

DRAFT 2/22/15

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, FEBRUARY 21, 2015, 1:05 PM  
LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (chair ,2015), Ted Slupik ( treas, 2015) by phone, Marcia Sahag ( sec, 2016), Peter Schuler (2016) joined by phone at agenda item #3 , Ryan Mertes (2017), Bob Arnold (County), Don Sukala (Town)

Absent:

Public Attendance: Rick Callaway

1. Approval of Agenda: Motion to approve the Agenda (Bob/Don). Carried unanimously.
2. Approval of prior Board Minutes: Motion to approve the Minutes of 2/7/15 (Bob/Don). Ted explained related to Minutes item #6 Conflict of Interest Policy, that because he is dependent on the IRS releasing the final rules in order to put together a policy for the May 2 board meeting, it may have to be deferred again. There were no changes to the 2/7/15 minutes. Motion was carried unanimously.
3. RA Smith proposal for construction oversight and funding and 2/17/15 Devitt letter: Dave reviewed and read from the letter of 2/17/15 from Russ Devitt, the District's attorney, addressing the concerns regarding the proposal and funding as outlined by Ted. (See attached letter and outline) There was discussion regarding the related District's expenses. Motion to approve the RA Smith proposal of 2/12/15 for construction oversight (Marcia/Dave). There was a question of plans and funding for the pipe on the Kessel property. The board is to bring recommendations to the 2015 annual meeting. There was a question of the possibility of need for dredging the entrance to the Bay and cost. It is unknown. A roll call vote was taken for the above motion: Don-aye; Marcia-aye; Dave-aye; Ted-no; Peter-aye; Ryan-aye; Bob-aye. The motion carried 6 votes in favor, Ted's vote opposed.
4. Motion to adjourn at 1:25 PM (Dave/Don). Carried unanimously.

Respectfully submitted,  
Marcia Sahag, secretary  
PLPRD

## SOFFA & DEVITT LLC

Attorneys at Law

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February 17, 2015

Mr. David Stamm  
Pleasant Lake Protection & Rehabilitation District  
W5036 Robinson Drive  
Elkhorn, WI 53121

Re: Questions Raised Regarding R.A. Smith National Invoices/Financing

Dear David:

At your request, Marcia has provided to me copies of Ted Slupik's February 11 correspondence with his attached Summary which contains certain questions relative to a contract submitted by R.A. Smith for supervising the Drain Project, as well as invoices Smith has submitted to the District for work approved in a DNR grant (and in excess of that approved grant amount) and additional charges in the amount of \$4,100.00 plus for "extra" items. (Incidentally I did receive a copy of Ted's letter directly from Ted by e-mail on February 16.) I have reviewed the questions raised and the Resolution Authorizing Project Spending from the Annual Meeting August 23, 2014, the By Laws of the District, certain invoicing from R.A. Smith, the DNR's reply to a request regarding changing the allocation of grant funds to permit part of what was budgeted for the gauge installation to be allocated toward the engineering costs and correspondence from R.A. Smith dated February 12, 2105.

With regard to the contract submitted by Smith to oversee the Drain Construction Project, the February 12 correspondence from Smith reduces that charge to an amount "not to exceed \$5,000.00". The By-Laws and Resolution dated August 23, 2014, give the Board authority to approve or disapprove projects having a total cost not to exceed \$5,000.00. I read that as being an indication by the Annual Meeting that the Board, in conjunction with its power under Section 33:29(2) to have fiscal control subject to the directives of the Annual Meeting, is authorized to approve this "project".

Ted has also raised the question of the January 13, 2015 Smith invoice and the ability of the Board to allocate \$1,984.00 of that invoice to money saved out of the \$6,000.00 the grant approved for gauge installation as it is expected only \$2,700.00 of that \$6,000.00 would be spent. The Department of Natural Resources specifically approved that allocation in its e-mail on February 3 and I see no reason why that is not appropriate. I also believe the extra items that are pointed out by Ted are appropriate for taking from the reserve account. The entire project has Annual Meeting approval and has been discussed over several years. This essentially is simply a cost overrun. As pointed out

Pleasant Lake Protection & Rehabilitation District

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above the District Board has authority to control fiscal matters subsequent to the Annual Meeting subject to what appears to be \$5,000.00 limit. Under the statutes the Board may engage in other financing methods including borrowing funds, if necessary to meet its obligations, and thereafter to tax the homeowners to repay such borrowing. It is my understanding that the Reserve Fund exists as a result of previous taxing of the District homeowners. I know of no restriction on that Reserve Fund indicating that it cannot be used. Accordingly it only makes sense to pay the expense out of that fund as opposed to borrowing the money to pay the bill and then taxing the property owners to repay it, while saving the Reserve Fund.

The final question that Ted raises is whether the oversight engineering "project" requires its own public bid since it exceeds \$2,500.00. The By-Laws and statutes require contracts for certain public work in excess of that amount to be let to the lowest responsible bidder. That requirement however does not apply to all contracts. Generally those requiring professional judgment and discretion (professional services for example), which by their very nature are difficult if not impossible to specify other than in a general sense, e.g. "supervise construction", are exempt from the bidding requirement. It appears to me that this is that type of contract, one for engineering services which, until the construction is under way, are incapable of specification because supervision requires discretion and judgment in the day to day oversight, which is impossible to anticipate. If the contract was for a piece of equipment or the construction of a building it would be capable of specification for bidding purposes and thus subject to public bidding requirements. It also makes sense that if a bid was let for this service (construction oversight) Smith would probably be the lowest bidder because any other bidder would have to acquire the knowledge which Smith already has with respect to the project it has engineered. Thus putting the project out to bid could very possibly increase the cost substantially over the amount that Smith has agreed to reduce the charge to. Again, the Resolution dated August 23, 2014 authorizes the Board to enter into contracts which do not exceed \$5,000.00 and it is my opinion that this "Project" (contract) falls within that authority. Smith's oversight work in this case is really just an extension (albeit at more cost) of its engineering work approved in the grant award.

If I can provide further information to you regarding this please do not hesitate to contact me.

Very truly yours,

SOFFA & DEVITT LLC

Russell W. Devitt

RWD:kl

**SUMMARY OF GRANT RELATED ISSUES AS DISCUSSED AT PLEASANT LAKE  
PROTECTION AND REHABILITATION DISTRICT MEETING ON FEBRUARY 7, 2015**

1. The total grant was awarded in the total amount of \$26,600.00. Of that amount the breakdown of the three categories of the grant award were: \$16,600.00 for R.A. Smith National's engineering work, \$6,000 for lake gauge installations, and \$4,000 for SEWRPC Aquatic Plant Management Plan Update.
2. At the annual meeting of the District on August 23, 2014, the majority of membership voted to approve an expenditure of R.A. Smith National's project estimate for the drain repair of \$36,000.00. This was in addition to the grant. On November 15, 2014, the majority vote of the District Board approved a contract with G.M.S. Excavators, Inc. for the work in the amount of \$36,800, \$800 over the amount approved by membership at the annual meeting.
3. Prior to January 2015, R.A. Smith National invoiced the District a total of \$8,708.78 of Task related work as part of their total approved grant award of \$16,600.00. On January 13, 2015, R.A. Smith National issued an invoice to the District in the total amount of \$14,059.56. A portion of the invoice (which amounted to \$9,875.25) was task related and the remainder of the invoice (which amounted to \$4,184.31) was for "extra" items not part of the original contract with R.A. Smith National.
4. Two issues need to be addressed regarding this latest R.A. Smith National's invoice and we are requesting your opinions on the following:
  - a. The task related portion of the latest invoice puts R.A. Smith National \$1,984.03 over the Grant award amount of \$16,600.00. Can this expense be paid out of the District's Reserve account as it relates to a capital expenditure or can unexpended Grant monies already awarded for the Gauges installation as it is anticipated that, of the \$6,000.00 portion of the Grant, only approximately \$2,700 will be spent?
  - b. Relating to the "extra" portion of the R.A. Smith National invoice of \$4,184.31, can this expense be paid from the District's Reserve account as it relates to a capital project? Does this require homeowner approval?
5. R. A. Smith National has also submitted a contract to the District for "oversight" of the drain construction project. This invoice amounts to an estimated amount of \$7,000. This should have been part of the original contract with R.A. Smith National and discussed with homeowners at the annual meeting but was not considered at that time. We are also requesting your opinion on the following items:

- a. As there is no line item in the 2015 District budget for such work, and since the amount of the contract estimate is over the \$5,000 threshold that requires membership approval, does the District indeed need to get a vote from membership to approve the contract? If so, does a special meeting of members need to be held?
  - b. Even though this contract is over \$2,500, it has not been put out for bid.
6. If the District President is able to convince R.A. Smith National to reduce the contract to \$4,999 (from \$7,000) and therefore avoid homeowner approval, how can the contract be paid for if no monies were allocated in the budget to this task? Currently, some members of the Board are recommending that they split the expense of \$7,000 into two non-related line items on the current budget, using them in their entirety and take the remaining amount from the District's reserve account. Do you believe that this would be allowable without homeowner approval?

GRANT EXPENSES AS OF 01/21/15

	GRANT AWARD AMOUNT			
	R.A. SMITH DRAIN IMPROVEMENT	R.A. SMITH GAUGES	SEWRPC AQUATIC PLANT MGMNT PLAN UPDATE	TOTAL
GRANT AWARD AMOUNT	\$ 16,600.00	\$ 6,000.00	\$ 4,000.00	\$ 26,600.00
GRANT EXPENSES INCURRED THROUGH 01/21/15	18,584.03	-	-	18,584.03
PERCENT OF TOTAL	112%	0%	0%	70%
GRANT BALANCE LEFT TO 01/21/15	(1,984.03)	6,000.00	4,000.00	8,015.97
ESTIMATE OF REMAINING GRANT BALANCE EXPENDITURES (SEE NOTE BELOW)	-	2,700.00	4,000.00	6,700.00
ESTIMATE OF FINAL GRANT AMOUNT	\$ (1,984.03)	\$ 3,300.00	\$ -	\$ 1,315.97
SPENT/(OVERSPENT) AMOUNT OF GRANT	-12%	55%	0%	5%

NOTE (1):

GAUGES INSTALLATION AMOUNT REQUIRED APPEARS TO BE LESS THAN ORIGINAL ESTIMATE.

NOTE(2):

ABOVE R.A. SMITH DRAIN IMPROVEMENT EXPENSES OF \$18,584.03 DOES NOT INCLUDE THE "OTHER" NON TASK RELATED CHARGES OF \$4,184.31 WHICH WILL HAVE TO BE PAID FROM OTHER DISTRICT FUNDS.

February 11, 2015

Mr., Russell W. Devitt  
Soffa & Devitt LLC  
332 W. Whitewater Street  
Whitewater, WI 53190-1999

RE: Opinion on amounts paid and payable for Pleasant Lake Protection & Rehabilitation  
District Drain Grant Project

Dear Russ:

As you know, the Pleasant Lake Protection & Rehabilitation District ("the District") has a grant from the State of Wisconsin to investigate and potentially rehab their current drain structure. The Engineering firm of R.A. Smith National was retained to initially investigate and make recommendations as to the process to follow for this project. After the grant study, a project contractor was selected. Some issues have arisen regarding the financing which are discussed in the attached. The Board is seeking your written opinion on the matters.

We would appreciate your opinion on the attached matters. Please address your response to the entire District Board members. An attachment to this letter lists both their mailing addresses as well as their email addresses.

Thanking you in advance.

Very truly yours,

Pleasant Lake Protection and Rehabilitation District

Attachments

PLEASANT LAKE PROTECTION & REHABILITATION DISTRICT  
BOARD OF DIRECTORS EMAIL CONTACT INFORMATION

Bob	Arnold	<a href="mailto:rwa@elknet.net">rwa@elknet.net</a>
David M	Stamm	<a href="mailto:dmstamm@hotmail.com">dmstamm@hotmail.com</a>
Don	Sukala	<a href="mailto:dezuke@elknet.net">dezuke@elknet.net</a>
Marcia	Sahag	<a href="mailto:rickmar@elknet.net">rickmar@elknet.net</a>
Peter	Schuler	<a href="mailto:sgschuler@yahoo.com">sgschuler@yahoo.com</a>
Ryan	Mertes	<a href="mailto:rrmertes@dataspecialists.com">rrmertes@dataspecialists.com</a>
Ted	Slupik	<a href="mailto:tslupik@yahoo.com">tslupik@yahoo.com</a>

Russell Devitt

[russelldevitt1@sbcglobal.net](mailto:russelldevitt1@sbcglobal.net)

## County Zoning Agency

### MINUTES

February 19, 2015 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, and Site Planner/Hearing Facilitator Matt Weidensee.

Present for a portion of the meeting / hearing was County Administrator David Bretl, Debora Grube/Senior Zoning Officer and Neal Frauenfelder/Senior Planner.

A “sign-in” sheet listing attendees on February 19, 2015, is kept on file as a matter of record.

Details of the February 19, 2015 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us)

**Rich Brandl motioned to approve the agenda as amended to table items 8.d.1.) Charles B. Moelter Family Trust and Moelter Foundation and 8.f.1.) Ronald L. Rhode. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose**

**Dave Weber motioned to approve the January 15, 2015, Minutes. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:35:18 – 4:37:50

Subdivision Items – Old Business - none

Subdivision Items – New Business –

**Nazarowski Living Trust**, proposed 2-lot, Certified Survey Map, Section 19, Town 3 North, Range 17 East, Town of La Fayette. Parcel #'s K LF1900001C and KRID 00044. The proposed CSM contains 11.1 acres of land and is zoned A-5 Agricultural-Rural Residential District, C-2 Upland Resource Conservation District and C-4 Lowland Resource Conservation District. The CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Ridgeview Estates Subdivision). Neal Frauenfelder reported that all the recommended staff conditions have been addressed in the revised CSM.

**Dave Weber motions to approve the CSM. Second by Tim Brellenthin. Motion carries. 6-favor 0-oppose The original CSM is signed by the Chairman.**

Disc Count #4:37:55 – 4:42:13

Old Business - Ordinance Amendments – none

Old Business – Discussion Items – none

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. Discussion/Possible Action – Board of Adjustment Annual Report – Michael Cotter  
Discussion of previous annual report comparisons by Michael Cotter. Explanation of different approval types by Deb Grube. No action is taken.  
Disc Count #4:42:26 – 4:45:10
2. Discussion/Possible Action - City of Delavan Wall Mural in the Town of Delavan.  
Michael Cotter  
Discussion of the Walldogs proposal and presentation by Denise Pieroni/Delavan City Administrator and Patti Marsicano/Historial Society President regarding murals proposed in Delavan. Statements by Committee Members Weber, Vandreser and Brandl expressing support. No action is taken.  
**Dave Weber motions to support the proposal. Second by Jim VanDreser. Motion carries. 6-favor 0-oppose.**  
Disc Count #4:45:10 – 5:01:54
3. Discussion/Possible Action – Prior conditional use approval for a commercial horse stable with condition specific to rezoning the property back to the original zone district if the conditional use was not implemented. Tax Key #N LY3300001 – Matthew Weidensee  
Discussion by Matt Weidensee regarding the previous approved conditional use. The property has been sold and is not owned by the company that had requested the conditional use. Discussion of the letter sent to the property owner setting out a 60 day notification regarding having the conditional use rescinded and the property rezoned back to the A-1 zone district. Rescinding would be based upon the land not being used as requested in the conditional use. No action taken.  
Disc Count #5:01:55 – 5:05:55

Public Hearing: 5:30 p.m.

Ordinance Amendments – None

Rezones with Conditional Uses –

**This item tabled to March, 2015.**

1. ~~Charles B. Moelter Family Trust and Moelter Foundation, Section 32 & 33, Lyons Township. Rezone approximately 3.7 acres of A-1 Prime Agricultural District to the A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for an indoor and outdoor boat storage facility by approval of a conditional use. Rezone approximately 1.5 acres of A-1 to C-2 Upland Resource Conservation District, 7.1 acres of the M-3 Mineral Extraction District to C-~~

~~2, 18.3 acres of M-3 to the A-1 and 1.7 acres of C-2 to A-1 for return of a mineral extraction barrow site to A-1, a recreational camp, and an agricultural landing strip as separate conditional use approvals. Parts of Tax Parcels NLY-32-4, NLY-33-2 & 3A1.~~

2. Jodi A. Buckett, Section 21, Lafayette Township. 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 for a Planned Residential Development (PRD) on the proposed A-5 property restricting the area from further division. Tax Parcel K LF-21-6.

General:

1. Approved as per plan submitted for a one lot PRD with all additional conditions.
2. The owner must meet all Town, County and/or State highway access requirements.
3. The project must meet all Federal, State, County and local Ordinances.
4. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PRD and all common structures, facilities, essential services, access and open spaces shall be assured by **deed restriction referencing the C.S.M and shall be recorded meeting standard document format as per 59.43(2m)**. All property within the PRD must remain as part of the PRD and may not be removed from the PRD without County approval.
5. The County reserves the right to rescind this conditional use upon any violation of County regulations.
6. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:

**Jim VanDreser motioned to approve noting that this rezone does meet the requirements of the current plan and its use does not change. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose.**

The rezone petition will move forward to the March 10, 2015, Walworth County Board for possible action.

Disc Count #5:35:45 – 5:40:44

Rezoning –

1. YMCA of Elgin/Golden Corridor Family YMCA, Sections 8, 9 & 16, East Troy Township. Rezone recreational camp parcels from A-3 Agricultural Holding District, C-2 Upland Resource Conservation District and C-4 Lowland Resource Conservation District (Shoreland Wetlands) to P-1 Park District and C-1 Lowland Resource Conservation District (Non-Shoreland Wetlands) according to a digital survey and wetland delineation. Tax Parcels P ET-8-13, P ET-9-39 and 45 and P ET-16-2.

**Dave Weber motioned to approve, including the amendment to Not include the island shown on the digital map in the northwest corner in the wetlands. The island was not part of the wetland delineation. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose.**

The rezone petition will move forward to the March 10, 2015, Walworth County Board for possible action.

Disc Count #5:40:44 – 5:45:13

2. Richard H. Kraus Jr. Trust – Owner, Town of Whitewater & Walworth County – Applicant, Section 20, Whitewater Township. Rezone approx. 59.97 acres of M-3 Mineral Extraction District to A-1 Prime Agricultural District as required by condition of a prior conditional use approval. Part of Tax Parcel D W-20-6.

Discussion was had regarding the petition and any fees involved. The Town and County are sponsoring the rezones without a fee to return the property to the A-1 zoning based upon the conditional use permit indicating the land would return to A-1 zoning if not used for a barrow.

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

The rezone petition will move forward to the March 10, 2015, Walworth County Board for possible action.

Disc Count #5:45:13 – 5:48:03

3. Douglas Ridge – Owner, Town of Whitewater & Walworth County – Applicant, Section 9, Whitewater Township. Rezone approx. 21.7 acres of M-3 Mineral Extraction District to A-3 Agricultural Holding District as required by condition of a prior conditional use approval. Part of Tax Parcel D W-9-1.

**Dave Weber motioned to approve. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose.**

The rezone petition will move forward to the March 10, 2015, Walworth County Board for possible action.

Disc Count #5:48:04 – 5:50:18

4. Robin C. Goessling – Owner, Town of Whitewater and Walworth County – Applicant, Section 7, Whitewater Township. Rezone approx. 28.39 acres of M-3 Mineral Extraction District to A-1 Prime Agricultural District as required by condition of a prior conditional use approval. Part of Tax Parcel D W-7-4B.

Note by Matt Weidensee indicating correction of spelling of the last name.

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

The rezone petition will move forward to the March 10, 2015, Walworth County Board for possible action.

Disc Count #5:50:19 – 5:52:48

Conditional Uses -

**This item tabled to March, 2015.**

1. ~~Ronald L. Rhode, Section 25, Troy Township. Conditional use for a bus depot on land zoned B-2 in conjunction with a fuel oil delivery business as a Planned Unit Development (PUD). Tax Parcel L T-25-4A.~~
2. William Baar III, Section 34, Richmond Township. Conditional use for a second residence on a farm parcel for the son of the owner who works on the farm. Part of Tax Parcel C R-34-2.

**Rich Brandl motioned to approve with the stipulation that the farmland preservation standards for a second residence on a farm are met for a family member who works on the farm. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.**  
Disc Count #5:52:56 – 5:55:25

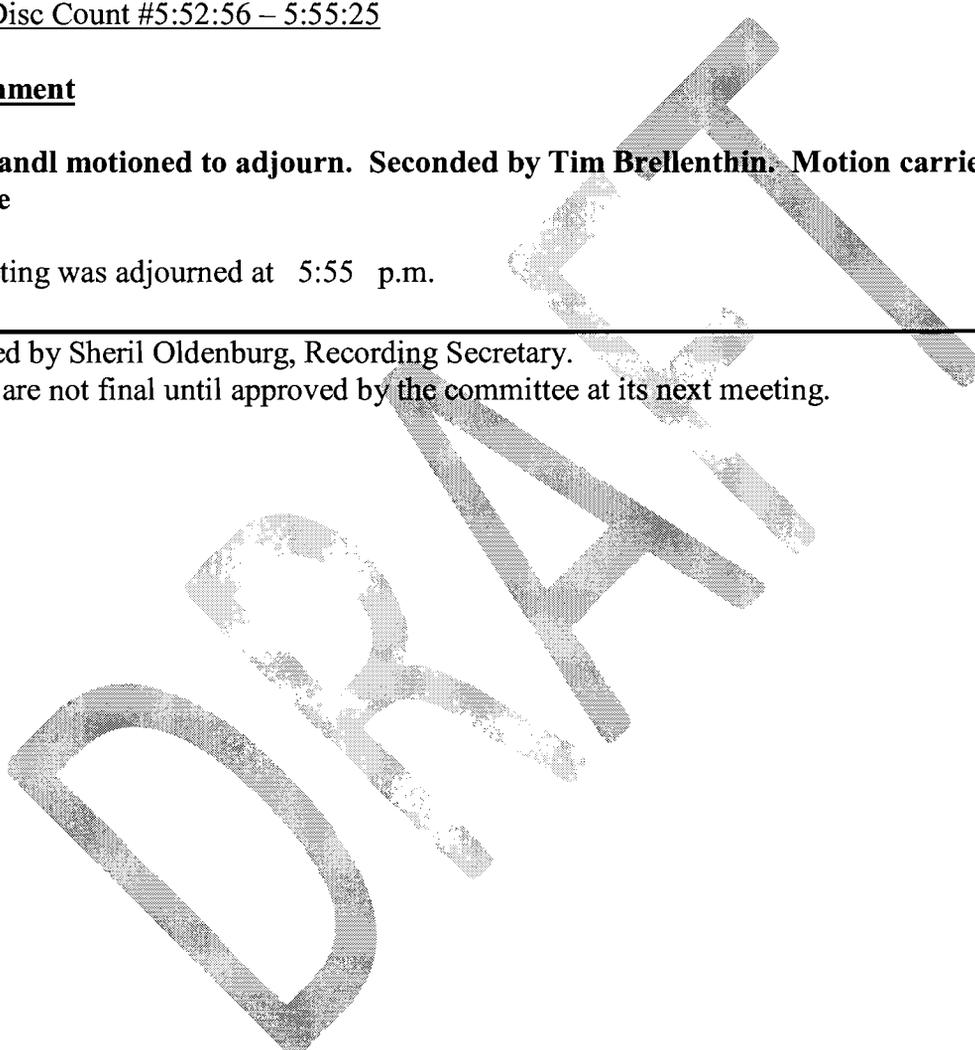
### **Adjournment**

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

The meeting was adjourned at 5:55 p.m.

