



**Walworth County Board Finance Committee  
MEETING MINUTES  
Thursday, May 22, 2014**

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

Chair Russell called the meeting to order at 9:33 a.m.

**Roll call** — Finance Committee members present included Supervisors Kathy Ingersoll, Daniel Kilkenny, Nancy Russell and Joseph Schaefer. A quorum was declared.

**Others in attendance included:**

- County Staff: David Bretl-County Administration/Corporation Counsel; Jessica Conley-Finance; Sheila Reiff-Clerk of Courts, Susi Pike-County Clerk, Linda Seemeyer-Health & Human Services; John Orr-Information Technology; Bernie Janiszewski-Lakeland Health Care Center; Tracy Moate-Lakeland School; Michael Cotter-Land Use & Resource Management, Peggy Watson-Public Works; Valerie Etzel-Treasurer's Office
- Members of the public: Bill Seemeyer, Corporate Contractors, Inc., Beloit, WI; Ron Carlson, BR Amon receiver, Pewaukee, WI; Doug Saubert, City of Whitewater, WI.

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

**Approval of minutes of last meeting(s)** — April 24, 2014 — **Supervisors Schaefer and Ingersoll moved to approve the meeting minutes; carried 4-0.**

Supervisor Paul Yvarra arrived 9:34 a.m.

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

**Unfinished business** — No unfinished business was presented.

**Consent items** — Supervisor Kilkenny requested that Agenda Item 8B1, bids/contracts for Land Use and Resource Management software, be discussed separately. **Supervisors Schaefer and Ingersoll moved to approve the balance of the consent items. The motion carried 5-0.**

**Budget amendments**

Health & Human Services

- HS006 — Reallocate funds budgeted for Community Recovery Services to the Mental Health Community Services program
- HS007 — Reflect award of Coordinated Service Team grant

Public Works

- PW003 — Reallocate road construction project budgets

### Bids/contracts

- Land Use and Resource Management software — Kilkenny asked why staff recommend awarding to the vendor with the higher cost. Given the difference between the two bids, could we go with the lower cost vendor and utilize other options for any components not available. Cotter replied that the software from Transcendent Technologies could not meet our requirements. Orr added that Tyler Technologies is the vendor we use for our financial software. This software ties in with what we already have. **Supervisors Kilkenny and Ingersoll moved to award to Tyler Technologies, Inc.; carried 5-0.**

### Reports

- Quarterly Investment Report – 1<sup>st</sup> Quarter 2014
- Update on tax incremental financing (TIF) districts

### New business

**Discussion and possible action regarding Williams Bay gravel pit reclamation bond** — Cotter explained that the Amon company is now in receivership. There are 4 bonds we need to call in to solve problems created by Amon where they didn't reclaim portions of the pit that are still active. There are 4 pits currently active – Williams Bay, Friemoth, Richmond and Potter. He requested authorization to call those bonds in, receive the funds from the bonding company, and immediately pass the money through to the receiver. He also requested authorization to submit budget amendments as those come in. Staff will work with the receiver to release funds as soon as certain benchmarks are reached. Cotter added that the Williams Bay gravel is closing on June 15. There are active orders to reclaim all 4 pits. Bretl asked if a new bond would be put in place to ensure performance by the new purchaser. Cotter affirmed. **Bretl suggested a motion authorizing the proper County officials to execute the necessary documents to assign the County's right to receive \$120,000 from the bond to the receiver and to approve the necessary budget amendment to accomplish the assignment. Russell recommended including a stipulation that the benchmarks referenced by Cotter must be approved before the money is released. Supervisor Kilkenny moved as directed by County Administrator Bretl, subject to the stipulation identified by Supervisor Russell. The motion was seconded by Supervisor Schaefer.** Cotter asked if he would have to come back to the committee for the 3 other budget amendments. We don't yet have the agreed upon amount for those reclamations and he is not sure when the closings are scheduled. Ron Carlson, the receiver for Amon & Sons, said the Richmond pit needs to be closed on or before June 14. Cotter requested a special Finance Committee meeting on June 10 prior to the County Board. Bretl agreed. Today's item is agendaized for the Williams Bay gravel pit so we really can't take action on the others. **The motion carried 5-0.**

**Discussion and possible action concerning use of ignition interlock device (IID) fees** — Bretl explained that when the judge orders installation of the ignition interlock device, the individual pays a statutory \$50 fee to the County. Those funds are used for OWI treatment courts, with some used to purchase small incentives for people in that program. Staff would like to expand

use of the funds to all treatment courts, not just the OWI court. The second part of the ordinance authorizes the CJCC to periodically review the fund balance and make recommendations as to its use. **Supervisors Kilkenny and Ingersoll moved to approve the ordinance; carried 5-0.**

**Ordinance \*\*-06/14 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Lakeland Health Care Center Fees** — Janiszewski explained that Medicaid allows the nursing home to bill for both portable oxygen and the oxygen concentrator. The second set of fees relates to transportation. With our new carrier, we don't have to pay the trip cost for a CNA who accompanies a resident. Occasionally, a family member also wants to accompany the resident on the van. The fee we collect for the additional passenger is passed along to the vendor. **Supervisors Schaefer and Kilkenny moved to approve the ordinance; carried 5-0.**

**Discussion and possible action regarding possible foreclosure sale of Elkhorn Road Venture property** — Etzel said county staff met with the City of Whitewater regarding these properties. The County is in the final stages of foreclosing on them and would have to pay out the specials if we do. She anticipates taking title around the first of June. Bretl explained that this situation goes back a few years. A developer engaged with the City when the economy was still doing well. The agreement was that there would be public improvements to the area to induce development. The idea was to establish certain milestones for equalized value because of the improvements made in a particular year. If those milestones weren't achieved, under the agreement, the developer would owe the difference times the City's tax rate. If not paid, that amount would be a special assessment against the property and a lien would be created to give the City some enforcement rights. He added that the County is affected because we historically settle on specials. We entered into an Intergovernmental Agreement with the City with the hope that the economy would turn around. The problem now is that the taxes are delinquent. The City is looking at a very large bill to the county, which includes penalty and interest. Staff discussed initiating the sale process for a host of reasons, including the idea that someone may bid on it. If not, the sale process would give all parties an idea as to the market value of the land. Realistically, sale bids may come up short. The next step would be to advertise the property for bids. Kilkenny asked if staff are looking for a motion today. Etzel said this item was included on today's agenda to keep the committee informed because such a large dollar amount is involved. She added that the municipality has the opportunity to purchase the property before these go out for the 1<sup>st</sup> and 2<sup>nd</sup> sale bids. If included with our in rem properties, Bretl said we would have to get the appraised value for the first bid. However, he thinks the statutes permit us to do a direct sale if the municipality wishes to purchase the property. Etzel confirmed the statutes give the municipality "first say" in purchasing. Bretl thought it might be worthwhile to do more than our abbreviated appraisal on this property because this is different from what we normally see. Russell asked for clarification regarding bids. The specials total \$667,455, including interest and penalties. Are we allowed to not accept any bid under that amount or do we go to the \$806,446? Bretl said we are not obligated to accept any bid. For the first round of sales, the minimum bid must be the appraised value. Kilkenny asked when the sale would be. Etzel replied that the county would take title on foreclosures the first or second week in June. The properties would then be published in the paper so the sale would probably be in August.

**Discussion and possible action regarding special assessments and special charges** — Bretl explained that the committee discussed this issue about a year ago. Various municipal officials attended that meeting. There might be value in putting them on notice that, at some date, the County's process will change. Kilkenny asked what our last recommendation was. Bretl thought there was a resolution not to change specials but that might have been defeated by the Board and sent back. Russell thought the resolution was to not change specials just for that year. Kilkenny feels we should move forward to stop settling specials. Etzel said the municipalities are already pretty much on notice. They've all asked her where we are with this issue, knowing there might be changes for this tax bill. Russell agreed that we should move forward. She expressed concern about the impact developer agreements could have on the County. Settling on specials puts the County at unnecessary risk. **Supervisor Kilkenny moved to authorize the County to stop settling special assessments and special charges, that staff be authorized to draft an appropriate resolution and ordinance to put that directive into effect, and to bring the issue forward to the County Board.**

Doug Saubert, the Whitewater City Administrator, said he understands the Committee's concerns. He noted that most specials are for garbage, unpaid utilities, etc. There is a large amount of rental property in Whitewater. The only way they can collect unpaid utility bills is to include them on the tax bills. If the County no longer settles specials, that will change the way the municipalities operate. Kilkenny said the Committee is sympathetic but the statutes don't let us break out those specials from something like an ethanol plant. Etzel added that we would cut a check to municipalities each month for any payments received for their municipality. Specials are paid out first. In many cases, they may end up being paid in full. **Supervisor Russell seconded the motion.** Schaefer expressed concern regarding sewer districts. Many are getting to be decades old and could take millions of dollars to update. If someone can't afford to pay their sewer bill, those costs could be put onto the municipality's other taxpayers. Bretl said there might be a period of time where they would see a cash flow issue but if a property went into in rem, there would be a settlement with the municipality. Saubert added that rates would be developed to cover the cost of updating treatment plants. Those costs would be shared by all utility payers, not just the property owners. For example, churches pay utilities but not property taxes. **The motion carried 5-0.**

Chair Russell excused herself at 10:31 a.m. and turned the meeting over to Vice-chair Kilkenny.

**Resolution \*\*-06/14 Authorizing Write Off of 2011 Personal Property Taxes Uncollectible in 2012** — Kilkenny noted that this is an annual resolution. Etzel said the County makes the municipalities whole for the County portion and then attempts to collect from the property owner after the municipalities charges back to us. **Supervisors Schaefer and Yvarra moved to authorize writ-off 2011 personal property taxes uncollectible in 2012. The motion carried 4-0.**

**Discussion and possible action regarding Village of Fontana Tax Incremental Financing (TIF) district** — Conley has received the new draft of the Village's Project Plan requesting that their TIF district be designated as distressed. The Joint Review Board (JRB) met in April, at which time she suggested that the Plan be modified to include language ensuring that estimated

costs on any one project line not be exceeded by 15% or more. She also suggested that instead of budgeting for every single line item, the Plan would require the JRB to reconvene to approve any Project Plan capital expenditures. The Village Board and Community Development Authority (CDA) passed the Plan but it did not include the language she requested, according to Conley. She had also asked that the Plan explicitly require annual, detailed financial reporting to the JRB. She recently received the Village's 2013 TIF report but said it included 3 very large projects with no details. For those reasons, Conley will not vote to approve the Project Plan. She hopes her fellow JRB members will agree that these requests are important. Kilkenny feels that Conley's articulation is consistent with the County ordinance and said he appreciates her efforts.

**Ordinance \*\*-06/14 Amending Section 2-133 of the Walworth County Code of Ordinances Relating to Duties of the Finance Committee** — Conley reported that this ordinance updates terminology in Chapter 2 to be consistent with Government Accounting Standards Board (GASB) standards regarding fund balances. **Supervisors Ingersoll and Yvarra moved to approve the ordinance; carried 4-0.**

**Correspondence** — No correspondence was presented.

**Confirmation of next Finance Committee meeting:**

- A special Finance Committee meeting was confirmed for Tuesday, June 10, 2014, in the County Board Room 114 at the Government Center. The time was tentatively set for 5:30 p.m., prior to the County Board meeting.
- The next Finance Committee meeting was confirmed for Thursday, June 19, 2014 at 9:30 a.m. in County Board Room 114 at the Government Center

**Adjournment of Finance Committee**

**Upon motion and second by Supervisors Ingersoll and Schaefer, Vice-chair Kilkenny adjourned the meeting at approximately 10:44 a.m.; carried 4-0.**

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

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

# HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

## BOARD OF COMMISSIONERS

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

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

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 AS OF 8/15/11

## MAY 20, 2014 MONTHLY MEETING

Present: Lutz, (see comment below) McIndoe, Weinkauf, Kolosso, Correl, Trimberger  
(Chairman Lutz was at home, sick, and participated via phone.)

Meeting was called to order at 7:00 p.m by Treasurer Kolosso.

Secretary Correl read the minutes of the April 15, 2014, monthly meeting which were subsequently approved. Treasurer Kolosso read the April, 2014 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

### Old Business:

Comm. Trimberger reported that Spring Prairie had approved HLPRD Resolution #2014-1 which established a "walkway" between Honey Lake and West Lakeshore Drive (Ref: April 2014 report). Chairman Lutz to contact Nick Sigmund of Walworth County Zoning to be certain that there are no problems. (Formal copy of this "Resolution" was to be included with this report, but due to Chairman Lutz's illness absence, it will be included with the June rept.

Chairman Lutz has met with Jeff Johnson regarding the dam. Everything is o.k. Honey Lake has filled up and the other lakes are filling up.

Former maintenance individual, Derek, has explained requirements to new individual, Jake. Chairman Lutz has detailed tasks to Jake. Dam sign which was torn down last year has been replaced.

Chairman Lutz will be forwarding all pertinent dam-related paperwork to the DNR.

### New Business:

Chairman Lutz reported that he has aligned three (3) contractors for the work necessary to restore County Line Blvd. (Ref: March and April, 2014 reports)

Custom Grading for excavation.

Asphalt Maint. for blacktopping.

Cutting Edge for landscaping.

Plan is to pitch level to the east; install a swale northward to Hwy "DD", and blend ditch into the property to the west.

Chairman Lutz indicated that he expects bids to be received in 2-3 days.

Comm. Trimberger indicated that Spring Prairie has leftover recycled asphalt "millings" which HLPRD is welcome to use if desired.

Chairman Lutz indicated he expects the work to be completed in June, 2014.

Chairman Lutz indicated that resident Kempken again has vehicles illegally parked in his yard. Comm. Weinkauff indicated he will request that the Racine County Deputy Sheriff Milam take care of it. He will also have her handle a "run down" property on Ravine Drive which has lots of junk, cycles, etc. on it.

