly, not typical of normal filtration. WalCoMet will be working with the village to correct problems. Weber said he appreciated Huza attending the meeting to update the committee. If municipalities have complaints about WalCoMet operations, they often report them to the county. Huza envisions economical ways to achieve cooperation and collaboration on municipal projects. His goal is rate stabilization through collaboration. He and the WalCoMet Board are working on this. Huza will attend the October executive committee meeting to present WalCoMet's annual report.

Update regarding economic development and comprehensive economic development strategy by Mike Van Den Bosch, Executive Director, Walworth County Economic Development Alliance and Joshua Clements, UW-Extension Community and Economic Development Educator. Bretl said the County ordinance encourages cooperation between the WCEDA director and County Extension agent. WCEDA's role is outreach to individual industries and incorporating their input into the plan. Extension interfaces with local government units, the university and schools. Van Den Bosch said that on August 16 WCEDA and Geneva National are conducting an economic summit to collect data from local businesses. Advisory groups listed in WCEDA's report (agenda packet) will be formed. Clements is currently assessing what is in the municipal economic development plans and what communities need help with. He is documenting commonalities and will utilize the expertise of University of Wisconsin economic development specialists. Van Den Bosch said Walworth, Sharon and Fontana do not have active economic development projects. Industrial activity is non-existent; there is no vacant land available. The village of Sharon has an industrial park but no utilities available at present. The Wisconsin Economic Development Corporation (WEDC) recently did "familiarization" tours with WCEDA to learn about economic development needs here. WEDC typically contacts WCEDA if they receive a request from a community about a project that WEDC is not familiar with. WCEDA is reviewing Elkhorn's economic development plan and actively promoting development in that city. East Troy is also reviewing its comprehensive plan. The WCEDA board wants to tackle both plans simultaneously. Kilkenny asked about Chemtool, which had been working on trying to set up a facility in Rockton, Illinois. The company's headquarters is in Rockton, IL. At one time, Chemtool was looking at property in Walworth County to locate their corporate headquarters; this didn't happen for various reasons. The owner of Chemtool recently purchased a couple of hundred acres outside the city of Delavan, which is not adjacent to the business park. Van Den Bosch said he would let Kilkenny know the location. There is new retail business construction near the Target in Lake Geneva, which was highlighted in WCEDA's report. WCEDA recently reviewed the impact fees that some communities are charging. Lake Geneva implemented impact fees many years ago but has put them "on hold" to review alternatives, which may be a switch to connection fees. Kilkenny asked how much debt WCEDA had written off as a part of its loan program. Van Den Bosch said there were three loans totaling approximately \$100,000 that had been written off since the organization started the program, and at present there are two loans that are seasonally delinquent. In total, the loan program has assets of \$455,000, which includes all loans that have been written off. Schiefelbein asked the difference between connection fees and impact fees. Impact fees are used only for a specific purpose outlined in a community's planning process; connection fees are less restrictive. Van Den Bosch said the intern working for WCEDA is doing marketing research and website maintenance, and getting some exposure to impact fee studies. The City of Whitewater & University of Wisconsin-Whitewater's current incubator

project, the Whitewater Innovation Center has several tenants. CESA 2 (Cooperative Educational Service Agency), which provides services and support to school districts, is the anchor tenant for the building and currently leases 20-30% of the building space in the Innovation Center. Some of the initial start-up companies in the Innovation Center have gone away, including the winner of the Rock/Walworth FastPitch competition. Renwig manufactures robotic tube amplifiers that are said to be better than digital amplifiers. The city of Whitewater and WEDC collaborated to establish a program to provide seed grants and equity investment to start-up companies in Whitewater in the amount of a \$10,000 each. Scanalytics and GotApps were the first two businesses to receive seed grants to help fund their business. The “incubator” concept helps businesses get started and grow until they’re ready to relocate out of the incubator building. Trostel, one of the largest employers in Lake Geneva, is knocking down 80,000 sq. feet of manufacturing space to install 30,000 - 40,000 sq. feet of research & development lab space; Scherrer Construction is doing the demolition and new construction. Trostel in Whitewater is adding a 10,000 square-foot addition, and HyPro, Inc. moved into one of the two buildings that was previously owned by Trostel. Space needs is a recurring issue in communities where economic development is occurring. Space in Bloomfield has been annexed to the city of Lake Geneva by the Lake Geneva Development Corp. (LGEC), which owns the industrial park and funds the organization through leasing space there. Vision Plastics, USG (US Gypsum), Borg and SPX are located in the Delavan industrial park. Asked about the high school automotive technology program at Delavan-Darien High School, Van Den Bosch said the school board wants to invigorate that program. There is ample square footage to provide programming. In the metals shop, there are five welding stations, but none interested in welding. Weber said welding is an essential skill for any person who wants to enter the automotive manufacturing and technology industry. WCEDA recently took over the business services contract for Workforce Development. Connection with youth and in high schools is a recurring theme and need. It’s challenging to get young people interested in manufacturing careers. WCEDA may take over the youth apprenticeship program at Gateway in the next year or so. The WCEDA Board will discuss this issue at its next meeting. Weber said there are more screw machine businesses (fastener manufacturing) concentrated in Walworth County than any other area of country. CNC machines are used to make the parts that manufacture screw machines; workers with training on CNC machines are needed. Apprenticeship programs should provide training in reading and processing work orders and manufacturing sheets, Weber said. Lake Geneva does a good job with their tech ed. department, and Elkhorn does, as well. Delavan has the space but hasn’t kept moving forward. Lake Geneva is fortunate to have local businesses involved. In Whitewater, the manufacturing sector and school officials hold meetings and provide assistance to schools. Hi-Pro wants to get involved in the schools. One of the challenges is age of the workforce. There are youth apprenticeship programs that allow those under 18 years old to operate certain machines; however, some liability insurance and workers compensation won’t cover those younger than 18. The State offers funding to assist and administer these programs. Job shadowing is first and then working as an apprentice. The State evaluates these programs based on completion rate. Clements said his biggest project has been the economic marketing analysis with the city of Whitewater, reviewing industry trends, demand and how they are matched to supply. Adequate housing in the university town is a constant issue, and seasonal student population distorts the data somewhat. Russ Kashian from UW-Whitewater is reviewing the data with Clements. It will be available by the end of this summer. The UW-Extension intern is working on data collection and analysis. The Whitewater city library has outgrown its current facility. This is being addressed through strategic planning. The business of libraries has changed, but the circulation of paper materials continues to increase year by year. There is also a demand and need for electronic books, and this places an additional burden on resources. Many libraries are outstretching their capacity for broadband. Clements has been working with Delavan on it strategic plan for downtown. Public

meetings are scheduled in September. Clements served as a resource and worked with the consultant that was hired. The strategic plan was completed in May; the next step is implementation. Whitewater has been working on expanding its bicycle pedestrian plan. It was completed in the spring, and the city is now assessing implementation. Clements also served as a resource on this project. He has been Walworth County's contact and liaison on the CGI video tour project, which is now complete and on the website. The next step is to announce and make other organizations aware of CGI projects. Clements served together with Kevin Brunner as the county's representative on the CDBG regional housing consortium implemented by the State as part of Community Development Block Grant reorganization in 2012. The committee they serve on has been working on regionalized housing block grant funds with 14 other counties in the State. There is \$2.4 million dollars available to the regional consortium that Walworth County participates in; there is \$15 million available statewide. Clements plans to attend the consortium's next meeting on July 31. The Qualified Energy Conservation Bond Bonds (QECBs) that Clements reported on to the executive committee this spring is in a holding pattern. Notice was sent to all local governments regarding interest in utilizing the county's credits before determining whether to release them for WEDC to use. Schiefelbein asked Clements to follow up and provide him with more information about the Whitewater library project.

On motion and second by Kilkenny and Brandl, the committee voted 5 – 0 to place the following advisory resolutions on file: Eau Claire County Resolution No. 13-14/038 - Support of Clean Energy Choice for Wisconsin; Barron County Resolution No. 2013-29 Supporting Annual WCA Convention in the Wisconsin Dells; Brown County Resolution in Favor of Freezing Renewable Energy Requirements at the 2011 Level.

Chairman Weber had no announcements or reports.

The next regular executive committee meeting was confirmed for Monday, September 16, 2013 at 10:00 AM. Chairman Weber reminded members there will not be an August meeting.

Claims and litigation. At 11:05 AM, on motion and second by Brandl and Schiefelbein, the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the items listed below.

- a) Summons and Complaint – Winston Revocable Trust, Bear Cave Irrevocable Trust, and Bear Cave Residence Trust, Plaintiffs v. Walworth County Board of Adjustment and Walworth County Department of Land Use and Resource Management, Defendants
- b) Notice of Claim received from Missy Frautschy
- c) Notice of Claim received from Howard Thiel
- d) Notice of Claim received from Sandra Walter
- e) Notice of Claim received from Joe Marcin

The committee reconvened in open session on motion and second by Brandl and Kilkenny. Brandl and Russell moved and seconded following the course of action discussed in closed session concerning all claims and litigation matters. The motion carried 5 – 0.

Chairman Weber adjourned the meeting at 11:37 AM on motion/second by Brandl and Russell.

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

WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, JULY 12, 2013 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10:03 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	excused
Dane	Gene Gray, Treasurer (XCom)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	x		Carol Held	
	Chris James	x		John Miller (10:05)	x
				Dennis Polivka, Asst. Secretary (XCom) (10:07)	x
Grant	Gary Ranum	x	Walworth	Jerry Grant	
	Vern Lewison	x		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	

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> Mary Penn, WRRTC Administrator Kim Erdmann and Celie Koth, WEDO Alan Anderson, Pink Lady RTC Bill Wentzel, Sauk County Supervisor Forrest Van Schwartz 	<ul style="list-style-type: none"> Kim Tollers, Frank Huntington, Ron Adams, LeAnna B. Wall, WDOT Ken Lucht, WSOR Tony Fernandez, City of Madison;
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Penn**

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

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

- Motion to approve agenda – Kuhnke/Gustina, Passed Unanimously

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

Penn said Dick Mace had not been appointed to the Commission as of May yet was marked absent for the May meeting. Penn said the roll needed to be amended to show the third Waukesha commissioner seat as “vacant”. Mr. Mace was appointed after the May meeting.

- Motion to approve draft May Meeting Minutes with amendments – Anderson/Cornford, Passed Unanimously

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

Karl Nilson introduced Kim Erdmann and Celie Koth, both of WEDO, which represents Watertown and Jefferson and Walworth counties. Mr. Erdmann said he was interested in getting Jefferson County involved and supporting of rail in Watertown.

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

Forrest Van Schwartz’s handouts were distributed and he gave an update on the catastrophic railway accident in Canada. Other handouts related to railroad policy and pedestrians, trespassers, and safety issues were also distributed. He gave background on the

accident in Canada and the complications and damages that resulted. Nilsson asked some questions regarding the article addressing the extension of national standards as per installation of existing technology.

Van Schwartz spoke to the issue regarding a zoning variance in Spring Grove where property owners abutting WRRTC property want to put in more buildings and a fueling station, referring to handouts distributed by Penn. There are a lot of unknowns particularly in regards to safety. Van Schwartz suggested requesting a postponement of the hearing. Nilsson asked about the layout of the property and said he did not think the Village would postpone and asked if Van Schwartz would go to the public hearing. Frank Huntington asked if this issue was a problem for WSOR and if this property owner a potential customer. Ken Lucht said he had not examined the issue to date. Nilsson told Penn to add this issue to the next meeting's agenda.

Next, Penn shared the responses of the FRPP support letter sent by WRRTC to the pertinent elected officials with the Commission.

8. Updates. Announcements by Commissioners – No Discussion Permitted

Dennis Polivka said that at his most recent town planning commission meeting there were a number of people there who opposed frac sand. Lucht said that WSOR was not pursuing any frac sand opportunities between Madison and Reedsburg, nor was WSOR currently hauling frac sand.

REPORTS & COMMISSION BUSINESS

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

- Treasurer's Report for June and Payment of Bills

Jim Matzinger did not attend the meeting. Treasurer Gene Gray gave the report. Gray said that there was a question regarding the last time the county assessment was raised, noting that the county contribution increased last year about 5% (this was due to insurance). He noted that project dollars have gone up a little but last year was the first year anything was designated specifically for insurance.