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



## **DRAFT**

**Walworth County Board of Supervisors  
Children with Disabilities Education Board Meeting Minutes  
Wednesday, February 18, 2015  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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The meeting was called to order at 5:00 p.m. by Chair Dave Weber.

Roll call was conducted. Members present included Chair Dave Weber, Secretary Ken Monroe, and Supervisor Charlene Staples. Supervisors Ingersoll and Schaefer were excused. A quorum was declared.

### **Others in Attendance:**

County Board Supervisors: Nancy Russell

County staff: David Bretl, County Administrator; and Tracy Moate, Director of Special Education

**On motion by Supervisor Monroe, seconded by Supervisor Staples, the agenda was approved by voice vote with no withdrawals.**

**On motion by Supervisor Monroe, seconded by Supervisor Staples, the December 17, 2014 meeting minutes were approved by voice vote.**

**Public Comment** – None.

### **New Business**

- Amend 2014-2015 School year calendar due to recent school closings

Tracy Moate, Director of Special Education, said there has been a shift in how school days are determined; it is now based on minutes rather than days. She said in order to make up days, some schools are adding on minutes to the school day. The state requires having at least 1,050 hours for grades 1-6 and at least 1,137 hours for grades 7-12. Moate stated with their current calendar, they have 1,155 hours. She said statutes do not allow schools to use recess or lunch periods; however, the Department of Public Instruction recognizes Lakeland School's lunch period as an instructional period because staff eats with the students, and some students' individual education plans (IEP) are related to that. Moate stated they have missed three days and she is making the recommendation, as noted on the calendar included in the meeting packet, to have the following make up days: February 27<sup>th</sup>, April 6<sup>th</sup> and April 17<sup>th</sup>. Students will attend school until 1:00 p.m. on April 17<sup>th</sup>, and parent/teacher conferences will be held 1:00-4:00 p.m. **Supervisor Monroe offered a motion, seconded by Supervisor Staples, to approve amending the 2014-2015 school year calendar. Motion carried 3-0.**

- Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to Salary and Step Advancement for Certain CDEB Employees

Moate said this is the language discussed at a previous meeting regarding the teacher effectiveness evaluation. This particular system, mandated by the state, has a reflection on how teachers will progress across the salary schedule. Historically, teachers would move across the salary schedule based on the years they worked and the credits they had for an advanced degree. Moate said the process now is going to reflect their level of performance. Teachers will move one step if they are a solid contributor; and two steps if they are a high level performer. Moate said as the management team, they take it upon themselves to be just as responsible for staff moving across the salary schedule as the staff person is. If

they see a staff person struggling during the year, it is administration's responsibility to help them. Moate referred to Item #4 on Page 11 of the meeting packet, which notes that the evaluation process will be conducted annually. The evaluation will be presented to the teachers and will allow them to give feedback at the end of the school year and this will reflect their salary, or change in salary, at the start of the following school year. Supervisor Staples referred to Line 1 on Page 11 of the meeting which discusses probationary period. She said she thought there was no longer a probationary period. Moate said there is still a probationary period of three years. Bretl said under Chapter 118 of the Wisconsin Statutes, there is a statutory procedure that teachers work under employment contracts and there are nonrenewal provisions included in the statutes. Generally, in terms of the county's normal workforce, there is no a probationary period anymore, Bretl added. Moate said there is also a statutory requirement that they have to give teachers a preliminary notice of nonrenewal. Supervisor Staples referred to Line 20 on Page 11 of the meeting packet and suggested changing "may" to "shall" because she interprets that as the teacher is being given permission to provide a rebuttal to their evaluation. She feels that it should be up to the teacher to provide a response.

Moate referred to Item D on Page 12 of the meeting packet which addresses those employees who are at the end of their salary schedule and will still receive a performance evaluation; however, they shall not be eligible for any step advancement. She stated that there is a pool of candidates at the end of the salary schedule and it is understood that they are expected to go through the rigors of an evaluation; they are asking if the Board would be open to considering a merit pool. She said this would have to be tied into the next budget cycle but she wanted to voice staff's concerns. She spoke in support of this because it is important to stay competitive with the area school districts. She said she does not want to lose their top teachers because they have been told they are at the end of the salary schedule and there is no financial gain. With the traditional salary schedule, teachers can reach the end of the salary schedule within 15 years with a Master's degree plus 36 credits. Bretl stated funds have not been included in the budget for something like this, but agreed that this may need to be studied in the coming months. He said ideally they should be keeping the salary schedules current to market conditions and have the range at an appropriate level. He also said high level performers can move through the schedule faster so perhaps that has to be hastened. Moate stated she will put together information showing where their staff currently fall in the salary schedule. **Supervisor Monroe offered a motion, seconded by Supervisor Staples, to approve amending Chapter 15 with the change in Section 15-1002 (4)(b) by taking out "may" and entering "shall" and to revisit Section 15-1041 lines 24-25. Motion carried 3-0.**

- Approval of Change of Scope for the 2015 Lakeland School Stage Sound System Capital Project  
Moate said the School Fest committee has raised funds to donate towards upgrading the sound system; therefore, no dollars will come out of the levy for this project. She recommended using the existing vendor from the gym upgrade in order to specifically address the stage issue. She said the Public Works Committee approved the change in scope of the project. Bretl said this is more in the nature of repairing; therefore, it would be okay to do this under the existing contract. **Supervisor Staples offered a motion, seconded by Supervisor Monroe, to approve the change of scope for the 2015 Lakeland School Stage Sound System Capital Project. Motion carried 3-0.**

#### **Reports & Correspondence**

- CDEB Chair – None.
- CDEB Director

Moate said they are excited to have the school represented at the District Solo Ensemble being held at Big Foot High School on March 14<sup>th</sup>. She said the ARC Luncheon is an annual event being held on March 28<sup>th</sup> at The Abbey. This event benefits many organizations including Lakeland School. Supervisor Staples informed the committee that the Daughters of the American Revolution will be presenting the history award at Lakeland School on March 6<sup>th</sup>.

### **Confirmation of Next Meeting**

The next meeting was confirmed for March 18, 2015 at 5:00 p.m.

### **Adjournment**

**On motion by Supervisor Monroe, seconded by Supervisor Staples, Chair Weber adjourned the meeting at 5:32 p.m.**

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Submitted by Nicole Hill, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.

**DRAFT**

**Walworth County Board of Supervisors  
Health and Human Services Board Meeting Minutes  
Wednesday, February 18, 2015  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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The meeting was called to order at 2:01 p.m. by Chair Monroe.

Roll call was conducted. Members present included Chair Ken Monroe, Vice-Chair Tim Brellenthin, Supervisor Charlene Staples, Supervisor Joe Schaefer, Sandra Wagie-Troemel – Citizen Representative, and Berenice Solis – Citizen Representative. Dr. James Seegers – Citizen Representative arrived shortly after roll call was conducted. Supervisor Kathy Ingersoll and William Wucherer – Citizen Representative were excused. A quorum was declared.

**Others in Attendance:**

County Board Supervisors: Nancy Russell

County staff: Elizabeth Aldred, Director of Health and Human Services; David Bretl, County Administrator; Janis Ellefsen, Public Health Officer; Erica Bergstrom, Environmental Health Specialist; and Shannon Crum, Public Health Intern

**On motion by Supervisor Schaefer, seconded by Citizen Representative Wagie-Troemel, the agenda was approved by voice vote with no withdrawals.**

**On motion by Citizen Representative Wagie-Troemel, seconded by Supervisor Brellenthin, the January 21, 2015 meeting minutes were approved by voice vote.**

**Public Comment – None.**

**Unfinished Business – None.**

**New Business**

• **Governor's Preliminary Budget Review**

Elizabeth Aldred, Director of Health and Human Services, stated they received a summary review of the Governor's Preliminary Budget from the Wisconsin Counties Association (WCA). Aldred provided an overview of the items that could impact HHS programs and budget. Drug testing for individuals on state aid has raised concerns for HHS, as the budget notes that the State will pay for drug treatment but does not specify who will pay for the drug testing. The State is also looking at having a psychiatrist, psychologist or mental health professional see everyone who is placed under emergency detention before they are placed. Currently, Walworth County does not have one of those professionals available on many of their shifts. If this were to come through, they would have to look at different options. Aldred stated it appears that there will be some significant changes to Family Care. Family Care will be statewide by 2017 and there is discussion of eliminating IRIS (Include, Respect, I, Self-Direct); however, it is not something that is being passed down at the some of the local meetings they have had since the budget came out, so questions do remain regarding this. Aldred add that the environmental health licensing for restaurants will be moved to Department of Agriculture, Trade and Consumer Protection (DATCP). She said it does not change the program, but does change who is responsible for it. She also said juvenile corrections will now be under Department of Children and Families.

- Medication Drop Boxes

Aldred stated they have been working with the Sheriff's Office and Public Works on this. Janis Ellefsen, Public Health Officer, said they worked with Janet Cline, who worked with the Clean Sweep Program at Public Works, to find alternatives to pharmaceutical collections at the Clean Sweep Program which only occurs once per year. The Drug Enforcement Administration (DEA) changed the rules on collection in the Fall of 2014, and this made it easier to dispose of drugs. Ellefsen stated the site where the drugs end up needs to be a certified reverse distributor site. They have chosen to contract with the MedSafe program, which is located in Texas, and they are certified by the Department of Justice as a reverse distributor site. Ellefsen explained the program, which involves a mailbox-like box to be placed in the lobby at the Sheriff's Office under camera surveillance. The box is emptied and contents are shipped to MedSafe through United Parcel Service (UPS). Ellefsen stated they are currently waiting for confirmation of the program from the DEA; and they have asked for a legal opinion from Michael Cotter, Deputy Corporation Counsel, to ensure the program matches the rules that the DEA has established. She said they would like to implement this program by the end of the first quarter. She added that MedSafe was the most reasonable program they researched. Citizen Representative Dr. Seegers asked how the drugs are destroyed. Ellefsen said the drugs are incinerated at a facility in Texas.

- Discussion and Possible Action regarding Department of Natural Resources Emergency Rule from LaCrosse County

Aldred introduced Erica Bergstrom, Environmental Health Specialist. Aldred stated there has been an emergency rule put into place by the State which seems to limit an individual's ability to make sure that the Department of Natural Resources (DNR) looks at environmental protections when there are new programs entering into a community. Bergstrom said the emergency rule impacts NR 150 which addresses the environmental analysis portion, and this is where Public Health is concerned. She added that the big concern is that it increases the number of things that are considered "minor actions," such as concentrated animal feeding operations, which would no longer require an environmental analysis to determine the impact on the environment, public health, water, and safety prior to being put into a community. Under these rule changes, it would be very difficult for anyone to oppose or question why such operations are being approved. Bergstrom added that from her understanding, when the emergency rule was originally passed it was designed to decrease staff time and funding. The reduction in activities could have a significant impact on the health of the public. Bergstrom said it has been renewed and there are parallel changes going along to NR 150 so eventually the emergency rule would become permanent. Aldred stated staff thinks that the State is trying to extend this so there are fewer ongoing environmental reviews that need to be done. She added that those environmental reviews do take time and effort, but she thinks there may have been a perception that they would not be as impactful because they were labeled minor. David Bretl, County Administrator, said it appears that they are lessening the oversight of environmental regulations. He said the Board can take a position on this and it can be forwarded to the Governor. Aldred stated this is currently being reviewed by the Wisconsin Association of Local Health Departments and Boards (WALHDAB) and they may be getting some feedback from them. Wagie-Troemel suggested tabling this in order to see what they come back with. **Citizen Representative Wagie-Troemel offered a motion, seconded by Supervisor Brellenthin, to table this discussion and possible action regarding the DNR emergency rule.** Aldred stated she can bring this back next month. **Motion carried 7-0.**

- Discussion and Possible Action Holiday Care Program

Aldred said there are two fundraising activities for this program: a golf outing in the summer and a silent auction in the winter. She stated the money raised from last year's golf outing and winter auction will support the 2015 Day of Giving in December. They were successful last year in being able to provide

assistance to 790 children and 371 families. They were also able to hold an Adopt a Family Program, which helped 88 children from 40 different families. She added that 31 different organizations and individuals, including county employees and departments, adopted families. She said the Deputy Sheriffs Association holds a fundraiser every year and they bring in thousands of gifts for the Day of Giving. In the previous year, they made the decision to not provide food gift cards for the single adults served by their programs because they had overspent their allocation. This year they were able to raise almost the equivalent of what they had last year. She said staff feels they would be able to support providing for adults as well as the families they were able to support this year. She stated they would like to continue with the Holiday Care Program this year, and they have funds to support it. **Citizen Representative Wagie-Troemel offered a motion, seconded by Supervisor Staples, to move forward with this year's Holiday Care Program and to approve gift cards for single adults. Motion carried 7-0.**

- Discussion and Possible Action Women's Wraparound Program Grant

Aldred said they have received \$250,000 a year for the past three years and this is the last year of the grant. The State has informed them they will be putting together another grant for this program and Walworth County would be eligible to apply for it. Aldred said she did not have the grant parameters yet, but she would be willing to come back to the Board with more information when available. She added that they would like to reapply for this grant as this program has been very successful and they have had favorable audits from the State. **Supervisor Schaefer offered a motion, seconded by Citizen Representative Wagie-Troemel, to approve reapplying for the Women's Wraparound Program Grant. Motion carried 7-0.**

#### **Report(s)**

- Building and HVAC Issues Update

Aldred stated they have started the renovation project of converting some of the conference rooms into office space. They are also continuing to work on their heating and cooling projects.

**Correspondence** – None.

#### **Announcements**

- Child Safety Seat Grant

Aldred said the \$4,000 child safety grant was approved for the sixth year. They have two certified safety seat installers on staff. Last year, they were able to give out 75-80 car seats to families.

- Wisconsin Share Child Care Subsidy Program review

Aldred said every county is reviewed, and Walworth County was one of 18 counties in the state with a zero error rate. She said the expectation is less than 20%.

**Confirmation of Next Meeting** – The next meeting was confirmed for March 18, 2015 at 2:00 p.m.

Citizen Representative Wagie-Troemel announced to the Board that the Walworth County Child Advocacy Center received national accreditation from the Children's Alliance. For Child Abuse Prevention Month, they will be holding a poster contest with grades 4-8, and they have 19 county schools participating. They will be selecting winners and having 3 by 5 foot flags made. They will be asking businesses and community centers for donations to fly the flag at their locations. Local law enforcement officers will read books to third grade classes in order to establish a bond with law enforcement.

#### **Adjournment**

**On motion by Supervisor Brellenthin, seconded by Citizen Representative Wagie-Troemel, Chair Monroe adjourned the meeting at 2:34 p.m.**

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Submitted by Nicole Hill, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.

# DRAFT

**Walworth County Board of Supervisors  
Human Resources Committee Meeting Minutes  
Wednesday, February 18, 2015  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order at 3:30 p.m. by Chair Rich Brandl

Roll call was conducted, with the following members present: Chair Rich Brandl, Vice Chair Tim Brellenthin, Supervisors Ken Monroe and Rick Stacey. Supervisor Ingersoll was absent with excuse. A quorum was declared.

### **Others in Attendance:**

County Board Supervisors: Nancy Russell and Charlene Staples

County staff: Human Resources Director Dale Wilson; County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Lisa Henke, Risk/Benefits Manager; Director of Health and Human Services Elizabeth Aldred; Director of Central Service/Public Works Kevin Brunner; Etty Wilberding, Children's Unit Supervisor; Tracy Moate, Director of Children With Disabilities Education Board (CDEB)

**On motion by Supervisor Stacey, seconded by Vice Chair Brellenthin, the agenda was approved by voice vote with no withdrawals.**

**On motion by Supervisor Monroe, seconded by Vice Chair Brellenthin, the January 21, 2015 meeting minutes were approved by voice vote.**

**Public comment – None.**

### **Regular Business**

- Amending Section 15-1512 of the Walworth County Code of Ordinances Relating to a Shift Differential for Certain Health and Human Services Employees.

Human Resources Director Dale Wilson said there are a couple of divisions at Health and Human Services who, because of the nature of their job duties, are called into work after business hours.

Currently, Crisis Intervention staff receives a \$.35/hour premium when they respond to calls. Child Protective Services employees also receive calls after-hours, and management is requesting the same call-in premium for them to make it equitable. Health and Human Services Director Elizabeth Aldred said in 2013 after their State audit, auditors recommended provision of after-hours Child Protective Services and staff wants to implement the recommendation by having an on-call schedule for those employees.

Children's Unit Supervisor Etty Wilberding said additional staff will need to be certified to ensure 24/7 coverage, and training for certification has already been budgeted. Aldred said staff took the total number of call-ins and estimated that the budget impact of the \$.35 shift differential should not exceed \$2,338 for 2015. Affected staff in Crisis Intervention and Child Protective Services are in the same job classification. **Supervisor Monroe made a motion, seconded by Supervisor Stacey, to approve amending Section 15-1512 of the Walworth County Code of Ordinances relating to a shift differential for certain Health and Human Services employees, effective the first pay period after County Board approval. The motion carried 4-0.**

- Amending Sections of Chapter 15 of the Walworth County Code of Ordinances Relating to Salary and Step Advancement for Certain CDEB Employees

At the October committee meeting, Wilson said changes to the Lakeland School teacher evaluation system were discussed, and subsequently the committee gave approval to move forward. CDEB Directory Tracy Moate and Wilson met with teaching staff concerning the proposed changes, asked for their input and answered their questions. The proposed Ordinance amendment addresses the changes in step advancement, which include initial placement on the schedule, movement on the salary schedule based on performance evaluations, placement for education and course approval. Tracy Moate said the schedule is tied to the Educator Effectiveness System. Moate said she knows Supervisor Ingersoll feels it is important for teachers to continue their education throughout their careers, so with the new plan they can move across with additional education credits if they provide documentation that the education will influence their teaching and have positive results in improving their teaching. Moate said when they presented the salary advancement plan to staff, they received positive feedback. Moate said teachers who are at the top of the scale expressed concern that they would be ineligible to receive any more compensation, other than across the board cost-of-living increases. Other districts have created "merit pools" for teachers in that situation, and Moate told staff she would bring their concerns to the committee. She said perhaps this can be considered during 2016 budget preparation. Chair Brandl asked what would happen if an employee refuses to sign a performance evaluation. Moate said the evaluations state that signature on an evaluation does not constitute agreement with the evaluation, but acknowledges that the employee has received it and read it. If for some reason, an employee refused to sign, she would document it on the evaluation. Wilson said there are 29 steps on the new scale; a new teacher with a "high level performer" rating each year would not reach the top of the scale for 15 years. Vice Chair Brellenthin asked how many teachers have reached the top of the schedule, and Moate said she will compile the information on where all of the teachers fall within the new plan. **Vice Chair Brellenthin made a motion, seconded by Supervisor Stacey, to approve the ordinance amending sections of Chapter 15 relating to salary and step advancement for certain CDEB employees. The motion carried 4-0.**

- Amending Section 15-6 of the Walworth County Code of Ordinances Relating to At-Will Employment for the Lead Investigator/Deputy Medical Examiner

Bretl said since establishing the Medical Examiner position with Waukesha County, it was determined that our county needed a presence here and they established the Lead Investigator/Deputy Medical Examiner position. The question for the committee is whether or not to add the new position to the at-will, contracted employee list. Bretl explained the evolution of the at-will employment process; in the past, department heads had for cause protection and liaison committees voted for termination. Next, the policy changed and employment contracts with severance pay for 120 days were implemented, and then Act 10 made all employees at-will except for protected positions such as law enforcement and teachers. Bretl feels the employment contracts are advantageous because they formally establish expectations of the employee's obligations and performance. Chair Brandl asked if the Medical Examiner would contribute to the Lead Investigator/Deputy Medical Examiner's performance evaluation, and Bretl replied that her input would have a major influence on the evaluation. **Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to approve amending Section 15-5 of the County Code of Ordinances to include the Lead Investigator/Deputy Medical Examiner in the list of employees serving under an employment contract. The motion carried 4-0.**

- Discussion and possible action regarding re-authorization of self-insurance for Worker's Compensation

Wilson said the State requires authorization from the elected body to remain self-insured for Worker's Compensation. The County has been self-insured for a number of years, and Wilson said most

organizations the size of the County do the same. The County manages the insurance and works with a third party administrator. The advantage of being self-insured is that if there are few Workers' Compensation Claims in a year, the County reaps the benefits. Chair Brandl asked what the budget is for the insurance. Wilson said over the last four to five years, the County paid out an average of \$400,000 in claims, and when you add the re-insurance premium and third party administrator, the total budget is in the range of \$800,000-\$850,000. Lisa Henke, the County's Risk Benefit Manager, said she used to work in the private sector and dealt with fully insured plans, based on payroll. The State decides the rate based upon the previous three years' exposure, regardless if one of those years had few claims. With the fully insured plans, there are payroll mark ups of approximately 2%, thus if the County had an outside insurer, our budget would be over \$1 million. Bretl added that the County is prioritizing safety training and awareness to reduce Worker's Compensation claims. **Supervisor Stacey made a motion, seconded by Supervisor Monroe, to approve the Resolution for reauthorization of self-insurance for Worker's Compensation. The motion carried 4-0.**

- Discussion and possible action concerning an amendment to Section 15-17 of the Walworth County Code of Ordinances

Bretl said the amendment to the Code relates to Public Works position changes. Purchasing/Business Office Manager Peggy Watson is retiring in March, after many years of service to the County. Her departure will create a void in the purchasing and accounting functions at Public Works. Bretl said because it would be difficult to recruit one position for financial and purchasing responsibilities, an option would be to centralize the accounting function at Public Works with the Finance Department. Countywide, the centralizing of financial functions in departments has worked well, as the Finance Department provides resources, training and backup to departments. Bretl recommended recruiting for separate positions -- an accountant and a purchasing manager. The Public Works Department will need to cost those positions and a special Human Resources Committee meeting could be held before the next Board meeting to consider the changes. Chair Brandl asked where these positions would fit on the management pay plan, and Deputy County Administrator-Finance Nicki Andersen recommended the new accounting position be classified as a Finance Manager, which is a lower classification than Ms. Watson's current position. Currently, Finance provides a half-time accountant position to support the finance functions at Public Works. She recommends the new position be full-time at Public Works, but attend training and meetings at the Finance Department.