The triangle area formed by Ravine-Woodlawn-Oakwood Aves. Is once again being used as a dumping site. Comm. Weinkauff indicated that he will report to the Rochester Board and request that barriers be installed and the area be further policed. (Ref: July thru Sept., 2013 reports.)

Treasurer Kolosso reported that Cutting Edge's quote of \$435.00 for Spring cleanup was revised to \$355.00.

Treasurer Kolosso reported that his first attendance at the Wisconsin Lakes meeting was very informative and beneficial.

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

A motion was then made and seconded for adjournment at 7:35 p.m.

Respectfully submitted,



Robert E. McIndoe 5/22/14

**DRAFT**

**Walworth County Board of Supervisors  
Public Works Committee  
MEETING MINUTES  
Monday, May 19, 2014  
Walworth County Public Works Department Training Room  
W4097 County Road NN, Elkhorn, Wisconsin**

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

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

Others present:

County Board Supervisors: Tim Brellenthin and Kathy Ingersoll

County Staff: Public Works staff: Kevin Brunner, Director of Central Services; Larry Price, Highway Operations Manager; Public Works Superintendent-Shop Steve Kinney; John Miller, Facilities Manager; Joe Kroll, County Engineer; Peggy Watson, Business Services Manager. County Administrator David Bretl; Veterans Services Officer Chris Jordan; Lakeland Health Care Center Administrator Bernie Janiszewski; Comptroller Jessica Conley.

Members of the Public: Barrientos Design: Norman Barrientos and Ryan Thacker; Dave Bitter, President, Lake Beulah Management District; Bill Scott, counsel for the Lake Beulah Management District.

**Agenda withdrawals/approval: Supervisors Monroe and Schaefer moved to approve the agenda as presented. Carried 4-0.**

**Approval of April 21, 2014 meeting minutes. Monroe and Schaefer moved approval. Motion carried 4-0.**

**Public comment period.** No one from the public asked to be recognized by the Chair.

**Regular Business**

**Referrals from May 13, 2014 County Board of Supervisors meeting: Correspondence from Payne & Dolan, Inc. regarding the “Larry H. Lemon Award” for their work on the STH 36 reconstruction project and request to present a plaque to the Walworth County Board for support and assistance in the project.** Brunner said this was a State road project done last year. **Monroe and Schaefer moved approval. Motion carried 4-0.** Supervisor Russell arrived at 3:34 p.m.

**Request from the American Legion to erect “Fallen Soldier” memorial sculpture.** Bretl said that Bob Webster, who has run the Support the Troops weekly rallies, and the Support the Troops/American Legion are asking for permission to place a memorial to Gulf War, Afghanistan and current conflict veterans. Chris Jordan, Veterans Services Officer, said that the Legion has funds to purchase the monument and granite base. The committee was given a photo of where in relation to the rest of the memorials it will be placed. The only request the Legion has is if Public Works could pour the cement base. Facilities Manager John Miller said there is cement work in the budget to be done this summer at the Government Center, and the base could be poured at that time. The monument will be approximately 6’ feet in height including the granite foundation. Miller said a change order to the concrete work at the Government Center for pouring the base could be issued. **Russell and Yvarra moved to approve the request for the placement of the monument and the concrete pour. The motion carried 5-0.**

**Specifications for additional chiller at Lakeland Health Care Center. Monroe and Russell moved approval for the additional chiller. The motion carried 5-0.**

**Specifications for Memory Care doors at Lakeland Health Care Center.** The doors are tied to the generator and fire alarm systems. **Monroe and Schaefer moved approval. The motion carried 5-0.**

**Approval of amendment to project scope/change order for CTH H road improvement project to comply with State Local Road Improvement Projects (LRIP) grant funding requirements.** Brunner said that the committee awarded the project on April 21 subject to the LRIP grant requirements, which require an additional 1' pavement for bike lanes, which will be an approximate \$56,000 cost increase (the total \$193,000 in LRIP funds would not be received by the county if this requirement is not met). Brunner added that there is a budget amendment going to the Finance Committee later this week to balance the other two projects, to keep all three projects within budget. **Russell and Yvarra moved to approve the amendment of the project scope. The motion carried 5-0.**

**Bid award for county waste hauling services.** Brunner said there was only one bidder. Staff recommended award to Advanced Disposal Services in the amount of \$151,360. The contract is for 5 years. **Monroe and Yvarra moved approval. Motion carried 5-0.**

**Bid award for roadway materials.** Brunner said staff recommends award to nine qualified vendors, in the amount of \$211,150 for one year, with the ability to extend for 4 one-year periods. Brunner added that he believes the contract will be bid out again next year, because there were a couple of interested vendors who missed the bid deadline. **Russell and Monroe moved approval of the bid recommendation for roadway materials. The motion carried 5-0.**

**Specifications for Judicial Center lobby elevator.** The additional elevator was planned during the construction of the Judicial Center as future needs warranted, Brunner said. Bretl requested that staff ensure the new elevator is not as slow as the existing elevator. Miller said that the brand of elevator is the problem - a minimum feet per second speed can be put into the specifications. In addition, the new elevator will only travel from the first floor to the third floor, not from the basement to the penthouse like the current elevator. **Monroe and Schaefer moved approval of the specifications, contingent upon a minimum feet per second speed being added to the specifications. The motion carried 5-0.**

#### **Final plans and specifications for the Lake Beulah Dam replacement**

**Proposed joint operator agreement with Lake Beulah Management District.** Bretl said the agenda was amended to include discussion and possible action on a dam operating agreement with the Lake Beulah Management District. The specifications for approval include the interlocutory dam, and if the specifications meet with committee approval, he recommended moving forward to replace the spillway. The second part of the discussion, Bretl said, is how to operate the dam. The committee has considered a number of proposals on this issue over the last year. The county's concern is owning the dam without having operating control; the District's primary concern is lowering of the lake levels in non-emergency situations. Brunner said about a month ago, he and staff met with Patrick Engineering, AECOM and the Department of Natural Resources (DNR) to review the interlocutory dam plans. Subsequently, there was a meeting at Public Works with the DNR on the grant requirements. Brunner said the construction schedule is in the packet. He noted that in order to move forward and award the bid in July, a special committee meeting would be needed. Attorney Bill Scott asked for committee authorization to work with Mr. to Bretl to develop an operating agreement for the dam. He said he felt an agreement has to be negotiated before the dam construction commences. He iterated that the District wants to operate the dam at "normal" water levels. The County would be given authority to operate the dam in an emergency - i.e., high water levels - and anytime there was a threat to the roadway. If the District failed to comply with a DNR order or other official mandate while operating the dam under "normal" conditions, Scott said the District would take full responsibility. Monroe asked that a determination be made of what constitutes a "normal" water level. Russell asked that Corporation Counsel review and approve any agreement drafted between the parties, and that the legal responsibility of the District in operating the dam be included in the written agreement. **Monroe and Russell moved to approve the specifications for the spillway replacement at the Lake Beulah Dam. Motion carried 5-0.** Dave Bitter thanked the committee for their patience and cooperation throughout the process. **There will be a special committee meeting on July 28, 2014 at 3:30 p.m. for the bid award.**

## **Capital projects**

**Change order report – Health and Human Services HVAC upgrades.** This is under the \$5,000 committee reporting level, Brunner reported, and not part of the new project. The exhaust fan was replaced.

**Change order report – Secure door upgrades at Health and Human Services.** The \$1,990 is for the labor for installation of wood rather than steel doors. A window is needed in the door in D wing, as staff have been struck by others coming from the other side because they can't see through the door. In addition, this is a security issue; sometimes there are volatile situations in the building, and the Sheriff's Office needs to have a visual into the area. The doors are 90-minute fire rated. No action needed by committee.

**Final pay request – Health and Human Services elevator “B” upgrade project. Russell and Schaefer moved to approve the final pay request. The motion carried 5-0.**

**Correspondence from Deputy County Administrator-Finance: Request to confirm date for appeals/adjustments to Administrator's 2015 Capital Improvement Plan (CIP). Committee consensus was to schedule appeals to the CIP on September 15, 2014.**

**2013 Financial Report on Highway Operations.** The annual report is required by the State. The 2013 summary of the Public Works Enterprise Fund is in the packet. Business Services Manager Peggy Watson said the entire report has been posted on the county's website on the Highway Department page. All of the numbers in the report were also reviewed by the Finance Department before publication.

**Tour of Public Works facilities.** At 4:20, Brunner and the committee took a tour of the Highway shop. They returned at 4:36 p.m.

**Presentation by Barrientos Design & Consulting on Public Works space needs study.** Brunner introduced Norman Barrientos and Ryan Thacker of Barrientos Design & Consulting. The current shop building is 38 years old. Over the last 40 years, vehicle sizes, attachments and equipment have gotten bigger, and the number of vehicles in the fleet has grown. The department has \$13 million dollars invested in vehicles and equipment. The need for shop expansion has been an issue for years, and the last plan done in 2002 was not implemented by the Board. Since 2002, the fleet has increased by 35%. During the last decade, Public Works has also taken over vehicle maintenance for the Sheriff's Office, Health and Human Services, the Health Care Center and School. Brunner listed the objectives staff gave the architects when beginning the study: 1) facility features to match operational needs; 2) efficient site circulation; 3) meet department needs for at least 30 years; 4) minimal site infrastructure, utility and operational impact; 5) desirable construction cost/benefit ratio; and 6) employee safety. Norman Barrientos addressed the committee. His firm has designed numerous highway shops, the most of any architectural firms in the State. He showed the committee examples of public works/highway designs for Manitowoc, Door and Jefferson Counties. Their initial task here was investigating whether expansion of the existing facility would meet current needs as well as whether expansion somewhere else on the current site would be feasible. The design team interviewed management staff and the mechanics to formulate what the critical needs are. They did a comparative analysis of other similar counties and found that ours is unique in that our department performs vehicle maintenance countywide, and we fall behind counties of our size in fleet and storage accommodations. They showed their plan diagram for housing each of the 181 vehicles, including equipment. 14 repair bays would be ideal – 10 bays for heavy duty vehicles and 4 for light to medium trucks, with parts and inventory storage nearby. There currently is no space for the mechanics to meet; paint, palette, sign and yard storage is almost non-existent in the current shop. Barrientos noted that each mechanic maintains an average of 18 vehicles. Our number of service bays is smaller than all other counties compared, and he noted that Walworth County operates with fewer patrol staff. Barrientos went through the proposed enhancements to the shop, including wash bays, an overhead crane, etc. Barrientos said the facility needs to increase from 104,778 square feet to 165,790 square feet overall, and would increase heated parking

from 55,547 SF to 71,780 SF, and an expansion of the repair garage from 7,888 SF to 35,860 SF. From the study, four options evolved: **Option 1** – Build the 2002 recommended expansion of the repair garage only. Construction cost: \$3.9 million. This would be only a temporary solution to space needs.

**Option 2** – Build a new stand-alone repair garage facility on the north end of the Public Works site and increase the storage building size for truck parking. This would be a drive-through facility with 14 service bays, an above fluid room, two welding bays, parts storage, tire shop, a small mechanics locker room and break room. Construction cost: \$7.74 million. This option would serve departmental needs for approximately 30 years and with the flexibility to add on in the future if needed.

**Option 3** – Construct a major addition over portions of the attached vehicle storage; create new repair garage areas and reusing the existing repair garage for parking only. Construction cost: \$7.94 million.

**Option 4** – Reuse only the administration offices and rebuild a repair garage and a heated parking structure, while demolishing the existing repair garage and current parking. Construction cost: \$16.7 million. Barrientos recommended Option 2, which they feel provides the most operational improvement and makes the best use of what the department already has. The plan would work out well on the site and provide truck flow-through, adequate repair and parking stalls: a good 30 year solution. In addition, it would have minimal impact on utilities and no significant planning and zoning issues. Discussion and questions for the consultants ensued. Comptroller Jessica Conley said the plan could be put into the 2015 CIP for planning and construction in 2016. Brunner added that the storage building expansions could be pushed to 2017. Supervisor Yvarra asked staff in attendance if they were comfortable with the plan. Highway Operations Manager Larry Price and Shop Superintendent Steve Kinney said they had been consulted throughout the development of the study and they were very satisfied with Option 2.

**Supervisor Monroe was excused at 5:02 p.m.** Russell reminded the committee that the county wouldn't bond for this project. Supervisor Schaefer asked if staff had considered establishing satellite shops within the county, and Barrientos estimated that metal buildings for satellites would cost approximately \$1.5 million. Price said the option was seriously considered a few years back, but as the county seat is centrally located within the county and the satellite shops would be expensive, the idea was discarded. **Russell and Schaefer moved to approve Option 2 conceptually and have it included in the 2015 Capital Improvement Plan and out years, with the option to review the plan at the CIP appeals meeting in September. The motion carried 4-0.**

**Next regularly scheduled Public Works Committee meeting date and time: Monday, June 16, 2014 at 3:30 p.m.**

**Schaefer and Yvarra moved to adjourn. The motion carried 4-0 and the meeting concluded at 5:55 p.m.**

Minutes recorded by Becky Bechtel, Public Works Committee

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

DRAFT 5/21/14

PLEASANT LAKE PROTECTION & REHABILITATION DISTRICT  
FINANCE COMMITTEE MEETING  
FRIDAY, MAY 16, 2014, at 9:08 AM  
LAGRANGE TOWN HALL  
MINUTES

Present: Ted Slupik, Chairman, Rick Callaway, Pat Kachur, Phil Holland, Marcia Sahag  
Absent: Kevin Smith, [REDACTED]  
Public Attendance: Dave Stamm

1. Approval of Agenda: Motion to approve the Agenda (Rick/Pat). Carried unanimously.
2. Approval of prior meeting minutes: Motion to approve the Minutes of 11/16/13 (Rick/Phil). Carried unanimously.
3. Review of 2015 proposed budget per last finance committee meeting: Budget items specifically reviewed were weed control, goose control, insurance, website and legal fees. Motion to approve the proposed budget with removing the \$5000 from goose control and adding \$5000 to legal fees (Pat/Phil). Carried unanimously.
4. Review Chapter 33 requirements and carryover balance: Ted had consulted with other CPAs. Chapter 33 is unclear and technically does not state that reserves cannot be kept. John Chamberlain of Chamberlain & Henningfield CPAS, LLP, is the CPA for the Lauderdale Lakes Lake Management District (LLMD) and acknowledges keeping reserves has been a practice used by the LLMD. Practically, you need some carryover funds to pay expenses incurred prior to receipt of collected tax revenue. To comply with the IRS, the District needs to have a motion at the annual meeting transferring the excess from one year's budget to the reserves.
5. Discussion of any revisions or changes needed to 2015 budget: The proposed tax levy is \$18,000.00. There were concerns that the tax levy be increased based on proposed expenses and continued use of reserves to cover deficits and possible expenses regarding the drain.
6. IRS tax return and new requirements: The IRS form has changed to require the board adopt a conflict of interest policy. This will be done at the Board meeting in November.
7. Adjourn: Motion to adjourn at 10:30 AM (Rick/Pat). Carried unanimously.