Bills to pay included

1. Dane County Highway April/May
2. SWWRPC Q1 2013
3. SWWRPC Q2 2013
4. UW Board of Regents / 2nd half of study
5. Richgels Schaefer, WRRTC Insurance
6. McHenry County, IL Property Taxes 1st

- *Motion to approve the Treasurer's Report and payment of bills – Sweeney/Anderson, 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

Lucht distributed a handout which was a resolution regarding rail congestion that was passed by the Mayors Convention. He said this was instigated on the part of Madison's mayor by two recent, separate road traffic blockages by WSOR trains in Madison. He emphasized that this handout was for informational purposes only. He said that WSOR is watching the issue closely as language in the resolution suggests that there may be efforts to limit train size (length) nationally in the future. Lucht said WSOR will be talking to Madison based customers to see how this might affect their business.

Lucht next distributed copies of a WSOR press release which stated that they are hiring due to business demand. He said there have been some service issues and as a result, more people were needed to meet demand. He said 17 new people were hired in Madison for both current service and future growth and 16 were hired for the Janesville yard. Lucht said they were looking at getting more engines also. John Miller asked what sorts of jobs were hired and Lucht said they were engineers and conductors. He said that half were coming from local communities and some were coming from WATCO so there would not have to be so much training costs overall.

In maintenance, Lucht spoke of the flooding on the Prairie sub including washouts between Avoca and Prairie. In that area, the track had to be embargoed. He said there were about 60 washouts. He said about a dozen culverts had been put in already but service was out for about 2 weeks. He added that fixing the damage had already cost about \$300,000. Huntington confirmed that this flooding event had not yet been confirmed as eligible for federal relief funds. Lucht said WSOR had brought in ballast and track to reestablish

the line which would take at least until the end of this year for all the damage to be fixed. For now, the track is in service west of Avoca.

In Capital Projects, WSOR is waiting for awards on 2013 and 2014 projects, particularly to install continued welded rail (CWR) on the Fox Lake Sub (Janesville to Avalon). He said two other projects are waiting for more CWR and a siding in Janesville. He said it was possible that these awards will be made by the next meeting.

In Business Development, Lucht said that WSOR is talking to a customer in the northern district who wants to ship blocks of granite. WSOR is talking to the City of OshKosh as well as other OshKosh based businesses about future opportunities. He said there are a lot of cars coming in hauling lumber in Iron Ridge and they have just started a rail siding activity.

Lucht repeated that there was no frac sand hauling between Reedsburg and Madison. He said that WSOR shipped a few times last year out of Reedsburg but not a unit train.

In the southern district WSOR, Lucht said grain was moving as well as fertilizer. He said that other shipments are moving (e.g. lumber, sand, gravel) as there are major building projects going on in Madison.

Lucht said that they met with WDOT personnel in June and presented their 5 year capital plan. This plan will be presented at the August meeting as it impacts WRRTC lines. The plan also includes maintenance projects as well as CWR. Lucht noted that ties on the Watertown Sub are a potential project and that WSOR would be trying to get that to class 1 track. He said that a big part of the plan is the public/private partnership and he said that any questions could be answered during the (August) presentation. Gray asked about the Lycon facility and Lucht said they have started building the facility as well as track. WSOR was still waiting for an award on the project and would see where that takes them as they would not do bids unless awarded. Lucht said WSOR is committed to the project. Alan Sweeney recommended WEDO attend the August meeting for that 5 year Capital Plan presentation. Sweeney asked Lucht if the Milton siding would help congestion in Madison. Lucht said he would have to talk to Operations to try to get a definitive answer. Lucht added that Janesville and Madison worked in tandem and blockages in Janesville could back up traffic in Madison. Sweeney asked if the siding in Avalon was completed. Huntington did not know if it were complete yet.

Bob Scallon asked Lucht how WSOR was doing on passenger lines. Lucht said that WSOR did a lot of planning for high speed rail a couple of years ago, adding that WSOR was a key partner with the state to make sure the engineering and planning were done properly. WSOR was told by the state that there was process which involved an invoice. WSOR went through the WI Claims Board as required and their invoice was denied. Lucht said that WSOR did not have anything to show for the work they did on passenger rail other than some plans and since this work was done under a different administration, WSOR was moving on.

Polivka said that with the recent heavy rains, the Town of Spring Green got 10" of rain and a 2 mile drainage ditch made through the work with WDOT and WSOR ably handled the runoff. He thanked WSOR and WDOT for their assistance in helping Spring Green put in the ditch.

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

Penn reported that she had worked with Carol Hampton of Richgels Schaefer Agency to renew the WRRTC insurance, the approval of which was on this meeting's agenda. Penn had proceeded to approve of the invoice with Nilson's consent because if she had not, insurance coverage would have had to restart as of July 2013, leaving the WRRTC vulnerable to uncovered claims between the new start date and the old (July of '02). Terrorism coverage was not approved and Penn sent back the form acknowledging same. She said she emailed Jim Matzinger for the insurance invoice on 6/27/13.

Penn said she had mailed WSOR's invoice for 2nd payment on the Freight Rail Impact Study to Jim June 13th. She said she had received emails about possible class action lawsuit issues regarding fiber optics on ROWs and that Huntington and Eileen were all in the loop. Lastly, Penn said she had spoken with Kim Erdmann of WEDO briefly regarding general information on WRRTC and the next meeting.

12. WDOT Report – Frank Huntington, WDOT

Huntington announced that said this was Ron Adams last day and introduced LeAnna B Walls who was replacing Adams. Huntington said today was her first day. She invited the Commission to Adams retirement reception which would be in Milwaukee, Tuesday July 16th from 4:30 to 7 at the Amtrak Terminal on West St Paul Avenue.

Huntington said that WDOT was holding off for some project awards (other than bridge awards). He said the DOT is looking at 65 bridge applications – there is a lot of bridge work in the future – and that they were held up mainly due to the UP line purchase in

Reedsburg. He said WDOT had not started talking price yet but hopefully would do so by the end of August. He said that there are three projects held up for 2013 and three 2014 projects which are still being reviewed. He said there are about \$110 M in projects and there is only \$52 M for the same period. Huntington said there have been a number of calls on a number of projects particularly near Oregon and some for a project in Baraboo. He said there had been progress and hopefully those projects would get underway. He added that the line has been reopened between Plymouth and Kohler in order to restore service to the Kohler area. He said engineering work was being done and hopefully the rehab would be done this fall or by next year, noting that it is a \$19 M project.

In regard to the potential line acquisition up north of about 300 miles of track from CN, Huntington said CN was not quite sure what they wanted to do, adding that WATCO had submitted to the state for acquisition but discussions were still going on and it was a wait-and-see at this point.

Huntington said there are currently about 30-40 projects, noting that the UP acquisition is the big project “down here”. Polivka asked about a hearing in the Village of Arena regarding a rail crossing closing. Huntington referred to Lucht and Lucht said the Village contacted WSOR about closing two crossings. He said that WSOR had met with the Village and WSOR offered to help pay for the cost of these closings. He said the state has a program that can help with this process as well and that it was a non-contentious issue.

Huntington said there had been some readings on the Sauk City Bridge piers, checking their stability and suggested that this be done again to see if there has been any change due to the recent flooding.

Nilson called a break at 11:02 AM to reconvene at 11:15 AM. Meeting reconvened at 11:15 AM.

13. Rail Corridor Use Issues– Frank Huntington

- City of Madison Goodman Trail – *Tony Fernandez, City of Madison*
- Village of Mazomanie Trail Crossing
- Other - General Discussion

Huntington said that Tony Fernandez of the City of Madison would talk about the Goodman Trail and update the Commission on progress to date. Fernandez said that the City had met with WDOT and WSOR to try to meet common ground on the issue. He said that this bike issue is important to the City as they are involved in a lot multi-modal projects. He said this project is on the east side of Madison and followed the railroad and runs along a major part of the corridor which is an important commuter distance and connector between other trails and paths. He said if the City can build the section in question it would be a great success. He said the City had three issues: 1) use as little of the corridor as possible or use public property or buy other property; 2) provide a safe environment for all users; and 3) preserve the overall safety of the corridor. Fernandez highlighted three points in his talk: 1) this a “backbone” project for the City; 2) the City has looked extensively at all the alternatives; and 3) the City has tried to use a flexible approach and use as little of the railroad corridor as possible. He said there is some possibility of going off street and outlined the project on a map, showing the Commission the proposed path. He said “we’re trying to reach out to a larger group of bikers” and respond to demand of users. He emphasized that the City is not asking the railroad to give up safety or benefits and said he believed there are a lot of pluses for the railroad.

Fernandez said this was a backbone route and pointed out there are three separate segments of the trail, noting that the City’s concept was a separate path. He noted that about half of the funding had been offered by a community group. He said that there was low car traffic volume on the proposed street of one of the sections of the path and said the entire path was at least 35 feet from centerline of the track for the entire project. He said that 33’ could probably be workable but wanted to emphasize the positives. He said they wanted to share rail corridor in three locations (this would be 33 to 35’ to centerline). He pointed out the places where structures touched the ROW and showed where the path would be within the corridor. This was about 800 to 900 feet in length for the second section; the other sections would be shorter. Fernandez said the benefits would be improvements of grade at crossings; at Milwaukee Street, the crossing would be a non-mountable median to slow traffic approaching the crossing and would make it a lot safer. Another part included some community gardens which are within corridor within 20’ of the track and he said by doing this crossing work, gardeners would be encouraged to not exit to the track itself but rather to a re-done, safe crossing. The path would, in the Thurber Park, define the public space for users. Having a path would identify where the park ended and the RR began and create a clear separation of uses and properties.

In the 3rd crossing another median would be put in to increase safety and slow traffic. Fernandez shared an example of a business encroaching on the corridor and by getting the path put in they could “push back” the encroachment, again by creating a definite boundary. He said improvement of drainage would be paid for by the City and the City believed that this project would decrease trespassers on the track. He said if people had a path to walk and ride on, they would not have an incentive to walk on the track. He

pointed out two railroad loading docks with access through the WDOT ROW and that the City was acquiring some property near this loading dock and had offered to work with WSOR to restore the access.

Van Schwartz asked Fernandez why “somebody” couldn’t put up fence (in the Park) and Fernandez said the Town Blooming Grove was resistant to the project and if it were to be fenced, the Town could not be forced to build a fence. Van Schwartz also said that the City of Madison’s recent history with WSOR did not indicate a proactive cooperative association. He pointed out “quiet zones” as an example and asked what the City was willing to do with WRRTC and WSOR to indicate the reality of a proposed partnership. Fernandez said the City was not able to force anything and if WSOR was against the project, it would not happen. Fernandez said the City would be funding the project and was working closely with the railroad (WSOR). He said that in another example the City is allowing WSOR to use city property.

Gray referred to the relief of congestion resolution from the mayors handed out earlier in the meeting and Lucht said that WSOR was willing to work with the City but noted that it was an ambitious plan and the big question was timing. Lucht said they did want to get a better reputation with the City and work with them to meet their orders. He noted several examples of issues in Madison where WSOR was working with the City. He repeated that the timing is key and said that WSOR needed to think about the future of the railroad in terms of access. He then distributed a list of proposed shared uses saying that a number of them would come before the Commission. Lucht said that the high number of proposals was probably due to increased federal funding for ped/bike efforts. He said in this vicinity there have been fatalities and injuries in the past and that with increased path use there would be an increase in liability for the railroad. He reiterated that WSOR wanted to work with the City and look at precedents and safety, and that there were not really any benefits to the railroad as the crossings were not a problem currently for them. He mentioned that there was a local roadway network available and the railroad corridor was for moving trains and heavily regulated on the federal level. He suggested that there needed to be some thought as to a share use policy and Huntington concurred. Huntington said that WDOT works hard to work with both WSOR and WRRTC. Chris James said that there had to be a partnership, mentioning work between WSOR and Dane County and he said that Dane County had put money into addressing shared issues. Gary Ranum asked about a dollar amount for liability increases but Lucht said that was impossible to determine and said that in the past the railroad had had to make settlements for trespassers. Lucht said that some communities could purchase policies to protect themselves and that if the cities, counties, etc, paid separately for liability that would be a start. Polivka said he was concerned about precedent being set, saying that ATV riders have asked for access and been denied and what would be WRRTC’s response if those groups came back. Van Schwartz said that WSOR carried a very large SIR and in many cases was a million dollars and there were real financial ramifications. Gray said that a good rail system kept trucks off the street and good bike path systems kept cars off the streets. Huntington said in any agreements the City said they would hold the Commission and WSOR harmless. Fernandez said that the City wanted to take its fair share of liability. He said under a permit it was more complicated and if there was a way to make this better for the railroad in terms of safety. He said that longitudinal use did not encourage trespass and that the City was willing to put in the money (\$1 M) including fence and infrastructure.

Huntington said in Mazomanie there was a crossing approved and WSOR was cooperating with that order. He said in railroad corridor discussion if there were questions about them he would be happy to answer them. He said there are a number of projects which involve encroachments in pinch points.