Director of Central Services/Public Works Kevin Brunner agreed that it is a good idea to split the financial and purchasing duties, which he hopes will improve and streamline the management of capital projects and help transact purchasing functions more quickly. Brunner said the new Purchasing Manager would assume responsibility for many of the larger projects. He is open to suggestion on the oversight of the Finance Manager position, but he would like to have an impact on that employee's performance evaluation. Brunner said Janet Cline, who was responsible for the County's Clean Sweep program, recycling and other clerical duties, retired recently, which has left a void in the clerical sector of the Department. Brunner wants to assign some of the higher level duties Cline performed to the current Assistant Buyer and reclassify that position. The current Account Clerk III would assume the current Assistant Buyer's responsibilities, and the Department would recruit an Administrative Secretary (Cline's vacant position) to absorb some clerical duties currently performed by the Assistant Buyer, and some duties of the Highway Engineering Assistant. Brunner said he wants to take advantage of the Engineering Assistant's skills and get her out into the field more often. Brunner also said he wants to reclassify the County Engineer to Assistant Director of Public Works and give him more responsibility. County Board Chair Nancy Russell said she supports the separation of the accounting and purchasing functions at Public Works. She feels uncomfortable having only one person overseeing purchasing and finance functions; it is not good business practice, and mentioned that a lot of corporate fraud occurs in purchasing divisions.

Over the last several years, the County's auditors have recommended the Finance Department should have oversight in departments where purchasing occurs and money is handled. **Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to separate the Purchasing/Business Office Manager position into two positions: a Finance Manager who would be supervised by the Finance Department, and a Purchasing Manager; and to authorize staff to post and recruit for those positions. If the County Board denies the positions, the job postings will be withdrawn. The motion carried 4-0. A special Human Resources Committee to consider the Public Works Department reorganization will be held on Monday, March 2, 2015 at 2:30 p.m. [Recorder's Note: subsequent to the conclusion of this meeting, a conflict was identified at 1:00, the original specified time.]** Brunner advised the Committee that he will require temporary assistance after Ms. Watson retires, and he will work with Ms. Andersen and her staff to resolve the coverage issue.

### **Reports/announcements by Chairperson - None**

#### **Confirmation of next meetings**

A special committee meeting will be held Monday, March 2, 2015 at **2:30 p.m.** to consider the Public Works Department reorganization.

The next regular committee meeting was confirmed for Wednesday, March 18, 2015 at 3:30 p.m.

- **Closed Session – Deputy Sheriff's Association Bargaining**

The committee convened in closed session at approximately 4:26 p.m. on motion and second by Supervisor Stacey and Vice Chair Brellenthin pursuant to the exemption contained in Section 19.85(1)(e) of the Wisconsin Statutes, for the purpose of negotiating or conducting other specified public business whenever competitive or bargaining reasons require a closed session, relative to the Deputy Sheriff's Association bargaining. A roll call vote was conducted and all members voted "aye."

The committee reconvened in open session at approximately 4:38 p.m. on motion and second by Supervisor Stacey and Vice Chair Brellenthin. **Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to direct staff to proceed as discussion in closed session. The motion carried 4-0.**

### **Adjournment**

**On Motion by Supervisor Stacey, seconded by Supervisor Monroe, Chair Brandl adjourned the meeting at 4:40 p.m.**

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Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.

**DRAFT**

**Walworth County Board of Supervisors  
Lakeland Health Care Center Board of Trustees Meeting Minutes  
Wednesday, February 18, 2015  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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

Roll call was conducted. Members present included Chair Ken Monroe, Vice-Chair Tim Brellenthin, and Supervisor Charlene Staples, and Supervisor Schaefer. Supervisor Ingersoll was excused. A quorum was declared.

**Others in Attendance:**

County Board Supervisors: Nancy Russell

County staff: Bernadette Janiszewski, Nursing Home Administrator; and David Bretl, County Administrator

**On motion by Supervisor Staples, seconded by Supervisor Schaefer, the agenda was approved by voice vote with no withdrawals.**

**On motion by Supervisor Brellenthin, seconded by Supervisor Schaefer, the January 21, 2015 meeting minutes were approved by voice vote.**

**Public Comment** – None.

**New Business**

- 2014 Write Offs

Bernadette Janiszewski, Nursing Home Administrator, stated this is brought to the committee annually at the end of the year. Staff review their aging reports every month and submit a quarterly report with suggestions for write offs. They have a staff member who meets with Corporation Counsel bi-monthly to review collection accounts, and they have received authorization to write off these accounts for 2014. Janiszewski stated they review accounts every year in order to estimate how much of their total accounts will be uncollectible and with this information they put money aside. She also said they are looking at this closely to determine if they need to increase the money they have in reserves. Supervisor Schaefer asked what the process is when they expire. Janiszewski said when they expire it automatically goes to the attorney who then checks for probate. If there are no assets or probate, then it is written off.

- 4<sup>th</sup> Quarter Resident/Family Survey Results

Janiszewski stated they have separated the surveys and they are doing two types of satisfaction surveys. She reported they received 58 responses, which is an increase from the previous quarter's 17 responses. She said they now do a survey for the short-term rehab unit. With this survey, they are asked if there is a staff member they would like to acknowledge or recognize. Supervisor Staples asked Janiszewski how those staff members are recognized or acknowledged. Janiszewski said they receive a personal thank you note from her and they encourage the customer service representatives and managers to recognize the staff member. The recognition is also placed in the employee's folder for their annual review. Supervisor Staples expressed concern about the parking issue at the nursing home, and suggested planning for parking in the future. Janiszewski said parking is a problem when they hold an event. David Bretl,

County Administrator, said addressing the parking issue could be a capital project in order to see what the options are. Janiszewski said they will need to develop a parking plan when construction begins on CTH NN. Bretl commended Janiszewski for the number of responses received. He asked Janiszewski if she reviews the survey responses as he is curious if there is a pattern when someone responds negatively on everything. Janiszewski stated she does look at the outliers and there are patterns which they definitely watch. Bretl added that it may be worthwhile to have someone from Health and Human Services or Whitewater review the survey results to identify patterns that may emerge so they can be addressed.

### **Reports**

- **Administrator's Report**

Janiszewski stated the difference in this month's report is they removed some of the worker's compensation information, as they are going to present better information to the committee on a quarterly basis. They continue to work with the safety committee in order to address worker's compensation.

**Correspondence** – None.

### **Announcements**

Janiszewski distributed a memo to those present regarding a revision to the 5-Star Quality Nursing Home Rating System. More information will be presented on this in March. They received notice from the federal government that they will announce the Revised Nursing Home Compare Report, and this will result in the nursing home dropping to a 4-star rating. Janiszewski stated the federal government is looking at reduction in anti-psychotic medicine in addition to falls. She said they are working on a project in order to address this, and she believes they will be able to bring up their rating.

- **Upcoming Events**

A list of upcoming events was included in the meeting packet. Janiszewski said the golf outing has been scheduled for August.

**Confirmation of Next Meeting** – The next meeting was confirmed for March 18, 2015 at 1:00 p.m. Bretl suggested having a tour of the nursing home at a future meeting.

### **Adjournment**

**On motion by Supervisor Brellenthin, seconded by Supervisor Staples, Chair Monroe adjourned the meeting at 1:18 p.m.**

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Submitted by Nicole Hill, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.

# HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

## BOARD OF COMMISSIONERS

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

JUDITH CORRELL: SECRETARY; (re-elected for 3-year term, 8/24/14)

JOE KOLOSSO: TREASURER; (appointed 1/1/14 for bal. of 3-year term, expires 2015)

MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION THRU 5/1/16.

## Feb. 17, 2015, MONTHLY MEETING

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

Absent: Weinkauf

11:22:44

Also in attendance: Cindy Milam, Racine County Deputy Sheriff

Meeting was called to order at 7:03 p.m by Chairman Lutz.

Secretary Correl read the minutes of the January 20, 2015 meeting which were subsequently approved. Treasurer Kolosso read the December, 2015 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

### Old Business:

"Chairman Lutz indicated that the increased "Workman's Compensation" referenced in last month's report has been formally incorporated." This had been mis-reported at the last meeting. The Horton Group had completed and approved the audit and the increased coverage will be formally approved by the next meeting.

### New Business:

Chairman Lutz reported that the snow plowing has been going relatively well. There have been no problems with illegally parked cars interfering with the plowing. The contract for plowing specifies that plowing should be done "prior to 6:00 a.m." There is a new man doing the plowing this season and he apparently was not aware of this stipulation, because he has been starting later than that. This is being corrected.

The two residents who attended the January meeting expressing an interest in purchasing some of the District's "unused roadways" have been advised by Chairman Lutz that, when the weather improves, he will look at it and it will then be put on the agenda for a future meeting.

Chairman Lutz indicated that some snowmobilers have been observed driving too close to ice fisherman. (The law specifies that they must stay at least 300 ft. away.)

Chairman Lutz has discussed the drawdown device with Jeff Johnson and they have come up with a possibly less expensive method of controlling leakage by using a rubberized membrane. It will be tried out this Spring.

Deputy Milam indicated that she has encountered no new problems in the District.

**Treasurer Kolosso read the bills ready for payment, with a payment motion made/seconded.**

**With no further items to address, a motion was made & seconded to adjourn at 7:45 p.m.**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "R. McIndoe", with a long horizontal flourish extending to the right.

**Robert E. McIndoe 2/18/15**

# ***HONEY LAKE***

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



COMMISSIONER'S MEETING  
ROCHESTER VILLAGE HALL  
300 W. SPRING ST.  
February 17, 2015 @ 7:00 P.M.

## **AGENDA**

Call the Meeting to Order

Secretary's Report: January 20, 2015

Treasurer's Report: January 2015

## **OLD BUSINESS**

1. Reports
2. Lake Project

## **NEW BUSINESS**

1. Monthly Bills

## **ADJOURN**

# HONEY LAKE

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



Commissioner's Meeting

January 20, 2015

Chairman Lutz called the meeting to order at 7:05 P. M. at the Rochester Village Hall.

Commissioners present were John Lutz, Judith Correll, Joseph Kolosso, Robert McIndoe, Donald Trimberger and Michael Weinkauf.

The minutes of the December 16, 2014 meeting were read. A motion to approve the minutes was made by Michael Weinkauf, seconded by Robert McIndoe and carried.

The treasurer's report was read, copy attached. A motion to approve the report was made by Robert McIndoe, seconded by Michael Weinkauf and carried.

## OLD BUSINESS

The Horton Group carries our insurance for workman's compensation. We approved the increase of \$75.00 in the premium last month so they will send out the new policy. The increase will raise the insurance from (\$100,000.00/\$500,000.00/\$100,000.00) to (\$500,000.00/\$500,000.00/\$500,00.00).

There are no issues with the ice on the dam.

## NEW BUSINESS

Chairman Lutz has been in contact with Asphalt Contractors concerning the roadwork that was done on County Line Blvd. and Hy. FF. The road was supposed to have been pitched to the East so the water would run into the ditch. Through some error the road was crowned instead so now the water will run into the grass on both sides of the road causing a buildup of water/ice in front of the houses on the West side of the road. There was also a misunderstanding as to the amount of old road that should have been removed and new material put in. Kurt Willick is with us from Asphalt Contractors because Robert Kordus could not be here tonight.

Kurt has discussed the problem with the roadwork that was done on County Line Blvd. and Cty. FF and assures us that his company will do whatever it takes to right the situation. We will look at this closer in the spring and if the road needs to be dug up and re-done that is what will be done.

Michael Weinkauf also noticed a difference in the price that was quoted and the price that was paid because the work that was done was not according to the contract but we paid the same price

A motion was made by Donald Trimberger to hold a special meeting in the spring, possibly April, with Asphalt Contractors and the district board to discuss the repairs that they will make and the difference in price, with the district board making the final decision as to the work, seconded by Michael Weinkauf and carried.

Two residents were in attendance and are interested in purchasing some unused roadways that are adjacent to their properties. However they were not on the agenda for this meeting. They will need to talk with Chairman Lutz and get on the agenda for a future meeting.

BILLS SUBMITTED AS FOLLOWS:

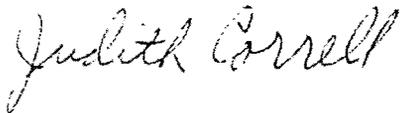
Comm. Comp.	John Lutz	\$ 200.00
“ “	Judith Correll	\$ 175.00
“ “	Joseph Kolosso	\$ 175.00
“ “	Donald Trimberger	\$ 25.00
“ “	Michael Weinkauf	\$ 25.00
Cutting Edge Lawn Maintenance	Rebuild park	\$5,000.00
John Lutz	Office supplies -- ink	\$ 14.34

January 20, 2015, Page 3

A motion to approve the bills was made by Robert McIndoe, seconded by Donald Trimberger and carried.

A motion to adjourn, subject to recall, was made by Donald Trimberger, seconded by Robert McIndoe and carried a 7:50 P. M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith Correll". The signature is written in black ink and is positioned below the typed name.

Judith Correll,  
Secretary, HLPRD

# **Honey Lake Protection & Rehabilitation District**

## **Treasurers Report**

**January 2015**

Joseph Kolosso

Treasurer

**Honey Lake Protection and Rehabilitation District**  
**Regular Checking-January 2015-For Fiscal Year 2014-2015**

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Category</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
1/1/2015			Starting Balance			\$10,755.81
1/1/2015	4256	Snow Solutions LLS Snow Plowing Contract 9 of 18	Roads	\$3,200.00		\$7,555.81
1/1/2015	4257	Village of Rochester	Refund of Tax Monies for Racine County notice 51 176	\$35.78		\$7,520.03
1/17/2015	4258	Honey Lake Protection & Rehabilitation District	Transfer to Non-Lapsing Fund (Dam Boards)	\$7,310.00		\$210.03
1/17/2015	Deposit	Town of Spring Prairie	January Property Tax Settlement		\$7,886.59	\$8,096.62
1/17/2015	Deposit	Town of Spring Prairie	Road Fund Reimbursement for N County Line Blvd Construction		\$14,837.90	\$22,934.52
1/17/2015	Deposit	Village of Rochester	January Property Tax Settlement		\$9,188.87	\$32,123.39
1/17/2015	Deposit	Village of Rochester	Road Fund Reimbursement for N County Line Blvd Construction		\$6,359.10	\$38,482.49
1/20/2015	4259	John Lutz	Commissioners Compensation	\$200.00		\$38,282.49
1/20/2015	4260	Judith Correll	Commissioners Compensation	\$175.00		\$38,107.49
1/20/2015	4261	Joseph Kolosso	Commissioners Compensation	\$175.00		\$37,932.49
1/20/2015	4262	Donald Trimberger	Commissioners Compensation	\$25.00		\$37,907.49
1/20/2015	4263	Mike Weinkauf	Commissioners Compensation	\$25.00		\$37,882.49
1/20/2015	4264	John Lutz-Refund	Office Supplies/Mailings Ink	\$14.34		\$37,868.15
1/31/2015	Deposit	Chase Bank-Interest	Interest		\$0.16	\$37,868.31
1/31/2015			Ending Balance			<u>\$37,868.31</u>

## Honey Lake Protection and Rehabilitation District

### Payroll Checking-January 2015-For Fiscal Year 2014-2015

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
1/1/2015		Starting Balance			\$6,066.80
1/3/2015	1277	United States Treasury 941	\$68.09		\$5,998.71
1/20/2015	1278	Wisconsin Dept of Revenue Annual WT-7	\$25.60		\$5,973.11
1/31/2015	Deposit	Chase Bank-Interest		\$0.05	\$5,973.16
1/31/2015		Ending Balance			<u>\$5,973.16</u>

## Honey Lake Protection and Rehabilitation District

### Non-Lapsing Fund-January 2015-For Fiscal Year 2014-2015

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
1/1/2015		Starting Balance			\$67,696.62
1/17/2015		Transfer from Regular Checking		\$7,310.00	\$75,006.62
1/31/2015	Deposit	Chase Bank-Interest		\$0.57	\$75,007.19
1/31/2015		Ending Balance			<u>\$75,007.19</u>

## **DRAFT**

**Walworth County Board of Supervisors**  
**February 16, 2015 Agriculture & Extension Education Committee Meeting Minutes**  
**Walworth County Government Center, County Board Room 114**  
**100 W. Walworth Street, Elkhorn, Wisconsin**

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

Roll call was conducted. Members present included Chair Dan Kilkenny, Vice Chair Charlene Staples, Supervisor Nancy Russell, Matt Polyock-FSA/Ag Representative, School Representative Kelly Pickel, Citizen Members Michael Krejci, Mary Kaye Merwin, Kathleen Papcke and Alternate Stacy Stewart. A quorum was declared.

### **Others in Attendance**

County Staff: Jenny Wehmeier, UW-Extension Department Head; Kristine Ely, Agriculture Educator; Debora Johnson, Wisconsin Nutrition Education Program Educator; Colleen Lesniak, Walworth County Volunteer Coordinator; Peg Reedy, Agriculture Educator; Chelsea Dertz, 4-H Youth Development Educator; Debbie Burkman, 4-H Youth Development Coordinator; County Administrator David Bretl

**On motion by Citizen Member Krejci, seconded by Vice Chair Staples, the agenda was approved with no withdrawals.**

**On motion by Citizen Member Merwin, seconded by Vice Chair Staples, the December 15, 2014 meeting minutes were approved by voice vote.**

**Public Comment** – There was none.

**Unfinished Business** – There was none.

### **New Business**

- **Introduction of FSA Representative Matt Polyock**  
UW-Extension Department Head Jenny Wehmeier said new committee members and staff were present. She asked that they share who they are and why they wanted to serve. Matt Polyock, FSA Representative, was elected to the FSA Board last fall, and he looks forward to being on this committee. He resides in Linn Township and has three children.
- **Introduction of AEE Committee Alternate Stacy Stewart**  
Stacy Stewart resides outside of Burlington and has a daughter who is active in 4-H and Girl Scouts. She and her family moved to Wisconsin from Ohio six years ago, and she feels her participation on the Committee will provide interesting opportunities for her family.
- **Introduction of new Agriculture Educator Kristine Ely**  
Kristine Ely joined UW-Extension in August, and has been working with Peg Reedy. She is also assisting with Farm Technology Days. She has a background in animal science and can attend to the needs of producers. She currently resides in McHenry, Illinois.

- Introduction of new Wisconsin Nutrition Educator Program Educator Debora Johnson  
Ms. Johnson said today is her first day at work. She and her husband, who was in the military, have lived in Pennsylvania, Texas and Mississippi before moving to Wisconsin. She has taught 3K through grade 12 and is excited to teach nutrition education.

- State Budget impact on UW System/UW-Extension  
Wehmeier reported she had hoped to provide the committee a written report; however, information and updates seem to change daily. There is a proposed \$300 million cut and a two-year freeze at University of Wisconsin schools. The UW System held a town hall meeting last week and shared information they had. Hearings will be scheduled in March for public input. Wehmeier said there is the potential for layoffs and job losses. The budget will be reviewed through March by the Joint Committee, and hopefully there will be decisions at the end of May or early June. There is a group called the Resource Advocacy Network (RAN) people can join and receive updates on budget news and advocate for UW-Extension. Chair Kilkenny asked about shared contracts with UW-Extension and whether those agreements might be eliminated. County Administrator Bretl said it is more likely that there would be no funding for certain programs and positions; for example, the County solely funds our second agriculture educator position. Citizen Member Krejci asked if the County Board would consider approaching representatives on this issue, i.e. by resolution or other action. Chair Kilkenny said it has been done in the past; however, they would first need to ascertain who would be making the ultimate allocations. Wehmeier said the UW Board of Regents would likely make the decisions, then each Dean would be given his/her district's share and decide how to meet their budget constraints. Wehmeier will provide a report at the April meeting if she receives further information.

- Invitation to Capitol Connections, April 30, 2015  
Wehmeier said the invite was included with the agenda packet. Christine Wen will be contacting committee members to see if they want to attend. There will be a two-hour morning session from Wisconsin County Association lobbyists to prepare to dialogue with key decision makers, lunch will be provided, and then attendees will visit the capitol and meet with legislators. Wehmeier said they are recruiting 4-H youth attendees as well. She said hopefully more information will be provided about the proposed budget impacts before the event.

## Reports

- Volunteer Coordinator Report – Colleen Lesniak, Volunteer Coordinator  
Colleen Lesniak introduced herself. She is responsible for recruitment and placement of volunteers and interns in any program or facility that Walworth County government operates. She presented her 2014 report on the County's volunteer services. Lesniak oversees the application process, which includes a personal interview, completion of an application form, and a criminal background check. Lesniak determines the volunteer's skills and interests and matches their placement. Last year, a total of 864 individuals volunteered at the County, excluding the Master Gardener and 4-H numbers and hours. There were 39 persons who interned at the County last year. The total hours were 33,150, which translates to a total value of approximately \$748,000 to the County, based on the 2013 valuation of \$22.55/hour by the Independent Sector, a coalition of non-profit entities. Page 3 of the report breaks down the hours allocated throughout the County. Some of the volunteers work on ongoing programs, such as Meals on Wheels, and others are on-call and work when needed on clerical projects, etc. The majority of the volunteers work at one-day or annual events, such as Lakeland School Fest, and cleanup events/work days

at county parks. Lesniak said one of the highlights for her last year included serving on the Farm Technology Days committee and planning for recruiting hundreds of volunteers for next year's event. Lesniak provided examples of the various projects volunteers worked on last year. Supervisor Russell thanked Ms. Lesniak for all she does and commented that the value of the volunteer services was astounding. Russell added that doesn't even include the other non-profit organizations throughout the county, and thanked all the participants for their hard work and spirit of community. Citizen Member Merwin thanked Lesniak for her concise, informative report. She asked why the Master Gardener Program and 4-H volunteers weren't included in the report, as the Coordinator is part of UW-Extension. Lesniak noted those hours were reported separately, and she is not responsible for recruiting and placing those volunteers. Wehmeier said the State has different expectations of volunteers in their programs, one of which is the additional component of youth protection and required training. Merwin said she hoped the county volunteers were subject to the same standards and checks. Chair Kilkenny noted that 4-H has specific requirements of its volunteers, such as youth education, managing programs and maintaining long term relationships with children, which necessitates different standards.