Respectfully submitted,  
Marcia M Sahag

# County Zoning Agency

## MINUTES

May 15, 2014 – 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 Tim Brellenthin and Paul Yvarra, Citizen Member Richard Kuhnke, Sr. Citizen Member Jim Van Dreser. Supervisor Rich Brandl was absent, excused. A quorum was present.

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

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

A “sign-in” sheet listing attendees on May 15, 2014, is kept on file as a matter of record.

Details of the May 15, 2014 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)

**Dave Weber motioned to approve the agenda as amended to withdraw item 8.f.4.) Teronomy Ventures, LLC. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose**

**Richard Kuhnke, Sr. motioned to approve the April 22, 2014, Minutes. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:31:55 – 4:39:37

Subdivision Items – Old Business - none

Subdivision Items – New Business – none

Old Business - Ordinance Amendments – None

Old Business – Discussion Items

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

**Jim Van Dreser motioned to return matter to CZA in June for review. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**

Disc Count #4:40:48 – 4:42:51

2. Discussion/Possible action re: Town Troy response to County Zoning Agency request for additional information regarding the “conceptual view” of Mark Mckibben/Uriel Pharmacy conditional use for a visitor’s center, facility tours, child care/daycare center, a one doctor clinic including dispersion bath therapy, and a retail store on lands zoned B-4 Highway Business District. Part of Tax Parcel #LA275300001. – Matt Weidensee

General Conditions:

1. Approved per plans submitted for a visitor’s center/retail sales/day care center/ clinic with dispersion bath therapy in support of a products pharmacy in the B-4 zone district and a natural herb pharmaceutical productions facility in the A-4 zone district with all additional conditions.
2. The site shall meet all applicable federal, state, county and local regulations.
3. Use of the daycare facility shall be limited to a maximum of seven children consistent with the state license and according to the operations plan submitted.
4. Outdoor lighting shall be shielded and directed on site.
5. The applicant/owner shall obtain and maintain adequate liability insurance.
6. The owner/applicant must obtain access approval from the Town of Troy Highway Department.
7. No outside display area shall be allowed on site.
8. No food and or beverage shall be sold on site.
9. All storage areas, materials and equipment shall be located as defined on the plan of operations.
10. The applicant must obtain a Walworth County Land Disturbance, Erosion Control & Stormwater approval from the Walworth County Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management Standards contained in Section 26 of the Walworth County Code of Ordinances. An operation and maintenance plan for each stormwater best management practice must be prepared. The plat prepared for this property must show the location and label each stormwater best management practice planned to serve the development. All grading must be conducted consistent with the approved Walworth County Land Disturbance Erosion Control and Stormwater Management Plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No materials may be removed from the site without county approval. The applicant must submit and obtain approval of a landscaping plan from the Walworth County Conservation Office.
11. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
12. The owner shall notify the County if any changes are made regarding operation of this site including size, location, type of materials and services to be on site or sold on site.
13. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with county requirements within 60 days of zoning permit approval.
14. The applicant must obtain all required zoning permit approvals including a sign permit.
15. The project site must be kept neat, clean, and mowed.

16. Any changes to the character, intensity or use of this site not capable of being discerned by the Walworth County Land Use and Resource Management Department as consistent with this approval must be brought before the Walworth County Zoning Agency for additional conditional use review.
17. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific Conditions:

18. Retail sales shall only be allowed in the area specified on the approved plan.
19. All waste and medical disposal must meet with local, state and federal regulations.
20. Hours of operation for oil dispersion bath therapy and use of the clinic and visitor's center shall be from 8:00 a.m. to 5:00 p.m. Monday – Saturday with special hours of operation from 5:00 p.m. to 10:00 p.m., 12 days per year, including tours of the production facility during the special hours. The owner shall keep record of all classes/meetings held during the special hours and make the record available to the Town and/or County upon request. Hours for the child daycare shall be from 7:00 a.m. to 6:00 p.m. Monday to Friday.
21. Use of the visitor's center shall be limited to a maximum capacity of 50 people.
22. All events/meetings shall be scheduled and shall be by reservation only.
23. There will be no adult entertainment allowed on site.
24. Dispersion bath therapy shall be by appointment only and strictly for medicinal purposes.
25. The oil dispersion bath therapy shall be conducted in the area shown on the plan in the pharmacy building on a temporary two year basis. The oil dispersion bath therapy shall move from the pharmacy building to the clinic portion of visitor's center building once constructed.
26. The oil dispersion bath therapy use is subject to any licensing requirements of the State of Wisconsin.
27. Use of the clinic shall be limited to a maximum of one full time, doctor, one receptionist/office manager, one technician or physician's assistant and occasional guest health practitioners who will share the clinic space with the full time staff.
28. A log of the times and dates that guest health practitioners are present on site shall kept by the property owner and made available to the Town and or County upon request. Guest health practitioners shall not make use of the facility as a location for permanent or semi-permanent work.
29. The original March 2008 floor plan submittal of the visitor's center, child daycare center, clinic building is adopted by this approval.
30. The clinic space shall not expand into the visitor's center/multipurpose rooms, storage, child daycare center and kitchen area without additional Town and County conditional use review and approval.
31. The clinic shall be limited to practice of natural herbal medicine and therapies in support of onsite products production and the Uriel Pharmacy.
32. The Visitor's Center including the clinic with oil dispersion therapy and child daycare are approved in support of and in conjunction with the products pharmacy in the B-4 zone district and a natural herb pharmaceutical productions facility in the A-4 zone district. Should the pharmacy and or production facility terminate then the supporting Visitor's Center shall be required to cease.

**Questions/answers by CZA Committee members to John Kendall/Troy Chairman and Michelle Stute/Plan Commission Secretary. Dave Weber motioned to approve to the extent full approval is given by the Town of Troy. No second given. Jim Van**

**Dreser motioned to Table the matter to June for guidance from Town of Troy regarding the future building approval. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**  
Disc Count #4:42:51 – 5:05:31

3. Discussion/ Possible action re: Amendment of Conditional Use for the Pearce Farm Market by expansion of the picnic pavilion from 30' X 30' to 40' X 60', addition of a 16'X 80' mobile shed to be used as part of the haunted house, move and expand the corn maze to the adjacent A-1 land, add a pick your own apple orchard and amend the hours of the haunted house from 6:00 a.m. to 11:00 p.m by one hour to 12:00 a.m. ending time.  
– Matt Weidensee

Amended 5/15/14  
Amended 2/20/14  
\*Amended 4/18/13

General:

1. Approved as per plan submitted **\*and amended 5/15/2014** for a farmer's market with a haunted house **with a 16' x 80' mobile trailer**, helicopter rides, hayrides crossing Hwy F, a petting zoo, non-concert/non-paid venue stage and concession stand, **a 40' x 60' expanded pavilion**, **\*small car shows (maximum of 50 cars), tethered hot air balloon rides (only on days when the helicopter is not present), craft fair (max 30 vendors with 25% of vendors presenting agricultural products), food demonstrations (using foods that are locally grown and prepared in a healthy manner), BBQ cook offs (entries open to the public), corn maze and pick your own apples on the adjacent A-1 land and pumpkin launching events**, with all additional conditions.
2. Sales allowed on site shall be limited to the products identified in the project narrative on a seasonal basis. The business shall be open during the months of July, August, September and October.
3. Storage shall be limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
4. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week **with hayrides, haunted house and corn maze until 11:00 p.m from 11:00 am. to 12:00 a.m.(midnight).**
5. The site must meet all applicable Federal, State, County and local regulations.
6. Outside lighting shall be shielded and directed on site.
7. The applicant must obtain all required zoning permit approvals including a sign permit.
8. The number of employees shall be limited to the owners and five employees.
9. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
10. The property owner must maintain adequate liability insurance during use of the property.
11. The helicopter landing pad must meet all requirement of the Federal Aviation Administration.
12. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by the ordinance.
13. All parking and access to the site shall meet County and State D.O.T. requirements. All parking shall be installed according to County requirements within 60 days of this approval.
14. The project site must be kept neat, clean, and mowed.

15. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:

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

**Jim Van Dreser motioned to approve with amended hours of operation as recommended by the Town with hours to continue without returning to CZA if no complaints are received in a year. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**  
Disc Count #5:05:40 - 5:14:44

New Business - Ordinance Amendments - None

New Business – Discussion Items

1. Discussion / Possible action re: Amendments to the Zoning Ordinance and Shoreland Zoning Ordinance needed to obtain State of Wisconsin Department of Agriculture, Trade and Consumer Protection Certification for County farmers to be eligible for Farmland Preservation Program state income tax credits. – Neal Frauenfelder, Deb Grube

**Jim Van Dreser motion to remove conditional use “u” from Division 3. Zoning Districts from the draft zoning ordinance. Seconded by Tim Brellenthin. Motion carried. 6-favor 0-oppose**

This item will be placed on the 5:30 P.M. agenda of the July 17, 2014 Walworth County Zoning Agency for a public hearing.

Disc Count #5:14:50 – 5:32:17

2. Discussion / Possible action re: floodplain mapping in areas by the Lower Rock River Watershed restudy area that are affected by the new Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMS) and ordinance amendments to comply with DNR and FEMA requirements– Deb Grube.

This item will be placed on the 5:30 P.M. agenda of the June 19, 2014 Walworth County Zoning Agency for a public hearing.

Disc Count #5:32:17 – 5:35:50

**Public Hearing: 5:44 p.m.**

**Ordinance Amendments –**

Amendment to Section(s) 74-53 and 74-62(7) of the Zoning Ordinance and Section(s) 74-180 and 74-189(7) of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to

permitting Planned Campgrounds as a conditional use in P-1 Recreational Park District and P-2 Institutional Park District. The format of the text of this amendment does not allow publishing in this legal notice. A copy of the amendment is available for review at the Land Use and Resource Management Department or the County Clerk's Office at 100 West Walworth Street, Elkhorn, WI Monday through Friday during normal business hours. ) – Deb Grube.

This item will be placed on the 4:30 P.M. agenda of the June 19, 2014 Walworth County Zoning Agency for a vote.

Disc Count #5:47:01 – 5:50:18

### **Rezones with Conditional Uses**

**Citizens Bank of Mukwonago - Owner, Scott Hatchett – Applicant**, Section 21, Troy Township. Rezone of 1.22 acres of A-1 Prime Agricultural District land to A-4 Agricultural Related Manufacturing, Warehousing and Marketing District in order to obtain conditional use approvals for a contractor storage yard for a lawn care and construction on a farm separation remnant for farm purposes. Parts of Tax Parcel L T-21-4.

General:

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

Specific:

### **CONTRACTOR STORAGE YARDS**

Possible conditions:

General:

1. Approved per plans submitted for a landscape and lawn care business in the A-4 area with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.

5. No filling shall be allowed in any wetland areas.
6. No filling shall occur on site without proper permit approvals.
7. Access approval must be obtained from the Town or County Highway Department.
8. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
9. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Friday and 6:00 a.m. to noon on Saturday with hours for return of equipment from off site until 9:00 p.m.
10. No burning shall be allowed on site without a State burning facility license and any required local approvals.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. Landscape and lawn mowing business activities may not be conducted on the A-1 or C-2 portions of the property.

**Dave Weber motioned to approve based upon the planning report stating the rezone area contains 40% non-farm soils, is separated from the other farm land by a kettle and has steep slopes making it difficult to farm. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose**

The rezone petition will move forward to the June 10, 2014, Walworth County Board for possible action.

Disc Count #5:50:18 – 5:56:21

### **Rezones --**

**Cody L. Piester**, Section 32, Lyons Township. Rezone of .7 acres of C-4 and C-1 Lowland Resource Conservation Districts (shoreland and non-shoreland wetlands) to the A-5 Agricultural-Rural Residential District to correct the wetland boundary to match field conditions. Part of Tax Parcel N LY-32-3B.

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

The rezone petition will move forward to the June 10, 2014, Walworth County Board for possible action.

Disc Count #5:56:21 – 5:59:50

### Conditional Uses

1. **Whitewater Limestone Inc.**, Section 9, Whitewater Township. Conditional use to extend the life of an existing limestone quarry operation by 15 years and to deepen the limestone quarry excavation by 60 feet. Tax Parcel D W-9-4.

General:

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

the type, quantity and quality of off-site materials to be used as backfill.

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

Specific:

**Jim Van Dreser motioned to table the matter for further consideration of options, including bonding regarding well issues. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**  
Disc Count #5:59:50 – 6:47:40

2. **Whitewater Limestone Inc.**, Section 9, Whitewater Township. Revised reclamation plan covering the mining site on Tax Key Parcel # D W-9-4, subject to the Walworth County's Nonmetallic Mining Reclamation Ordinance, Chapter 26, Article VI, of the Walworth County Code of Ordinances.