Sweeney said that he believed it was time to develop policy for these issues. Nilson said that it should be on the agenda in future.

Huntington then spoke about an additional modification to the Blackhawk bike path in the Village of Shorewood. Fernandez showed an aerial and said that they would like to continue the encroachment for safety improvement. Huntington said at this time they did not have all the information they needed but will have for a future agenda item.

Nilson asked the Commission if anyone would want to go with Van Schwartz to the hearing in Spring Grove.

14. Consideration and possible action on WRRTC 2014 liability insurance with Richgels-Schaefer Insurance – Mary Penn
Penn explained again to the Commission why the 2014 insurance had already been paid (see agenda item 11) and told the Commission that it had never approved Terrorism coverage and that it had been formally refused.

- *Motion to accept 2014 liability insurance from Richgels-Schaefer Insurance - Miller/Gustina, Passed Unanimously*

15. Action Item. Adjournment

- *Motion to adjourn made at 12:07 - Cornford/Scallon, Passed Unanimously*

DRAFT 7/11/13

PLEASANT LAKE PROTECTION & REHABILITATION DISTRICT
ANNUAL MEETING & BUDGET HEARING
CAMP POTTAWATOMIE HILLS, WENDAT LODGE
N8005 PLEASANT LAKE ROAD, EAST TROY, WI 53120
SATURDAY, JUNE 29, 2013, 10:10 AM

District Commissioners Present: Dave Stamm (chair 2015), Ted Slupik (treas 2015), Marcia Sahag (sec 2013), Pat Kachur (2014), Don Sukala (Town), Bob Arnold (County)
District Commissioner Absent: Doug Behrens (2013)

1. Welcome comments: presented by Dave.
2. Approval of Agenda: Motion to approve the Agenda (Ray Hughes/Ted Slupik). Carried unanimously.
3. Approval of Minutes: Motion to approve the Minutes of the annual meeting of 6/23/12 (Pat Kachur/Susie Schuler). Carried unanimously.
4. Election of two commissioners with terms ending in 2016: Motion to nominate Doug Behrens as commissioner with term ending in 2016 (Rick Callaway/Peter Schuler). Carried unanimously. No other nominations. Motion to close the nominations for first commissioner position (Susie Schuler/Rick Callaway). Carried unanimously. Motion to nominate Marcia Sahag as commissioner with term ending 2016 (Ray Hughes/Len Judy). Carried unanimously. No other nominations. Motion to close the nominations for second commissioner position (Ray Hughes/Rick Callaway). Carried unanimously. The written ballots were tabulated and results presented by the election committee of Peter Schuler, Phil Holland, Ray Hughes and Rick Callaway. Doug Behrens received 47 votes with no opposition and Marcia Sahag received 47 votes with no opposition.
5. Treasurer's Report: Account balances at People's Bank as of December 31, 2012: checking account \$32,350.41, money market capital reserves account \$39,710.33, grant fund account \$25,351.56, total funds \$97,412.30. People's Bank does not charge us service charges and that saved us about \$400-\$450. Motion to approve the Treasurer's report (Anne Goodwin/Pat Kachur). Carried unanimously.
6. Resolution for additional project spending: Motion to adopt the resolution authorizing the PLPRD board of commissioners to approve or disapprove additional projects having a total cost to the PLPRD not to exceed \$5000 for all projects and to enter into contracts accordingly (Ted/Dave). Carried unanimously.
7. Audit Report: Rick presented the audit committee report.
The Audit Committee met with the Treasurer, Ted Slupik, on May 5, 2013, to audit the District financial records for the calendar year 2012. Members of the committee are Rick Callaway, Phil Holland and Sue Short.
The items reviewed included the financial statements, bank statements and paid bills.
 1. Since Ted has been our Treasurer, there has been a remarkable improvement in our record keeping. This past year continued this trend, everything is in a binder and quite accessible.
 2. We have agreed on a process for payment by the District which seems to be working. It was designed so that 2 people are supposed to sign off on all bills. The

documents seem to be kosher, but several do not have the proper initials or signatures. This needs to be tightened up.

3. Ted has recommended that we move our Annual Meeting from June to August. There are many reasons for doing this and it is our recommendation to make this change for 2014.

Motion to approve the audit report as presented (Patti Behrens/Peter Schuler). Carried unanimously.

8. Aquatic Plant Management Report: The DNR required 5 year update of the Aquatic Plant Management Plan will be done by SEWRPC with the lake survey in mid August. They assess the plant species and quality and quantity and make recommendations. Volunteers with pontoon boats are needed for the survey for approximately 3 days. The update cost is \$4000. We have received a DNR grant to cover 66% of the plan update cost. In the POA meeting, Roy Carlson from Lake and Pond Solutions discussed water quality and the milfoil and curly leaf pond weed (aquatic invasive species) annual treatment. We have a blue green algae bloom currently. It started earlier this year after ice out. It has adversely affected the water clarity causing visibility to be so poor that they were unable to perform the pre-treatment plant survey to locate the milfoil and curly leaf pond weed for treatment in June. If people see an accumulation of blue green algae near the shore that forms a sheen on the water's surface report it to Dave Stamm or the Board. It rarely adversely affects humans because we're not ingesting it directly, but animals and small children are susceptible. It can be tested and analyzed. An answer to the reason for poor water clarity is the abundance of plant growth and an influx of nitrogen and phosphorus due to the affects of the dry weather last year. Aside from limiting the nutrients that flow into the lake from the immediate water shed from septic systems or runoff fertilizer there is little we can do to prevent the amount of phytoplankton in the lake. There is no indicator to tell when this situation will turn around. Roy explained last year's spring and fall milfoil treatments. This year it appears that last fall's treatment was successful north of the landing. They will be able to tell more once the water clarity improves. The product used to treat the milfoil is 2,4-D the same used on lawns because it doesn't affect grasses. Native species, like grasses, are monocots. Milfoil, like dandelions, is a dicot. So, milfoil can be targeted. After treatment there is a 21 day restriction for irrigation if treatment occurred within 150 feet of the property. There is a one day restriction for swimming. Treatments have been done in August, so there is still time. We will monitor the situation and be proactive in maintaining the high quality of the lake.

9. Goose Control: Doug received permits for egg oiling and goose round-up. Egg oiling was done by Anne Goodwin (one found) and there are few to no geese noticed on the lake so a round-up is not indicated for this year. Lauderdale Lakes does conduct a goose round-up. Permits will be applied for next year.

10. Drain maintenance and grant project report: Last year the drain was cleared twice with the help of the City of Elkhorn sewer cleaning department. They use a system of a high water pressure hose to clean the pipe and a high power vacuum system. The drain is currently working although too slowly.

Drain Project: The drain has been a major concern for many years. In 2011 you authorized the Board have an engineering firm study the situation and get recommendations for a new design for the drain, for a way to repair or replace the drain.

In 2012 the budget was approved with the District expense for the engineering study of 13,137.00. In October our second grant request was approved by the DNR. The total project cost is \$26,600. It combined 3 grants into one, the Aquatic plant management study update, the installation of 2 water level gauges and the engineering study for the drainage improvement. The DNR will fund 16,802 and has advanced the District 75% of that amount (12,601.50). The remaining 25% will be paid upon completion of grant requirements. The Town will contribute \$750 and the POA will contribute \$500. The expected District cost is \$8548. The District will have to cover 13,998.50 until all the contributions and reimbursements have been received. The invoices we have paid to date total \$3027. (5/28/13)

- a. Engineering study—each task is a separate step
- b. A task may be eliminated based on the results of a previous task. We pay for only the completed tasks.
- c. Task I was completed prior to the grant application because it was not grant eligible.
- d. Task II A, the topographical map has been done and they are working on Task III, the engineering design. They anticipate preparing (up to) 4 alternatives. Once alternatives are prepared they will discuss the preliminaries with Dave & Doug and then they will bring them to the Board. The alternatives analysis will go to the DNR for approval. There are several more tasks to work through after that. Hopefully, the Board will bring its recommendations to the entire District at next year's annual meeting. A Special District Meeting may be called depending on timing.
- e. For the DNR grant purposes we have until June 2015 to complete all the District's grant requirements. This extended timing was done intentionally to allow the District the time to file all the appropriate paperwork entailed. Work can be completed sooner.

11. Approval of 2014 budget and tax levy: Ted presented the 2014 Budget and explained the various line items, the tax levy of \$18,000 that is the same as many previous years, and the use of reserves to cover the deficit. As the reserves are used, eventually we may have to revisit the tax levy amount to cover expenses. Motion to approve the proposed 2014 Budget and tax levy as presented with using capital reserves of \$22,472.00 and with a tax levy of \$18,000.00 (Ray Hughes/Richard Mertes). Carried unanimously.

12. Consider changing the Annual Meeting date to August: Motion to hold the Annual Meeting between May 22 and September 8 with the specific date to be determined by the District Board (Marcia Sahag/Dave Stamm). Carried unanimously.

13. Other business: Dave recognized the District Board members for all their hard work and dedication. Obtaining a microphone system for the next annual meeting was suggested. There was a great response to the pier surveys. Only 2 surveys were not received.

Motion to adjourn the meeting at 10:55 AM (Ray Hughes/Pat Kachur). Carried unanimously.

Respectfully submitted,
Marcia M Sahag, secretary
Pleasant Lake Protection & Rehabilitation District

Walworth County Board of Adjustment

MINUTES

July 10, 2013 - Hearing – 8:30 AM

July 11, 2013 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on July 10 & 11, 2013, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on July 10, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, Matt Zangl, intern, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on July 11, 2013, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Michael Cotter, Director, Deb Grube, Senior Zoning Officer, Fay Amerson, Urban Conservation Specialist, Matt Zangl, intern, Sheril Oldenburg, Administrative Assistant, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. “Sign-in” sheets listing attendees on July 10, 2013, and July 11, 2013, are kept on file as a matter of record.

The July 10, 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 with the removal of item #6.A.2. MTM LLC / Delavan Township and item #6.A.6. Sugar Creek Dairy LLC / Richmond Township. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the June 12 & 13, 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, July 11, 2013. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The July 10, 2013, hearing went into recess at approximately 9:34 A.M.**

On July 11, 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. **Gregory E. Guidry motioned to approve the agenda with item #5.A.2. MTM LLC / Delavan Township and item #5.A.6. Sugar Creek Dairy LLC / Richmond Township being withdrawn. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. County Board Chair Nancy Russell attended to thank the Board for their service. After the meeting was completed, Ann Seaver motioned to adjourn until the August 14, 2013, hearing at 8:30 A.M. Seconded by John Roth. Motion carried. 3-favor, 0-oppose. The July 11, 2013, decision meeting adjourned at approximately 11:32 A.M.**

Five variance hearings and one special exception hearing were scheduled and details of the July 10, 2013, hearings and the July 11, 2013, decisions are recorded and are on file and available to the public upon request and / or video to view on our website:
www.co.walworth.wi.us.

New Business – Variance Petitions

Disc #1 Hearing – Count #8:33:37 – 8:43:51 / Disc #2 Decision – Count #8:32:23 – 8:35:57
The First Hearing was Mark N. & Katherine I. Gorecki, owners – Section(s) 23 – Sugar Creek Township

Applicants are requesting a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to construct a contractor storage building and to permit the location of a garage on property proposed to be rezoned to A-4.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' side and rear yard setback in the A-4 District.

VARIANCE REQUEST: The applicants are requesting a 28.5' and 29' side yard setback for a proposed building and a 49.3' side yard setback for an existing garage. The request is a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to construct a contractor storage building and to permit the location of a garage on property proposed to be rezoned to A-4.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 10 & 11, 2013, for the petition of Mark N. & Katherine I. Gorecki, owners voted to **APPROVE** the request for a 28.5' and 29' side yard setback for a proposed building and a 49.3' side yard setback for an existing garage **SUBJECT TO REZONE APPROVAL OF THE WALWORTH COUNTY ZONING AGENCY.**

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

An amended motion was made by Gregory E. Guidry to approve the variance request pending approval of the County Zoning Agency (rezone / conditional use). Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found unique property limitations in the shape of the property and the location of a church to the south of the portion of the property proposed to be rezoned. The Board found this made it extremely difficult for the owner to meet the setback requirements for the structure. The Board found to approve the variance request with the condition that it's subject to the rezone and conditional use request. The Board found it would cause unnecessary hardship to deny the variance request and have the owner relocate all the equipment. The Board found to approve the variance request would cause no harm to public interest and the property would be enhanced with the enclosure of the equipment. There was one letter of support from the Town of Sugar Creek. There was no opposition.

Disc #1 Hearing – Count #N/A / Disc #2 Decision – Count #N/A
The Second Hearing was M T M LLC, owner (William H. Haley, Agent) / John Hackbarth, Hackbarth Builders Inc., applicant – Section(s) 4 – East Troy Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 40' x 41' accessory structure on a vacant parcel.