- **2016 Farm Technology Days Update – Peg Reedy, Executive Secretary**

Agriculture Educator Peg Reddy reported that Farm Technology days is 18 months away. She said County Administrator Bretl led an informative leadership training for the committee. The fundraising committee has received donations from several corporations. They are developing a merchandise line to promote the County. There are 180 acres of land set aside in Linn Township, 45 of which will be for tent demonstrations. The education committee has drafted an outline of farm tours during the event, and the Youth and Family Living committees have developed a number of good ideas. Reedy has attended the Dane County meetings, which are a good forum to see what difficulties may arise and raise issues that she hadn't thought about. The Farm Technology Days website will be linked to our County website. Supervisor Russell asked if we could advertise for the Walworth County Fair during the event, and Reedy said they would promote the Fair at Farm Technology Days and promote Farm Technology Days at the Fair.

- **UW Extension outreach and educational events**

Brochures detailing upcoming events were distributed. Wehmeier provided an overview of their spring and summer programs, which include Smart Gardening Day on March 7. Peg Reedy reported they held a Quick Books Class. The class was full, everyone was engaged in the course, and the training was exceptional. Wehmeier mentioned Chrissy Wen, Horticulture Educator, will be doing training for landscapers in conjunction with UW-Illinois Extension, in response to the interest in that program. Wehmeier encouraged the committee to visit their website, which has updated information on all the current programs and training.

**Chairperson's Report – None.**

**Announcements**

Peg Reedy reported there will be an informational session next Wednesday, February 25 at 1:00 p.m. in the County Board Room on Wisconsin Act 377, Implements of Husbandry, concerning agricultural vehicles and equipment on our roadways.

**Confirmation of Next Meeting.** The next committee meeting was confirmed for Monday, April 20, 2015 at 1:00 p.m.

### **Adjournment**

**Vice Chair Staples made a motion, seconded by Citizen Member Krejci, to adjourn. The motion carried and the meeting concluded at 1:40 p.m.**

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Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**DRAFT**

**Walworth County Board of Supervisors  
Executive Committee Meeting Minutes  
Monday, February 16, 2015  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Weber at 10:00 a.m.

Roll call was conducted. Members present included: Chair Dave Weber, Vice Chair Daniel Kilkenny, Supervisor Rich Brandl, Supervisor Nancy Russell, and Supervisor Charlene Staples. A quorum was declared.

**Others in Attendance**

County Staff: David Bretl, County Administrator; Elizabeth Aldred, Director of Health and Human Services; Valerie Etzel, Walworth County Treasurer; Michael Cotter, Deputy Corporation Counsel/Director of Land Use and Resource Management; and Nicki Andersen, Deputy County Administrator-Finance

**On motion by Supervisor Brandl, seconded by Supervisor Staples, the agenda was approved with no withdrawals. Motion carried 5-0.**

**On motion by Supervisor Russell, seconded by Supervisor Brandl, the January 19, 2015 Executive Committee minutes were approved. Motion carried 5-0.**

**Public Comment – None.**

**Ongoing/Unfinished Business – None.**

**Appointments**

- Local Emergency Planning Committee (LEPC)
  - Liz Aldred, Director of Health & Human Services
  - Steve Olson, Police Chief – Village of Fontana
  - Kurt Picknell, Walworth County Sheriff
- Community Action, Inc. – Alan Kupsik

**Supervisor Brandl offered a motion, seconded by Supervisor Staples, to approve the appointments of Liz Aldred, Steve Olson and Kurt Picknell to the Local Emergency Planning Committee. Motion carried 5-0.**

Alan Kupsik's citizen interest form was distributed to those present. David Bretl, County Administrator, stated Community Action deals with poverty and housing issues. This appointment is for a locally elected official. Bretl said Royce DeBow previously held this seat, and he passed away last summer. Bretl stated Mr. Kupsik is the Common Council President in the City of Lake Geneva. **Supervisor Kilkenny offered a motion, seconded by Supervisor Brandl, to approve the appointment of Alan Kupsik to Community Action, Inc. Motion carried 5-0.**

**Consent Items**

The following reimbursement claims were considered.

- Business expense claims submitted by Nancy Russell, County Board Chair, totaling \$30.94

- Business expense claims submitted by Allan Polyock, WRRTC County Representative, totaling \$86.25

**On motion by Supervisor Brandl, seconded by Supervisor Kilkenny, Chair Russell's expense reimbursement claim was approved. Motion carried 4-0. Supervisor Russell abstained.**

**On motion by Supervisor Brandl, seconded by Supervisor Kilkenny, the expense reimbursement claim of Mr. Polyock was approved. Motion carried 5-0.**

### **New Business**

- Communication from Supervisor Dave Weber concerning repealing a portion of section 2-32 of the Walworth County Code of Ordinances limiting a supervisor from serving as County Board Chair for more than four consecutive terms

Supervisor Russell excused herself from the meeting during discussion of this item. Chair Weber stated he was not aware that there were County Board Chair term limits in the ordinances. He said the Board has two options to change County Board leadership if needed; at the request of the County Board at any time and every two years with the election. Supervisor Kilkenny asked what defines the County Board's authority to change the County Board Chair. Bretl stated they have relied on former Attorney General J.B. Van Hollen's opinion as authority. In the past, the County Board Chair was rotated every two years, and this changed in 1996 when former County Board Chair Al Morrison ran for a second term. Chair Nancy Russell has held consecutive terms as Chair. Bretl said this is a policy-oriented issue for Board members. He said it has been interesting to see the evolution of the office over the years. He stated before the Board limits the potential for individuals to serve, they need to consider the amount of duties and responsibilities that have gravitated to the Chair. The County Board Chair serves on a number of committees, and serving as County Board chair is a huge commitment. Supervisor Brandl expressed concern that with the same person being able to run for Chair, it may cause others not to run.

Supervisor Kilkenny stated the County Board Chair is elected by secret ballot. He said language can be added to the ordinances stating that the Chair can be removed by the Board, and to mandate the use of a secret ballot and no longer allow a motion by unanimous consent for County Board Chair elections. Bretl stated another item to consider is succession planning, which has been done with department heads and key personnel. He said they can create more than one position so the workload can be shared and develop leadership for succession planning. He stated it is important to keep that continuity and develop those skills. Supervisor Kilkenny suggested having more responsibilities be delegated to the County Board Vice Chair. Chair Weber expressed concern with doing that. He acknowledged that it is a huge job to maintain integrity within our county and other counties. He feels the role of the County Board Chair is all encompassing. He said he would not be opposed to a minor change in language because he does not think there needs to be term limits in the ordinances. **Supervisor Kilkenny made a motion, seconded by Supervisor Staples, to amend the ordinances to remove the term limits for County Board Chair.** Supervisor Kilkenny said in regard to the other issues discussed, such as changing the language in order to make it clear that the Board can remove the Chair, these can be discussed at a different meeting and he does not think they need to tie them all together. He said the simple question is if they want to tie their hands with the term limits or not, and he is willing to forego this limitation. Supervisor Brandl expressed concern that the next County Board chair may not be retired like the current Chair; therefore, duties and responsibilities may need to be delegated or reassigned. Bretl asked the committee if they wanted assurance of the other items, such as unanimous consent and removal, they could have a special meeting before County Board. If the committee is comfortable taking these issues separately and would like to review the overall job duties, they can schedule that for discussion later on. Bretl stated Supervisor

Brandl makes a good point because as it stands now, he's not sure if someone could fulfil the duties and responsibilities of the Chair and hold a full-time job simultaneously. Supervisor Staples expressed concern that if the Chair does not wish to delegate responsibilities, it is hard for new people on the Board to gain experience. **Motion carried 4-0.**

- Correspondence from Wisconsin Department of Administration regarding the State's potential eligibility to apply for federal funds on behalf of counties that were included in a federal declaration of disasters (storms and flooding) in 2011, 2012 and 2013

Supervisor Russell returned to the meeting. Bretl stated this is the second letter they have received regarding this. He said after claims for reimbursement for disaster declarations are processed, they send out a letter asking if there is anything else. He said he believes they have received full reimbursement, but has asked department heads to check. He stated this item can be placed on file and if he receives any feedback from departments, it can be brought back before the committee.

- Discussion and recommendation regarding amendment to Antenna Site Location Agreement – Milwaukee MPS Tower Holdings LLC (“Lessee”) and Hard Rock Farms LLC (“Lessor”)

Bretl said Michael Cotter, Deputy Corporation Counsel/Director of Land Use and Resource Management, has reviewed this. He stated this agreement goes back to the 1980s and the county is being asked to sign off on an amendment. Cotter said he is recommending that the county sign the amendment to the agreement. The tower is on a property located in the Town of Spring Prairie owned by the Boltons. He asked the Sheriff's Department if they still use the Bolton Tower, and he was informed that they do. In the original agreement, it states that the county is not obligated to pay. Cotter said the new term for the agreement is 2014 to 2052, and it is with the Boltons and the new operator. He stated the county will not have to pay unless the operator goes out of business. **Supervisor Brandl offered a motion, seconded by Supervisor Russell, to approve the amendment to the Antenna Site Location Agreement. Motion carried 5-0.** Bretl confirmed this amendment will need County Board approval.

- Discussion and possible action concerning a potential proposal by the State of Wisconsin to make changes to Workforce Development governance

Bretl said Supervisor Russell was made aware of this at a Workforce Development Board (WDB) meeting. Supervisor Russell said when she attended the WDB Executive Committee meeting, there was serious discussion about the State's potential proposal of having fewer workforce development districts in the state and combining their tri-county consortium with the Milwaukee 7. Walworth County is currently in a tri-county consortium with Racine and Kenosha Counties. She said it was universally agreed that if the consortium was combined with the Milwaukee 7, 90-95% of it would be controlled by Milwaukee County, which would result in Walworth County receiving very little. She stated Kenosha County Executive Jim Kreuser will be drafting a letter to the State expressing the desire to continue as a three-county group. She asked to include this on the agenda in order to obtain the committee's approval for her to sign this letter. Chair Weber said he served on WDB for a number of years and it was a struggle to maintain a voice within the three-county consortium. He said he cannot imagine having a voice if combined with the Milwaukee 7. Supervisor Kilkenny asked what the motivation is behind this. Supervisor Russell stated she has read consolidation reports on the Governor's Budget and did not see anything regarding this. She said she heard about it at the meeting and they want to address it now before it becomes a reality. Bretl said they have seen the growth of consortia over the past five years which results in fewer entities for the State to deal with. **Supervisor Kilkenny offered a motion, seconded by Supervisor Staples, to authorize County Board Chair Russell to sign the letter being drafted by Kenosha County Executive Jim Kreuser. Motion carried 5-0.**

**Reports/announcements by Chairperson – None.**

**Set/confirm next meeting date and time –** The next meeting was confirmed for March 16, 2015 at 10:00 a.m.

**Claims and Litigation**

The committee convened in closed session at 10:43 a.m. on motion and second by Supervisor Kilkenny and Supervisor Brandl pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. A roll call vote was conducted and all members voted “aye”. Remaining in closed session were David Bretl, County Administrator; Valerie Etzel, Treasurer; and Nicki Andersen, Deputy County Administrator-Finance.

- a) Summons and Complaint – Tom and Donna Poulos vs. Walworth County and Walworth County Board of Adjustment
- b) Michael P. Scholl and Christine L. Scholl v. Walworth County and ONE9OH9OH, LLC
- c) Summons and Complaint – McHenry Savings Bank vs. DMICH’s LLC and Walworth County Clerk of Circuit Court
- d) Motion and Order Dismissing Sheboygan County from Proceedings – In re: B.R. Amon & Sons, Inc. (Walworth County Circuit Court Case Nos. 13-CV-363, 13-CV-364, 13-CV-365, 13-CV-366)

The committee reconvened in open session at approximately 10:57 a.m. on motion/second by Supervisor Kilkenny and Supervisor Brandl. **Supervisor Brandl offered a motion, seconded by Supervisor Kilkenny, to proceed as discussed in closed session for Items A and C and to take no action on Items B and D. Motion carried 5-0.**

**Adjournment**

**On motion by Supervisor Brandl, seconded by Supervisor Kilkenny, Chair Weber adjourned the meeting at 10:58 a.m.** Bretl stated they may be holding a special Executive Committee meeting before the March 10<sup>th</sup> County Board meeting in order to address a discrepancy in the ordinance regarding membership on the Wisconsin River Rail Transit Commission.

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Submitted by Nicole Hill, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

# DRAFT

**Walworth County Board of Supervisors  
February 16, 2015 Public Works Committee Meeting Minutes  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Rick Stacey at 3:30 p.m.

Roll call was conducted. Members present included Chair Rick Stacey, Vice Chair Nancy Russell, Supervisors Ken Monroe, Joe Schaefer and Paul Yvarra. A quorum was declared.

## **Others in Attendance**

County Board Supervisors: Rich Brandl

County Staff: County Administrator David Bretl; Director of Central Services/Public Works Kevin Brunner; County Engineer Joe Kroll; Deputy County Administrator-Finance Nicki Andersen; Capt. David Gerber; Richard Noel, Sheriff's Office IT Engineer; Tracy Moate, Director of CDEB; Public Works Business/Purchasing Office Manager Peggy Watson

**On motion by Supervisor Schaefer, seconded by Vice Chair Russell, the agenda was approved with no withdrawals by voice vote.**

**On motion by Supervisor Monroe, seconded by Supervisor Yvarra, the January 19, 2015 meeting minutes were approved by voice vote.**

**On motion by Supervisor Monroe, seconded by Supervisor Yvarra, the January 19, 2015 Joint Land Conservation Committee and Public Works Committee meeting minutes were approved by voice vote.**

**Public Comment – None**

## **Regular Business**

- Approval of change in scope for the 2015 Sheriff's Office SAN (Storage Area Network) capital project

Captain David Gerber Office addressed the Committee. Last year, the Sheriff's Office budgeted to purchase a new tier storage device for files. The original budget was for a Dell SAN device; however, staff, in conjunction with their IT Engineer Richard Noel, did some research and discovered that if they purchase DataOn Storage, a Microsoft supplier of storage decks, they can avoid paying the yearly \$10,000 maintenance fee for the current device. There is no yearly maintenance fee associated with the DataOn storage deck, and it can accommodate the storage requirements of the Sheriff's Office for the next 10 years. **Vice Chair Russell made a motion, seconded by Supervisor Yvarra, to change the scope of the 2015 Sheriff's Office SAN capital project. The motion carried 5-0.**

- Approval of change in scope for the 2015 Lakeland School stage sound system capital project  
Tracy Moate, Director of CDEB, reported that in 2013, the gymnasium sound system was upgraded. Staff is now requesting to add microphones, floor monitor speakers, keyboard input, stage monitor speakers and lighting to the stage area to enhance performances. There are donated funds available from School Fest to pay for the project. The gymnasium project has been closed, so this is a new project. County Administrator Bretl said even though the project will be funded by donations, it still needs to be determined whether it is considered a repair or falls under the requirements for public construction.

**Supervisor Monroe made a motion, seconded by Supervisor Schaefer, to approve the Lakeland School stage sound system project. The motion carried 5-0.**

- Approval of summary specifications for White River County Park barn roof replacement  
Central Services/Public Works Director Kevin Brunner said the barn roof replacement is in the 2015 Capital Improvement Plan (CIP). The summary specifications included in the agenda packet are for replacing the roof with a single layer of oriented strand board (OSB) sheathing installed over the existing roof deck using 30-year architectural/dimensional shingles. Vents will be cleaned, primed and repainted and pre-finished metal trim installed on the roof perimeter. Brunner said County Engineer Joe Kroll is working on the project. Chair Stacey asked what the future plans were for use of the barn. Brunner said a group has been formed to develop the master plan for the White River County Park, and plans for the barn are being addressed. The master plan should be ready for presentation to the Board within the next couple of months. Chair Stacey said Supervisor Brandl asked if there was any reason a metal roof is not also being bid. Brunner said the Peter Scherrer Group, who did the barn study, determined through a life cycle cost analysis that a metal roof would be more expensive and would not last long enough to make it cost effective. There is \$45,000 in the budget for the roof. Supervisor Schaefer said some taxpayers have complained to him that the barn would be an unnecessary expense for the Park and should be torn down. He questioned replacing the barn roof now when it isn't certain what the barn will be used for in the future. Schaefer added that a roofer in Elkhorn looked at the barn and estimated it would cost \$30,000-\$50,000 to replace the roof with asphalt shingles. Chair Stacey said he didn't think the asphalt shingles would withstand strong winds and storms. Vice Chair Russell said the barn study concluded that fasteners on other types of roofs tend to oxidize, which decreases the life of the roof. Also, metal roofs need more maintenance, and it's very costly to repaint. Bretl said perhaps a metal roof could be included as an alternate in the bid packet, and Brunner said there wasn't sufficient money in the budget to cover a metal roof, which the Scherrer Group estimated would cost \$70,000. If the committee wants a metal roof, they would have to approve a budget amendment for additional funds. Kroll added if an alternate was added, it would delay the bid process, as another committee cycle would be needed before the bids would go out. Vice Chair Russell said the barn is structurally sound and the group working on the master plan has discussed using the downstairs for storage, perhaps a retail facility, and the upstairs has potential to be used as a venue for receptions, etc. Chair Stacey said if the roof needs replacing, he wants it done right, adding that the life cycle for steel is longer, and there would be maintenance on an asphalt roof as well. Supervisor Brandl said a metal roof will last longer than 50 years, and a standing seam metal roof would probably last 70 years, whereas the average life cycle of asphalt is 25-30. **Supervisor Monroe made a motion, seconded by Supervisor Schaefer, to direct staff to include a standing seam metal roof as a bid alternate for the barn roof replacement. The motion carried 5-0.**

- Approval of specifications for 4x4 tractor  
Brunner said the tractor can be purchased through a cooperative contract with either Iowa or Minnesota Department of Transportation, and the County would be eligible for a discount off list pricing. This tractor would replace a 1993 Ford tractor with 4,000 hours on it. Brunner said repairing the 1993 tractor would not be cost effective, and there are budgeted funds for the purchase. Brunner said the Ford would be sold at auction. Supervisor Brandl commented that 4,000 hours of operation is not much. The specifications for this tractor are the same as the tractor purchased in 2008, and are consistent with the Department's fleet concept. **Supervisor Schaefer made a motion to approve the specifications for the John Deere 4x4 tractor. The motion was seconded by Supervisor Monroe and carried 5-0.**

- Approval of Department of Public Works (DPW) fleet maintenance building architectural/engineering design development contract

Brunner said ten firms submitted proposals, and he, Joe Kroll and Steve Kinney interviewed four firms. They all rated Angus-Young Associates, Inc. highest, principally because they would provide more value-added services to the project. The company has experience in designing public works facilities for municipalities. There is \$485,000 included in this year's budget for the services. The contract is for design and preparation of final plans and specifications for the new vehicle maintenance facility, and would carry through construction award. The contract does not include construction oversight. Bretl said the Committee should devote time to discussing this item, as this is a \$7.6 million project. In recent years, Plunkett Raysich Architects provided architectural services for all of the county's new facilities, and they also provided construction management for the projects. Bretl said having one firm manage an entire project provided accountability and continuity from groundbreaking to building completion. Brunner said Angus-Young is a full-service company and can provide in-house mechanical, electrical, plumbing and civil engineering services. **Supervisor Schaefer made a motion, seconded by Vice Chair Russell to award the proposal for architectural/engineering services for the new county vehicle maintenance facility to Angus-Young Associates, Inc.; and if they perform well through this phase, the committee recommends considering them to provide construction management services. The motion carried 5-0.**

- Award of Lake Beulah dam spillway replacement project

Brunner said five competitive bids were received, and staff recommends awarding to the lowest qualified bidder, Terra Engineering & Construction Corporation. Brunner reminded the committee that the county has been awarded a grant in the total amount of \$400,000 toward the spillway replacement cost. The Wisconsin Department of Natural Resources reviewed the bidding documents and deemed them acceptable in accordance with Wisconsin Administrative Code Chapter NR 335. **Supervisor Schaefer made a motion, seconded by Supervisor Monroe, to award the bid for the Lake Beulah dam spillway replacement to Terra Engineering & Construction Corporation in the amount of \$965,761.09. The motion carried 5-0.**

- Acceptance of County Conservation Aids Grant for Price Park Conservancy fen restoration

Brunner reported this is a \$3,000 conservation aids grant for restoration of woodlands and the Sugar Creek fen at Price Park.

- Report/update on 2015 capital projects

The CTH NN project is out for bid, and will be brought to committee for award next month. The project budget is \$3.81 million. Informational meetings will be scheduled with affected departments and Aurora Lakeland Medical Center. The road will be open throughout construction, but some delays can be expected.

Brunner said staff has held bi-weekly meetings with Johnson Controls on HVAC issues at Health and Human Services and progress is being made to resolve the heating and cooling problems.

Public Works completed Performance Based Maintenance projects for the State of Wisconsin Department of Transportation last year, and they went smoothly. Four projects are planned for 2015: sealing and cleaning bridge decks; shouldering on STH 59 Rock County to USH 12; routing and sealing on STH 11; and sealcoating on STH 67 in Sharon to USH 14. The counties have to provide bids to the State for the jobs, like private contractors. Supervisor Schaefer said he receives a lot of complaints about lack of

mowing on State highways. Brunner suggested Supervisors contact the Southeast Region of the Department of Transportation or their State representatives with concerns.

- Report on Peters Road Bridge closure (Town of Sharon) and possible county application for State Local Bridge Funding for replacement

Brunner said the bridge was closed last summer because it failed and is unsafe for traffic. The bridge is owned by the Wisconsin River Rail Transit Commission (WIRRTC), and maintained by Wisconsin Southern Railroad. Because the State owns the bridge, either the County or the Town of Sharon would have to apply for Local Bridge Funding to replace the bridge. The applications are due in early June. Supervisor Brandl, the Town of Sharon Chair, said one of the entities has to take ownership to apply for the funding. The Local Bridge Funding is a two-year cycle, so the application has to be submitted within the next couple of months; however, there is no guarantee the funding will be awarded. Brunner said he anticipates the bridge replacement will cost close to \$1 million. Brunner said the disadvantage to the County applying for the funding would be that the county ranks the local applications by Amount of Daily Traffic and Sufficiency Ratings for funding priority, and typically this bridge would be rated highest, which would place the County in a difficult situation. Bretl said demands from other county municipalities would have to be considered; if we assisted the Town of Sharon, we would have to do the same for others. Deputy County Administrator-Finance Nicki Andersen said because of the State Local Bridge Funding structure, it might not be appropriate financially for the County to apply for the assistance. **Supervisor Monroe made a motion, seconded by Vice Chair Russell, to direct Public Works Director Brunner and Town of Sharon Chair/Supervisor Rich Brandl to meet with the Department of Transportation concerning options and report to the committee at the March meeting. The motion carried 5-0.** Brunner advised the Committee that many counties have established bridge programs for municipalities. Our county's infrastructure is aging and he said it might be worth considering in the future.