**Richard Kuhnke, Sr. motioned to table prior to public hearing. Seconded by Paul Yvarra. Motion carried. 6-favor 0-oppose**  
Disc Count #6:47:40 – 6:49:09

3. **Lloyd F. Cornue**, Section 19, Lyons Township. Conditional use for the sales and service of automobiles, auto body repair and auto painting on land in the M-1 Industrial District. Tax Parcel NA1928-2.

General:

1. Approved as per plan submitted for vehicle sales and service with auto body repair and painting with all additional conditions.
2. There shall be no outside storage of stock or trade other than the cars for sale.
3. The owner must provide a waste disposal plan stating where all trash, drain oil and other auto fluids are disposed.
4. The painting and finishing area of the industrial building must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.
5. No outside storage of chemicals shall occur on site.
6. No outside storage including drying of rags, products or materials shall be allowed on site.
7. All waste materials shall be stored in a non-flammable, enclosed container and be gated in a non-combustible fence.
8. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.
9. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.
10. No dumping of chemical waste shall be conducted outside of the building.
11. No burning of waste materials shall occur on site.
12. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
13. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
14. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
15. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from Land Conservation. The applicant must comply with all established standards of the Land Restoration and Land Disturbance, Erosion Control and Stormwater Management permits.
16. All outside lighting shall be shielded and directed on site. No additional lighting shall be allowed in the street yard setback areas.
17. Hours of operation shall be Monday through Saturday 6:00 a.m. to 6:00 p.m. with hour from 6:00 p.m. to 9:00 p.m. by appointment only and closed on Sunday.
18. The project must meet all applicable Federal, State, County and local regulations.
19. The applicant must obtain a sign permit from the County Zoning Office.

20. 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.
21. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

**Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**  
Disc Count #6:49:09 – 6:51:55

**ITEM NOT HEARD – TABLED PRIOR TO HEARING TO JUNE, 2014 – no Town decision.**

- ~~4. **Teronomy Ventures LLC, Section 1, Lafayette Township. Conditional use to expand an outside contractor storage area by greater than 25% of the original conditional use approval for multiple business use as a Planned Unit Development (PUD) and to obtain modification approval for a sign larger on lands zoned B-4 Highway Business District. Part of Tax Parcel K-LF-1-3.**~~
5. **Payne & Dolan Inc. – Owner, Wisconsin Electric Power Co. (WE Energies) – Applicant, Section 20, Lagrange Township. Conditional use for construction of a gas regulator building and piping as a utility on land zoned M-3 Mineral Extraction District. Part of Tax Parcel H-LG-20-8.**

General:

1. Approved as per plan submitted for a gas regulator station as a utility with required conditions added.
2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan).
3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
4. Construction related activities are only allowed on site between sunrise to sunset.
5. The easement must be used for the purpose for which it was granted.
6. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.
7. All spoils spreading activities must be conducted in the approved identified locations.
8. All access to the site must be made as identified on the approved plan.
9. All contractor storage yards shall be located as identified on the approved plan and used as specified.
10. The applicant shall meet all applicable Federal, State and local regulations.
11. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.

12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.
14. The applicant is responsible for removal of the regulator station if it is no longer in use. If the regulator station is not operated for a continuous period of 12 months, it shall be considered abandoned. Abandoned utilities may be required to be removed within 90 days.

**Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose**  
Disc Count #6:51:55 – 6:56:24

6. **RAMK, LLC/ Ryan Ahearn – Owner, Section 13, Sugar Creek Township.** Conditional use for expansion of outdoor food and beverage area to a .1 acre area of the ABell's Restaurant parking lot with replacement parking on neighboring business property during an event. Part of Tax Parcel G SC-13-6.

General:

1. The Conditional Use for seasonal use of a 4,000 square foot parking lot area for outdoor food and beverage consumption is approved as per the plan submitted with the following conditions.
2. Use of the grounds shall be limited to the uses as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.
5. Sufficient adult supervision must be present at all times when facilities are in use.
6. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
7. The applicant is responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
8. All lighting must be shielded and directed on to the property.
9. All parking must occur in the areas identified on the approved plan. Parking must meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.
10. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. The outdoor parking lot area shall be available for outdoor food and beverage use on June 14<sup>th</sup>, 2014. Hours of operation on the parking lot shall be 1:00 p.m. to 10:00 p.m.
14. All outdoor seating and all outdoor food and beverage consumption within the 4,000 square foot area.
15. The any associated electric supply and structures shall meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.
16. The property owner shall provide written permission from the neighboring property owner to the south (tax parcel GA881-2) to use the event parking stalls as shown and revised on the site plan. The permission shall state the date and time when the event parking will be used. A copy of the written permission shall be provided for the conditional use file prior to use of the event parking areas. The event parking may not be used when the property to the south is open for business.

**Dave Weber motioned to approve. Seconded by Tim Brellenthin. Motion carried.  
6-favor 0-oppose  
Disc Count #6:56:24 – 6:59:55**

### **Adjournment**

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

The meeting was adjourned at 7:02 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.

## Walworth County Board of Adjustment

### MINUTES

May 14, 2014 - Hearing – 8:30 AM

May 15, 2014 – 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 May 14 & 15, 2014, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on May 14, 2014, were Chair John Roth, Secretary Ann Seaver and 1<sup>st</sup> Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on May 15, 2014, were Chair John Roth, Secretary Ann Seaver and 1<sup>st</sup> Alternate Elizabeth Sukala. Deb Grube, Senior Zoning Officer, and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. “Sign-in” sheets listing attendees on May 14, 2014, and May 15, 2014, are kept on file as a matter of record.

The May 14, 2014, hearing was called to order by Chair John Roth at 8:30 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as amended to postpone hearing #9. Lyn Madigan Sills Trust to June 11 & 12, 2014. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the April 9 & 10, 2014, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 2-favor, 0-oppose.** John Roth abstained as he was absent, excused, from the April 9 & 10, 2014, Board of Adjustment. **After testimony of all cases, Elizabeth Sukala motioned to recess until 8:30 A.M. on Thursday, May 15, 2014. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The May 14, 2014, hearing went into recess at approximately 10:33 A.M.

On May 15, 2014, at 8:30 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Elizabeth Sukala motioned to approve the agenda as amended to postpone hearing #9. Lyn Madigan Sills Trust to June 11 & 12, 2014. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After the decisions were completed, John Roth motioned to adjourn until the June 11, 2014, hearing at 8:30 A.M. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The May 15, 2014, decision meeting adjourned at approximately 9:11 A.M.

Ten variance hearings were scheduled and details of the May 14, 2014, hearings and the May 15, 2014, 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).

### **New Business – Variance Petitions**

Hearing – Count #8:32:34 – 8:46:00 / Decision – Count #8:31:26 – 8:34:59

**The First Hearing was Daniel M. Fabian, owner – Section(s) 13 – Spring Prairie Township**

Applicant is requesting a variance from Section(s) 74-162 / 74-181 / 74-221 of Walworth County’s Code of Ordinances – Shoreland Zoning to construct an addition (garage) and deck to a

single-family residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback to a residence, a 19' street yard setback to a deck and prohibits structures in the vision triangle.

**VARIANCE REQUEST:** The applicant is requesting a 10' street yard setback for an addition (garage), a 9.8' street yard setback (deck) and to locate a portion of a structure within the vision triangle. The request is a variance from Section(s) 74-162 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (garage) and deck to a single-family residence. At the hearing the request was MODIFIED to a 10' street yard (W. Lakeshore Drive) setback and a 10' side yard setback to the west lot line (Shore Avenue walkway) for an addition (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of Daniel M. Fabian, owner, voted to **APPROVE** the modified request for a 10' street yard setback and a 10' side yard setback for an addition (garage).

**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 Honey Lake Protection & Rehabilitation District passed a resolution to make the property platted as Shore Avenue a walkway thereby eliminating both the vision triangle variance and the street yard variance for the deck. The Board found the owner worked with staff to reduce the variance request. The Board found to approve the variance request would improve the property and the neighborhood. The Board found to approve the variance request would cause no harm to public interests. The Board found to deny the variance request would cause unnecessary hardship. There was one letter of support from the Town of Spring Prairie. There was no opposition.

Hearing – Count #8:46:01 – 8:51:54 / Decision – Count #8:35:00 – 8:37:30

The Second Hearing was Colleen Drays and Marvin D. Drays, owners / Colleen & Mark Strelow, applicants – Section(s) 2 & 11 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to relocate a property line affecting a farm equipment storage shed.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 20' side yard setback.

**VARIANCE REQUEST:** The applicants are requesting an approximate 6" side yard setback. The request is a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to relocate a property line affecting a farm equipment storage shed.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of Colleen Drays and Marvin D. Drays, owners / Colleen & Mark Strelow, applicants, voted to **APPROVE** the request for an approximate 6" side 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 shed to be existing and is located on Lot 2 as a result of a past farmland separation. The Board found the variance request to move a lot line to be a small increment of relief. The Board found to deny the variance request and require the owner to remove a portion of the shed would cause unnecessary hardship. The Board found to approve the variance would cause no harm to public interests as the surrounding properties are owned within the family. There were letters of support from the Town of Whitewater and the City of Whitewater. There was no opposition.

Hearing – Count #8:51:59 – 8:59:30 / Decision – Count #8:37:31 – 8:39:33

**The Third Hearing** was James J. & Nora M. Connolly Trust, owner / Michael L. Connolly, applicant – Section(s) 21 – Delavan Township

Applicants are requesting a variance from Section(s) 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning for a roof alteration to a single-family residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 5' rear yard setback (substandard structure).

**VARIANCE REQUEST:** The applicants are requesting a 0' rear yard setback. The request is a variance from Section(s) 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning for a roof alteration to a single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of James J. & Nora M. Connolly Trust, owner / Michael L. Connolly, applicant, voted to **APPROVE** the request for a 0' rear 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 structure no longer encroaches on the neighboring parcel as the owner has received lot line adjustment approval. The Board found the owner has attempted repairs to the flat roof without success. The Board found the existing structure is suffering from water and mold damage. The Board found to change the roof line was the minimum necessary to complete a more permanent repair. There was one letter of support from the Town of Delavan. There was no opposition.

Hearing – Count #8:59:31 – 9:05:45 / Decision – Count #8:39:34 – 8:40:54

**The Fourth Hearing** was Lake Geneva Foundation, owner / Scott Hayes, applicant – Section(s) 1 – Linn Township

Applicants are requesting a variance from Section(s) 74-53 of Walworth County's Code of Ordinances – Zoning to construct an addition to a house.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 23' side yard setback (established).

**VARIANCE REQUEST:** The applicants are requesting a 21' 9" side yard setback. The request is a variance from Section(s) 74-53 of Walworth County's Code of Ordinances – Zoning to construct an addition to a house.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of Lake Geneva Foundation, owner / Scott Hayes, applicant, voted to **APPROVE** the request for a 21' 9" side 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 east side of the parcel is the Town of Linn / City of Lake Geneva border which limits the ability of the owner to alter the lot lines and make the structure code compliant. The Board found the variance request to be a small increment of relief. The Board found the porch to be in need of repair. The Board found to approve the variance request would cause no harm to public interests. There was one letter of support from the Town of Linn. There was no opposition.

Hearing – Count #9:05:56 – 9:18:22 / Decision – Count #8:40:55 – 8:45:37

The Fifth Hearing was Michael & Elaine Masciola, owners – Section(s) 32 – Delavan Township

Applicants are requesting a variance from Section(s) 74-181 / 74-221 / 74-232(1) / 74-232(2) of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a cantilever and overhang and for the construction of an addition, cantilever, overhang, deck and stairs.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback and permits an eave / cantilever to project 3' into a required yard (22' street yard and 3' side yard) and permits a deck and stairs to project 6' into a required yard (19' street yard).

**VARIANCE REQUEST:** The applicants are requesting an addition with a 19.1' street yard setback and a 4' cantilever and eave with a 16.7' and 15.4' street yard setback. Also requesting a deck and stairs with a 16.8' street yard setback and to permit an existing 3' 3" cantilever and eave in the side yard. The request is a variance from Section(s) 74-181 / 74-221 / 74-232(1) / 74-232(2) of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a cantilever and overhang and for the construction of an addition, cantilever, overhang, deck and stairs.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of James J. & Nora M. Connolly, owner / Michael L. Connolly, applicant, voted to **APPROVE** the request for an addition with a 19.1' street yard setback and a 4' cantilever and eave with a 16.7' and 15.4' street yard setback; and a deck and stairs with a 16.8' street yard setback and to permit an existing 3' 3" cantilever and eave in the side yard.

**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 a unique property limitation to be the small substandard lot. The Board found to approve the variance request would improve safety in providing ingress / egress both out of the back and side of the residence and would allow for adequate living space. The Board found to approve the variance request would cause no harm to public interests as the setbacks are comparable to neighboring properties. The Board found to approve the variance request will not harm the public's interests in navigable waters. There were letters of support from two neighboring property owners. Town Plan Commission Minutes (5-06-14) showed recommendation of approval. There was no opposition.

Hearing – Count #9:18:23 – 9:30:03 / Decision – Count #8:45:38 – 8:50:58

The Sixth Hearing was Russell E. & Joan M. White, Sr. & Russell E. White, Jr., owners – Section(s) 28 – Geneva Township

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

**REQUIRED BY ORDINANCE:** The Ordinance requires a 20' rear yard setback (per variance of 12-19-11).

**VARIANCE REQUEST:** The applicants are requesting a 19.2' rear yard setback. The request is a variance from Section(s) 74-163 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of an accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of Russell E. & Joan M. White, Sr. & Russell E. White, Jr., owners, voted to **APPROVE** the request for a 19.2' rear yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner did go through the required County permit process and did receive Board of Adjustment variance approval in December 2011 due to the unique location of the residence. The Board found the hardship to be a measurement error during construction causing unintended consequences. The Board found to approve this variance request would cause no harm to public interests. The Board found to require a portion of the structure to be removed would cause unnecessary hardship. The Board found to approve the variance request will not harm the public's interests in navigable waters. There was no support. There was no opposition.