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction before an accessory structure can be placed on a lot.

VARIANCE REQUEST: The applicants are requesting to construct an accessory structure on a vacant parcel. 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 40’ x 41’ accessory structure on a vacant parcel.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 10 & 11, 2013, did not vote on the petition of M T M LLC, owner / John Hackbarth, Hackbarth Builders Inc., applicant.

BOARD OF ADJUSTMENT FINDINGS: The petition has been cancelled at the owner’s request.

Disc #1 Hearing – Count #8:44:10 – 8:53:33 / Disc #2 Decision – Count #8:35:58 – 8:39:30
The Third Hearing was Ellen & Jerry Dean, owners – Section(s) 5 – Walworth Township

Applicants are requesting a special exception in accordance with Section(s) 74-38(7)(b) / 74-111(7)(b) of the Walworth County Code of Ordinances – Zoning for a substitution in the use of an existing structure zoned industrial to residential.

SPECIAL EXCEPTION REQUEST: The applicants are requesting a special exception in accordance with Section(s) 74-38(7)(b) and 74-111(7)(b) of the Walworth County Code of Ordinances – Zoning for a substitution in the use of an existing structure zoned industrial to residential. The parcel of land is zoned M-1, Industrial District and is proposed to be rezoned to A-5, Agricultural-Rural Residential District for a residence. The existing substandard structures are located with an approximate 23’ street yard setback and a 2.1’ side yard setback and are required to maintain a 50’ street yard setback and 15’ side yard in the A-5 District (74-51).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 10 & 11, 2013, for the petition of Ellen & Jerry Dean, owners voted to **APPROVE** the special exception request to permit the substitution in the use of an existing structure zoned industrial (M-1) to residential (A-5) **SUBJECT TO REZONE APPROVAL BY THE COUNTY ZONING AGENCY.**

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the request did meet the Special Exception provisions of Section(s) 74-38(7)(b) and 74-111(7)(b). The Board found the request is changing to a zoning district that allows generally less intense use. The Board found the residential use of the building better fits the neighborhood than the industrial use. The request is to a zoning district that requires a lesser or equal setback requirement than the existing zoning district. The Board found the building would have to be moved in order to meet the proposed zoning district setback requirements. The Board found the new zoning district would permit the building to be closer to the property line than the current industrial zoning district setback requirements. The structure and request does meet the purpose and intent of the zoning

ordinance. The special exception is for the existing building only and is subject to rezone approval of the Town and County. There were letters of support from the Town of Walworth and three neighboring property owners. There was no opposition.

Disc #1 Hearing – Count #8:53:34 – 9:22:39 / Disc #2 Decision – Count #8:39:31 – 8:44:10
The Fourth Hearing was William C. Wiswell Trust, owner / Attorney Robert C. Leibsle & Attorney Theodore N. Johnson, Godfrey, Leibsle, Blackburn & Howarth, S.C., applicants – Section(s) 19 – Lafayette Township

Applicants are requesting a variance from Section(s) 74-38 / 74-51 of Walworth County’s Code of Ordinances – Zoning to permit the location of a barn 32.4’ x 40.4’.

REQUIRED BY ORDINANCE: The Ordinance requires a 100’ side and rear yard setback and permits a height of 20’.

VARIANCE REQUEST: The applicants are requesting a 66.9’ rear yard setback, a 38’ side yard setback and a height of 24.3’. The request is a variance from Section(s) 74-38 / 74-51 of Walworth County’s Code of Ordinances – Zoning to permit the location of a barn 32.4’x 40.4’.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 10 & 11, 2013, for the petition of William C. Wiswell Trust, owner / Attorney Robert C. Leibsle & Attorney Theodore N. Johnson, Godfrey, Leibsle, Blackburn & Howarth, S.C., applicants, voted to **APPROVE** the request for a 66.9’ rear yard setback, a 38’ side yard setback and a height of 24.3’.

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 unique property limitations in the narrow strip of land. The Board found the original barn existed before restrictions on agricultural buildings were in place. The Board found the property has historically housed horses. The Board found the owner was unaware the contractor had relocated the barn when restructured. The Board found to deny the variance request due to contractor error would be an unnecessary hardship to the owner. The Board found to approve the variance request would cause no harm to public interests. The Board found the neighbors do not object to continued use of this property as a horse farm. The Owner/Applicant submitted a proposed deed restriction for the property that would restrict the property to four horses. There was one letter of support from the Town of Lafayette and a neighboring property owner spoke.

Disc #1 Hearing – Count #9:22:40 – 9:33:45 / Disc #2 Decision – Count #8:44:11 – 8:53:52
The Fifth Hearing was Larry Lipps, owner – Section(s) 31 – Delavan Township

Applicant is requesting a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County’s Code of Ordinances – Shoreland Zoning to construct a deck and to permit the location of a residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 9.1’ rear yard setback for a deck and a 25’ street yard setback for a residence.

VARIANCE REQUEST: The applicant is requesting a 5.1' rear yard setback for a deck and a 23.4' street yard setback for a residence. The request is a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck and to permit the location of a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 10 & 11, 2013, for the petition of Larry Lipps, owner, voted to **DENY** the request for a 5.1' rear yard setback for a deck and **APPROVE** a 23.4' street yard setback for a residence.

A motion was made by Ann Seaver to approve the variance request. Seconded by Gregory E. Guidry for discussion.

Ann Seaver rescinded her motion to approve the variance request. Gregory E. Guidry seconded the motion to rescind. Motion to rescind carried. 3-favor 0-oppose

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

BOARD OF ADJUSTMENT FINDINGS:

DENIAL OF THE DECK: The Board found the owner has options other than the deck for an outdoor living area. The Board found to deny the variance request would not cause unnecessary hardship. The Board found to deny the variance request would not prevent the owner from using the property for a permitted purpose. The Board found the variance request does not meet the criteria necessary for approval.

APPROVAL OF THE RESIDENCE: The Board found the residence has existed for some time without complaint. The Board found to require removal of a portion of the house would cause unnecessary hardship. The Board found Chestnut Avenue does not have a high volume of traffic. The Board found to approve the variance request would not cause harm to the public's interest in navigable waters.

There was one letter of support from the Town of Delavan and a neighboring property owner spoke in support.

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

Disc #1 Hearing – Count #N/A / Disc #2 Decision – Count #N/A

The Sixth 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 / 74-51 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 July 10 & 11, 2013, did not vote on the petition of Sugar Creek Dairy LLC, owner / Marleen & Rick Adams, applicants.

BOARD OF ADJUSTMENT FINDINGS: The petition has been moved to the August 14 & 15, 2013, Board of Adjustment agenda at the applicant's request.

Other

- A. Discussion / possible action regarding Paul Demchenko – Section 35 – Whitewater Township regarding BOA August 2012 decision
Updated plans were shown to the Board to ensure consistency with the Board's decision of August 2012. The Board approved the new plans with an additional sub-basement and granted a 2-month extension of the expiration of the August 16, 2012, decision filing date. The expiration date has been extended to October 16, 2013.

A motion was made by Gregory E. Guidry to approve the 60 day extension on the original variance to complete the substantial building structure by October 16, 2013, and approved the new plans with the egress doors and the windows added on to the lake side lower level as the Board felt the new plans were consistent with the original decision. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

- B. Oath of Office - Gregory E. Guidry
Gregory E. Guidry took the oath of office. The three-year term will expire June 30, 2016, or until a successor is named.
- C. Discussion / possible action on Township correspondence - none

Staff Reports

- A. Court cases update – Winston Revocable / Bear Cave Irrevocable / Bear Cave Residence Trusts (f/k/a Jennifer Leischner Litowitz)
Board members were informed an appeal has been filed with Circuit Court.
- B. Distribution of reports, handouts and correspondence – none
- C. Annual Board of Adjustment training
Chair John Roth, Vice-Chair Gregory Guidry, Secretary Ann Seaver, and 1st Alternate Elizabeth Sukala were in attendance for the annual Board of Adjustment training hosted by Senior Zoning Officer Deb Grube. Also attending from the Land Use & Resource Management Department were Director Michael Cotter, Urban Conservation Specialist

Fay Amerson, Intern Matt Zangl and Administrative Assistant Sheril Oldenburg. The training was structured around the Wisline Series 2012 – 2013: Hearing, Zoning Appeals and Variances. A handout was given to attendees to use in conjunction with the program CD.

Proposed discussion for next agenda

The following items were requested to be put on the August 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.

**Walworth County Board of Supervisors
Public Works Committee
Monday, July 1, 2013 at 3:30 PM
Walworth County Government Center, County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin
*DRAFT MINUTES***

Chair Russell called the meeting to order at 4:00 PM.

A quorum of Public Works committee members was in attendance, including Chair Russell, Vice Chairman Carl Redenius and Supervisors Monroe, Schaefer and Stacey.

Others in attendance included Dave Bretl, Nicki Andersen, Peggy Watson, Michael Cotter, John Miller, Kurt Picknell, Jamie Greene, Dave Woodhouse and Dave Bretl.

Agenda approval was moved and seconded by Supervisors Schaefer and Stacey and carried 5-0. Mr. Bretl said Jenny Wehmeier had an item on the agenda but could not stay late this evening (the meeting was scheduled to begin at 3:30 PM). He said there was no hurry and that item 5a could be postponed for another month. Bretl said his memos to the committee reflect his ambivalence on this topic. On one hand, we need to accommodate cooking demonstrations; on the other hand, the Board has opposed alcohol in County buildings in the past. Bretl advised that if the committee were to recommend an exception to the County ordinance, it should be very narrow.

Approval of the May 20, 2013 and June 11, 2013 Public Works committee minutes was moved and seconded by Supervisors Monroe and Schaefer and carried 5 – 0. Schaefer and Stacey moved approval of the June 11, 2013 minutes; motion carried 5 – 0.

There was no comment during the public comment period.

Regular Business

- a) *Request from UW-Extension to except alcohol prohibition on county grounds.* Bretl recommended holding this item for the next Public Works committee meeting, to permit Ms. Wehmeier to address the committee. Bretl stated he was not in favor of allowing the storing of alcohol on site or using the government purchasing card for wine. He and committee members thought other liquids could be substituted for wine in recipes. It was clarified that Extension's request was to use wine in food, not for drinking. The committee took no action on this item and agreed, by consensus, to include this on the July 15 Public Works agenda.
- b) *Land Use and Resource Management Department request to purchase a 4 x 4 vehicle.* Authorization to make this purchase moves up a CIP scheduled replacement to this year. The new 4 x 4 will replace a vehicle that is subject to recall. Cotter's memo enclosed in the packet summarized the request. Schaefer asked what happens to the vehicle that was recalled. Cotter said Public Works is still exploring options. It is parked and won't be sold until the recall issue is fixed. **Schaefer and Monroe moved and seconded approval of the purchase.** The new vehicle will be purchased under the state bid for fleet vehicles pursuant to the county's participation in VALUE cooperative bidding. The old vehicle is still being studied for use in the County fleet, perhaps with a trailer hitch, an option suggested by the Chrysler Corporation, which issued the notice about faulty gas tanks in the 4 x 4s. The recall

card we received would be presented to a dealer to do the conversion if the county decides to follow that course. Purchase of a new 4 x 4 is only one year earlier than already scheduled in the capital improvement plan. There is salary savings in the LURM budget to cover this. Redenius asked why LURM staff needs 4 x 4 vehicles. Cotter said zoning officers visit construction sites and hard-to-access locations. **The Schaefer/Monroe motion carried 5 – 0.**