- Report on proposed State budget – transportation issues

Brunner said transportation funding is an important issue in the State budget. The Transportation Development Association (TDA) did an analysis of the Governor's proposed budget and their recommendations were different from what the Secretary of Transportation proposed. Supervisor Monroe said he attended a Wisconsin Counties Association meeting at the capitol recently, and he said most of the funds are being shifted to the big projects, such as \$100 million in additional funds for the Zoo Interchange. Discussion was held concerning eliminating the Prevailing Wage requirements for highway projects other than state roads, eliminating funding for bike paths, increasing gas taxes, raising gasoline terminal taxes, imposing a fee for electric car usage on highways, etc., but he doesn't think any of these will be implemented in the near future. Vice Chair Russell reported that the USH 12 "red line" route from Whitewater to Elkhorn is still in the plan, and the engineering study will begin this year.

- Report on proposed State budget – Stewardship Program

Brunner said the Nelson-Knowles Stewardship grant award made it possible for the County to acquire and develop the White River County Park. In the Governor's proposed budget, there is a moratorium on acquisition grants through 2028. Park development grants are still available but there will be funding cuts. The Park Committee has prioritized county development grant projects, including prairie restoration and shelters at Price and White River County Parks.

**Confirmation of Next Meeting** – The next meeting was confirmed for Monday, March 16, 2015 at 3:30 p.m.

## **Adjournment**

**A motion to adjourn was made by Supervisor Monroe and seconded by Supervisor Schaefer. The motion carried 4-0 and the meeting adjourned at 4:52 p.m.**

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Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**DRAFT**

**Walworth County Criminal Justice Coordinating Committee  
February 13, 2015 Meeting Minutes  
Walworth County Judicial Center, Jury Assembly Room  
1800 County Road NN, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Judge David Reddy at 11:30 a.m.

Roll call was conducted. Members present included Chair Judge David Reddy, Judge Kristine Drettwan, Judge Phillip Koss, Travis Schwantes-State Public Defender's office, Professor John Kozlowicz, Sheriff Kurt Picknell, District Attorney Dan Necci, Elizabeth Aldred-Director of Health and Human Services, Randall Gasser-Probation and Parole, Clerk of Courts Court Office Manager Kristy Secord and County Administrator David Bretl. A quorum was established.

**Others in Attendance:**

County staff: Katie Behl, Treatment Court Coordinator; Carlo Nevicosi-HHS Behavioral Health/Crisis Intervention Manager; Becky Bechtel, Recording Secretary-County Clerk's office  
Members of the public: Robert Ireland-*Lake Geneva Regional News*; Julie Bonogofsky-Southeastern Monitoring; Andrea Andersen-*Janesville Gazette*

**On motion by County Board Chair Russell, seconded by Professor Kozlowicz, the agenda was approved with no withdrawals.**

**On motion by Travis Schwantes, seconded by District Attorney Necci, the October 10, 2014 and December 12, 2014 meeting minutes were approved by voice vote.** Chair Russell noted that Robert Ireland's name was listed twice in the December 12, 2014 minutes.

**Public Comment** – None.

**Unfinished Business**

- **OWI Court Report** – Judge Reddy

Treatment Court Coordinator Katie Behl reported there are currently 38 participants in OWI Court. The 50<sup>th</sup> and 51<sup>st</sup> participants graduated last week. Judge David Reddy said the number of graduations is significant and since the program has been underway for three years, it is now possible to evaluate the program's success statistically. Judge Reddy said they need a representative from law enforcement as Chief Christensen had to withdraw because of his other responsibilities. He asked if someone from the Sheriff's Office could participate because their office has jurisdiction throughout the County. Judge Drettwan said there is a Chiefs meeting next week, and she would solicit interest. Sheriff Picknell said he would also be in attendance his office would provide a supporting role. County Administrator Bretl noted the article on the graduates and success of OWI Court in the *Lake Geneva Regional News*.

- **Drug Court Report** – Judge Reddy

Final report from Bureau of Justice Assistance

Judge Reddy said they have received the final report and evaluation from the Bureau of Justice Assistance (BJA). The report identified the achievement of the Ten Key Components, which included overall assessment and recommendations, and ranked the achievements as follows:

Fully Achieved: 3

Sustainably Achieved: 2

Moderately Achieved: 2

Minimally Achieved: 2

Not Addressed at this point: 1, as it relates to monitoring and evaluation measurement, because the program has just started.

Behl has the only hard copy of the report, but she will provide copies to anyone interested. Behl added they received some good recommendations from BJA and will work on the issues identified. Judge Reddy said that there are significant differences between the OWI and Drug Court participants, most notably age and the extent of the addictions.

#### Request for funding for Drug Court Team Training

Judge Reddy said the Drug Court Team will be attending training in Wisconsin Dells in March. He said the funds they have for the Drug Court Team aren't allowed to be used for direct reimbursement for meals, and his Team will be holding training sessions during meals. There is money through the Criminal Justice Coordinating Committee (CJCC) and the Victim Impact Panel (VIP) program. There will be 20 people attending training and requested to use one of the funding sources to pay for Team meals. There is a State rate meal program available, and he estimates the meals will cost approximately \$1,500. County Administrator Bretl the CJCC funds are in the Clerk of Courts budget and he has talked to Sheila Reiff about using some money for meals. The County's meal reimbursement rates would apply, he added. Judge Reddy said originally \$100,000 was allocated for the CJCC, and he estimated there is approximately \$25,000 remaining. He asked if the CJCC had to approve all fund expenditures, or if the Committee can set a limit on how much can be spent without committee approval. **Judge Koss made a motion, seconded by Travis Schwantes, that the CJCC authorize all expenditures for Drug and OWI Court over \$1,000. The motion carried. County Board Chair Russell made a motion, seconded by Professor Kozlowicz, to authorize the Drug Court Team to spend up to \$1,500 for meals in Wisconsin Dells in March. The motion carried.** Discussion ensued concerning the grant funding. The Treatment Alternatives and Diversion (TAD) Grant was awarded in calendar year 2014. However, the Walworth County Drug Court (WCDC) was effective July 1, 2014; therefore funding was utilized for a partial year, July through December, and most of that funding went to the Drug Court Clinician. Judge Koss said the VIP money is used principally for speakers, mileage and supplies for the OWI program.

Behl reported there are currently 15 enrollments in Drug Court. A third of the participants are in Phase II of the program. Judge Drettwan noted that several are going through her court and have announced they are in treatment and proud of their progress. Judge Reddy noted the need for transitional housing for a number of those in Drug Court, especially during Phase I of the program. District Attorney Necci said he was approached by an individual interested in buying some property for potential use as some type of transitional housing, but the location hasn't been determined. He also said the transitional housing would help participants stay clean by giving them a drug free environment while undergoing treatment. Behl said 30-50% of participants would benefit from transitional housing, as many of their problems are exacerbated by not having a stable environment conducive to their treatment. Judge Reddy said a detox facility is also needed, although he realizes that would be a huge expense. Director of Health and Human Services Elizabeth Aldred said they have a list of housing providers whom they could contact to see if they would consider taking residents with addictions. Carlo Nevicosi, HHS Behavioral Health/Crisis Intervention Manager, said there are normally eight persons in a group home, supported apartments would take two or three persons, and an adult family home would maybe only take one person. Behl said that 16 weeks (Phase I) would be an adequate term for transitional housing. Aldred estimated that transitional housing without added supervision might cost \$600/month per person. Schwantes said it would be difficult to prioritize who would be eligible for housing, adding that as soon as it was offered, the

vacancies would be filled. Committee consensus was to support research into funding for potential transitional housing. Necci said he would meet with Behl and Nevicosi, and provide Judge Reddy with follow-up information. **Judge Reddy directed that this item be placed on the next meeting agenda.**

- **EBDM – Judge Koss**

Judge Koss said the final process evaluation on the extent to which EBDM practices are being utilized by the County's criminal justice processing has been received from Dr. Gregory. Recommendations in the report include promoting the use of the PROXY risk assessment; creating a pre-trial release program; and creating an in-house transitional program at the Sheriff's Office. Koss said they are focusing now on bond setting, and they are using Colorado and Virginia's bond matrices as a guide. They are also considering using the Lauren and John Arnold Foundation's seven question risk assessment model. The final report is similar to the draft distributed in December. Behl can provide copies of the final report to anyone interested.

- **Juvenile Corrections – Judge Koss**

Judge Koss reported the sub-committee consisting of volunteer representatives from Health and Human Services, the District Attorney's Office, the Courts and Clerk of Courts Office, will have their inaugural meeting on February 25. He obtained a copy of the information Dr. Thompson distributed at the December meeting and also received materials from Etty Wilberding concerning juvenile placements. Judge Koss said they would give an update at the next CJCC meeting. Judge Reddy said proposed legislation is pending to change the age at which a person can be charged as an adult to 18 from 17 if it is a first time, non-violent offense. Judge Koss said it would have an adverse financial impact on counties if the legislation passes.

**New Business** –There was none.

**Confirmation of Next Meeting** – The next meeting was confirmed for Friday, April 10, 2015 at 11:30 p.m.

### **Adjournment**

**On motion by Sheriff Picknell, seconded by Judge Koss, the meeting was adjourned at 12:17 p.m.**

**Walworth County Board of Adjustment**  
**MINUTES**

February 11, 2015 - Hearing – 8:30 AM

February 12, 2015 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on February 11 & 12, 2015, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on February 11, 2015, were Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 1<sup>st</sup> Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on February 12, 2015, were Vice-Chair Gregory E. Guidry, Secretary Ann Seaver and 1<sup>st</sup> Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on February 11, 2015, and February 12, 2015, are kept on file as a matter of record.

The February 11, 2015, hearing was called to order by Acting-Chair Gregory E. Guidry at 8:30 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as printed. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the January 14 & 15, 2015, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 8:30 A.M. on Thursday, February 12, 2015. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The February 11, 2015, hearing went into recess at approximately 10:40 A.M.

On February 12, 2015, at 8:30 A.M., Acting-Chair Gregory E. Guidry called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as printed. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the March 11, 2015, hearing at 8:30 A.M. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The February 12, 2015, decision meeting adjourned at approximately 9:31 A.M.

Six variance hearings were scheduled and details of the February 11, 2015, hearings and the February 12, 2015, decisions are digitally recorded and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us).

**Old Business - none**

**New Business – Variance Petitions**

Hearing – Count #8:34:57 – 9:21:37 / Decision – Count #8:32:26 – 8:45:34

**The First Hearing was Scott B. & Angelique Kauffman, owners – Section(s) 36 – La Grange Township**

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth

County's Code of Ordinances – Shoreland Zoning to permit the location of a patio, retaining walls, pillars, grill & counter and play structure. The request for the play structure was withdrawn at the hearing.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 70.57' shore yard setback (average), retaining walls only where necessary for erosion and no structures within the shore yard setback.

**VARIANCE REQUEST:** The applicants are requesting a patio, pillars, grill & counter with an approximate 61' shore yard setback at the closest point, a retaining wall not necessary for erosion and a play structure in the shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a patio, retaining wall, pillars, grill & counter and play structure. **The request for the play structure was withdrawn at the hearing.**

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of Scott B. & Angelique Kauffman, owners, voted to **DENY** the request for everything that is closer than the shore yard setback (average 70.57') requirement including the pillars, grill & counter and a retaining wall not necessary for erosion, and voted to **APPROVE** the request for a patio as located on a Jeff Kimps survey dated October 8, 2013 (which was BOA packet #1-4).

**A motion was made by Gregory E. Guidry to deny the variance request. Seconded by Elizabeth Sukala. The motion and second were rescinded.**

**A motion was made by Gregory E. Guidry to deny the variance request allowing to keep the patio the way it was prior to purchase according to the 2013 survey (as it was in 1999) as shown on packet page 1-4 and to bring the property back to the way it is shown on packet page 1-4 for everything that is closer than the setback requirement. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found no unique property limitations not generally found on other neighboring properties rather than considerations personal to the property owner. The Board found to deny the variance requests and require removal of everything that exceeds the Jeff Kimps survey dated October 8, 2013 would cause no unnecessary hardship. The Board found to approve the variance requests for structures exceeding the patio on the October 8, 2013 survey would cause harm to public interests and set precedent. The Board found the owner erected and reconstructed the structures in the shore yard without County Zoning review and approval. There were letters of support from the Town of La Grange and two neighboring property owners. There were letters of opposition from the Walworth County Land Conservation Division and from the Wisconsin Department of Natural Resources. A neighboring property owner spoke in opposition.

Hearing – Count #9:21:56 – 9:33:46 / Decision – Count #8:45:35 – 8:49:53

**The Second Hearing was David P. & Alice Baer Hill, owners / James Hembrook, applicant – Section(s) 34 – La Grange Township**

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth

County's Code of Ordinances – Shoreland Zoning to construct a deck.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 74.4' shore yard setback (average).

**VARIANCE REQUEST:** The applicants are requesting an approximate 55' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of David P. & Alice Baer Hill, owners / James Hembrook, applicant, voted to **APPROVE** the request for an approximate 55' shore yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the steep slope to be a unique property limitation. The Board also found the navigable channel was an old platted access road that had been dredged to create the channel. The Board found to deny the variance request would cause unnecessary hardship as the existing deck is in need of repair and is only 3' wide. The Board found the variance request was not excessive. The Board found no harm to the public's interest and no detriment to navigable waters. There was no support. There was one letter of opposition from the Wisconsin Department of Natural Resources.

Hearing – Count #9:33:47 – 9:44:54 / Decision – Count #8:49:54 – 8:52:41

The Third Hearing was Shari E. Moder, Terry N. Troy, owners / Joe Kurtz, J K Construction Co. Inc., applicant – Section(s) 28– Geneva Township

Applicants are requesting a variance from Section(s) 74-163 / 74-178 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 24' x 24' accessory structure (garage).

**REQUIRED BY ORDINANCE:** The Ordinance requires a principal structure to be present or under construction prior to an accessory structure, a parcel with 50' of road frontage, a 25' street and rear yard setback, a 6.8' side yard setback and permits a total of 193 square feet of accessory structure on this parcel.

**VARIANCE REQUEST:** The applicants are requesting an accessory structure to be located on a vacant parcel with 42.9' of road frontage, an 11' street yard setback, a 10' rear yard setback, a 5' side yard setback and to permit a total of 576 square feet of accessory structure. The request is a variance from Section(s) 74-163 / 74-178 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a 24' x 24' accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of Shari E. Moder, Terry N. Troy, owners / Joe Kurtz, J K Construction Co. Inc., applicant, voted to **APPROVE** the request for an accessory structure to be located on a vacant parcel with 42.9' of road frontage, an 11' street yard setback, a 10' rear yard setback, a 5' side yard setback and to permit a total of 576 square

feet of accessory structure.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the property is unique as it is a vacated railroad right-of-way parcel. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would permit indoor storage of items improving the look of the neighborhood. The Board found to approve the variance request would not cause harm to navigable waters as a road and a residence lie between the proposed accessory structure and the lake. There were two letters of support from neighboring property owners. There was no opposition.

Hearing – Count #9:45:03 – 10:16:17 / Decision – Count #8:52:42 – 9:06:46

**The Fourth Hearing was Anthony J. McCallion, owner – Section(s) 25 – La Grange Township**

Applicant is requesting a variance from Section(s) 74-182 / 74-189(7) of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of an addition and to construct a deck / landing and stairs.

**REQUIRED BY ORDINANCE:** The Ordinance permits 400 square feet total addition, deck, landing and stairs and a 5' rear yard setback.

**VARIANCE REQUEST:** The applicant is requesting a 512.82 square foot total with decking / landing / stairs and a 4.3' rear yard setback. The request is a variance from Section(s) 74-182 / 74-189(7) of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of an addition and to construct a deck / landing and stairs.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of Anthony J. McCallion, owner, voted to **DENY** a 512.82 square foot total with deck / landing / stairs and voted to **APPROVE** a 4.3' rear yard setback .

**A motion was made by Gregory E. Guidry to approve the variance request for the 4.3' back corner. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**A motion was made by Gregory E. Guidry to deny the proposed front deck and approve a 3' x 3' landing with stairs. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

**A motion was made by Gregory E. Guidry to deny the (south) side deck and stairs and approve a 3' x 3' landing with stairs. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:**

**APPROVAL of a 4.3' rear yard setback:** The Board found unique property limitations in the small size of the lot. The Board found to approve the request would cause no harm to public interests as that setback has existed for some time. The Board found to deny the 4.3' rear yard

setback request and require removal of a portion of the unit would cause unnecessary hardship.

DENIAL of the east side (street) deck / landing / stairs: The Board found the lot to be too small in size to allow for approval of additional structures. The found to approve the request would cause harm to public interests. The Board found to permit a 3' x 3' landing and stairs only would facilitate the ease of ingress / egress and would allow the minimum size required by code.

DENIAL of the south side deck and two stairs: The Board found the size of the south side deck and two stairs to be excessive relative to the size of the property and not necessary for the use of the property. The Board found to deny the request and require the owner to remove the south side deck and two stairs and permit a 3' x 3' landing with one set of stairs would reduce the total square footage while allowing legal means of ingress / egress. The Board found to deny the variance request and bring back the deck to a 3' x 3' landing with one set of stairs would not cause unnecessary hardship. The Board found to approve the variance request would cause harm to public interests. There was one letter of support from the Town of La Grange. Comment was made by the campground manager. There was a letter of opposition from the attorney for Lauderdale Shores Condominium.

Hearing – Count #10:16:30 – 10:28:40 / Decision – Count #9:06:47 – 9:10:20

The Fifth Hearing was John P. O'Connor, owner / Michael O'Connor, O'Connor Building Corporation, applicant – Section(s) 21– Delavan Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a single-family residence and deck outside the envelope of an existing residence (previous variance 1-13-14).

**REQUIRED BY ORDINANCE:** The Ordinance requires a 75' shore yard setback for a residence and deck, a 5' side yard setback (substandard) and an 18.8' rear yard (established) setback for a residence.

**VARIANCE REQUEST:** The applicants are requesting a 52' shore yard setback for a deck, a 58.5' shore yard setback for a residence, a 3.1' and 3.0' side yard setback and a 13.7' rear yard setback for a residence. The request is a variance from Section(s) 74-167 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a single-family residence and deck outside the envelope of an existing residence (previous variance 1-13-14).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of John P. O'Connor, owner / Michael O'Connor, O'Connor Building Corporation, applicant, voted to **APPROVE** the request for a 52' shore yard setback for a deck, a 58.5' shore yard setback for a residence, a 3.1' and 3.0' side yard setback and a 13.7' rear yard setback for a residence.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found since the previous variance approval in January 2014, the owner has been working to finalize plans. The Board found the small lot sizes of the subdivision to be a unique property limitation. The Board found to deny

the variance request and require repair of the existing home would cause unnecessary hardship. The Board found the proposed residence will have a reduced width resulting in a more code compliant setback. The Board found to approve the variance request will provide additional parking which will benefit public interests. The Board found to approve the variance request would cause no harm to the public's interest in navigable waters as a road lies between the property and the lake. The project architect spoke in support. There was no opposition.

Hearing – Count #10:28:49 – 10:39:05 / Decision – Count #9:10:21 – 9:13:35

The Sixth Hearing was Adam J. & Jennifer L. Friemoth, owners / Johnson Sand & Gravel Inc., applicant – Section(s) 2 – Lafayette Township

Applicants are requesting a variance from Section(s) 74-56 of Walworth County's Code of Ordinances – Zoning to relocate a scale and scale house.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 100' setback.

**VARIANCE REQUEST:** The applicants are requesting an approximate 35' setback at the closest point. The request is a variance from Section(s) 74-56 of Walworth County's Code of Ordinances – Zoning to relocate a scale and scale house on lands zoned M-3.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of February 11 & 12, 2015, for the petition of Adam J. & Jennifer L. Friemoth, owners / Johnson Sand & Gravel Inc., applicant, voted to **APPROVE** the request for an approximate 35' set back at the closest point.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found to approve the variance request would cause no harm to public interests as the existing and proposed locations of the scale and scale house are on parcels owned within one family and used as a gravel pit. The Board found the parcel with the existing scale and scale house is being reclaimed. The Board found to approve the variance request would permit the relocation of the scale and scale house would expedite the reclamation. The Board found to approve the variance request would place the scale and scale house nearer to the future haul road. The Board found placement of the scale and scale house is temporary. The Board found to deny the variance request would cause unnecessary hardship. There was a letter of support from the Town of Lafayette. There were petitions of support from neighboring property owners. There was no opposition.

#### **Other**

A. Discussion / possible action on zoning permit survey requirements

The Board members received a copy of an excerpt of the Walworth County Zoning and Shoreland Zoning Ordinances Sec. 74-249: Foundation Survey Requirements. The Board members also received a spreadsheet listing some variances of the past year that had existing structures. After discussion, Acting-chair Gregory E. Guidry requested that the Zoning Division consider, when applicable, including a brightly colored page with issued zoning permits making owners aware that a foundation survey is required within 30 days

of backfilling.

- B. Discussion / possible action regarding possible ordinance amendment reducing ag building setback

The Board members received a copy of the January 19, 2015, packet each Township received from the Walworth County Zoning Agency regarding a possible ordinance amendment relative to setbacks for buildings associated with agricultural animals.

- C. Discussion / possible action on Township correspondence – none

### **Staff Reports**

- A. Court cases update - none

- B. Distribution of reports, handouts and correspondence

- 1. Board members were notified of the 2015 Lakeshore Landscaping Workshop to be held 8 AM – Noon on Tuesday, March 17, 2015, at the Walworth County Government Center. Registration is required.

### **Proposed discussion for next agenda**

The following items were requested to be put on the March 2015 agenda, if applicable:

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

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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





# DRAFT

**Walworth County Board of Supervisors  
February 10, 2015 Finance Committee Meeting Minutes  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Nancy Russell at 11:00 a.m.

Roll call was conducted. Members present included Chair Nancy Russell, Vice Chair Dan Kilkenny, Supervisors Joe Schaefer, Kathy Ingersoll and Paul Yvarra. A quorum was declared.