Hearing – Count #9:30:11 – 10:04:05 / Decision – Count #8:50:59 – 8:58:22

The Seventh Hearing was S & R Egg Farm Inc., owner / Dave Hill, applicant – Section(s) 2 – La Grange Township

Applicants are requesting a variance from Section(s) 74-44 / 74-51 of Walworth County's Code

of Ordinances – Zoning to construct an 88’ 8” x 502’ poultry layer barn.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 200’ side yard setback.

**VARIANCE REQUEST:** The applicants are requesting a 130’ side yard setback. The request is a variance from Section(s) 74-44 / 74-51 of Walworth County’s Code of Ordinances – Zoning to construct an 88’ 8” x 502’ poultry layer barn.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of S & R Egg Farm Inc., owner / Dave Hill, applicant, voted to **APPROVE** the request for a 130’ side yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the egg farm operation has existed for 50 plus years. The Board found the Wisconsin Department of Natural Resources and the State of Wisconsin have controls and regulations regarding maintenance of the farm operation. The Board found to approve the variance request would allow the owners to improve operations in order to lessen dirt and dust and noise. The Board made a recommendation to the owner to plant evergreens along the north property line. There was one letter of support from the Town of Linn. A neighboring property owner spoke in opposition.

Hearing – Count #10:04:08 – 10:12:00 / Decision – Count #8:58:23 – 9:00:14

The Eighth Hearing was William D. Wilton, Jr., 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 construct a landing and stairs on Lot 55 in Lauderdale Shores Campground.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 10’ setback from a right-of-way.

**VARIANCE REQUEST:** The applicant is requesting a 9’ setback from a right-of-way. The request is a variance from Section(s) 74-182 / 74-189(7) of Walworth County’s Code of Ordinances – Shoreland Zoning to construct a landing and stairs on Lot 55 in Lauderdale Shores Campground.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of William D. Wilton, Jr., owner, voted to **APPROVE** the request for a 9’ setback from a right-of-way.

**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 variance request to be a small increment of relief. The Board found the request will not add impervious surface as a cement slab exists under the proposed landing and stairs. There were letters of support from the Town of La Grange and the Lauderdale Shores Condominium Association. There was no opposition.

Hearing – Count #N/A / Decision – Count #N/A

The Ninth Hearing was Lynn Madigan Sills Trust, owner / Marc Lifshin, applicant – Section(s) 8 – Linn Township

Applicants are requesting temporary use approval per Section(s) 74-163(8) and 74-240(8) of Walworth County’s Code of Ordinances – Shoreland Zoning for temporary use approval to permit material and equipment storage shelter (existing garage) and a variance for a street yard setback.

**REQUIRED BY ORDINANCE:** The Ordinance requires Board of Adjustment review and approval of temporary use requests and a 10’ street yard setback.

**VARIANCE REQUEST:** The applicants are requesting temporary use approval for an existing garage to remain for up to 12 months to complete a Certified Survey Map and an approximate 6’ street yard setback. The request is a variance from Section(s) 74-163(8) / 74-240(8) of Walworth County’s Code of Ordinances – Shoreland Zoning for temporary use approval to permit material and equipment storage shelter (existing garage) and a variance for a street yard setback.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, did not vote on the petition of Lyn Madigan Sills Trust, owner / Marc Lifshin, applicant.

**BOARD OF ADJUSTMENT FINDINGS:** This petition has been **POSTPONED** until the June 11 & 12, 2014, Board of Adjustment agenda at the applicant’s request.

Hearing – Count #10:12:11 – 10:32:28 / Decision – Count #9:00:15 – 9:07:42

The Tenth Hearing was No Tengo Catarro LLC, owner / Margaret Lass-Gardiner, applicant– Section(s) 9 – Linn Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County’s Code of Ordinances – Shoreland Zoning to permit the location of retaining walls, grade changes, culverts, rain garden, patio, a fence / wall and a walkway in the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 75’ shore yard setback for all structures, the Ordinance permits retaining walls only where necessary to control erosion, only permits minimal grade changes within 75’ of the shore and only permits a walkway in the shore yard that is necessary for access to the shoreline.

**VARIANCE REQUEST:** The applicants are requesting culverts, rain garden, patio, a fence / wall within 75’ of the shore, grade changes within the shore yard setback, retaining walls not necessary for erosion control and a walkway not to access the shore. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County’s Code of Ordinances – Shoreland Zoning to permit the location of retaining walls, grade changes, culverts, rain garden, patio, a fence / wall and a walkway in the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of May 14 & 15, 2014, for the petition of No Tengo Catarro LLC, owner / Margaret Lass-Gardiner, Registered Agent, applicant, voted to **APPROVE** the request for

culverts, rain garden, patio, a fence / wall within 75' of the shore, grade changes within the shore yard setback, retaining walls not necessary for erosion control and a walkway not to access the shore.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found a unique property limitation to be the large area of hillside surrounding the property which directs approximately 7 acres of water flow towards the lot and the location of a navigable stream. The Board found the owner is working with an engineer regarding drainage analysis. The Board found to approve the variance request would direct water flow away from the foundation of the residence and toward engineer and architect recommended solutions (eco-brick, swale, culvert, retaining wall) to address the water flow problems in close proximity to a navigable stream. The Board found the application and conformity with the Ordinance is unnecessarily burdensome. The Board found to approve the variance request would benefit the neighborhood. There were letters of support from the Town of Linn, the Wooddale Beach Corporation and two neighboring property owners. There was no opposition.

**Other**

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

**Staff Reports**

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

**Proposed discussion for next agenda**

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

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

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES

**May 8th, 2014 Revised**

The May 8<sup>th</sup>, 2014 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:05 PM. Board members present were, Chuck Chamberlain, Brad Corson, Larry Brady, Jerry Grant Walworth County Representative and Norm Prusener Town of Whitewater Representative.

Absent: Ernie Roy

Standing Teams Absent: Tom Potrykus, Dave Clevon

Guest Present: Art Speerbrecher, Art Schmitz, Beverly Saunders

Clerk Present: Susie Speerbrecher

### ADMINISTRATIVE

The agenda was accepted as presented by a motion from Jerry and seconded by Chuck. Motion Carried.

The April 9<sup>th</sup>, 2014 minutes were accepted as presented by a motion from Brad and seconded by Rich. Motion Carried.

**PUBLIC INPUT** – Beverly Saunders a representative from SEWRPC was introduced by Rich

### COMMISSIONER REPORTS

Secretary – No Correspondence

Finance – Brad reviewed the finance report handout explaining the April expenses totaled \$7,263.58. Larry motioned to approve these expenses, seconded by Chuck. Motion Carried

Weed – Larry reported he has been receiving e-mails from residents concerned about weed growth and harvesting.

Chemical – In Ernie's absence Rich reported Amy Kay from Clean Lakes had been out to do a survey of the lakes and at the time found invasive weeds were not actively growing. Another survey will be done in a week to 10 days. Harvesting isn't expected to begin until late May or early June.

Bog – Rich reported a Task Force has been selected to have a plan in place for the 8 years left on the bog permit. Those selected are: Art Schmitz, Rich Gunter, Don Oker, and Rich Charts. Rich motioned to proceed with the Bog Task Force as presented in prior meetings outlining an outline to be presented at the 2014 annual meeting and a plan to be presented at the 2015 annual meeting. Jerry seconded the motion. Motion Carried.

Equipment – Chuck reported the 7' harvester has been put in Rice Lake, however Dennis Cole from Inland Marine was not present at the time of splash in. He will be coming out to do a walk through with Jeff's employees and instruct them on proper maintenance of the machine. The balance due on repairs is still being held back until the inspection is completed. The equipment trailer is now located at Parkside Marina. Jeff Widner of JNT Marina will perform a complete inventory of tools and equipment in the trailer. In addition Jeff will identify the current location of the district owned pressure washer. Chuck gave an update on the Grant for the transporter, saying he has received the necessary documentations to be submitted to the DNR by June 1<sup>st</sup>.

Wildlife Management –In Dave Cleven's absence Rich reported the number of nests are down from previous years, 17 nests, 34 adults, and 101 eggs were located.

Fish Stocking – In Tom's absence Rich read his e-mail report. Fish kills were not beyond expected for such a winter. Fish kills may have helped with carp removal. No carp netting this past winter as ice arrived before the market for fresh carp opened. The chemical Rotenone was discussed as a possible solution to destroy the carp. Walleye stocking has been tentatively approved by the DNR. Tom may have a Wisconsin walleye supplier at 2/3 the past price, i.e., more 6-8 inch walleye for less money. Walleye stocking again to be in fall. DNR plans to stock 6-8 inch pike in Whitewater Lake only. The past DNR representative (Doug Welch) has retired and now awaiting a replacement.

Audit – Brad will begin getting information together for Dominick Fashoda to audit.

Safety – Larry has set up a boater's safety class for May 17<sup>th</sup> and 18<sup>th</sup>, 2014 to be held at the Town Hall. 15 students have signed up for the class.

Water Quality – No formal report. Rich mentioned the lake was very clear after the ice went out.

2014 Schedule – The Lake Management Key Timeline needs to be corrected to say the DNR Planning Grant deadline is December 10<sup>th</sup> and the DNR Management Grant deadline is February 1<sup>st</sup>.

## **OLD BUSINESS – None**

## **NEW BUSINESS**

Rich lead a discussion on Bio-Base Sonar Scanner s.

The county has a new computer tax parcel system. The new system is producing reports that are difficult to use and do not match data received in prior years.

## **OTHER BUSINESS**

Rich gave a report on the sessions he attended at the Wisconsin Lakes Conference held in Stevens Point.

Brad reported we have received a donation of a spool of rope and a safety sign banner for oversize loads from Art Schmitz. Rich motioned a thank you to Art for his contribution, seconded by Jerry. Motion Carried.

Next meeting: June 12th, 2014 6:00 PM

Rich motioned to adjourn the meeting. Seconded by Chuck. Motion Carried.

Meeting adjourned at 7:38 PM

Respectfully submitted  
Susie Speerbrecher, Clerk

Walworth County Children with Disabilities Education Board  
Special Meeting  
MINUTES  
April 29, 2014  
County Board Room 114 – Government Center  
Elkhorn Wi 53121

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

Roll call-In attendance were, Chair Weber, Secretary Monroe, Supervisors Ingersoll and Staples. Absent with excuse was Supervisor Schaefer.

County Staff Present – Suzanne Diestelmann, Assistant Director of Special Education, County Administrator David Bretl.

Agenda Approval -- Approval of the agenda, as presented, was moved and seconded by Supervisors Monroe and Ingersoll with no withdrawals. Motion carried 4-0.

Public Comment Period – None

The committee convened in closed session pursuant to the exemption contained in Section 19.85(1)(b) of the Wisconsin Statutes, Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or action on any matter, provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session.

In closed session, the committee will discuss the following item: Directors request to issue preliminary notices of non-renewal for two teachers.

Chair Weber read the closed session language. Ingersoll/Staples moved and seconded going into closed session. A roll call vote was taken and all members voted "aye" to convene in closed session at 5:05 p.m. to discuss the following topic(s) pursuant to the exemption contained in Section 19.85(1)(b) of the Wisconsin Statutes.

At 5:30 p.m. on motion by Monroe/Ingersoll, the committee reconvened in open session. A roll call vote was taken and all members voted aye. Motion by Monroe/Ingersoll to approve the director's request to issue preliminary notices of non-renewal for two teachers as discussed in closed session. Motion carried 4-0.

Adjourn on motion by Staples/Ingersoll at 5:34 p.m. Motion carried 4-0.

Submitted by Vicki L. Price. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

Draft 5/2/14

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT  
BOARD MEETING  
SATURDAY, APRIL 26, 2014, 9:00 AM  
LAGRANGE TOWN HALL  
MINUTES

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

Absent:

Public Attendance: Ryan Mertes PL115, Ben Bourdo Town of Troy, Peter Kessel Town of Troy, Charlene Kessel Town of Troy, Jim Mueller PL42, Richard Meyer PL51, Rick Callaway PL76, Phil Holland PL69, Jim Allen PL48, Bernie Slupik PL32, Tim Barbeau R.A. Smith National

1. Approval of Agenda: Motion to approve the agenda with moving item #7, schedule meeting dates, to be item #3 (Peter/Pat). Carried unanimously.
2. Presentation by RA Smith and discussion of Drain Engineering Study: Tim Barbeau, Project Manager for R.A. Smith National presented the options for the Pleasant Lake Drawdown Improvements and answered questions. See attached report. Options being researched for water level gauges installation were explained. The Board discussion of the presentation and recommendations was scheduled for the June 14 Board meeting to give board members the opportunity to study the report. We will research the pipe repair and pipe maintenance on the Kessel property and related costs.
3. Schedule meeting dates for 2014: The next Board meeting will be June 14, 2014, at 9:00 AM.
4. Approval of Board Minutes of 2/22/14: Motion to approve the minutes changing page 5 to include "Don suggested and Dave agreed to invite the Kessels to the next Board meeting." (Pat/Peter). Carried unanimously.
5. Treasurers Report: As of 3/31/14, the balances in the People's Bank accounts are:

Checking	\$40,901.54
Money Market	\$39,740.87
Grant Fund	\$18,242.84
Total	\$98,885.25

Motion to approve the Treasurers Report (Don/Pat). Carried unanimously.