- c) *Recommendation of Plunkett Raysich Architects for Sheriff's shooting range remodel project.* Bretl distributed the bid tabulation, which was close between bidders no. 1 and 2. Plunkett Raysich scored highest. The percent charged by the companies that bid was laid out in the bid tab. Estimated charges for the project were negotiated following the interview process with architects. Bretl explained this was a bit unusual, i.e., different from the typical bidding and award process for construction of a new building. The county has a current contract with Plunkett Raysich for construction projects under \$250,000. The estimated proposed contract cost on the range remodel is in the "ballpark" of what the county currently pays Plunkett on small projects. The county utilizes a qualifications-based model for selection of an architect and pricing is then negotiated with the highest ranked firm. Ms. Watson said the contract for this project was negotiated at 7.4%, which is right on target for fees charge on additions and renovations. The range remodel is a renovation project. **Stacey and Monroe moved and seconded approval. The motion carried 5 – 0.**
- d) *Update on CTH O road project from Patrick Engineering.* The original project included work on Highways M and O. Instead of using funds in the fund balance, the idea was to begin work on O and if it appeared this project was not going to involve a lot of extra work, then work could proceed on Highway M. Our current project bid is with Payne and Dolan, the low bidder, on Highway O; the bid on this project will expire soon. All culverts have been replaced, and asphalt paving work has begun. Final grade must be tested and the road driven over with a dump truck to test soft spots. Within two weeks, staff should know about proceeding on the project. The bid on Highway O work came in at \$2.83 Million. Payne and Dolan gave a verbal confirmation they would extend the contract one month given the weather uncertainties in June. Bretl suggested the committee hold off making a recommendation on this project until the next Public Works meeting. Bids can be held for one month without a problem. Bretl will be filling in for Brunner while he is on medical leave. If there isn't enough money for both projects, work on Highway M could be deferred to next year. Woodhouse said the bid wasn't exceptional but he was unconvinced it would be bid any lower. He thought work should proceed on both M and O, weather permitting, if it appears funding will cover both projects. Rock Road is doing most of the grading and culvert work. P & I is performing the other work on the project. The committee took no action on this. It will be included on the July 15 Public Works agenda.
- e) *CTH M roadwork project.* By consensus, this item was held for the July 15 Public Works committee meeting.
- f) *Bid award for Health and Human Services Elevator "B" upgrade project.* Bretl said this upgrade has been in every capital plan since he has been with the county. Funding for the project is now in the budget, and staff is recommending award to the low bidder. A budget amendment will be needed in the amount of \$97,000. There is \$9,500 committed for design

of the upgrade. A budget amendment will go to the Finance committee in July. The project budget includes a 15% contingency. Approval of the bid award is subject to finance committee approval of the budget amendment. **Supervisors Stacey and Russell moved and seconded approval, subject to Finance committee approval.** Schindler and Otis both are elevator companies. J.H. Hassinger is currently working on the HVAC job as a subcontractor. There was concern, initially, that Schindler might not have included a particular cost in the bid. Staff has since confirmed that everything in the contract will be covered. **The Stacey/Russell motion carried 5 - 0.**

- g) *Approval of bid specifications for Sheriff's Office rooftop refrigeration replacement project.* The county's replacement program schedule is different now than in the past. If approved, our normal procurement procedure will be followed. The original refrigeration unit was installed in 1995. There is a bank of condensing units that feeds refrigerators in the kitchen. Replacement of the entire bank of units will occur at one time. Aramark (food service) is aware of the plan and how this will affect food preparation during replacement. There is \$50,000 in the current budget for this; the quote was received during 2013 CIP preparation. Staff will return to committee for award of the bid. **Stacey and Russell moved approval of the bid specifications.** John Miller said all heating units at the Sheriff's LEC have been replaced. In 2010, Johnson Controls did an efficiency study. Staff is working with Johnson to achieve efficiencies in other county buildings, as well. The entire building is heated and cooled by coils that produce hot or cold air; building temperature is maintained between 68 and 74 degrees, including an unoccupied portion of the Huber wing. Schaefer expressed concerns about heating and cooling unoccupied wings, considering energy costs. Staff explained that the space has to be conditioned; buildings left un-cooled and un-heated deteriorate. H, I, J, K and L dorms don't hold more than 60-70 residents. Some of the Huber wing was reclaimed for regular jail inmate housing. Now that there is a stable population, the focus is to coordinate and balance all of the energy systems and achieve greater efficiency. **The Stacey/Russell motion carried 5 - 0.**

The next regularly scheduled Public Works Committee meeting was confirmed for Monday, July 15, 2013 - 3:30 p.m.

Chair Russell adjourned the meeting at 4:40 PM on motion by Stacey seconded by Schaefer.

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

Walworth County Human Resources Committee

MINUTES

June 19, 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, Dan Kilkenny, Dave Weber, 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; John Orr, Information Technology Director; Josh Pollock, Benefits Specialist; Kim Bushey, County Clerk; Tracy Moate, Director of Special Education; Val Etzel, County Treasurer; Sheila Reiff, Clerk of Courts; Bernie Janiszewski, LHCC Administrator; Bob Schiltz, Detective; Mel Davis, HS Specialist I; HHS Staff members.

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 May 22, 2013 Human Resources Committee meeting minutes was moved and seconded by Supervisor Monroe and Vice Chairperson Grant, and carried 5 – 0.

Public comment period – Bretl explained that staff was trying to get Gary Fox, a representative of the State plan, on the phone to answer questions. In the meantime, Bob Schiltz, Detective, addressed the Committee. Schiltz urged the Committee to vote against the State plan and continue to be self-funded. Schiltz also spoke in favor of the clinic to help reduce insurance costs. Mel Davis, HS Specialist I, addressed the Committee. Davis asked the Committee to allow some sort of avenue for the employees to have all of their questions answered regarding the State plan before any final decision is made. Davis recommended that the Human Resources Committee support the current health insurance plan as recommended by the 3M consultant and support an on-site clinic.

Discussion and possible action regarding the future of Walworth County's health plan and potential on-site clinic. **Vice Chairperson Grant and Supervisor Redenius moved and seconded eliminating the wellness clinic option.** Supervisor Brellenthin felt that the insurance question should be answered first, and once that has been decided, the clinic can be addressed. Vice Chairperson Grant was not agreeable to accepting the clinic as it was being presented. He was concerned with the cost and that there was no plan for how it was going to be operated. Gary Fox, a representative from the State, answered questions about the State plan via phone. Discussion continued. Bretl referenced a letter from Supervisor Stacey that had been distributed to the Committee. Supervisor Stacey supports the two-tier system with plan design modifications to lower the premium. Supervisor Kilkenny felt that the on-site clinic option

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should still be examined but pointed out that the clinic wouldn't be used if the County switched to the State plan. Chairperson Brandl stated that he originally thought the plan was worthwhile but now feels that the building cost is not worth it. The clinic would have to be up and running for three years to make it worthwhile. He agreed with Vice Chairperson Grant's motion to pull the on-site clinic concept. Chairperson Brandl suggested that the Committee make recommendation to that effect for the July County Board meeting. He clarified that the motion on the table is for the wellness clinic to be off the table for this year. Wilson stated that the County does have the operating plan that Quad Med had put together; however, the County does not have a building, so the full plan is not in place. Vice Chairperson Grant questioned where the \$750,000 savings would come from. Andersen stated that running health screenings through the wellness clinic would result in significant savings.

The motion to discontinue pursuit of the wellness clinic in 2013 carried 3 – 2. (Supervisors Monroe and Brellenthin voted no).

Vice Chairperson Grant and Supervisor Redenius moved and seconded proceeding with the State plan. Vice Chairperson Grant felt that it is the most reasonably-priced plan for the employer with good coverage, and there would be very little for staff to do administratively. Vice Chairperson Grant suggested applying for the State plan now, and if the Board decides against it later, the County could keep its current plan. Andersen distributed information on cost estimates. Chairperson Brandl stated that the Committee needs to decide what the goal is: to make premiums as low as possible or bring them in-line with other counties. He is not in favor of the State plan. Supervisor Schiefelbein felt that the goal should be plan design changes to bring the premium down. He suggested opening Tier 2 up to everyone. Supervisor Monroe stated that he supported staying with the County plan until more is known about Obamacare.

The motion to proceed with the State plan failed 2 – 3. (Vice Chairperson Grant and Supervisor Redenius voted in favor of the State plan; and Supervisors Monroe and Brellenthin and Chairperson Brandl voted against).

Supervisors Brellenthin and Monroe moved and seconded forwarding a recommendation of plan design changes to the full Board. The motion carried 5 – 0.

Wilson questioned if the plan design changes would be in effect for 2014, given the amount of work that will need to be finished administratively for those changes. Chairperson Brandl would like to see plan design changes for Tier 1 and would like Tier 2 to be a high-deductible HSA plan. Andersen stated that if a decision is made today, they could get the HSA implemented for 2014, but if no decision is made today, that is probably not possible for 2014. Vice Chairperson Grant asked staff to come up with different options for the Committee to choose from. He would like to see all employees on Tier 2. Supervisor Russell stated that she had initially been in favor of the State plan, but there are many cons, and she does not feel that it is the right plan for the County. She feels that plan design changes need to be made. Chairperson Brandl wanted to see the savings that would be realized if all employees were moved to Tier 2. Wilson stated that

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they will come back with the savings from moving everyone to Tier 2, plan design changes to Tier 1 similar to Waukesha County's plan, and changes to make Tier 2 HSA-eligible.

Discussion and possible action regarding an amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Elimination of Contracts and the Creation of Positions in Health & Human Services. Seemeyer distributed a chart illustrating the fiscal impact of the proposed changes. Hagstrom explained that the positions in question would not meet the requirements for independent contractors, so they need to be created as County positions. The HHS Board recommended this as well. Hagstrom stated that these are independent contracts with individual people. Chairperson Brandl asked if the contracted employees would be willing to come on board or if they would be looking at hiring new people. Seemeyer stated that they would like to keep the contracted employees rather than hire new people.

Supervisors Monroe and Brellenthin moved and seconded approval of the amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Elimination of Contracts and the Creation of Positions in Health & Human Services. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums for Certain LHCC Employees. Hagstrom explained that the Code differentiates between pay premiums. When that section was created, the maintenance employees for LHCC were actually Public Works employees. Those employees are now LHCC employees, and weekend hours are part of their work schedules, so they would not receive a weekend premium.

Supervisor Brellenthin and Vice Chairperson Grant moved and seconded approval of the amendment to Section 15-359 of the Walworth County Code of Ordinances Relating to Special Pay Premiums for Certain LHCC Employees. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Section 15-337 of the Walworth County Code of Ordinances Relating to Reinstatement of Pay and Benefits for Employees Reinstated from Layoff. Hagstrom explained that there was an employee who had been laid off, and may have been eligible for insurance upon return. The question then came up as to how to handle the reinstatement of benefits in such a case. The proposed ordinance amendment clarifies what happens with reinstated employees. Chairperson Brandl questioned what would happen to an employee who is on Tier 1 but gets laid off and then reinstated within a year. Hagstrom stated that if the person came back as a 0.5 FTE, the employee would hold grandfathered status until they went into a health insurance-eligible position.

Supervisor Monroe and Vice Chairperson Grant moved and seconded approval of the amendment to Section 15-337 of the Walworth County Code of Ordinances Relating to Reinstatement of Pay and Benefits for Employees Reinstated from Layoff. The motion carried 5 – 0.

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Discussion and possible action regarding an amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Property Tax Specialist to an Account Clerk IV in the Treasurer's Office. Hagstrom stated that there was a retirement in the Treasurer's Office leading to the vacancy in the Property Tax Specialist position. Etzel requested that the vacant position be reclassified and a new job description created.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Reclassification of a Property Tax Specialist to an Account Clerk IV in the Treasurer's Office. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Treatment Court Coordinator position in the Clerk of Courts Office. Reiff stated that there are currently 33 people in OWI court, and the coordinator handles the screening and tracking of information for those participants. The position is no longer a 20-hour a week position. The CJCC had been utilizing the services of consultant, Mike Jones, but that is no longer the case. Bretl added that money had been included in the budget for a coordinator position. Chairperson Brandl asked if the new position would be full-time for the rest of the year. Hagstrom stated that the proposed start date would be August 5th. The position would cost approximately \$27,000 for the remainder of the year. Supervisor Russell stated that the whole idea of OWI Court is to stop the cycle of recidivism, which will save the County lives and money. This is very important and cannot be done without a coordinator. Bretl stated that the Committee could approve the amendment subject to a revised fiscal note making it clear that the position would be funded through current budget dollars and not through the contingency fund.

Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the amendment to Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Treatment Court Coordinator position in the Clerk of Courts Office, with the fiscal note reflecting that the position will be funded through current budget dollars. The motion carried 5 – 0.

Discussion and possible action regarding an amendment to Section 15-324 of the Walworth County Code of Ordinances Relating to the Family Court Commissioner Salary. Vice Chairperson Grant and Supervisor Monroe moved and seconded approval of the amendment to Section 15-324 of the Walworth County Code of Ordinances Relating to the Family Court Commissioner Salary. Bretl explained that this position is subject to the supervision of the judges. By statute, the judges have to evaluate the commissioners, so it makes sense to tie that evaluation to the commissioners' salary increases. He recommended approval of the amendment. **The motion carried 5 – 0.**

Discussion and possible action regarding an amendment to Sections 15-6 and 15-810 of the Walworth County Code of Ordinances Relating to Position Titles in Information Technology.

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This is a “housekeeping” amendment. It updates several position titles that were changed in 15-17 but not in the other section of the Code.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded approval of the amendment to Sections 15-6 and 15-810 of the Walworth County Code of Ordinances Relating to Position Titles in Information Technology. The motion carried 5 – 0.