### **Others in Attendance**

County Board: Tim Brellenthin

County Staff: Deputy County Administrator-Finance Nicki Andersen; County Administrator David Bretl; Director of Central Services/Public Works Kevin Brunner; Lakeland Health Care Center Administrator Bernadette Janiszewski; Sheriff's Office Business Manager Amanda Lagle; Director of Health and Human Services Elizabeth Aldred; County Comptroller Jessica Conley; County Treasurer Val Etzel; Lisa Henke, Risk Benefits Manager; Colleen Lesniak, Volunteer Coordinator

Members of the public: Ed Yaeger and Dick Malmin

Chair Russell asked to hold consent item 8 A) 6) a), Public Works Budget Amendment PW07, for consideration at the end of the meeting. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the agenda as amended. The motion carried 5-0.**

**On motion by Supervisor Schaefer, seconded by Vice Chair Kilkenny, the December 18, 2014 meeting minutes were approved by voice vote.**

**Public Comment** – There was none.

### **Unfinished business**

- Discussion and possible action regarding status of Tax Incremental Financing (TIF) districts including City of Lake Geneva TIF District #4

Comptroller Jessica Conley informed the Committee if they wished to request the City of Lake Geneva to close TIF District #4, action should be taken at this meeting, because the City has to notify the State Department of Revenue by May 15 of its intent. Chair Russell said she had heard the City was in discussion with the State concerning moving a road in the City to run from the beachfront to Big Foot Beach State Park, and asked if that was included in the TIF plan. Conley said the project was not on the list and any proposed changes would have to go through the County. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to request the City of Lake Geneva to close TIF District #4. The motion carried 5-0.**

**Consent items** - Chair Russell asked that the following be considered separately: Item A) 6) Public Works, PW07 and PW011; and all of item B) Bids/Contracts. Supervisor Schaefer requested item A) 2), Coroner, CRN002, be discussed. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the remainder of the consent items:**

### **8A, Budget amendments**

#### *2014 budget amendments*

- **Clerk of Courts**
  - CT01 – Reallocate budget to cover revenue shortfalls in 2014
  - CT02 - Reallocate payroll budgets to reflect 2014 staffing

- **Health and Human Services - HS021** – Reflect Supplemental Nutrition Assistance Grant Program (SNAP) High Performance Bonus funds
  - **Human Resources - HR003** – Adjust budget to reflect workers comp claims for 2014
  - **Lakeland Health Care Center -LH003** – Reallocate payroll budgets due to staffing shortages in 2014
  - **Public Works**
    - PW012** – Transfer Local Roads Improvement Program (LRIP) funding from CTH O to CTH NN project
    - PW013** – Adjust budget for unanticipated overtime and comp payout due to severe winter conditions January-March 2014
  - **Sheriff**
    - SH007** – Adjust revenues in the Civil Process division to meet year-end estimates
    - SH008** – Increase budget for overtime/comp payouts due to vacancies in 2014
    - SH009** – Reflect actual year end revenues for Huber and Electronic Monitoring
  - **Treasurer - TR02** – Offset shortfall in fees to the Register of Deeds and special project expense
- 2015 budget amendments*
- **Health and Human Services**
    - HS003** – Eliminate Brighter Futures Initiative (BFI) grant funds in 2015
    - HS004** – Increase economic support services grant revenue to reflect final allocation of Affordable Care Act funding
- 8C, Reports**
- Quarterly delinquent property tax – 4<sup>th</sup> quarter 2014
  - Quarterly property loss report – 4<sup>th</sup> quarter 2014
  - Quarterly investment report – 4<sup>th</sup> quarter 2014
  - Out-of-state travel
- Health and Human Services** - Jackie Rupnik, Functional Family Therapy Supervisor Training, Whellington, FL

**The motion carried 5-0.**

8. A) 2014 Budget amendments

Coroner - CRNR002 – Transfer funds to reflect autopsy and medical examiner services through year end

Supervisor Schaefer said he was concerned the budget amendment was for additional funds for unnecessary equipment purchases. County Administrator Bretl said the amendment was to cover autopsy and medical examiner services provided through the end of 2014. Sales tax revenue is being used to cover the shortfall due to insufficient funds in the coroner's budget. The shortfall occurred due to the number of call-ins of deputy coroners during 2014, before the appointment of the interim coroner. Bretl noted he recently had a very positive meeting with area funeral directors and the new medical examiner. **Supervisor Ingersoll made a motion to approve budget amendment CRNR002, seconded by Supervisor Schaefer. The motion carried 5-0.**

PW011 – Reallocate 2014 revenue budget and reduce expense budget for state Routine Maintenance Agreement (RMA)

An account correction was made to this amendment prior to the meeting. **Supervisor Ingersoll made a motion, seconded by Vice Chair Kilkenny, to approve budget amendment PW011. The motion carried 5-0.**

8. B) 2014 Budget amendments

Investment advisor for other post-employment benefits (OPEB) funds for the Finance Department  
Deputy County Administrator-Finance Nicki Andersen said staff sent out Requests for Proposals (RFP) for the OPEB investment advisor and received three responses. Staff chose PFM Asset Management because of their business model; the next highest evaluated proposer would require the county to contract with fund managers individually. The third firm that submitted a proposal apparently didn't fully understand the requested scope of services. In addition, the County's contract for a third party custodian is coming due soon, and if PFM is selected, the County is eligible for discounts. The contract term is three years. **Supervisor Yvarra made a motion, seconded by Vice Chair Kilkenny, to approve the proposal award to PFM Asset Management, LLC, in the amount of \$253,875.00. The motion carried 5-0.**

Report of online sale(s) of tax foreclosure property

The report on the February 9, 2015 sale of county owned properties was included in the agenda packet. Treasurer Val Etzel reported most of the properties sold have transferred ownership. **Vice Chair Kilkenny offered a motion, seconded by Supervisor Yvarra, to accept the report of online sales of tax foreclosure properties. The motion carried 5-0.**

Discussion and possible action regarding establishment of minimum bids for unsold tax foreclosure properties

Etzel distributed the list of properties remaining to be sold with the proposed minimum bids for future sale. Discussion ensued concerning the tax, interest penalties, fees and special assessments. Etzel said she would ascertain why the fees are so high on the City of Elkhorn parcel. Etzel recommended the parcels in the Village of Bloomfield be offered to the adjacent owners for \$2,000 (MB 1700004C) and \$650 (parcels MPL 01246 and MPL 01812). **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to approve the proposed establishment of minimum bids for future sale of the unsold tax foreclosure properties. The motion carried 5-0.**

**New business**

- Discussion and possible action regarding proposed 2015 calendar for 2016 budget process  
Andersen said she reconciled the budget calendar with the County Clerk's Board meeting schedule. Bretl noted that due to Labor Day occurring later this year, September's schedule is changed somewhat from prior years. He added there will be adequate time between budget distribution and appeals to allow for Supervisors to review the preliminary budget. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the proposed 2015 calendar for the 2016 budget process. The motion carried 5-0.**

- Discussion and possible action regarding correspondence from Supervisor Richard Brandl regarding Town of Sharon Resolution #12-08-2014-02 Withhold Monies to Wisconsin River Rails Commission (referred by the County Board).

Bretl said Supervisor Brandl asked that he inform the Committee that the Town of Sharon has received a check from the Wisconsin River Rail Transit Commission for half the cost of closing the Peters Road Bridge and requested his correspondence be placed on file. **Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to place the correspondence from Supervisor Richard Brandl on file. The motion carried 5-0.**

- Resolution 67-02/15 Authorizing the Closing of CTH H, CTH M, CTH H (Lake Geneva) Roadwork Projects and CTH NN Culvert Project and Transferring Remaining Funds to the Road Construction Committed Fund Balance Account

Public Works Director Kevin Brunner said these projects came in \$522,579 under budget. Those funds will be returned to the capital project funds committed to road construction. Brunner said the City of Lake Geneva owes the County approximately \$36,000 for their share of the CTH H roadwork in Lake Geneva, but he doesn't anticipate any problems with the reimbursement. The road construction committed fund balance account is used only for capital roadwork and allocated as specific projects are designated. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve Resolution 67-02/15. The motion carried 5-0.**

- Ordinance 914-02/15 Creating Chapter 13 of the Walworth County Code of Ordinances Concerning Risk Management and Creating Sections, Thereof, Relative to Medical Coverage for Volunteers

Bretl said the proposed ordinance was distributed before the meeting. The ordinance creates Chapter 13 of the Code concerning risk management and establishes insurance coverage for volunteers for accidents arising as a result of a volunteer's service to a county program or department. The County has maintained limited coverage in the past, and there have only been a couple of claims. As the insurance provider's rates for renewal have risen by 40%, Andersen proposed the County establish its own reserves and insurance program. Section 13-21 of the ordinance establishes limits of coverage on accidental death and dismemberment (\$50,000), accidental medical expense benefit (\$25,000) and accidental medical expense coverage (Primary). The ordinance also authorizes a document to be developed to administer the plan and defines "volunteer" for purposes of coverage eligibility. **Vice Chair Kilkenny moved to approve Ordinance 914-02/15 with the change to Sec. 13-21, Medical expense coverage, item b) Accidental Medical Expense Coverage, from "Primary" to "Secondary." The motion was seconded by Supervisor Schaefer and carried 5-0.**

- Resolution 69-02/15 Authorizing the Commitment of \$250,000 in the Risk Management Fund to Establish Self-funded Medical Coverage for Volunteers

**Supervisor Ingersoll made a motion, seconded by Vice Chair Kilkenny, to approve Resolution 69-02/15 to commit \$250,000 to the risk management fund to establish self-funded medical coverage for volunteers. The motion carried 5-0.**

- Resolution 68-02/15 Repealing Resolution No. 12-04/13 Approving Financing of Project on Behalf of Geneva Ridge Senior Housing Foundation, LLC and Resolution No. 93-03/14 Approving Financing of Project on Behalf of Geneva Ridge Senior Housing, LP

Bretl said subsequent to the passage of Resolutions 12-04/13 and 93-03/14, Geneva Ridge notified the County of their intent to pursue alternate financing instead of bond funding. Bretl said the repeal is basically housekeeping for audit purposes, as no bonds are actually being issued. Vice Chair Kilkenny

recommended developing policy guidelines should the County consider approving such financing in the future. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to approve Resolution No. 68-02/15 repealing Resolution Nos. 12-04/13 and 93-03/14. The motion carried 5-0.**

- Discussion and possible action regarding list of approved brokers/dealers  
Andersen asked to add JP Morgan Chase to the authorized list of approved brokers/dealers. She said the County would like to increase US Treasury and municipal bond holdings and would like to add them as a primary dealer. **Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny to approve adding JP Morgan Chase to the 1-860-A list of approved brokers/dealers. The motion carried 5-0.**

- Public Works 2014 budget amendment PW07 – Reallocate DPW payroll budget to reflect actual staffing

Brunner explained that the purpose of the budget amendment is to utilize the supplemental winter storm funds in the amount of \$180,898 received from the State because of the severity of last year's winter and to reallocate budget estimates to the proper accounts/orgs where the work was performed, such as labor, equipment, shop overhead, etc. The amendment also records use of labor hours for the in-kind match for the White River County Park improvement grant. Brunner reported that the State of Wisconsin Department of Transportation performance based maintenance pilot projects completed by the Public Works crew generated net revenue of \$190,000, which was beyond initial expectations. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to approve Public Works 2014 budget amendment PW007. The motion carried 5-0.**

**Correspondence** – There was none.

**Confirmation of next meeting date and time.** There will be no regular February meeting. The next meeting date was confirmed for Thursday, March 19, 2015 at 9:30 a.m.

### **Adjournment**

**On motion by Vice Chair Kilkenny, seconded by Supervisor Schaefer, the meeting was adjourned at 12:02 p.m.**

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Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, FEBRUARY 7, 2015, 9:15 AM  
LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (chair ,2015), Ted Slupik ( treas, 2015) by phone, Marcia Sahag ( sec, 2016), Peter Schuler (2016) by phone, Ryan Mertes (2017), Bob Arnold (County), Don Sukala (Town)

Absent:

Public Attendance: Rick Callaway, Tomm Girman, James Duquette (SKKL&D attorneys at law), Floyd Pochowski, Beverly Saunders, SEWRPC

Initial phone connection difficulties.

1. Approval of Agenda: Motion to approve the Agenda (Bob/Don). Carried unanimously.
2. Aquatic Plant Management Plan Update presentation by Beverly Saunders, Senior Specialist-Biologist, Southeastern Wisconsin Regional Planning Commission (SEWRPC), and discussion: Beverly reported on the progress and eventual content of the Aquatic Plant Management Plan Update and distributed copies of the preliminary draft of the aquatic plant portion. A PDF will be sent to the board. In April the board will receive a draft of the final plan that Beverly will present at the May 2, 2015, board meeting. The final draft will also be submitted to the DNR. The final report will be submitted to the DNR and board by the end of June.
3. Approval of prior Board Minutes: Motion to approve the minutes of 11/1/14 (Ryan/Don). In conjunction with Minutes item 10, Ted discussed deferring the development of a conflict of interest policy until after receiving guidance from the District's attorney, Russ Devitt, on adopting a policy and on its content. Dave will consult Russ on adopting a conflict of interest policy. There were no changes to the Minutes or additional comments. The motion carried unanimously. Motion to approve the Minutes of 11/15/14 (Ryan/Peter). Carried unanimously.
4. Treasurers Report: The balances in the People's Bank accounts as of 12/31/14 are:

Checking	\$37,476.30
Money Market	\$43,431.80
Grant Fund	\$16,563.85
Total	\$97,471.95

Motion to approve the Treasurer's report (Ryan/Bob). In discussion Dave requested that Board members receive a spreadsheet comparing actual expenses to the Budget items a couple of weeks prior to board meetings. Ted agreed. The motion carried unanimously.
5. POA Report: Peter reported that there was no POA board meeting. Last year the DNR stocked 526 walleye and the District stocked 1100 5"to 7" perch.
6. Approval of Conflict of Interest Policy: This topic was deferred to the May board meeting as discussed under Agenda item #3.
7. Weed Control Report and treatment proposal for 2015: Lake and Pond Solutions letter of 1/7/15 was discussed. The extent of needed weed treatment is difficult to determine ahead of time. The estimates are within the budget. Motion to accept the Lake and

Pond Solutions' proposal for aquatic plant treatment for 2015 (Marcia/Ryan). There was discussion that it is not an actual proposal. The motion and second were withdrawn by Marcia and Ryan. Motion to accept Lake and Pond Solutions as applicator for aquatic invasive plant treatment for 2015 (Marcia/Ryan). Carried unanimously.

8. RA Smith Invoice for grant and other items:

- a. Letter and Invoice from RA Smith: Dave reviewed the RA Smith letter of 1/12/15 and invoice # 116722 dated 1/13/15. The total invoice is \$14,059.56. Non-grant extra items total \$4184.31. Grant items total \$9875.25. The total of grant related invoices pertaining to drain improvement, including the \$9875.25, is \$18,584.03. This is \$1,984.03 over the budgeted amount of \$16,600.00. The cost of gauges will be less than the budgeted \$6,000.00. Heidi Bunk of the DNR has authorized shifting grant funds from the gauges portion of the grant to the drain improvement portion to cover the overage.
- b. 2014 Budget adjustments and Exhibits 1-5: Ted explained the District operates on the Calendar year and on the cash basis as opposed to an accrual basis. Expenses are charged to the budget when the bill is received rather than the period of time it applies to. The positive balance from the 2014 budget of \$5,180.86 can be put into capital reserves and the invoice costs for the extra expense items paid out of it. The District electors need to approve a motion at the annual meeting to put the balance of \$5,180.86 into reserves. The same was done at the annual meeting in 2014 for the 2013 budget balance. Motion to approve the payment of the extras cost of \$4184.03 (Marcia/Don). Carried unanimously.

9. RA Smith proposal for construction oversight

- a. RA Smith letter of proposal: Dave reviewed the RA Smith proposal for construction oversight for from \$4600 to \$6925 and their cost justification based on DNR and County requirements. There were concerns: is this a new contract and can the board enter into it; does it require bids or is it Professional Services; and the expense was not budgeted. At the 2014 Annual Meeting, the electors adopted the Resolution Authorizing Project Spending, "The Board of Commissioners of the Pleasant Lake Protection & Rehabilitation District has the authority to approve or disapprove projects having a total cost to the PLPRD not to exceed \$5000 for all projects and to enter into contracts accordingly".
- b. 2015 Budget adjustments and Exhibits 6-7: Before this can be addressed, clarification is needed on the concerns. Ted will get an outline the concerns to Dave to get clarification from Russ, and Dave will talk to RA Smith regarding reducing the oversight cost. The Board will meet again on Saturday, February 21, 2015, at 1:00 pm.

10. Approval of construction contract with RA Smith, GMS Construction and the PLPRD: Marcia distributed and reviewed Russ Devitt's letter regarding the contract. RA Smith is working on resolving the date on the Certificate of Insurance covering the time of the contract. RA Smith is working on resolving the dates on the bonds being consistent with the agreement. Russ has signed the contracts. Motion to approve the construction

contract with RA Smith and GMS Excavators and the PLPRD (Dave/Peter). Carried unanimously.

11. Goose Control Report: We have the permit for the goose roundup but there have not been enough geese to warrant it. We have the permit for nest egg depredation and need volunteers for egg oiling.
12. Discussion of 2016 Budget: The board will have a preliminary 2016 budget to review at the May 2 board meeting.
13. Report on SKKL&D, Bay residents' attorney, communications and requests: Copies were sent with the agenda to keep the board informed.
14. Schedule of meeting dates: Next board meetings are Saturday, February 21, 2015, at 1:00 pm; Saturday May 2, 2015, at 9:00 am; Saturday June 27, 2015, at 9:00 am; and the Annual Meeting on Saturday August 22, 2015. Times for the District and POA meetings will be worked out.
15. Establishing future agendas: Approval of audit committee members.
16. Motion to Adjourn at 10:43 am (Ted/Dave). Carried unanimously.

Respectfully submitted,  
Marcia Sahag, secretary  
PLPRD

**DRAFT Walworth County Aging & Disability Resource Center Governing Board  
February 2, 2015 Meeting Minutes  
Walworth County Health and Human Services Center  
W4051 County Road NN, Elkhorn, WI 53121**

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The meeting was called to order at 9:02 a.m. by Chair LaVerne Duncan.

Roll call was conducted. Members present included Chair LaVerne Duncan, Vice Chair David Jordan, Governing Board Members Janet Kelly, Mary Polachowski and Penny Scheuerman. A quorum was declared.

**Staff in Attendance:** Lori Muzatko, ADRC Director; Jennifer Selz, ADRC Supervisor; Becky Bechtel, Recording Secretary; Nicole Hill, County Clerk's Office

**Chair Duncan asked to amend the agenda to add discussion/action concerning policy for meeting cancellations. Vice Chair Jordan made a motion, seconded by Board Member Polachowski, to approve the agenda with the requested amendment. The motion carried 5-0.**

**On motion by Board Member Kelly, seconded by Board Member Scheuerman, the December 1, 2014 meeting minutes were approved by voice vote.**

**Public Comment** – There was none.

**Unfinished Business**

- 2015 Aging Plan Budget & Amendments Approval

ADRC Director Lori Muzatko said the Aging Plan Budget presented at a prior meeting was submitted to Greater Wisconsin Aging Agency Resources (GWAAR) and was approved. Two goals were added to the Plan: investigate hiring a dementia care specialist and staff completing Federal Emergency Management Agency (FEMA) training for emergency preparedness. Muzatko and two of the ADRC/Aging supervisors completed Incident Command System 300 Training two weeks ago.

- Letter of Support of 85.21 Elder/Disabled Transportation

Chair Duncan said she sent a letter from the ADRC Governing Board to County Administrator Bretl supporting the 2015 application for State aid for elderly and disabled transportation under sec. 85.21 of the Wisconsin Statutes.

**New Business**

- 2014 ADRC Status Report

ADRC Supervisor Jennifer Selz summarized the status report included in the agenda packet. In 2014 there were 162 enrollments, 126 in Family Care and 36 in IRIS (Include, Respect, I Self-Direct). Selz summarized the enrollment types, which include nursing home relocations, county transfers, Children's Long Term Support (CLTS) waivers and program transfers. There were 26 nursing home relocations, which is higher than the Department's goal of 22 per year. Often people are initially seeking financial and functional options and want to determine their eligibility, and then they elect to wait until they need services. There were five CLTS waivers. CLTS is currently serving 75 children, from birth to age 18. Services provided by CLTS include intellectual, physical and mental health disabilities. Mental health services don't transfer into long-term care. Selz included the 2013 Family Care and IRIS census figures. Enrollments have remained stable.

Selz reported in 2014 4,752 cold calls were received for information and assistance; of those, most of the calls were concerning elder and public benefits and unmet services.

- **Board Terms and Recruitment**

Muzatko included the ADRC Governing Board terms in the packets. Board terms are generally three years, and members can serve two three-year terms. She noted that Board Member Kelly's term expires in June and she will be eligible to reapply. Muzatko is actively recruiting to replace Ryan Keller, who resigned from the Board in October, 2014. She has placed ads in the ADRC newsletter and received one response, but the person didn't meet the intellectual disability criteria. The Board member could also be a representative of the target population. Chair Duncan suggested putting the notice in the VIP newsletter.

- **Discussion/action concerning meeting cancellation policy**

Chair Duncan requested the Board develop a policy for cancelling meetings in case of emergencies and inclement weather. Muzatko asked members how they would prefer to be notified when a meeting is cancelled. Discussion ensued, and consensus was that Muzatko and/or ADRC staff would notify Board members of a cancelled meeting via email or telephone (if the member has no computer access) the night before the scheduled event, or as soon as possible as circumstances dictate.

### **Reports**

- **GWAAR Board of Directors Meeting Minutes – October 31, 2014**

The minutes were included in the agenda packet. Muzatko reported that the Board has successfully recruited new members.

**Confirmation of Next Meeting.** The next meeting was confirmed for Monday, March 2, 2015 at 9:00 a.m.

### **Adjournment**

**On motion by Board Member Scheuerman, seconded by Board Member Kelly, the meeting adjourned at 9:34 a.m.**

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Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.

**Walworth County Board of Supervisors**  
**February 2, 2015 Transportation Coordinating Committee Meeting Minutes**  
**Walworth County Government Center, County Board Room 114**  
**100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Vice Chair Kerwin at 1:33 p.m.

Roll call was conducted. Members present included Vice Chair Andrew Kerwin, Ken Monroe-Health and Human Services (HHS) Board Chair, Lori Muzatko-ADRC Director, Citizen Members James Davis, Jerry Grant, Jeni Hallatt, Susan Leffelman and Cynthia Simonsen. Chair Nancy Russell and Citizen Member Kenneth Sathern were excused. A quorum was declared.

**Others in Attendance**

County Staff: David Bretl, County Administrator; Deputy County Administrator-Finance Nicki Andersen; Finance Manager Stacie Johnson; Accountant Todd Paprocki  
Members of the public: Sara Nichols and Eric Russow

**On motion by HHS Board Chair Monroe, seconded by Citizen Member Davis, the agenda was approved by voice vote with no withdrawals.**

**On motion by Citizen Member Hallatt, seconded by ADRC Director Muzatko, the December 1, 2014 meeting minutes were approved by voice vote.**

**Public Comment** – Sarah Nichols, 797 E. Geneva Street, Elkhorn, WI, Director of Open Arms Free Clinic, said the majority of the patients served at the clinic are poor, sick and travel a great distance for care. She said poverty is also a disability and asked the Committee to consider that when developing the plan for expanded transportation services.