6. Approval of Audit Committee alternate member: Motion to approve the appointment of Petra Stoick as Audit Committee alternate member (Marcia/Don). Carried unanimously.
7. Discussion and possible action regarding Attorney Russ Devitt's letter of opinion on Bids, Open Meetings Law and Conflict of Interest: Dave recommended the Board follow Russ Devitt's recommendations and opinions. See attached letter. However, the Board agreed to use the bidding process for weed control for 2015 because it is a major expense. Pat will be responsible for the bid process.
8. Motion to adjourn at 11:00 AM (Ted/Don). Carried unanimously.

Respectfully submitted,  
Marcia M Sahag, secretary  
PLPRD

April 24, 2014

Mr. David Stamm, Chairman  
Pleasant Lake Protection and Rehabilitation District  
W4947 Oakwood Drive  
East Troy, WI 53120

Re: Summary of Options for the Pleasant Lake Drawdown Improvements

Dear Mr. Stamm:

Pleasant Lake currently has problems associated with the drawdown of the lake during times of increased rainfall. The existing lake outlet consists of a 10-inch diameter pipe from the lake to east of Pleasant Lake Road, for a total length of approximately 770 feet. The end of the pipe in the lake has been lifted, possibly by ice, and the invert is at 880.78 feet, which is higher than the Wisconsin Department of Natural Resources (WDNR) approved lake elevation of 880.6 feet. The higher pipe invert means that the lake elevation will need to rise to 880.78 feet before any flow leaves the lake and the pipe would only flow full when the lake elevation is higher than the top of the pipe (881.61 feet.)

The existing pipe has two 90 degree bends that do not occur at manholes and are difficult to clean, which reduces the flow from the lake. The drainage east of Pleasant Lake Road is assumed to be a pipe that flows freely to an outlet northeast of Hancock Lane. Verification that there is free flow of water to the east was not part of our scope of work and our assumption is based on observations made by PLPRD (and us) at the manhole on Hancock Lane, west of Pleasant Lake Road.

The lake drainage was evaluated in 1988 by Paul Johnson from our company who is now retired. Part of the recommendation at that time was to create a swale between the lake and the small pond located south of Hancock Lane. Regulations have changed since 1988. The WDNR has stated that any pipe or swale connection between the two water bodies would be considered a breach of the lake and, essentially, a lake enlargement and could not be permitted by them.

To increase flow from the lake during periods of high water, a drop box inlet structure in the lake is recommended. The structure would have a permanent overflow elevation of 880.6 feet as required by the WDNR. Water would flow into the structure to an outlet pipe that would be completely submerged at elevation 880.6 and above. The drop box inlet structure utilizes the entire capacity of the pipe which means higher flow through the pipe and more water leaving the lake during periods of high lake levels.

The amount of flow through the pipe increases with the depth of the pipe below the overflow elevation of 880.6, the size of the pipe, and the slope of the pipe. Initial analyses evaluated up to a 12-inch diameter pipe and an invert 2.5 feet below the overflow elevation. A pipe constructed lower than one foot below the WDNR water level requirement would need a new outlet east of Pleasant Lake Road to accommodate the flows and have a reasonable pipe slope. Since we were not aware of what was downstream east of Pleasant Lake Road, we performed a limited elevation survey this past winter and determined that the elevations would allow a free flowing ditch from the pipe outlet to the wetland area. This option was not pursued further because the Pleasant Lake Protection and Rehabilitation District (PLPRD) did not receive additional grant monies to perform additional design work and wetland delineation, as well as the additional cost it would be for construction of the project.

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Appleton, WI Orange, CA Pittsburgh, PA rasmithnational.com

Mr. David Stamm, Chairman  
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After preliminary evaluation of various flow models, the DNR stated that they did not want a pipe larger than 10 inches because of the potentially higher flows to the downstream property. The PLPRD stated that it appeared from viewing the manhole just west of Pleasant Lake Road that there was free flow to the east. The final alternatives are discussed below. All the alternatives except the "Minor Modifications" alternative include a drop box inlet structure in the lake.

#### **Alternatives**

1. Construct a two (2) foot deep drop box inlet structure in the lake at or near the current inlet pipe location and install a new 10-inch pipe between the inlet drop structure and the east side of Pleasant Lake Road. From that point, an open ditch would be constructed to the northeast to a point where water can flow by gravity into the wetlands. Work would include a drop box inlet structure at the lake, 770 feet of new pipe, 4 new manholes, approximately 730 feet of open ditching through the wooded area east of Pleasant Lake Road and restoration of disturbed areas. Estimate of probable construction costs is \$111,000
2. Construct a one (1) foot deep drop box inlet structure in the lake at or near the current inlet pipe location and install a new 10-inch pipe between the inlet drop structure and the manhole located west of Pleasant Lake Road. No work would be performed beyond that manhole and assumes free flow of water to the east. Work would include a drop box inlet structure at the lake, 670 feet of new pipe, 2 new manholes and restoration of disturbed areas. Estimate of probable construction costs is \$55,000
3. Construct a one (1) foot deep drop box inlet structure in the lake at or near the current inlet pipe location and install a new 10-inch pipe between the inlet drop structure and the manhole located where Hancock Lane turns from the west to the southwest. The slope of the pipe would be below recommended pipe slope required to be "self-cleaning" (that is, having velocities at 2 feet per second); however, the pipe would slope to the existing manhole so that it would drain out when there is no flow from the lake. From that point of connection, no work would be performed to the east. Work would include a drop box inlet structure at the lake, 310 feet of new pipe, 2 new manholes and restoration of disturbed areas. Estimate of probable construction costs is \$36,000
4. Make minor modifications to the existing system. Work would include installing new manholes at the pipe bends and "line" the pipe with a cured-in-place pipe material that would essentially provide a like-new pipe for better hydraulics. Estimate of probable construction costs is \$37,000

#### **Discussion of Alternatives**

During the development of alternatives, we considered variations of each alternative to determine how to maximize the drawdown of the lake, while being sensitive to construction costs and the larger picture of making sure that the recommended alternative would service the PLPRD long term. In evaluating the alternatives, we are making a key assumption in that the water that flows out of the manhole near the intersection of Hancock Lane and Pleasant Lake Road does in fact flow freely, without obstruction to the east. Any blockage or grade problems east of Pleasant lake Road can affect the anticipated flows in the pipes west of Pleasant Lake Road.

Alternate 1 includes a two-foot deep drop box inlet structure with the top of the structure being at the water level dictated by the WDNR (880.6). The pipe slopes associated with alternative 1 meet the recommended slopes for self-cleaning the pipe; however, the pipe elevations end up below the existing manhole elevations. This alternative also requires ditching to the east to assure gravity flow. Alternates 2 and 3 include a one-foot drop box structure with slopes in the pipes that are below the recommended minimum. We have compared the resulting draw down time for each of the three alternatives and conclude that in the 100-year storm (5.88 inch storm), the draw down time for alternative 1 is approximately 9 weeks as compared to 11 weeks for the other alternatives. In the ten-year storm (3.62 inch storm), the draw down time for alternative 1 is approximately 4 weeks as compared

Mr. David Stamm, Chairman  
Page 3 / April 24, 2014

to 5 weeks for alternatives 2 and 3. In the 2-year storm (2.57 inch storm), the draw time is approximately the same for all three alternatives at 2 weeks.

Consideration was also given to performing minor repairs to the existing system; however, the repairs noted above would not change the hydraulic characteristics of the current drawdown pipe situation, this does not address the problems identified by the PLPRD.

### **Recommendation**

We recommend pursuing alternative No. 3--based on the fact that the draw down time difference between the three alternatives is not significant and the length of new pipe and manholes is shorter than the others which minimizes construction costs.

When the PLPRD selects an alternative, we will complete the final plans, prepare the specifications and bidding documents, bid the project out and submit the permits to the WDNR. This work can be completed approximately 60 days after the notice of the selected alternative.

Should you have any questions, please contact me at (262) 317-3307 or [tim.barbeau@rasmithnational.com](mailto:tim.barbeau@rasmithnational.com).

Sincerely,



Timothy G. Barbeau, PE. RLS  
Project Manager

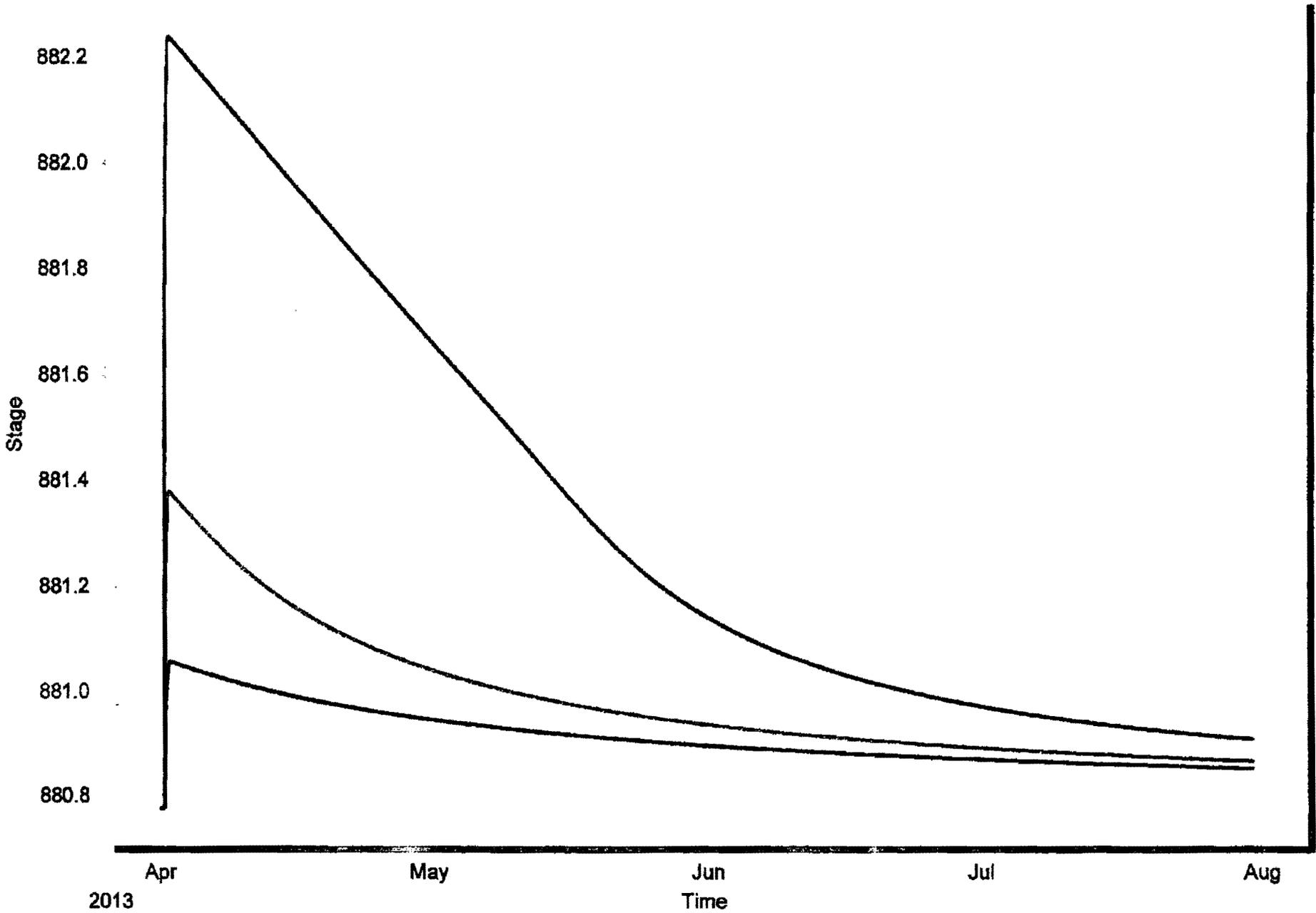
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3.62 Inches[Max 881.380]