Adopting 2014 pay ranges for certain hourly employees and salaried exempt employees. Bretl stated that the discussion of this item will take at least an hour. Given the 5:00 p.m. CDEB meeting, Bretl suggested either taking a recess to allow a brief CDEB meeting before continuing with this item or holding the item for a special meeting. The Committee preferred holding the item for a special meeting. Hagstrom stated that these are the assumptions that are being included in the 2014 budget.

Vice Chairperson Grant and Supervisor Monroe moved and seconded holding a special meeting on July 1st at 1:30 p.m. The motion carried 5 – 0.

Vice Chairperson Grant and Supervisor Brellenthin moved and seconded holding the 2014 pay range discussion until the special July 1st Human Resources Committee meeting. 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 1, 2013 at 1:30 p.m.

Adjournment. On motion and second by Vice Chairperson Grant and Supervisor Monroe, Chairperson Brandl adjourned the meeting at approximately 5:07 p.m.

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

Walworth County Health and Human Services Committee
MINUTES

June 19, 2013 Meeting – 1:15 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

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

Roll call – Committee members present included Supervisors Grant, Schiefelbein, Schaefer, Brellenthin, Schiefelbein, Monroe and Citizen Representatives Wucherer, Pious and Seegers. Supervisor and Citizen Representative Wagie-Troemel 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; Liza Drake, Health and Human Services Supervisor; Alicia Kovac, Health and Human Services; Ety Wilberding, Health and Human Services Manager; Nancy Russell, County Board Chair; Dave Weber, County Supervisor

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

There is a withdrawal of item 20d. Public Health Medicine Disposal Grant Request. **Motion and second made by Supervisors Monroe and Schiefelbein for the withdrawal. Motion carried 8-0. Motion and second made by Supervisors Brellenthin/Monroe to approve the agenda as amended. Motion carried 8-0.**

The Health and Human Services minutes from the May 22, 2013 meeting were approved. **Motion and second made by Supervisors Schiefelbein and Grant to approve the minutes. Motion carried 8-0.**

Public Comment – There was no public comment.

Unfinished business –

WCDHHS Child Protective Services Case Practice Report – Ms. Seemeyer reviewed the process of the state investigation. Changes were requested in investigation practice, training and documentation. She introduced Ms. Wilberding to explain the changes made in procedures. Ms. Wilberding explained that report changes were made in how staff record documentation and reasoning. These updated procedures have been reviewed by the State. In the future the State will come back to do a random selection review to make sure we are on the right track. The Department has used this report as a learning experience and is working on technology and training for continued improvement.

Supervisor Grant asked about the new and updated policies. Ms. Wilberding stated some are done, some have been updated and there are still some that need to be worked on.

Supervisor Grant stated that there can never be enough documentation and is pleased with the direction the unit is heading. Supervisor Schiefelbein added that documentation is very important along with peer reviews.

Citizen Representative Seegers asked if there were any penalties as a result of the egregious incident. Ms. Seemeyer does not know of any and stated Secretary Anderson was concerned over timeliness report. The answer is to have more resources rather than penalty. The Department is also looking to add more workers in addition to the two workers added in the last budget cycle.

Citizen Representative Wucherer asked for examples of trainings needed that aren't available. Ms. Wilberding stated that enhanced training in the Access system was needed since only beginning training is currently available. Supervisor training and advanced training in initial assessments are also needed.

Supervisor Grant asked if schools were available for training. Ms. Wilberding stated the consortium responsible and the Department is working with them.

Supervisor Grant asked if there is annual update on trainings or if it is a one-time only training. Ms. Wilberding was not sure of the training schedule.

Supervisor Schiefelbein stated that the Department needed to identify a neighboring county and ask about their procedures. Ms. Wilberding stated she asked the State of a partner to help us and the State was not able to identify any.

New Business –

Contract Conversion to County Employees – Ms. Seemeyer gave a brief history on why the Department had been contracting staff and reviewed the enclosure outlining the proposed changes.

Motion and second made by Citizen Representative Wucherer and Supervisor Grant to convert contracted positions to county positions as outlined in the enclosure. Motion carried 8-0. Discussion followed.

Supervisor Schiefelbein asked if the figures included benefit costs. Ms. Seemeyer stated that they did.

Citizen Representative Wucherer asked if these were filled positions. Ms. Seemeyer stated that they were.

Supervisor Schaefer asked if they were in the 2013 budget. Ms. Seemeyer stated they were as contracted employees and not county.

Mr. Bretl gave a further explanation for this request. Supervisor Schiefelbein stated that it is in the county's benefit to have staff be county employed rather than contracted for liability issues.

Wisconsin Trauma Project Grant – Ms. Aldred explained that back in March there was a Department of Children and Families grants available for trauma-informed treatments. The grant would be a collaboration with other counties working as a consortium. Rock County applied with help from Jefferson County. Walworth County accepted into a tri-county consortium. The grant offers an opportunity to train staff in this model and share with providers.

Citizen Representative Seegers asked about the \$25,000 match. Ms. Aldred explained the split would be done based on population. Walworth County is in the middle of Rock and Jefferson for population size. In-kind matches might be possible and it is in the budget.

Supervisor Grant asked if it was in the 2013 or 2014 budget. Ms. Aldred stated it was 2013.

Motion and second made by Supervisor Schaefer and Citizen Representative Seegers to participate in the Wisconsin Trauma Project grant. Motion carried 7-1 with Schiefelbein dissenting. Discussion followed.

Supervisor Schiefelbein explain he would not support this due to Rock County not following proper procedure.

Supervisor Grant asked if the Department was aware of grant application. Ms. Aldred stated that the Department initially did not know that Walworth County had been included in the application.

Citizen Representative Wucherer asked about this grant. Ms. Aldred stated it is a model researched by the State and piloted successfully in two other counties. The focus is on families with children.

Supervisor Grant stated it helps the Department respond to the needs of the residents to Walworth County. Ms. Aldred stated that it will be beneficial to clinicians, community providers and families. The Department already has Trauma Informed Care on its strategic plan. This grant gives an opportunity to use something already developed then the Department working on its own model.

Comprehensive Community Services CCS Regional Services – Ms. Aldred explained this was a governor's initiative for regionalization of services. The Department will be working with Jefferson and Rock Counties. Budget for this initiative will be available in 2014. This will save on tax levy with significant money accessed and saved.

Supervisor Schiefelbein asked about partnering with Rock County. Ms. Seemeyer stated that Rock County will be made aware that situations such as the Wisconsin Trauma Project grant will not be tolerated in the future. Mr. Bretl stated that he does not feel that Rock County realized they were doing something wrong and have different procedures than Walworth County.

Supervisor Grant asked if there was a different county to partner with. Ms. Aldred stated Racine made an offer but the Department feels more comfortable working with Jefferson and Rock Counties.

Citizen Representative Wucherer asked about FFT and FFCM. Ms. Aldred explained FFT is Functional Family Therapy and FFCM is Family Functional Case Manager in children's unit.

Motion and second made by Supervisor Monroe and Citizen Representative Wucherer to participate in the Comprehensive Community Services Regional Services consortium with Rock and Jefferson Counties. Motion carried 8-0.

Public Health Medicine Disposal Grant Request – This item was removed.

Adult Protective Services Presentation – Ms. Seemeyer introduced Liza Drake, Supervisor and Alicia Kovac, After Hours Team Lead who gave a PowerPoint presentation on the Adult Protective Services program.

Supervisor Schielebein asked about criminal charges for abuse. Ms. Drake explained that Chapter 55 is used in cases depending on severity. Charges are not able to be filed for emotional abuse.

Supervisor Grant asked about documentation. Ms. Drake stated that everything from start to finish including the screen outs is documented.

Supervisor Schiefelbein asked about staff resources and if retired police still provide assistance. Ms. Drake explained that after staff to help with outreach Court Services does applicable cases and there is follow up. Casual staff and retired police do not help with adult protective services cases. Only a select few help out based on knowledge of staff.

Supervisor Schiefelbein asked what decides if a case goes to law enforcement or to Crisis Intervention. Ms. Drake explained that the Department has 24 hours when a referral is received. The Department works with law enforcement depending on the situation. In some situations information is collected and turned over to law enforcement. Special crimes protocol change would have law enforcement first.

Supervisor Schiefelbein asked about raising awareness. Ms. Drake said the Department recently held the second annual power of attorney information session. The number of participants greatly increased this year so more people are aware of services. Information is also presented at the senior meal sites.

Supervisor Russell asked about why the programs separate adults from elders. Ms. Drake explained that is how it is written in the state statutes.

Citizen Representative Wucherer asked if there was budget money available for awareness and how people contact the Department. Ms. Drake stated that the Department receives a

grant from the state for each group of people. Consumers can call the main line for Health and Human Services or the Aging and Disability Resource Center to get in touch with Crisis Intervention. Per state statutes these numbers are displayed on poster and other materials for people to make referrals.

Supervisor Grant asked for clarification on the adult and senior terms. Ms. Drake stated it was use more for reporting purposes and those terms are not used when dealing with the public.

Reports –

State Budget Update – Ms. Seemeyer pointed out handout highlights. Funding back for Child Support. Children and family shave is small enough for us to absorb. IM worker we have funds for changes. CCS, MAPP – heavy lobbying and we won, Family Care institution change will help us out...it's a start, BadgerCare and allocation added more money. Not sure of final numbers just yet but we are working on several scenarios.

Grant BadgerCare/Family Care eliminated in 2015? No, it changed, exchanges. Not sure just yet.

IM Update – Ms. Seemeyer MOU handout. Spelled out clearly temp positions. for 37 passed test.

HVAC Project Update – Ms. Aldred we moving along. Main desk will happen in early July.

Correspondence – There were no correspondences.

Announcements –

Ms. Seemeyer stated there were registration forms for the Holiday Care Golf outing available for anyone interested.

Ms. Seemeyer invited this committee to tour the upcoming Wisconsin Dental Association Mission of Mercy event at the end of June. All the volunteer slots have been filled and they reached their fundraising goal.

WCAC golf outing is also coming up. Supervisor Grant asked if any of the committee was interested in sponsoring a hole.

Next Meeting Date – The next meeting is scheduled for July 17, 2013 at tentatively 1:15 p.m. following the Lakeland Health Care Board of Trustees meeting.

Adjournment – **On motion and second by Supervisors 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

June 19, 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; Bernadette Janiszewski, Nursing Home Administrator; Juliet Young, Health and Human Services; Ella Eva Pious, Health and Human Services Citizen Representative; Liza Drake, Health and Human Services Supervisor; Alicia Kovac, Health and Human Services; Nancy Russell, County Board Chair

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

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

The Lakeland Health Care Center Board of Trustees committee minutes of the May 22, 2013 were approved. **Motion and second made by Supervisor(s) Schafer/Brellenthin 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 handed out the May income statement summary and stated that the budget is on track and that there were five worker's compensation claims. With the change in the Medicare census, the health care center now averages 16 Medicare residents per month. Ms. Janiszewski and her staff are working on the 2014 budget, including the changes due to the addition of the maintenance department as well as changes that have to be made due to the Affordable Care Act. She is also working with Suzi Hagstrom in Human Resources regarding required changes to registered nurse staffing. This will be reported to this committee in July.

Supervisor Grant asked if there is anything new with the Affordable Care Act. Ms. Janiszewski stated that there is no new information since her presentation on the ACC. She will be presenting the nursing plan to this committee in July.

Correspondence – There were no correspondence.

Announcements –

Upcoming Events – Ms. Janiszewski is hoping that there is good weather for the upcoming rummage sale. They have also changed back to a steak dinner for the golf outing.

Supervisor Grant asked where the LHCC got the items for the rummage sale. Ms. Janiszewski stated they were donations from the community. Supervisor Grant asked if members of this committee could donate. Ms. Janiszewski stated they could.

Next Meeting Date – The next meeting is tentatively scheduled for July 17, 2013 at 1:00 p.m.

Adjournment – **On motion and second by Supervisor(s) Brellenthin/Schaefer, Chair Grant adjourned the Lakeland Health Care Center Board of Trustees meeting at approximately 1:05PM. 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.

**County Board Executive Committee
Monday - June 17, 2013 at 10:00 AM
County Board Room 114
Walworth County Government Center
100 W. Walworth St., Elkhorn, Wisconsin
Draft Minutes**

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

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

Agenda approval was moved and seconded by Supervisors Brandl and Russell with no modifications or withdrawals, and carried 5 – 0.

Approval of the May 20, 2013 executive committee minutes carried 5 – 0 on motion and second by Supervisors Schiefelbein and Brandl.

There were no comments during the public comment period.