**Old Business**

- Update on RFP for transportation consultant  
County Administrator Bretl asked that this item be considered after agenda item 8 c).

- Update regarding sec. 85.21 grant application  
Bretl said the process for the 2015 grant application differs from last year. His office drafted the application, with assistance from Lori Muzatko, and it has been submitted electronically. The application has been received, but not yet approved. Because we contract with VIP for transportation services which include HHS Department clients, the 2014 contract needed revision to appropriately account for funds. In 2014, VIP Services received a lump sum payment of the grant funds, but from an audit standpoint, there wasn't clear proof that the grant funds were spent solely on transportation for the elderly and disabled. Therefore, the 2015 contract with VIP Services was renegotiated and modified, a copy of which was included in the meeting agenda packet. The grant money will be paid to the County and VIP will be paid when they submit invoices. Because of the change in payment, VIP changed their rate schedule. Bretl distributed the new rate schedule. The 2015 contract term is one year and because the rates have changed, Bretl didn't think it was prudent to enter into a multi-year contract. Bretl gave a brief explanation of the rate changes and said the Finance Department was working with VIP on the appropriate accounting and payments. He noted that any Sec. 85.21 monies not spent can be carried forward. The grant is for \$230,000, and Bretl reminded the Committee that an additional \$100,000 has been included in this year's budget for transportation, which can be used for expanded service provision. Vice Chair Kerwin asked if VIP Services could provide the formula used in calculating the rates. VIP Services Executive Director Cynthia Simonsen said because VIP had been performing the services for only nine months, they had to

use that limited history to estimate the number of round trips, destinations, etc. Bretl said it would be helpful if VIP Services would be willing to clarify the rate setting calculation for the Committee. Simonsen noted that by contracting with VIP for the transportation services rather than doing it in-house, the County saved \$100,000.

### **New Business**

- **Report on 2014 Ridership**

Lori Muzatko developed a pie chart of the transports provided to Walworth County from April through December 2014. The total number of riders was 6,678. The senior/disabled transports accounted for 49% of the total, and Lakeland Health Care Center riders were 8%. The other transports for HHS were broken down by program. The projection for 2014 was 10,000 riders. So, the 2014 figure, using the nine month average would have been 8,904. Muzatko said perhaps ridership was down because the transportation office was formerly at HHS and it was convenient for case managers to walk downstairs and request service. The numbers are increasing, Muzatko said. Older adults and disabled use the transport more in the winter months, and ridership January through March wasn't included in last year's totals.

- **Ideas for the expansion of transportation service**

Bretl said this item was discussed at the last meeting, and subsequently he had an opportunity to talk to Ms. Simonsen about their need to have the types of rides and services defined precisely, as VIP has to administer the program. Bretl said if the County chooses to expand services, perhaps other vendors would be better suited to provide other types of transport. Citizen Member Hallatt said a couple of questions that need to be answered are what opportunities have been provided based upon identified need; and are we addressing other segments of the population who need services, i.e. those in poverty needing transport for health care. Citizen Member Jerry Grant said it would be helpful to find out how many people requesting services have been denied. Simonsen said VIP hasn't refused anyone; however, some of the service requests have been outside the contract parameters and would be charged as private pay. One of the issues Simonsen has identified is the gap in service when individuals are discharged from a hospital and need transportation to a rehabilitation facility; currently, that is a private pay situation. Citizen Member Davis said he experienced a problem when he had scheduled surgery and the day before the procedure the hospital called him and informed him he couldn't drive afterwards. He couldn't get a ride from VIP because he couldn't give them 24-hour advance notice. Vice Chair Kerwin said perhaps a volunteer driver program could be resurrected. He suggested the committee talk to assisted living and nursing home facilities to see how they handle transportation of their residents. Kerwin said that Washington County will be presenting their program at the April committee meeting. Hallatt suggested investigating partnering with other organizations. Muzatko said it would be helpful to review the definition of Sec. 85.21 and then determine what other types of transport the County may want to consider outside of those covered by the grant. Hallatt recommended conducting an assessment based upon needs identified within the community. Once the information is gathered, the Committee can prioritize the needs and develop an action plan. Sara Nichols said Community Action of Rock/Walworth Counties completed a needs assessment and it is posted on their website for review.

- **Discussion and possible action regarding 2014 and 2015 specialized transportation contracts with VIP Services Inc.**

Bretl said this item was covered in relation to the Sec. 85.21 application discussion. He said discussion needs to be held by the Committee concerning the 2016 contract within the next couple of months.

Simonsen said that would help her in terms of long-term investments in equipment and whether or not the contract term would be for one or multiple years.

- Update on RFP for Transportation Consultant

Bretl distributed the list of tasks for the prospective consultant previously identified by the Committee. Vice Chair Kerwin asked that item 7) "Design, conduct and analyze a community transportation needs study and provide the results for the community," be modified to state that the consultant would "coordinate" rather than "design" the study. Bretl said he would send out the Request for Proposals this week.

### **Reports**

Bretl had no reports this month; however, he said he would be providing standard monthly reports on ridership, costs, etc.

**Correspondence** – There was none.

**Announcements** – There were none.

**Confirmation of Next Meeting.** The next meeting was confirmed for Monday, March 2, 2015 at 1:30 p.m.

### **Adjournment**

**On motion by HHS Board Chair Monroe, seconded by Citizen Member Davis, the meeting adjourned at 2:30 p.m.**

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Submitted by Becky Bechtel. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

# HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

## BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/25/13)  
JUDITH CORRELL: SECRETARY; (re-elected for 3-year term, 8/24/14)  
JOE KOLOSSO: TREASURER; (appointed 1/1/14 for bal. of 3-year term, expires 2015)  
MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE  
DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011  
ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION THRU 5/1/16.

## Jan. 20, 2015, MONTHLY MEETING

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

Also in attendance: "Curt" representing Robert Kordus of Asphalt Contractors, Inc.; plus Chris Bennett of the Rochester Board of Trustees; plus two Honey Lake residents

Meeting was called to order at 7:03 p.m by Chairman Lutz.

Secretary Correl read the minutes of the December 16, 2014 meeting which were subsequently approved. Treasurer Kolosso read the December, 2014 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

### Old Business:

Chairman Lutz indicated that the increased "Workman's Compensation" referenced in last month's report has been formally incorporated.

No icing issues evident around the dam

Ref: report of County Line Blvd. In last month's report: Extensive discussion held with "Curt" representative of Asphalt Contractors, Inc. relative to what was done incorrectly in the road work and what now has to be done to correct. Curt acknowledged some work was done incorrectly resulting in a low spot leaving puddles of water in front of residences on the west side of the road. It seems that this boiled down to poor communications between Asphalt Contractors, Jim Johnson, and the Lake District. Resolved that a special District Board meeting will be called in the Spring, together with a rep of Asphalt Contractors to discuss what will be done to correct and when, plus resolving some questions relative to the quoted costs and payment. (ref: 1/7/15 letter and May 14, 2014 quote and revised quote attached.)

That portion of Honey Lake District west of Hwy "DD" was plotted with lots and streets, many of which have never been put in, built on, or "improved". (One property, for instance, was purchased back in the late-30's or early 40's by an out-of-State individual, who may or may not still be alive. Some time ago, she told a resident of this area that her property had a wonderful view of the Lake. (can't be seen) That resident asked if she had ever been to her property, and she admitted she had not.) Two residents were in attendance at this meeting expressing their interest in purchasing property abutting their own, designated as streets but which were never "improved" or actually put in. (This is something which the Board has done previously) Since their issue had not been placed on the night's agenda, no action could be legally taken at that time. Chairman Lutz indicated that he would discuss with our attorney report back later.

**Chris Bennett, member of the Rochester Board of Trustees, spoke, indicating that he is running (with opposition) for the position of President of the Board, giving his positions and qualifications.**

**Treasurer Kolosso read the bills ready for payment, with a payment motion made/seconded.**

**With no further items to address, a motion was made & seconded to adjourn at 8:00 p.m.**

**Respectfully submitted,**



**Robert E. McIndoe 01/22/15**

JAN 23 2015

# **HONEY LAKE**

P.O. Box 565

Protection and  
Rehabilitation District

Burlington, WI 53105



COMMISSIONER'S MEETING  
ROCHESTER VILLAGE HALL  
300 W.SPRING ST.  
January 20, 2015 @ 7:00 P.M.

## **AGENDA**

Call the Meeting to Order

Secretary's Report: December 16, 2014

Treasurer's Report: December 2014

## **OLD BUSINESS**

1. Reports
2. Lake Project
3. Asphalt Contractors, Inc. – Regarding County Line Blvd.

## **NEW BUSINESS**

1. Monthly Bills

## **ADJOURN**

JAN 20 2015

# **HONEY LAKE**

**Protection and  
Rehabilitation District**

**P.O. Box 565**

**Burlington, WI 53105**



Commissioner's Meeting

Dec. 16, 2014

Chairman Lutz called the meeting to order at 7 P. M. at the Rochester Village Hall. Commissioner's present were John Lutz, Judith Correll, Joseph Kolosso, Robert McIndoe, Donald Trimberger and Michael Weinkauff.

The minutes of the Nov. 18, 2014 meeting were read. Under old business it was stated that he would get someone to move the picnic tables inside the fence around the shed. Should have read Chairman Lutz will get someone to move the tables. A correction in the spelling of Tonya Lourigan should have been Tanya Lourigan. A motion to approve the minutes with the corrections was made by Michael Weinkauff, seconded by Donald Trimberger and carried.

The treasurer's report was read, copy attached. A motion to approve the report was made by Michael Weinkauff, seconded by Robert McIndoe and carried.

## **OLD BUSINESS**

Tanya Lourigan with the DNR sent an e-mail stating that all of the items on the dam inspection report have been done.

Jeff Johnson had his crew raise the boards on the dam. His crew also moved the picnic tables inside the fence around the shed.

Donald Trimberger checked on the trailer parked on Viewcrest Terrace and the pile of gravel. Both have been moved.

JAN 28 2015

County Line Blvd. has been paved but not according to the contract. They were suppose to grind the top surface off, grate it and pave the road with it having a pitch to the east side so it would not create a puddle in front of the houses on the west side. However, the road was crowned instead of pitched so there is a puddle in front of the houses on the west. Discussion took place about a possible breach of contract. Chairman Lutz will contact Jeff Johnson with regard to this matter.

NEW BUSINESS

We received the cost summary from the Horton Group Insurance Co. There is an alternate workers compensation from \$100,000.00/\$500,000.00/\$100,000.00 to \$500,000.00/\$500,000.00/\$500,000.00 for an additional \$75.00. A vote was taken to increase the Worker's Compensation from \$903.00 to \$978.00.

Discussion took place regarding possibly putting a weight limit on the roads for trucks because of the size of the roads and the trucks the blacktop on the edges is breaking out.

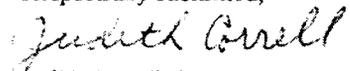
BILLS SUBMITTED AS FOLLOWS:

Comm. Comp.	John Lutz	\$200.00
“ “	Judith Correll	\$175.00
“ “	Joseph Kolosso	\$175.00
“ “	Donald Trimberger	\$ 25.00
“ “	Michael Weinkauf	\$ 25.00

A motion to approve the bills was made by Donald Trimberger, seconded by Michael Weinkauf and carried.

A motion to adjourn, subject to recall, was made by Michael Weinkauf, seconded by Donald Trimberger and carried at 7:50 P.M.

Respectfully submitted,

  
Judith Correll, Secretary

HLRPD

11/23/14

**Honey Lake Protection & Rehabilitation District**  
**Treasurers Report**  
**December 2014**

Joseph Kolosso

Treasurer

11/23/14

**Honey Lake Protection and Rehabilitation District**  
**Regular Checking-December 2014-For Fiscal Year 2014-2015**

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Category</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
12/1/2014			Starting Balance			\$14,555.71
12/1/2014	4250	Snow Solutions LLS Snow Plowing Contract 8 of 18	Roads	\$3,200.00		\$11,355.71
12/16/2014	4251	John Lutz	Commissioners Compensation	\$200.00		\$11,155.71
12/16/2014	4252	Judith Correll	Commissioners Compensation	\$175.00		\$10,980.71
12/16/2014	4253	Joseph Kolosso	Commissioners Compensation	\$175.00		\$10,805.71
12/16/2014	4254	Donald Trimberger	Commissioners Compensation	\$25.00		\$10,780.71
12/16/2014	4255	Mike Weinkauf	Commissioners Compensation	\$25.00		\$10,755.71
12/31/2014	Deposit	Chase Bank-Interest	Interest		\$0.10	\$10,755.81
12/31/2014			Ending Balance			<u>\$10,755.81</u>

0142015

**Honey Lake Protection and Rehabilitation District**  
**Payroll Checking-December 2014-For Fiscal Year 2014-2015**

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
12/1/2014		Starting Balance			\$6,168.33
12/9/2014	1275	Kenneth Moser	\$27.70		\$6,140.63
12/10/2014	1276	Derek Koenig	\$73.88		\$6,066.75
12/31/2014	Deposit	Chase Bank-Interest		\$0.05	\$6,066.80
12/31/2014		Ending Balance			<u><u>\$6,066.80</u></u>

**Honey Lake Protection and Rehabilitation District**  
**Non-Lapsing Fund-December 2014-For Fiscal Year 2014-2015**

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
12/1/2014		Starting Balance			\$67,696.02
12/31/2014	Deposit	Chase Bank-Interest		\$0.60	\$67,696.62
12/31/2014		Ending Balance			<u><u>\$67,696.62</u></u>

12/31/14

# HONEY LAKE

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



January 7, 2015

Asphalt Contractors Inc.  
710 Vine Street  
Union Grove WI. 53182

Attention Robert Kordus,

The HONEY LAKE PROTECTION & REHABILITATION DISTRICT, here-in-after called the District, requests your attendance at a meeting of the District board of commissioners on January 20, 2015 at 7:00 P.M. in the Rochester village hall in Rochester WI.

The issue to be discussed is the lack of compliance with the terms of the contract agreed to for the repairs of the roadway known as County Line Blvd, owned by the District, for the sum of \$18,697.00.

It is our intent that this issue can be discussed and resolved in an amicable and timely measure.

Sincerely,

HONEY LAKE PROTECTION & REHABILITATION DISTRICT

John W. Lutz - chairman

cc: HLP&RD commissioners  
Jeff Johnson – Custom Grading Inc.

1/20/15

Office:  
925 Church Street  
Union Grove, WI 53182

## Asphalt Contractors, Inc.

Sealing – Paving – Striping – Grading  
(262) 878-4678 Fax (262) 878-5411  
asphaltinc.com

All Mail to:  
710 Vine Street  
Union Grove, WI 53182

Date: May 21, 2014  
Proposal submitted to:  
Mr. Jeff Johnson  
Custom Grading  
3315 Academy Rd.  
Burlington, WI 53105

Work to be performed at:  
Honey Lake Home Owners Association  
P&R DISTRICT County Line Blvd.  
300'x21'

We are pleased to quote the following:

County Line Blvd. App. 300' x 21'. Extending from the South Line of Cty DD 300' South.

Asphalt Paving App. 10,832 SF including:

- Mill/Remove the existing surface @ 4".
- Fine grade, shape and compact the existing base.
- Place and compact a 2 1/2" base course asphalt.
- Place and compact a 1 1/2" surface course asphalt.

App. 6,300.SF

Bid: \$ 18,697.00

Note: This proposal may be withdrawn if not accepted within 30 days.

Terms of Payment: Due upon completion, a service charge of 1 1/2% per month will be charged on all accounts 10 days past due.

As Required by the Wisconsin Construction Lien Law, Builder (Contractor) hereby notifies owner that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings if not paid. If acceptance of this proposal is made on other than this form, such acceptance shall be subject to terms and conditions herein.

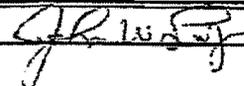
Thank you for the opportunity to quote you on this project. Respectfully submitted.

Robert Kordus

By: \_\_\_\_\_

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to the work as specified. Payment

Signature: \_\_\_\_\_



Office:  
925 Church Street  
Union Grove, WI 53182

# Asphalt Contractors, Inc.

Sealing - Paving - Striping - Grading  
(262) 878-4678 Fax (262) 878-5411  
asphaltinc.com

All Mail to:  
710 Vine Street  
Union Grove, WI 53182

Date: May 21, 2014

Proposal submitted to:

Mr. John Lutz  
Honey Lake ~~Home Owners Association~~ DISTRICT  
N6236 W. Lakeshore Dr.  
Burlington, WI 53105  
762-534-2472

#14348

Work to be performed at:

Honey Lake ~~Home Owners Association~~ PROTECTION + REHABILITATION DISTRICT  
County Line Blvd.  
300'x21'

We are pleased to quote the following:

CTD: 31066

County Line Blvd. App. 300' x 21'. Extending from the South Line of Cty DD 300' South.

Asphalt Paving App. 6,300 SF including:

- Mill/Remove butt joints from the existing surface @ 4".
- Sweep, clean and tack coat the existing surface.
- Place and compact a 2 1/2" base course asphalt.
- Place and compact a 1 1/2" surface course asphalt.

Completed 10/11/14

LAND ON GREEN TO BKTS ON DESK 9-18-14

App. 6,300.SF

Bid: \$ 18,697.00

NEED TO BE DONE  
ON THE ROADWAY  
LAYERS  
THAT

Note: This proposal may be withdrawn if not accepted within 30 days.

Terms of Payment: Due upon completion, a service charge of 1 1/2% per month will be charged on all accounts 10 days past due.

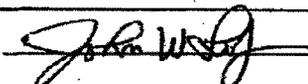
As Required by the Wisconsin Construction Lien Law, Builder (Contractor) hereby notifies owner that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings if not paid. If acceptance of this proposal is made on other than this form, such acceptance shall be subject to terms and conditions herein.

Thank you for the opportunity to quote you on this project. Respectfully submitted.

Robert Kordus

By:

Signature:



Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby

**WRRTC EXECUTIVE COMMITTEE JANUARY 2015 ADOPTED MEETING MINUTES**

**WISCONSIN RIVER RAIL TRANSIT COMMISSION  
EXECUTIVE COMMITTEE MEETING - FRIDAY, JANUARY 9<sup>TH</sup>, 2015 @ 10AM  
DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI**

**1. 10:01 AM**      **Call to Order** – *Alan Sweeney, Chair*

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

Crawford	Tom Cornford, (2nd Vice Chair XComm)	x	Rock	Ben Coopman, Alternate	
	Rocky Rocksford			Wayne Gustina	x
				Alan Sweeney, Chair	x
				Terry Thomas	
Dane	Gene Gray, (Treasurer X-Comm)	x	Sauk	Marty Krueger, Alternate	
	Jim Haefs-Fleming	x		George Johnson	
	Chris James, Vice Secretary (XComm)	excused		John Miller, Vice Treasurer (XComm)	x
				Dave Riek	
Grant	Gary Ranum	x	Walworth	Jerry Grant	
	Vern Lewison	excused		Richard Kuhnke, 2 <sup>nd</sup> Vice Treasurer (XComm)	excused
	Robert Scallon, 1 <sup>st</sup> Vice Chair (XComm)	x		Allan Polyock	
Iowa	Charles Anderson, Secretary (XComm)	excused	Waukesha	Karl Nilson, 4 <sup>th</sup> Vice Chair (XComm)	x
	William G Ladewig			Dick Mace	
	Jack Demby			Vacant	
Jefferson	John David				
	Laura Payne - substituting for A. Tietz	x			
	Augie Tietz (3 <sup>rd</sup> Vice Chair XComm)	excused			

Commission met quorum.

Alan Sweeney asked the ATC personnel and Mike Huepphen of Electrical Consultants, Inc. to introduce themselves.

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

<ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administrator</li> <li>• Ken Lucht, WSOR</li> <li>• Dave Simons, Kim Tollers, Roger Larson, WDOT</li> <li>• Danielle Zimmerman, Rep. Laudenbeck's Office</li> </ul>	<ul style="list-style-type: none"> <li>• Forrest Van Schwartz, Consultant</li> <li>• Jim Matzinger</li> <li>• Julie Purves, Mark Sanzenbacher ATC, Mike Huepphen, Electrical Consultants, Inc.</li> </ul>
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**3. Action Item.**      **Certification of Meeting's Public Notice** – *Noticed by Penn*

- *Motion to approve posting of meeting – Nilson/Ranum, Passed Unanimously*

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

- *Motion to approve amended agenda – Nilson/Cornford, Passed Unanimously*

Amendments: Item 16 to be moved to Item 9a and Item 17 to be moved to Item 9b.

**5. Action Item.**      **Approval of draft December 2014 Meeting Minutes**– *Prepared by Penn*

- *Motion to approve December minutes with corrections – Scallon/Ranum, Passed Unanimously*

Corrections to the December minutes from Bob Scallon and Gary Ranum included adding Scallon as attending and making corrections in Item 10 to refer the "city" as Prairie du Chien.

## WRRTC EXECUTIVE COMMITTEE JANUARY 2015 ADOPTED MEETING MINUTES

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

**7. Updates. Correspondence & Communications – Discussion may be limited by the Chair**  
Mary Penn distributed the articles from Forrest Van Schwartz who recommended all read them as there was an article included referring to Congress addressing all transportation issues. Penn then listed the correspondence she had received or sent in the past month.

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

### REPORTS & COMMISSION BUSINESS

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

- Treasurer's Report for December and Payment of Bills

Jim Matzinger distributed the Treasurer's Report. He said the Evansville line item listed for \$11,900.00 was money that accumulated for years and he said that this was the remainder left after \$59,000.00 had been split between the Village of Oregon and the City of Fitchburg for payment of that line. Sweeney said he would move item 16 up on the agenda so the Commission could take action. Matzinger said currently they still had a lot of cash as the Commission had not paid out for 2014 projects and were waiting to be billed in 2015.

On income, Matzinger said things were pretty well in line and better than budgeted as the Commission had had some end of year permits. He said the county contribution line looked off but it would balance out. Matzinger said that legal expenses were over in 2014 as there had been a lot of legal activity with the acquisitions. He said he was still waiting for yearend billings, noting that he had not closed December out yet. He added that he would probably present that at the next meeting.

- *Motion to approve the Treasurer's Report – Gray/Gustina, Passed Unanimously*

Matzinger then presented checks for approval. Checks included

1. Dane Cty Hwy, Nov. 2014 Accounting, \$577.63
2. Johnson Block, 2013 Audit-Progress Bill, \$1,700.00

- *Motion to accept all checks as presented – Nilson/Miller, Passed Unanimously*

Sweeney then said the Commission would address item 16 as item 9a and item 17 as item 9b.