5.88 Inches[Max 882.242]

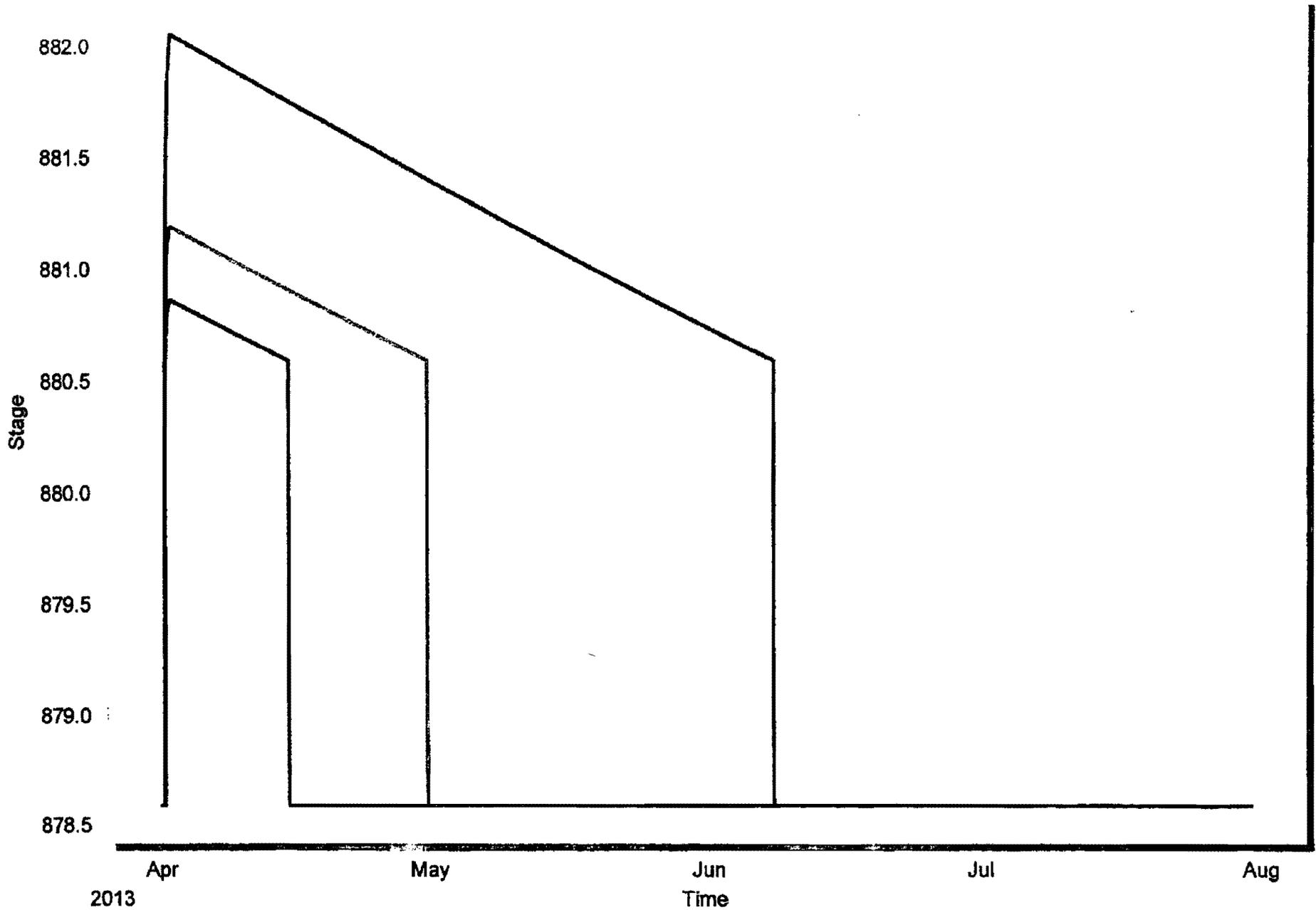


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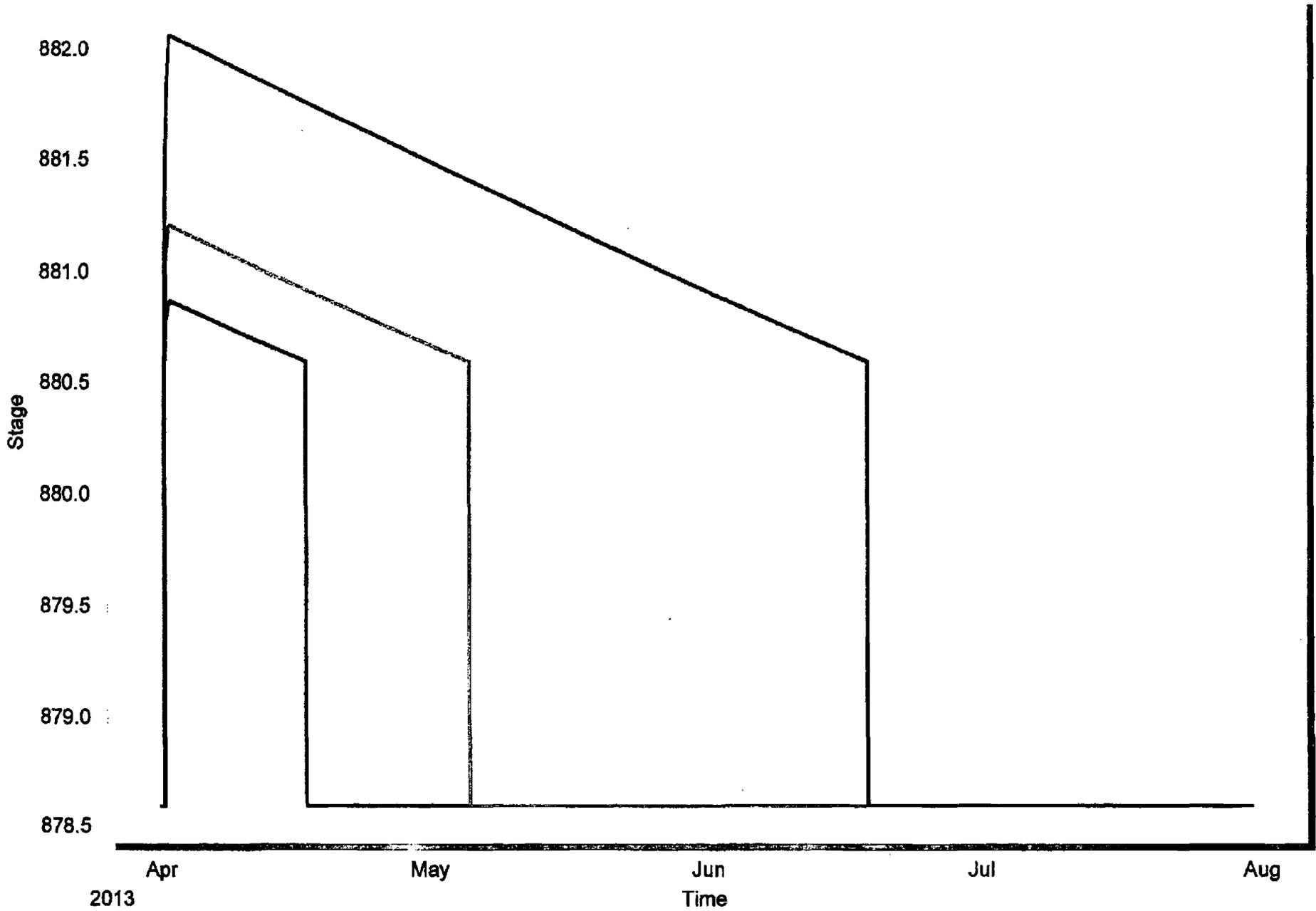


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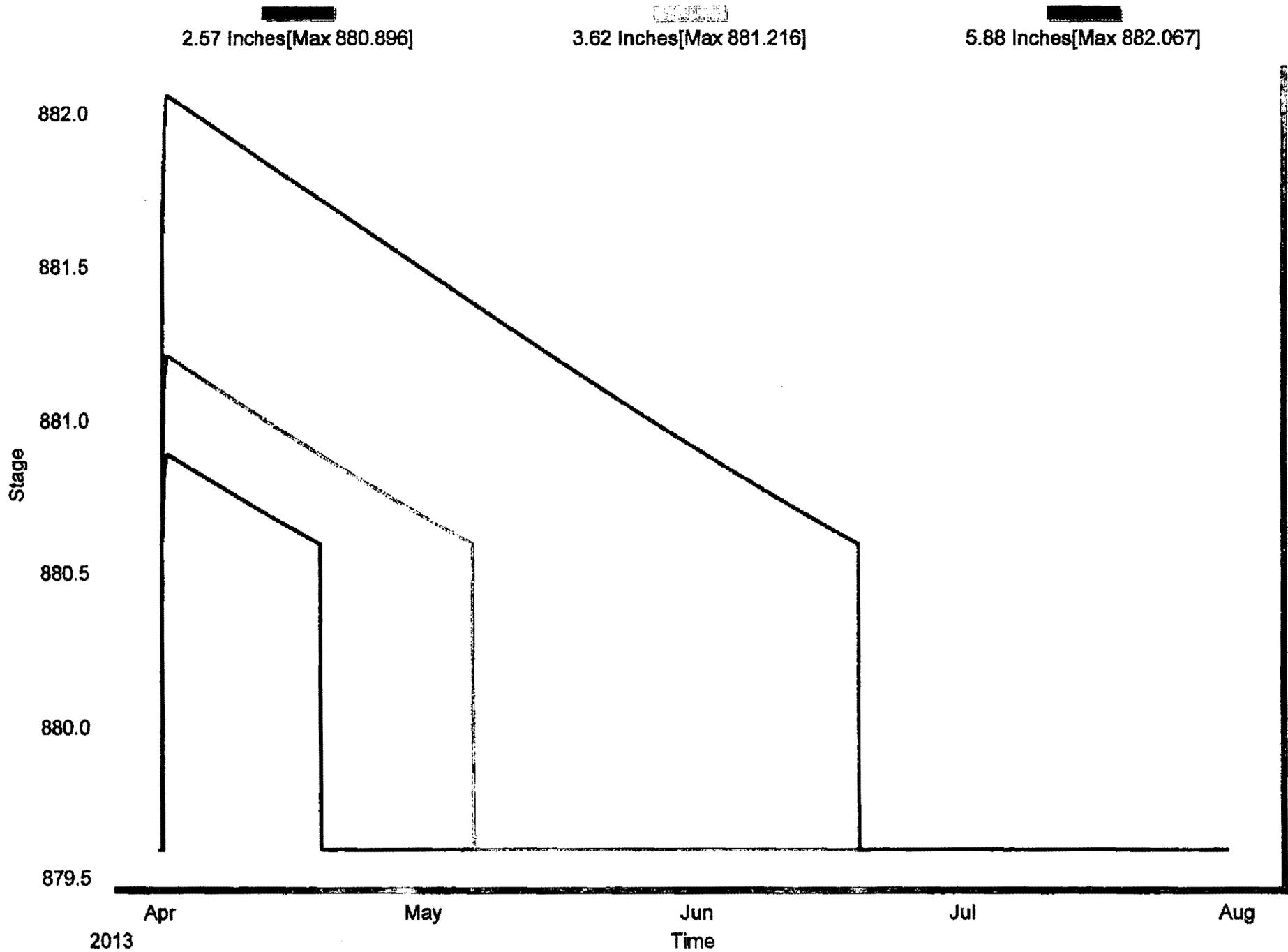
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# Node - Alt3\_1



SOFFA & DEVITT LLC

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Telephone: 262-473-5105  
Facsimile: 262-473-5166

March 5, 2014

Pleasant Lake Lake Management District  
Ms. Marcia Sahag  
W5036 Robinson Drive  
Elkhorn, WI 53121

Re: Legal Issues

Dear Marcia:

You have asked for my opinion on a few items of concern to the Pleasant Lake Lake Management District. I will respond to them below:

REQUIREMENTS OF BIDDING FOR PUBLIC WORK

You have asked if it is necessary for the District to let for bid under Wisconsin Statute Section 33.22(1) services which have been provided in the past for weed management at the lake by Lake Pond Solutions.

Generally Wisconsin Statute 33.22(1) requires that contracts in excess of \$2,500.00 "for the performance of any work or the purchase of any materials" shall be let by the Board to the lowest bidder "in the manner they prescribe". This gives the Board of Commissioners a certain degree of discretion in terms of establishing how contracts are let for bid and what the requirements are for a bidder, which may be important if different contractors offer to perform services in different ways. It has generally been held in Wisconsin that contracts for the performance of services "requiring scientific knowledge and professional skill" do not involve the performance of "work" which must be submitted to competitive bidding. This issue was examined in Wisconsin and specifically with regard to a decision in Walworth County with regard to Lake Como in the case of Aqua-Tech Inc. v. Como Lake Protection and Rehabilitation District found at 71 Wis. 2d 541, 239 N.W.2d 25 (1976). There the Supreme Court determined that work which was to be done by the Lake Protection District for a "feasibility study" probably required public bidding because Wisconsin Statute Section 33.13 specifically indicated at paragraph (2)(a) that the feasibility study work be done by the lowest responsible bidder who submits a bid in the manner the District Commissioners prescribe. Although the Supreme Court did not decide that issue it remanded it for decision by the Court determining that the Court which found that such types of work generally did not require public bidding, was wrong because the statute above cited specifically contemplated bidding in the case of a "feasibility study."

With respect to the type of work you are having performed, namely weed management and control, your Board has more latitude I believe to consider this type of thing to be exempt for bidding because the type of work you are contemplating requires scientific knowledge and professional skill which perhaps does not fall within the category of public "work".

In addition you should be aware that lake districts which exercise the powers of sanitary districts (and I do not know if Pleasant Lake Lake Management District has adopted such a resolution at an annual meeting or initially) also have more latitude. If it has adopted a resolution to exercise the powers of a sanitary district (as Lauderdale Lakes Lake Management District has) then under Wisconsin Statute 60.77 the District has the general authority to deal with surface waters to promote the public health, comfort or convenience, and specifically permits the provision of "chemical or mechanical treatment of waters to suppress swimmer's itch, algae and other nuisance-producing aquatic growth." Furthermore such section of the statutes at 60.77(6)(a) indicates that the requirement for bidding is only on work that exceeds \$25,000.00 and then indicates that the provisions of Section 66.0901, which is the public works bidding statute for municipalities in Wisconsin, apply. That section defines a "public contract" as a "contract for the construction, execution, repair, remodeling or improvement of a public work or building or for the furnishing of supplies or material of any kind, proposals for which are required to be advertised for by law." Thus if Pleasant Lake is exercising the powers of a sanitary district it would seem that this particular contract would not fall within the purview of the bidding requirement.

Certain lake districts have adopted bylaws which prescribe and somewhat alter bidding requirements. For example Lauderdale Lakes Lake Management District enacted a bylaw which indicated that public work contracts would be subject to bid but defined that as including "contracts for construction, repair, remodeling or improvement of public works or buildings . . . but excluding contracts for services or equipment, which *may* be let for public bidding if the Board, in its discretion, chooses to do so."

Therefore the answer to your question is probably dependent upon the nature and extent of the professional judgment and discretion that is exercised in the process of controlling weed and aquatic growth and whether it is capable of being reduced to specifications in the bid request, or is left to the judgment of the contractor. Also if the District has adopted sanitary district powers it is not required to bid these types of services unless they exceed \$25,000.00. Furthermore the general public bidding statute relates to physical structures, buildings and materials, more so than professional and discretionary type services. I would suggest that you contact DNR and ask if it has taken a position regarding aquatic and weed management with other lake districts or allows each lake district to exercise its own discretion in this regard.

Furthermore, you should be aware that under public bidding law there is no specification that a contract cannot be for more than one year. Even if public bidding law applies it doesn't mean the

contract has to be rebid on a yearly basis if it makes sense to have it bid for a longer period of time. Again under public bidding law this usually isn't an issue because the bidding is for the specific purpose of improving or constructing a public building or structure, not for the provision of services.