Ongoing/unfinished business

Resolution supporting efforts to maintain the tax-exempt status of municipal bonds. The Government Finance Officers Association (GFOA) felt it was not in the best interest for local governments to have the tax-exempt status of municipal bonds removed. Bretl stated that the GFOA is a quality, reputable organization. He recommended support of this resolution. It's in the county's interest to keep the tax-exempt status of municipal bonds. **Kilkenny and Russell moved and seconded county board support; the motion carried 5 – 0.**

Appointments

Board of Adjustment (BOA). The committee will interview the county administrator's nominee, Greg Guidry. Bretl indicated that the BOA operates with a lot of autonomy. Interviewing BOA candidates is called out in the executive committee's duties. Chairman Weber said he has followed the BOA's proceedings and thinks it has been effective, and is doing a good job. Mr. Guidry was asked the following questions by committee members.

1. Are you a resident of an unincorporated area of Walworth County? In what town do you live?
2. If you have had experience with the Walworth County Land Use and Resource Management Department and the County Zoning Agency, please describe your experience.
3. If you answered "yes" to the last question, were you an applicant for a permit or did you represent an applicant?
4. Have you had any experience with the Walworth County Board of Adjustment? If so, please describe your experience.
5. Please articulate your feelings regarding growth in Walworth County.
6. What qualities do you believe make you a good candidate to serve on the Board of Adjustment?
7. Are you presently receiving any salary, compensation or fees for services that could be construed as a conflict of interest concerning serving on the Board of Adjustment? Do you have any restrictions with respect to days and/or times of BOA meeting attendance?
8. If you are a current member of the BOA, what influenced you to apply to continue serving?
9. How many times have you had to recuse yourself and not vote because of a conflict of interest?

Supervisors Kilkenny and Brandl moved and seconded recommending Mr. Guidry for reappointment to an additional three-year term. The motion carried 5 – 0.

Civil Service Board. Kilkenny and Russell moved and seconded recommending Bretl's nominees, John Marra and James Nerud, for County Board appointment. The motion carried 5 – 0.

Consent items (expense reimbursement claims). Supervisor Brandl expressed concern about the line item on Supervisor Russell's for mileage expense to attend memorial services for former board member Roy Lightfield. Brandl asked Bretl about the extent of reimbursement, i.e., what the guideline is. Russell said she was happy to remove that expense from her claim. Bretl said there is no specific guidance concerning funerals and memorial services. How the board's Sunshine fund is used is a bit of a conundrum, as well, regarding who receives flowers. Flowers are more expensive than in the past. Bretl suggested that perhaps it would not be inappropriate for flowers for funerals, etc., to be a county expense versus being paid for by County Board contributions to the Sunshine fund. He indicated that he could, if the committee was interested, draft some guidelines for possible codification regarding exactly what expenses are covered and how they are funded. Kilkenny said he didn't think claiming mileage for attending funerals was something that would likely be abused, and he agreed with Bretl that providing some guidelines wasn't a bad idea, either. Weber said he thought Russell's mileage claim for attendance at Lightfield's memorial service was reasonable because he had been a long-time County Board member. Brandl said he had no problem with sending flowers in that instance; his only issue was with claiming mileage expense to attend the service. **Kilkenny moved approval of both Supervisor Russell's claim with the removal of the 26-mile round trip to Burlington, and Supervisor Stacey's claim. Brandl seconded the motion, which carried 4 – 1 (Russell abstained).**

- Nancy Russell – expense reimbursement claim in the amount of \$107.75 revised to remove 26-mile round trip to Burlington, Wisconsin (net revised amount: \$93.23)
- Rick Stacey – expense reimbursement claim in the amount of \$19.21

New business

SEWRPC Planning Report No. 54, A Regional Housing Plan for Southeastern Wisconsin: 2035. Nancy Russell, who serves on the SEWRPC planning and research committee, said staff developed and the committee reviewed this report chapter by chapter. The report is advisory only; county board approval would also be advisory. Each township and city makes a recommendation about the report. The housing plan is primarily relevant to cities. There was discussion regarding small lots in unincorporated areas and the angst there seems to be about whether new construction should all be handicap accessible. Concerns are sometimes expressed about narrow streets in multi-housing developments with no garages. **Russell recommended County Board support of the regional housing plan for the year 2035.** Kilkenny was interested in whether SEWRPC followed the county's long-range Smart Growth Plan. Schiefelbein said the plan appeared to call for low-income, multi-family developments funded by tax dollars. Russell said that wasn't the case. SEWRPC recommended that the state not use property tax money to subsidize school aids because that exerts influence on cities, villages and townships to not allow small lot developments that tax dollars can't support. Weber said achieving a balance between the cost of housing and wages paid in local communities appeared to summarize the intent of the plan (par. 3 of SEWRPC report). Builders don't typically rush to develop small lots; they can't make money on this type of new construction. Alternately, communities need some of this type of development to provide housing for low-wage

earners. Schiefelbein said he wasn't convinced that multi-family, low-income housing was in the county's best interest and wasn't comfortable recommending a plan that includes it. Each municipality has its own zoning code. Russell said SEWRPC's comprehensive report, including maps, is available for review. There are very few areas in Walworth County that don't comply with the SEWRPC plan recommendations, and there is presently sufficient low income housing. In Milwaukee, there are many low income families and not enough affordable housing. **Brandl seconded Russell's motion, which carried 4 – 1 (Schiefelbein opposed).**

Correspondence from State Criminal Justice Coordinating Council regarding creating or further advancing Criminal Justice Coordinating Councils. The state council's role is support of county councils. Bretl said he had recently forwarded the state's correspondence to our CJCC. Brandl and Russell moved and seconded placing the correspondence on file; the motion carried 5 – 0.

Ordinance Amending Section 2-200 of the Walworth County Code of Ordinances Relating to Establishing Terms for Certain Members of the Land Information Advisory Council (LIAC). Bretl said the LIAC is a relatively new committee formed pursuant to state statutes. John Orr now chairs the committee, which combines members of the Register of Deeds office, GIS staff, county surveyor, community members, and public works representatives from municipalities. The committee is charged with advising how to budget funds that are restricted and associated with land records, how to use the funds and how the county funds these activities. The council has been operating for three years under duties called out in the County Code. A couple of LIAC members recently left, which brought up the question of establishing definitive terms. Bretl said if there is a problem with a member and terms aren't specified, removal can be difficult; therefore, specific terms are recommended. **Schiefelbein and Brandl moved and seconded approval of the ordinance; the motion carried 5 – 0.**

Ordinance Amending Sections 2-32 and 2-154 of the Walworth County Code of Ordinances Relating to Duties and Responsibilities of the County Board. A decade ago there were no specific duties called out for supervisors. Bretl said it was a time of sorting out policy guidance enacted by the board as distinguished from day-to-day departmental operations. If the committee wants to recommend job descriptions, that could be specified in the ordinance. Job duties and descriptions are the board's call; Bretl encouraged questioning the draft ordinance and revising it as supervisors saw fit. The ordinance calls for four full terms as board chair. Russell said there are supervisors that make good chairs, but a person can get too comfortable, become too authoritative, and no other supervisor is given opportunity to be developed as a leader. Schiefelbein asked whether the intention was to limit serving as chair to four terms or four *consecutive* terms, total, during tenure as a supervisor. Discussion was held regarding supervisors not absenting themselves from the board floor were made because attendance is important when roll call vote will be taken. Bretl clarified that section 2-154 (c) (3), currently in the ordinance, addresses this. Possible county-funded meal cost was discussed, in the instance the chair is required to attend functions. Bretl said rules pertaining to reimbursement could be called out in the ordinance. In the past, supervisors have been treated the same as employees. There is an expectation by some community organizations that the county be represented at their meetings. Kilkenny and Bretl stated that if the ordinance specifies a meal is permitted, it should also specify how frequently, under what circumstances and how much. Some thought the proposed language for the supervisor job description, "...never show favoritism toward any individual..." might place a difficult burden on supervisors. Perhaps it could, instead, be stated, "act objectively" or something similar. The idea is to convey that familiar interactions with

subordinates are not advisable. Russell suggested the language “avoid favoritism.” Schiefelbein said many Sheriff’s Office employees are his friends. He thought if the job description precluded such friendships while serving as chair, it could present potential problems. Chairman Weber said he thought codifying job descriptions was a good idea. He felt that with job requirements and additional meetings, the chair has been under-valued. Schiefelbein expressed support of adopting the ordinance. **Kilkenny moved ordinance adoption with modifications to the draft supervisor job duties, as well as a revised board chair job description indicating that position shall serve no more than four total consecutive terms. The revised job descriptions will be subject to approval of the county board.** Several ideas were discussed for Bretl to incorporate into revisions. One thing that makes a chair effective is involvement in community functions. SEWRPC involvement might need to be clarified more specifically in the last paragraph of the chair job description. Kilkenny said he preferred that participation and involvement be suggested, not required. Russell said a delegate could be appointed if allowed. Brandl suggested holding off on finalizing job duties for a month. Kilkenny said the job description concerning responding to the press needs modifications. Weber suggested including succession planning in the instance the chair were unable to attend functions. **Kilkenny’s motion was seconded by Brandl and carried 5 – 0.**

Discussion and possible recommendation regarding recognizing Marilyn Putz for her service to Walworth County. Russell and Schiefelbein moved and seconded support of recognizing Ms. Putz at the next board meeting. The motion carried 5 – 0.

Outagamie County Resolution No. 14--2013-14 Opposing all legislative efforts to remove local control of the 911 system. Bretl indicated that Sheriff Graves supports retaining local control of the 911 system. Bretl wasn’t sure about the sheriff’s reasons other than this being an issue of local control or the county having the resources to do the job. The State budget will be passed in short order, so there might not be opportunity to get anything to the state. Bretl said if the committee wanted Sheriff Graves’ perspective, the item could be held and Graves could be invited to provide input. **Kilkenny moved support of a county board resolution stating support for counties retaining control of 911 operations; Schiefelbein seconded the motion, which carried 5 – 0.**

Portage County Resolution No. 155-2012-2014 in Support of Amending State Law To Permit a Multi-Vendor Student Information System for Wisconsin School Districts by 2013 Assembly Bill 60 and 2013 Senate Bill 54. Skyward, a Wisconsin-based business, was said by another vendor to have been given undue preference by the state in its bid award, and the decision was subsequently reversed. John Orr said Lakeland School is significantly invested in Skyward student information system (SIS) software, which has been used for student modules and record keeping for many years. Orr estimated that Skyward records management is used by approximately half of Wisconsin school districts. The state wants to allow only one vendor, statewide, to provide centralized student records. Orr said he couldn’t verify the dollar amount quoted in the Portage County resolution; however, if the state mandates one vendor for student records, we would have to change software at significant expense. Kilkenny said the original bid being reversed had to do with a promise the Wisconsin Economic Development Corporation (WEDC) made of a multi-million dollar grant to the company that was awarded the bid. At the time, Skyward had no problem with a multi-vendor system because they were the prevailing bidder. The bid was awarded to an out-of-state vendor. Orr explained that Walworth County frequently puts out bids and selects vendors based upon their qualifications and responses. Sometimes multiple vendors are selected. Kilkenny asked if there was any reason to have a statewide application of school records management. Generally speaking, records can be

transferred from one district to another, Orr said. Lakeland School is self-contained with regard to records. There would be significant expense involved in switching software if the “one size fits all” proposal is adopted statewide. Orr recommended county board adoption of a resolution similar to Portage County’s. **Kilkenny moved support of a resolution requesting an amendment to state law to permit a multi-vendor system. Schiefelbein seconded the motion, which carried 5 – 0.**

Manitowoc County Resolution No. 2013/2014-11 Requesting State Funding of Lake Michigan Beach Testing Programs. This resolution is not applicable to Walworth County. Kilkenny and Brandl moved and seconded placing it on file. The motion carried 5 – 0.

Chairman Weber had no reports or announcements.

The next executive committee meeting date was confirmed for Monday, July 15, 2013 at 10 AM.

Claims and litigation. At 11:12 AM, on motion and second by Supervisors Kilkenny and Brandl, the committee convened in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. All voted “aye” to convene in closed session.

- a) Nancy Brown, et al. vs. Wayne Blanchard, Christopher Such and Walworth County, Wisconsin
- b) Estate of Patrick Krueger et al v. Sheriff David Graves

The committee reconvened in open session on motion and second by Kilkenny and Schiefelbein at 11:43 AM. Kilkenny and Brandl moved and seconded following closed session guidance; both of the above-stated matters were held with no action. The motion carried 5 – 0.

Chairman Weber adjourned the meeting at 11:45 AM on motion and second by Brandl and Kilkenny.