**9a. Discussion and Possible Action on transfer of remaining Evansville Line funds to WRRTC General Fund – Jim Matzinger, Gene Grey, Treasurer**

- *Motion to move remaining Evansville line funds to the general fund– Nilson/Gustina, Passed Unanimously*

Gene Gray asked if these dollars could be footnoted in the report so that it would not give a false impression at budgeting time. Sweeney said he did not think it would make a difference between '15 and '16 but it would between '14 and '15.

**9b. Discussion and Possible Action on 2013 Johnson Block draft WRRTC Audit – Mary Penn, WRRTC Admin**

- *Motion to approve the 2013 WRRTC audit – Gustina/Scallon, Passed Unanimously*

**10. Wisconsin & Southern Railroad's Report on Operations – Ken Lucht, WSOR**

- Update on Monthly Maintenance Activities
- Update on Capital Projects
- Update on Business Development
- Other Continuing Issues/ Topics
  - Peters Road Bridge Update

Ken Lucht reported that WSOR was still waiting for agreements on a number of projects and bridges and once they got those they would go out to competitive bid. He said there were a number of bridges on three different subs and there were three complete bridge replacements which were proceeding as planned and should be completed within the next three months. He said WSOR was still working on developing an 8000' siding on the Prairie sub between Prairie and Madison with an increase of commodities. Lucht said WSOR was still identifying siding locations which they needed to get to WDOT. He said there was a 100' and a 500' siding but with unit trains, there was a need for an updated siding.

## WRRTC EXECUTIVE COMMITTEE JANUARY 2015 ADOPTED MEETING MINUTES

He said WSOR was talking to WDOT about a capital tie replacement project that they hoped would be funded by the State. In order to prep the Prairie du Chien corridor for CWR, WSOR needed more tie work.

Gary Ranum asked about the capital ties. Lucht said that was a major tie replacement project with five to 1000 ties per mile on a sub. Ranum also asked about CWR and its anticipated loads and speeds. Lucht said he did not have that information with him but said WSOR would be submitting a CWR application in February. He then gave some parameters needed for CWR and what outcomes it would bring. Once WSOR had the information, Lucht said he would supply it to the Commission. Van Schwartz said the current rail had worn out years ago and said standard 115 lb rails were WSOR's standard. Gray asked if the capital tie project had bid out. Lucht said it depended on the project whether WSOR could do a tie replacement project within maintenance but above 7,000 ties WSOR contracted the work out.

Lucht said applications were due Feb. 1<sup>st</sup> applications and three projects would be submitted so WSOR could bring a tie replacement project (Madison to Waunakee, to Cottage Grove, and in Madison). He said WSOR was gathering data on the track for the Prairie sub CWR project and WSOR would move forward in a Phase 1 project starting at Prairie du Chien and going east. He said the third project would be a TIGER grant application if WSOR decided to proceed on one. He said WSOR did not know if they would move forward, with four attempts at this program which did not yield a grant. He said if WSOR did decide to go forward, the State could do the State match.

Sweeney asked Lucht about continuing issues, particularly the bridge in the Town of Sharon. Lucht said he had not heard anything from the Town or Walworth County on the Peters Road Bridge.

Alan Anderson asked about the status of the capital tie project on the line running thru Reedsburg. Lucht said ties had been put in on that line but the Waunakee line has just had some maintenance work done: WSOR would be pursuing a more aggressive program in the future.

### **11. WDOT Report—Kim Tollers, Dave Simons, WDOT**

Kim Tollers reported that the Reedsburg line purchase was final, closed Dec. 8<sup>th</sup>. She said that in mid-December Frank Huntington, Dave Simons, and she met to discuss the transition of the line from Sauk City to the Badger trail. She said that she wanted the WRRTC to appoint a representative to sit in on future meetings addressing this issue.

Tollers said 500,000 M had been appropriated for TIGER funds nationally and said it was lower than last year. She said FRPP and FRAPP submission time was open and that WDOT had been working on projects already awarded. She said bridge projects that had not been awarded had been getting their contracts ready in preparation for their eventual execution. Tollers listed there were 65 bridges in need. Lucht listed a number of bridges too.

Sweeney asked about the formation of the WI Freight Advisory Committee. Dave Simon said the first meeting should happen in April and they were trying to bring freight stakeholders together to discuss freight issues for the State. He said there were about 35 voting members with about 15 other members representing all types of freight. At this point, he said the committee's purpose was to work with freight stakeholders incorporating their input to the State transportation plan. Sweeney said he had been appointed to this committee and would represent the WRRTC on it.

Van Schwartz commented on the state freight plan, saying it was required by the federal government. Simon said the plan must be in place to get federal funding. He also said that he would try to come to the Commission meetings as best he could. He then said he had been asking Frank Huntington to come back as an LTE: as of that Monday, he had asked again. Simon gave some background about the possibility of Huntington coming back 1 day a week as an LTE. He said he would have budget to pay for Huntington if he decided to return. Simon also said that Mark Morrison was, and Huntington had been, supervisors and that now he, Simon, was working to get one supervisor position back. Simon said he had gotten approval to fill an entry engineering position and would be trying to fill that this month.

Simon said 2014 had been a good year, listing the accomplishments, including the Reedsburg addition. He said that the Kohler project bidding would soon begin.

On the budget, Simon said WDOT had asked for \$60M. He said it was still in the Governor's office and WDOT did not know whether that amount would be changed. He also said that WDOT had performance measures to meet and said those were available on line. He said that the Harbor and Rail section had only one performance measure and that referred to state owned track. Simon said their goal was to meet their goal 100%. He said there were a lot of moving parts and they would do their best to meet their goal. He noted that in 2011, 53.1% of state rail miles had met the goal and over the years they had climbed, a result of working closely with operators

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including WSOR. Simon said WDOT had talked a lot with WSOR regarding their maintenance activities and he was impressed with their prioritization. He said WSOR was helping the Department tremendously.

Robert Scallon asked about the budget amount. Simon said it was a biennium amount (\$60M) and that there was some flexibility in how that was distributed over 2 years. Lucht said that \$52M was approved in the last biennium: \$60M had been requested. Again, the request was for \$60M. There was discussion about the possible outcome of the upcoming budget request. Tollers noted that the last budget had included \$30M for the acquisitions so if \$60M were approved, there would be more dollars available for projects.

Anderson asked about the pinch point in Devil's Lake State Park and said it would be nice if the Commission could start working on addressing the issues inherent to this stretch of track. He said talking needed to start to address this as it would be a long process. He said he knew that WSOR wanted those talks to start soon. John Miller asked about when the last budget ended and the new one began. Simon said the new fiscal year would begin July 1<sup>st</sup>; it ends on June 30<sup>th</sup>.

Sweeney said having \$60M for improvements would be helpful. Simon said there was a back log of projects and WDOT was optimistic about doing a lot of them. Sweeney encouraged Simon to set the performance bar high to catch up.

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

Penn reported on her administrative duties of the past month. She said she had forwarded the line acquisition documents for the Reedsburg and Oregon/Fitchburg line to Tom Schaefer of Richgels-Schaefer Insurance so the Commission's insurance could be adjusted. She reported receiving 2013 draft audit, along with the sign-off letter and let Sweeney know it would require his signature before leaving the meeting.

### **13. Discussion and Possible Action on Utility Permit #2015 – 1 – WRRTC for American Transmission Company, Removal of Structure 113 and Installation of Structure 131 with down guys, string 69kV transmission line over WRRTC ROW, SE1/4 of NE1/4 and the NE1/4 of the SE1/4 of Section 26, T6N, R9E, Evansville Line, City of Fitchburg, Dane County, Wisconsin – Julie Purves, ATC**

- *Motion to approve utility permit 2015 – 1 – WRRTC pending WSOR's engineering approval - Cornford/Ranum, Passed Unanimously*

Julie Purves distributed the map handouts of the site and spoke about the scope of the project and what they were asking for. She explained where the transmission line ran. Sweeney asked if Lucht had any comment. Lucht asked Roger Larson if this would be consistent with Trans 29. Karl Nilson asked about the voltage and said that it was very high. Purves said that is what exists today and the voltage would not increase. Purves also asked if the WRRTC owned the line between Madison and Boscobel. Tollers said that was owned by WDOT.

Nilson recommended Penn cc Eileen Brownlee on all WRRTC utility permits. Penn said she would do this in future. Nilson also asked about ATC's service area.

### **14. Discussion and Possible Action to appoint a WRRTC representative to a group of WisDOT, WSOR, and WRRTC personnel to explore the use of the Sauk City to Badger Ammo ROW for the Great Sauk Trail – Kim Tollers, WDOT**

Tollers said WDOT had talked with WDNR and now wanted to take the next step to have a group addressing this issue. She suggested Chris James as he was also on the Great Sauk Trail group, adding that he seemed like a natural fit.

- *Motion to approve appointment of Chris James to the trail group – Nilson/Gustina, Passed Unanimously*

Bob Scallon said that if James did not accept he suggested Forrest Van Schwartz. Sweeney said that as an advisor, Van Schwartz could not be appointed, adding that WDOT wanted a WRRTC representative. Nilson asked if they were public meetings. Tollers said she did not know but Miller said he believed they were and needed to be posted.

### **15. Discussion and Possible Action regarding Town of Bradford, Creek Road Bridge, Rock County, with possibilities of federal bridge funding – Alan Sweeney, Chair**

Ben Coopman said that Rock County had two timber structure bridges. He said he had had experience with these bridges in Walworth County also. He said the Creek Road Bridge had been submitted as a candidate for replacement in the mid-90's but due to a variety of reasons, nothing had been done. He said the bridge was closed in the summer of 2013 due to its extreme deterioration. Coopman said that the Peters Road and Creek Road bridges were the same. He said the Town of Bradford had agreed to participate in helping with the replacement funding and related this happening on UP lines in another county and therefore had modeled his current proposal on this. Coopman added that corp counsels between towns and the railroad had been discussing the issue and said that this issue would come up again. He said what Dodge County came up with was to apply for federal aid (80% design/construction funding). He said

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Creek Rd would need to widen and have extended approaches. He said the County would act as the sponsor and get sub agreements with their partners. The big deal here, Coopman said, was that the Town of Bradford would then agree that they would own, operate and maintain the bridge. The railroad would contribute to the funding. Coopman said he was not sure if the WRRTC needed to approve this proposal but Coopman's proposal was to approve this 1/3 equal share funding. The County would use the federal dollars for a bridge value for \$1.3M and for about \$100,000 each, the bridge could be completed. The third part of the proposal was to get the railroad's approval. Coopman said they would have to work with the railroad, who would be part of the process, noting that all the flagging and associated costs were eligible for federal funding.

Sweeney asked for clarification on Coopman's proposal. The proposal asked for

- 1 – equal 1 /3 local share
- 2 – railroad funding
- 3 – ownership would change

Coopman said that the Emerald Road Bridge had also been closed in summer of 2014 and said the County would be applying for federal funds to get money for it as well although it would be for less money. Coopman said the real pinch point was that new federal regulations said if the bridge was not built by June 2017, the funds will no longer be available. He said that the Commission had had complaints from the Town of Sharon and noted that the OCR could assign costs as they saw fit. Having a three-way share of federal funding would be a much better solution.

Coopman said there was a statutory requirement in Rock County which involved a segregated levy against towns to replace bridges and culverts. Any culvert of 3' or larger and bridges could be funded from that levy. He said Rock levied \$30,000 to \$50,000 per year of this segregated fund which would give them the County's matching dollars.

Sweeney said this issue would not go away and the Commission would have to deal with it at some point in time. He said people were looking to the WRRTC to offer opinion and direction so they needed to do something. The bridge in question basically had an expiring timeline. Coopman said they would be hard pressed to complete it by 2017. Nilson asked about the partners which included Rock County, the Town of Bradford, WSOR to fund 20% with 80% funding. He asked Lucht how WSOR felt about this proposal. Lucht said WSOR had been working with the Town for about a year and said in July of 2014, WSOR pitched three different options, one of which would not cost the Town any money. The Town got an agreement about that option but ended up considering a different option: the complete replacement of bridge for a three-way share. Lucht said the big concern for WSOR was that WSOR did not know if the costs were going to increase. He said WSOR wanted reassurance that costs would not go up and that the ownership would go to the town. Lucht said WSOR wanted every partner to complete its 1/3<sup>rd</sup>. He said Brownlee had asked about liability and ownership of the bridge, that Brownlee needed to help WRRTC. He said the County and Town would not take on ownership during construction. This was something left unanswered as yet. Sweeney said if a bridge were properly insured, the construction liability should be covered. Van Schwartz confirmed that the contractor had to have that liability. Coopman agreed that during construction, the contractor would be liable and that would be true in any road/bridge/other WDOT contract. Coopman said that this information had been supplied to WSOR and the Town but was not sure if Brownlee knew.

Nilson said he supported this concept but said that Brownlee needed to be at the meeting to make sure the Commission would not own the bridge. He said there was no reason for the Commission to admit ownership. Alan said that it had been explained that once the construction started, it would be the responsibility of the contractor until the construction was completed. Simon confirmed that everything Coopman had said was correct. Miller said in Sauk County they discovered the time of bidding to the actual construction had driven up costs. Coopman said that looking at \$100,000 as an "air tight" number would be naïve and the Commission needed to be aware of this. Gray said this was a unique funding situation with the levy. Ranum said that in Grant County they drew from a County fund and asked if Rock's bridge levy would just fund Rock County's portion or would those dollars go to the Town. Coopman said as he understood it, the Town had been laying money aside but the money in the levy had to be petitioned by the Town.

- *Motion approving the Commission support of the 3 concepts as numbered:*
  1. *Support the replacement of the existing Creek Road Bridge (P-53-101) using federal Local Bridge Replacement funding. Upon completion of the replacement, ownership and maintenance of the new bridge would go to the Town of Bradford.*
  2. *Support the cooperation and financial participation of the three partners in the project- Rock County (Sponsor), the Town of Bradford and the Wisconsin & Southern Railroad, equally matching the local share of costs for design, right-of-way acquisition and construction of the bridge and approaches.*
  3. *Urge the WSOR to work cooperatively and expeditiously with the other partners to expedite the "railroad coordination phases" of the project to assure that the project is completed on time and does not jeopardize its federal funding. – Nilson/Gustina, Passed Unanimously*

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Gray asked if there were danger in influencing the Commission in future. Sweeney said he hoped so. Nilson said precedent was set in appellate court, adding his comment was free legal advice. Nilson said this was a good idea and the bridge had to be replaced. Lucht said WSOR supported the concept but noted there were a lot of details with the cost as a big issue. He said the operating agreement did not say the railroad was required to contribute funding to highway bridges. If the cost went up substantially, he did not know how that would go, but conceptually paying \$100,000 equally was a good idea. He added that \$100,000 would be a challenge to get their Capital Committee to invest but if it went up substantially, that could make things change. Van Schwartz said this would cause the others with similar bridges to pursue this solution and would put the railroad in a cost share position.

Ranum asked if WDOT planned on how to solve this issue funding state-wide. Tollers said that Huntington told her research had been done in the early 90's when it appeared that bridges built by the railroad's had no conclusive title work and therein lay the problem. She said the issue had floated for years and said Dodge County had an even bigger mess but they came up with a solution. Barring any conclusive title work or agreements, the problem had continued to be perpetuated. The solution seemed to be get 80% and share 20% with the railroad with ownership transferred to the municipality. Ranum asked about state funding for highways and if the State recognized the problem, and as it had more access to funds than local governments, maybe the State could try to solve the problem on a State level. Simon said WDOT had competing needs for dollars and bridge inventory showed that there were seven bridges like this on WSOR lines. With the agreements the railroad had, the locals have started to make these problems go away. With this solution, the issue was getting better. In the State, there were 17 bridges on class 1 line and each bridge was different. Simon said WDOT had been focusing on these seven to clear them up. He said there was an upcoming meeting to discuss this issue as well and WDOT was doing its best to simplify and move these issues along. He said it just was not happening fast enough. Simon also noted the deadline for construction. He said he was sure that WSOR would cooperate as well as the engineering and reiterated that deadlines had to be met in order to not lose federal funding. As long as this was ranked high, WDOT would respect the ranking and get it into the program. Danielle Zimmerman of Rep. Laudenbecks office said her office was watching everything and wanted to make sure locals were protected. Coopman said the operating agreement says bridges and did not distinguish between highway and railroad bridges and therefore it was the responsibility of the operator or the Commission. The County had been talking to WSOR since 2012 and kept hearing all these new details. He said there was a good case for the argument that Creek Road preceded construction of the railroad. He said the towns were desperate enough to go to the OCR and if the OCR got involved, the railroad would have to figure out how to fix the problem. Coopman said the County would rather go with this proposal than litigate. Ranum said he did not contest the proposal but he wanted to plan for the future.

Prior to item 16, Sweeney thanked Lucht for the excellent WSOR 2015 calendars.

**16. Discussion and Possible Action on transfer of remaining Evansville Line funds to WRRTC General Fund – Jim Matzinger, Gene Gray, Treasurer**

Moved to Item 9a.

**17. Discussion and Possible Action on 2013 Johnson Block draft WRRTC Audit – Mary Penn, PRTC Admin.**

Moved to Item 9b.

**18. Action Item. Adjournment**

- *Motion to adjourn at 11:34AM – Cornford/Sweeney, Passed Unanimously*



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES

**December 11, 2014**

The December 11th, 2014 Whitewater/Rice Lakes Management District board meeting was called to order by chairman Rich Charts at 6:01 PM. Board members present were, Chuck Chamberlain, Ernie Roy, Jerry Grant, County Representative, Norm Prusener, Whitewater Town Representative and Larry Brady via a telephone conference call.

Absent: Brad Corson

Standing Teams Present – Dave Clevon

Standing Teams Absent – Tom Ganfield, Tom Potrykus

Guest Present: Art Schmitz, and Bernie Tangney

Clerk Present: Susie Speerbrecher

### ADMINISTRATIVE

A motion to approve the agenda was made by Ernie seconded by Chuck. Motion Carried

A motion to approve the November 13<sup>th</sup>, 2014 was made by Ernie and seconded by Jerry with the correction that Rich seconded the motion to approve the JNT bid as presented and not Brad as printed. Motion Carried

**PUBLIC INPUT-** None

### COMMISSIONER REPORTS

**Secretary** – Correspondence – None

Ernie continued his report saying the State Resolution for the Onterra Grant needed to be re-worded and was given a copy of how the resolution should be worded. The revision was made and the new resolution was resubmitted with the same number 2014-02 as the original. Discussion was held regarding the number used. Ernie motioned the new resolution will override the old resolution with the letter (A) being added to our copy. Jerry seconded the motion. Motion Carried

**Finance** – No expense report was submitted. Contract update did not need discussion

**Weed** - No updates. A meeting with myself, Heidi Bunk – WI DNR & Walworth Cty representatives will occur on 1/5/2015 at the DNR office in Waukesha. The purpose of the meeting is to discuss possible sources of nutrients that may be entering the South lobe of the lake & contributing to enhanced weed growth.

**Chemical** – Ernie reported the Onterra grant was submitted 12-9-14 and proposed 65% / 13 points to better our chances of receiving the grant. Notification will be made by February 1<sup>st</sup>, 2015.

**Bog** - Rich reported an auger was purchased and Art Schmitz is adding additional lengths of pipe to it to enable drilling through the ice and into the bog, hoping to determine how thick and how far down the bog really is. Rich and Rich Gunter will take on this project over the winter.

**Equipment** – Chuck reported the contract and deposit has been submitted to Aquarius for the manufacturing of a T-45 transport barge and T-35 trailer. An engineer of Aquarius became concerned with the manufacturing knowing we will be transporting bog and suggested we purchase a UHMW plastic mesh to be installed under the conveyor belting to help with unloading. The cost would be an additional \$5000. The board agreed this additional cost is not in the budget and Chuck will question Aquarius if this is something that can be installed at a later date. Chuck then discussed launch fees at the four (4) unmanned boat launches. He shared pictures of DNR collection boxes and signage. Fees charged \$7.00 and under at sites would not require any amenities, such as toilet facilities. Norm then spoke on behalf of the town and suggested an ordinance/signage of a \$5.00 launch fee and a penalty fee of \$25.00 be formed with the town of Whitewater and Richmond. Fees would not be applicable at state launches for residents of the Lake Management District. He put this to motion and seconded by Chuck. Motion Carried Proceeds will be used to improve launch sites. Chuck continued his report discussing GPS units for the harvesters. He had been in touch with Tribold Implement and they do have available the Trimbald unit under the New Holland name. Discussion was held if the cost for GPS units was justifiable? Rich suggested we table this discussion until Brad can be in attendance at a board meeting and give his input regarding the budget. Chuck has been looking into used conveyor equipment. The Lake Ripley district sells their used equipment as a package deal. He has contacted Aquarius to let us know if they hear of a used conveyor for sale. Rich suggested contacting Delavan regarding their conveyors. Chuck inquired about our logo for the new transport and it was suggested contacting Jim Felland.

**Wildlife Management** – Dave reported everything has been completed for 2014. He asked any mail coming in early 2015 should be sent to his Rockford address and he will submit the necessary forms needed for the 2015 permits.

**FISH** – Fish stocking may not be needed as the DNR is stocking Walleyes, it was suggested the money budgeted and not spent could go for Carp Management. Bernie Tangney on behalf of the Whitewater Lions was present to verify that only 18" Walleyes can be caught and honored at the Lions Fish-er-ree in February.

**Safety** – No meeting was held in December or November due to the unavailability of Deputy Blanton. We will try to meet in January or February to review current Township Ordinances regarding lake use issues. Lillian Roy has sent an email to WW & Richmond Townships, as well as the WWLD, requesting their support of an initiative to inform local real estate companies, marinas, campgrounds, etc. about lake ordinances & ask that they pass this information onto new home owners, campers, & boat rental customers. The intent is to have a more informed public & safer environment for all Lake Users. As of this meeting, the WW Township has endorsed this proposal. Details of how this is to be accomplished are still to be worked out by all parties.

**Audit** – No Report

**Water Quality** – No Report

**2015 Schedule** – No Report

**OLD BUSINESS** – Brief discussion on auger's that Norm would have for the bog committee to use.

**NEW BUSINESS** - None

**OTHER BUSINESS** - None

**Next Meeting:** January 8<sup>th</sup>, 2015 at 6:00 PM Susie cannot be in attendance – Ernie will take notes.

Ernie motioned to adjourn the meeting. Seconded by Rich. Motion Carried. Meeting Adjourned at 7:05 PM.

Respectfully submitted  
Susie Speerbrecher, Clerk