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



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES

June 13th, 2013

The June 13th, 2013 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:02PM. Board members present were Ernie Roy, Brad Corson, Chuck Chamberlain, Larry Brady, Jerry Grant, County Representative and Norm Prusener Town Representative. The agenda was approved as presented by a motion from Jerry, seconded by Ernie. Motion Carried

Standing Teams Present: Dave Clevon

Absent: None

Clerk Present: Susie Speerbrecher

Guest Present: None

ADMINISTRATIVE

Minutes from the May 9th, 2013 meeting was approved by a motion from Larry and seconded by Ernie. Motion Carried.

PUBLIC INPUT – Rich announced he met with Paul Sandgren, the DNR supervisor of the Kettle Moraine Southern Unit. Mr. Sandgren had very positive comments on the operation of the Whitewater/Rice Lakes District Management Board. He spoke briefly about the dam and asked for our support to keep the path open from the dam to the beach area should Walworth County, the owner of the dam, become involved in some way.

COMMISSIONER REPORTS

Secretary – No correspondence.

Finance – Brad reviewed the check register handout given to the board. Expenses for May totaled \$10,008.03. Capital disbursements totaled \$14,335.46 Total cash disbursement \$24,343.49. Brad motioned to accept the expenses and capital disbursements as presented. Larry seconded the motion. Motion Carried

Weed - Larry reported weed harvesting is well under way and chemicals are taking affect on the weed growth. Brad shared comments he received from Art Schmitz as to what he has been noticing regarding weed harvesting procedures. Ernie shared comments on his observations. The board decided a meeting must be held with Jeff, Dave and two board members. A meeting date will try and be set for Friday June 14th, 2013 with Brad and Larry attending. Brad will also be talking to Art Schmitz and ask him if he would be interested in supervising the maintenance of the equipment and

to submit a bid to the board. Larry also mentioned Heidi Bunk reminded him a Point Survey needs to be done to renew our harvesting permit next year.

Chemical – Ernie reported he took a tour of the lake with Amy from Clean Lakes Midwest to observe the effectiveness of the chemical treatment and the results were very satisfying. Amy asked if we would be interested in a “whole lake quote”, and Ernie will ask her to prepare one. Heidi Bunk of the DNR would also need to be in agreement. She also was pleased with the effectiveness of the chemical treatment.

Bog – Rich reported we have received the next 10 year permit for bog removal. However, once that permit expires we may need to go to a year by year permit removing only 3000 cubic feet a year.

Equipment – Chuck reported the 7’ harvester has been delivered and the hydraulic pump replaced. The paddle wheel motor on the 10’ harvester has also been replaced. Chuck suggested we have the old motor rebuilt so that a spare would be on hand. Dennis Cole of Inland Marine again has mentioned to Chuck that lack of maintenance is a major problem with the operation and life expectancy of these machines.

REPORTS OF STANDING TEAMS

Fish Stocking – No report.

Geese Abatement - Dave reported round up will occur sometime in the next couple weeks. The federal agents do the scheduling and then let us know. Geese reduction has resulted over the last several years of the goose round-up operation. Federal agents have completed the task of destroying the Cormorant Birds resulting in the elimination of 21 birds.

Safety – Larry reported the boat safety class held May 25th and 26th.resulted in 6 people attending from surrounding areas. He will try and plan a Safety Team meeting for July 5th, 2013.

Audit – Brad is working on getting the information to the auditor.

Water Quality – Ernie reported he sent the chemical treatment report from Clean Lakes Midwest to Tom Ganfield.

2013 Schedule - Rich reported by state statutes, articles and budget information needs to be submitted by June 30th, 2013. Residents need to be informed of the annual meeting by July 23rd, 2013. The annual meeting is scheduled for August 24th, 2013. Lowell Hagen, Whitewater Town Chairman and Jeff Karbash , Richmond Town Chairman are both expected to attend the meeting.

OLD BUSINESS

Review of By-Laws – Ernie discussed the bylaw changes handout with the board. There was a discussion of the number of years a board members’ term should be. All board members should have a three (3) year term. Larry Brady has a two year term. Upon Larry’s agreement to go to a three year term a motion was made by Jerry to change his term to three (3) years which will end in 2015. Seconded by Ernie. Motion Carried.

Grievance Policy- Ernie presented a Grievance Policy handout which was read by the board. Ernie motioned to approve the handout as written. Brad seconded the motion. Motion Carried. There was a discussion on a numbering system. Larry motioned to start with a numbering system of 2013-1.0 Ernie seconded the motion. Motion Carried

NEW BUSINESS

2014 Budget Review - Brad reviewed the 2013 budget handout. He asked that board members review their 2013 budget and get their 2014 figures to him by June 27th, 2013.

Annual Meeting Agenda - Rich reviewed the agenda for the annual meeting as it will be printed in the newsletter. An earlier start time for the meeting was discussed. The meeting will start at 8:30 AM instead of 9 AM to allow more time for reports and discussions. The Lioness will again have available water, coffee, and bakery for purchase.

The newsletter needs to be to the printer by July 8th, 2013 or sooner.

OTHER BUSINESS

Rich motioned to propose a meeting schedule of social activities that board members may be attending. Jerry seconded the motion. Motion Carried

NEXT MEETING - CHANGE OF DAY AND DATE

Wednesday July 3rd, 2013 6 PM at the Whitewater Town Hall – Willis Ray Road

Motion to adjourn the meeting was made by Rich and seconded by Chuck. Meeting adjourned at 8:57 PM.

Respectfully Submitted

Susie Speerbrecher, Clerk

Walworth County Agriculture and Extension Education Committee

MEETING MINUTES

Wednesday, May 22, 2013 – 7:00 PM

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

The meeting was called to order by Chairman Kilkenny at 7:06 p.m.

Committee Members Present

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

County Staff Present

County Administrator David Bretl, UW-Extension 4-H Youth Development Educator Debbie Burkman, 4-H Youth Development Instructional Specialist Chelsea Dertz, Agriculture Agent Peg Reedy, CNRED Agent Joshua Clements, Family Living Educator Jenny Wehmeier, Horticulture Educator Chrissy Wen, and Volunteer Coordinator Colleen Lesniak were present.

Amendments or Withdrawals from Agenda

There were no amendments or withdrawals from the agenda. **Supervisor Russell and Merwin moved and seconded approval of the agenda. The motion carried 5-0.**

New Business

1. Public Hearing to receive input from the general public related to local UW-Extension programming

Janet Yakes, 3127 South Road, Lake Geneva, is a Master Gardener Volunteer. She believes the Master Gardener program is a wonderful program. It is great to have access to all the information available, and it is a huge benefit to the community.

Letha Kuecker, W4779 Potter Road, Elkhorn, is a 4-H volunteer leader and is active at the Fair. She appreciates the support that the AEE committee provides. She would like to encourage having two full time staff members in the office that work with 4-H. She feels there are many more demands on the program than there were previously, and it is very difficult for just one person to meet the varying needs of the age groups and families.

Bob Handel, 650 Greenfield, Elkhorn, is speaking as a board member of the Walworth County Fair. He appreciates the close relationship with Extension. They have been close for many years, especially with Master Gardeners, Reedy with her Agriculture programs, and 4-H. He appreciates the strong relationship with Extension in the county.

Supervisor Russell moved to close the Public Hearing, which was seconded by Papcke. The motion carried 5-0.

Adjournment

On motion and second by Merwin and Papcke, Chairman Kilkenny adjourned the meeting at 7:13 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.

Walworth County Agriculture and Extension Education Committee

MEETING MINUTES

Monday, May 20, 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, Michael Krejci, Kathleen Papcke, Mary Kay Merwin, and Bob Handel were present. A quorum was declared. School Representative Pam Knorr and FSA/Ag Representative Sue Bellman were absent.

County Staff Present

County Administrator David Bretl, UW-Extension Department Head Christine Wen, Family Living Educator Jenny Wehmeier, Agriculture Agent Peg Reedy, 4-H Youth Development Educator Debbie Burkman, 4-H Youth Development Instructional Specialist Chelsea Dertz, 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. **Supervisors Schiefelbein and Russell moved and seconded approval of the agenda. The motion carried 6-0.**

Approval of Minutes

1. March 18, 2013
 - a. There were no additions or corrections to the minutes. **Supervisor Schiefelbein moved to approve the minutes, which was seconded by Papcke. The motion carried 6-0.**
2. April 1, 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 6-0.**

Public Comments

There were no public comments.

Unfinished Business

There was no unfinished business.

New Business

1. Introduction of UW-Extension interns through the Summer Affirmative Action Internship Program (SAAIP) - Kayla Skomski, Karissa Kolle, and David Albino
 - a. Kolle is a student at University of Wisconsin-Whitewater with one semester remaining. She is majoring in Health and Human Performance with a Health Promotion minor.
 - b. Skomski is a student at University of Wisconsin-Whitewater with one semester remaining. She is majoring in Social Work and Psychology.
 - c. Albino is a graduate student at University of Wisconsin-Madison, majoring in International, Public Affairs, and Regional Planning and Transportation Management.

- d. Wehmeier added that with the SAAIP program, Extension receives funding from the state to participate in the program, and the state reimburses the county 50% of the interns' salary.
2. Discussion and Possible Action to approve 2016 Farm Technology Days Executive Committee (enclosure 3)
 - a. Reedy stated that the list is not final as there is a meeting on June 10 with the state crew to give an orientation and answer any questions the people may have. There are some alternates in case someone decides to withdraw. **Merwin moved to approve the 2016 Farm Technology Days Executive Committee, which was seconded by Supervisor Schiefelbein. The motion carried 7-0.**
3. UW-Extension Department Head Leadership changes
 - a. Wen explained that the current three-part department head leadership will be changing to a two-part leadership beginning July 1, 2013. Reedy will be stepping down due to the additional workload of Farm Technology Days. Wehmeier and Wen will be dividing the duties.
4. Discussion and Possible Action to amend Section 2-132 (c) of Walworth County Code of Ordinances regarding AEE Public Hearing (enclosure 4)
 - a. Wen stated that per discussion with Matt Hanson, UW-Extension Southwest Region Director, Extension usually does not hold public hearings, but instead holds visioning sessions. After further discussion, Walworth County UW-Extension is seeking to either eliminate the Public Hearing from the ordinance or rephrase the wording to receive more feedback regarding needs and a community plan instead of just a public hearing. Bretl continued stating that the Public Hearing was the committee's own creation, so it is their choice whether to have one or not. There is no requirement, so it is a cost versus benefit comparison. Wehmeier added that there are currently many other opportunities for the public to give feedback. The committee decided to wait until hearing the results of the upcoming Public Hearing at the next scheduled meeting to make a final decision.
5. UW-Extension Recognition of Supervisor Kilkenny for Years of Service on the AEE Committee
 - a. UW-Extension recognized Supervisor Daniel Kilkenny for his 5 years of service on the Agriculture and Extension Education committee.
6. Horticulture Program Update - Christine Wen, Horticulture Educator (enclosure 5)
 - a. Wen wanted to highlight two of her programs. She has been leading the Master Gardener Volunteer program since 2009. Her current class has 27 people, with 28 on the waiting list for next year. The program trains individuals to be able to volunteer in the community. The Community Garden is land provided by the county that is available for public gardening use. All of the plots are currently rented. There is a UW-Extension plot for demonstrations, where she is currently testing straw bale gardening. Wen is working on starting a seed library. She will also be the Emerald Ash Borer first contact for Walworth County.
7. Josh Clements, Community & Economic Development Educator, appointment adjustment from Academic Staff to Faculty status beginning July 1, 2013
 - a. Beginning July 1, 2013, Joshua Clements will be changing to a Faculty status, which will change his salary from 70% County-30% State to 60% State-40% County.

Reports

UW-Extension outreach and educational events (enclosure 4)

1. Wehmeier shared her upcoming Get Moving! Walworth County program and her Home Canning Workshop series.

Chairperson's Report

Chairman Kilkenny had no report.

Announcements

1. Awards and recognition of UW-Extension staff at Joint Council of Extension Professionals, April 2013
 - a. Karie Lutz, Ellen Fitzsimmons Award, Epsilon Sigma Phi
 - b. Joshua Clements, Outstanding Early Career Award, WEECDA
 - c. Debbie Burkman, Program Development-Individual, WAE4-HYDP
 - d. Jenny Wehmeier, Mid-Career Award and Family, Health, & Wellness Award, WEAFCs
 - e. Brittany Wierzbach, Joan Keup Memorial Award, WEAFCs

Set/confirm next meeting date and time

The Monday, July 15, 2013 committee meeting at 1:00 p.m. in Room 114 at the Government Center was confirmed.

Adjournment

On motion and second by Supervisor Schiefelbein and Krejci, Chairman Kilkenny adjourned the meeting at 1:37 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.