#### OPEN MEETINGS

You forwarded to me a copy of the open meetings disclaimer for the Town of LaGrange. I believe the reason the Town does this is because the agenda is sent out to the Board Members and the disclaimer is so that the Board Members don't discuss among themselves agenda items in advance of the meeting by "replying to all". I don't believe it is necessary for you to have such a disclaimer on your agenda. I do believe that the District should every once in awhile remind its Board Members that business matters cannot be discussed, for the purpose of transacting the business or affecting the transaction of business of the District, outside of a publicly scheduled open meeting (or as permitted by law for certain subjects a publicly noticed closed meeting). The open meeting law as set forth at Wisconsin Statute 19.81 and 19.82 et. seq. provides that "meetings" of governmental bodies are rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties of the body if "one-half" or more of the members are present. In other places it has been held that if a quorum of the public body is present that constitutes a meeting for purposes of the open meeting law. Nonetheless a more conservative view of this would be that at no time should members of the board discuss the business of the board outside of a publicly noticed meeting, whether opened or closed, in such a way as to affect or try to affect action the Board is either contemplating or has taken. This can be conveyed simply by a reminder to the Board that all business of the Board of Commissioners should take place at a publicly noticed meeting pursuant to the open meetings law only. Again I don't think a disclaimer such as that used by the Town of LaGrange is necessary.

#### CONFLICT OF INTEREST

You have asked my opinion regarding whether board members voting on an issue of concern to lake residents, some for some against, is a conflict of interest for the board members for which they should recuse themselves from voting. The short answer is no. If board members recuse themselves from voting just because they happen to own homes on the lake and therefore have interests in the resource and how it is best managed and how the resource affects either positively or negatively the property where they reside, there would be no commissioners to serve on the Board. Everyone has a general interest and perhaps a specific property interest in the resource. If they didn't they wouldn't probably choose to live on the lake. Generally a conflict of interest is considered to be a direct financial interest in an outcome which is personal to them. Again, bylaws frequently provide that commissioners abstain from voting where they have a conflict of interest but usually define that as something personal and financial to themselves, not generally applicable to others on the lake. For

Pleasant Lake Lake Management District  
March 6, 2014  
Page 4 of 4

example "Any commissioner shall abstain from voting on any matter before the Board in which he, as a private person, or in which any member of his immediate family, has a *financial* interest." This would be where, for example, a Board Member was seeking to become employed by the District for a specific purpose or would personally gain from a particular decision of the Board in a way that others on the lake would not. The issue you have discussed with me relates to matters of general concern among lake residents, some for some against, but would not be considered a conflict of interest for a Board Member to vote on because, as stated, if that were, it would result in no one being able to vote.

Please look this over and give me a call with any questions you have.

Very truly yours,

SOFFA & DEVITT LLC

Russell W. Devitt

RWD:kl



## ***DRAFT***

### Walworth County Children with Disabilities Education Board

#### MINUTES

April 23, 2014 5:30 pm

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

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The meeting was called to order at 5:30 pm. by CDEB Director Tracy Moate.

Roll call – In attendance were, Supervisor Weber, Supervisor Monroe, and Supervisor Ingersoll, Supervisor Schaefer, and Supervisor Staples. A quorum was declared.

County Staff Present – CDEB Director Tracy Moate, County Administrator Dave Bretl, Lakeland School Principal Greg Kostechka, and Supervisor Nancy Russell

Agenda Approval - **Approval of the agenda, as presented, was moved and seconded by Supervisors Schaefer and Weber with no withdrawals. Motion carried 5-0.**

Minutes Approval – **Minutes from the February 19, 2014 CDEB meeting were approved on a motion from Supervisor Monroe and seconded by Supervisor Weber. Motion carried 5-0.**

Public comment period – Supervisor Russell complimented Lakeland School for their Spring Musical. Supervisor Russell encouraged board members to attend events like graduation and the holiday and spring shows.

Election of committee chairperson and secretary. Bretl began by asking for nominations for Chairperson. Supervisors Monroe and Schaefer moved and seconded nominating Supervisor Weber as Chairperson. Bretl called for any other nominations, and there were none. **On motion and second by Supervisors Ingersoll and Schaefer, nominations were closed and a unanimous vote for Weber as Chair was cast. The motion carried 5 – 0.** Bretl called for a nomination for Secretary. Supervisors Schaefer and Ingersoll moved and seconded nominating Supervisor Monroe as Secretary. Bretl called for any other nominations, and there were none. **On motion and second by Supervisors Schaefer and Staples, nominations were closed and a unanimous vote for Monroe as Secretary was cast. The motion carried 5 – 0.** Bretl turned the meeting over to Chairperson Weber.

Role of the CDEB committee. Chair Weber referred to pages 3 – 5 in the handout defining the CDEB organization and duties. Tracy Moate stated that Sec. 2-134 gave an overall view of the duties of the CDEB.

Children with Disabilities  
Education Board



Children with Disabilities  
Education Board

## **DRAFT**

New Business – Lakeland School calendar 2014-2015 school year. **On a motion by Supervisor Schaefer, seconded by Supervisor Ingersoll, the Lakeland School Calendar was approved 5-0.**

Union Grove/Racine Unified tuition request. Tracy Moate presented a request for a tuition student who is a resident of Racine School District, but open enrolled to Union Grove. Discussion followed regarding the process of enrolling tuition students at Lakeland School. **Supervisor Schaefer made a motion to approve the placement of the tuition student at Lakeland, seconded by Supervisor Staples, motion carried 5-0.**

Discussion and possible approval of Resolution No. \*\*-05/14 – Tracy Moate presented the resolution to the board. The resolution is to adjust the CDEB fund balance. A portion of the fund balance will be committed to the future debt service and the remainder will go to the equipment/building maintenance. **Motion by Monroe/Ingersoll to approve resolution No \*\*-05/14 was made. Motion passed 5-0.**

Supervisor Schaefer left the meeting at 5:45 pm.

### Reports and correspondence

CDEB Director – Tracy Moate updated the board on events to be held at Lakeland School in the near future. Lakeland Prom will be April 25<sup>th</sup>, School Fest is on May 10<sup>th</sup>, and social graduation will take place on June 9<sup>th</sup>. The kitchen and pool were recently inspected by the state and passed without any violations. The school lunch program was reviewed by DPI school nutrition team. No corrective action is required. Tracy Moate informed the board in Special Olympic events and updated information on the district transfer of services.

Set time and date of next meeting – June 18, 2014 at 5:30 pm.

**The committee convened in closed session pursuant to Wis Stats §19.85 (1)(b) considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session.**

In closed session, the committee will discuss the following item: Directors request to issue preliminary notice of non-renewal for a teacher.

A roll call vote was taken and all members voted “aye” to convene in closed session.



**DRAFT**

On a motion by Ingersoll & Monroe the committee reconvened in open session. **Motion by Ingersoll & Monroe to approve the director's request to issue preliminary notice of non-renewal for 1 teacher as discussed in closed session. Motion carried 4-0.**

A potential meeting date was set for Monday May 12<sup>th</sup> @ 3:00 pm should there be a need for one.

Motion to adjourn was made by Supervisor Monroe, seconded by Supervisor Staples, motion passed 4-0. Meeting adjourned at 6:20 pm.

Minutes recorded by Kathy Kramer, CDEB

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

Children with Disabilities  
Education Board

**Walworth County Health and Human Services Committee**

**MINUTES**

April 23, 2014 Meeting – 2:00 p.m.

Walworth County Board Room  
Government Center – Elkhorn, Wisconsin

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The meeting was called to order by Ms. Seemeyer at 2:00 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services; Juliet Young, Health and Human Services; David Bretl, County Administrator; Janis Ellefsen, Health and Human Services Manager; Carlo Nevicosi, Health and Human Services Manager; Lisa Kadlec, Health and Human Services Manager; Anne Prince, Health and Human Services Supervisor; Nancy Russell, County Board Chair

Public in attendance – There were two members of public in attendance.

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

The Health and Human Services minutes from the March 19, 2014 meeting were approved. **Motion and second made by Citizen Representative Wagie-Troemel/Supervisor Monroe to approve the minutes. Motion carried 7-0.**

Public Comment – There was no public comment.

Election of Chair – Ms. Seemeyer announced that per the ordinance that the chair of this committee is also on the Transportation Coordinating Committee. **Motion and second by Supervisor Brellenthin/Citizen Representative Wagie-Troemel to elect Supervisor Monroe chair of this committee. Motion carried 7-0.**

Election of Vice Chair – Supervisor Monroe asked for nominations for the vice chair. **Motion and second by Supervisors Ingersoll/Schaefer to nominate Supervisor Brellenthin as the vice chair of this committee. Motion carried 7-0.**

Role of Health and Human Services Committee – Mr. Bretl encouraged this committee to visit the Health and Human Services Center to learn more about this department. He also instructed them to ask questions. Ms. Seemeyer reminded them they are both a Human Services Board and the Board of Health. She briefly reviewed the enclosure regarding the department.

Citizen Representative Wucherer asked about contacting staff. Ms. Seemeyer stated that it is permissible to call staff as a board member but that one individual is not speaking on behalf of the board unless voted on. Mr. Bretl added that courtesy call to Ms. Seemeyer would be appreciated. The committee was reminded of the department's HIPAA confidentiality policy.

Citizen Representative Wucherer raised concern over core values and his role on this committee in reference to a motion that was passed at last month's meeting and was not acknowledged by the full County Board. Mr. Bretl stated that in this particular situation the County Board disagreed with this committee on that issue. While there are decisions that can be made at this level, there are items that need to be decided by the full County Board who will look to this committee for possible recommendations. Mr. Bretl stated that former Supervisor Grant drafted the ordinance in question.

Unfinished business –

*Coordinated Service Teams Grant Award* – Ms. Seemeyer introduced Lisa Kadlec. Ms. Kadlec stated that she is working with the State to have certain conditions the department asked for to be included into the grant documentation. Ms. Seemeyer stated that funds received this year will be used towards planning for these new teams.

*Elderly Nutrition Program Revitalization Pilot Project Funding Grant* – Ms. Seemeyer introduced Anne Prince, Nutrition Program Supervisor. Ms. Prince gave a review of last month's presentation. Money awarded from this grant will reopen a senior dining center in East Troy. The last dining center was in a nursing home and this new site will be in a senior apartment building.

Supervisor Schaefer asked what funding this new site after the grant ends next year. Ms. Prince stated she has some flexibility in her budget and will work on a plan to sustain this site along with the six other existing sites.

Supervisor Schaefer asked if the meals were produced by a catering company or a nursing home. Ms. Prince stated that per the requirements of the program the meals are made by a catering service.

Citizen Representative Wucherer asked what days of the week will the new site be open. Ms. Prince stated this was not determined yet.

Supervisor Monroe asked when the East Troy site closed. Ms. Prince stated it was closed several years ago.

Supervisor Ingersoll asked for clarification on the plan after the grant has ended. Ms. Prince stated she does not have any intention of closing any of the meal sites, nor will she ask for additional funding from this committee. She will use flexibility with current staff time and recurring grant money to fund all seven dining centers.

Supervisor Staples asked why East Troy was chosen as the location. Ms. Prince stated it was due to the fact that there was a site there before. She added that she listed the City of Walworth as an alternative if a site could not be determined in East Troy.

Citizen Representative Wucherer asked how many participants would be served at this new site. Ms. Prince is hoping the site will have twenty to thirty participants per meal.

Supervisor Schaefer asked about the cost for the meals. Ms. Prince stated the meals cost \$5.10 and a donation of \$3 was asked for each meal. She stated most participants pay donations and grant money covers the rest of the costs.

Supervisor Schaefer asked if dining centers were in nursing homes. Ms. Prince stated the nutrition program's dining centers were located in senior apartments.

Supervisor Russell stated she thinks these are wonderful programs.

New Business –

*Juvenile Justice Grant* – Ms. Seemeyer introduced Carlo Nevicosi, Behavioral Health Manager. Mr. Nevicosi stated the Juvenile Justice Grant was discussed and supported at the Criminal Justice Coordinating Council (CJCC) meeting last week. Municipal Judge Michael Cotter is very supportive of this grant and is looking to expand the program beyond East Troy.

Supervisor Schaefer asked if this was the same grant turned down few months ago. Mr. Bretl stated that was a different CJCC item.

*HHS Board Nomination – Berenice Solis* – Ms. Seemeyer stated Ms. Solis was interviewed for the vacant citizen representative position on this board due to Ms. Pious' retirement.

**Motion and seconded by Supervisors Schaefer and Staples to recommend the nomination of Berenice Solis as a citizen representative on this committee. Motion carried 7-0.**

Reports –

*Inspiration Ministries - Dental* – Ms. Seemeyer stated there was a recent report of Community Health Systems filing for Chapter 11. She assured this committee that the contract for dental services would not be affected by this filing.

Correspondence – There were no correspondences.

Announcements – There were no announcements.

Next Meeting Date – The next meeting is scheduled for May 21, 2014 at 2:00 p.m.

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**Adjournment – On motion and second by Supervisors Schaefer/Ingersoll Chair  
Monroe adjourned the Health and Human Services meeting at approximately 2:35  
Motion carried 7-0.**

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

**Walworth County Human Resources Committee**

MINUTES

April 23, 2014 – 3:30 p.m.

County Board Room 114 – Government Center  
Elkhorn, Wisconsin

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The meeting was called to order at 3:30 p.m.

**Roll call** – In attendance were Supervisors Rich Brandl, Tim Brellenthin, Kathy Ingersoll, Ken Monroe and Rick Stacey. A quorum was declared.

**Others present** – Supervisor Nancy Russell; Dale Wilson, Human Resources Director; David Bretl, County Administrator; Bernie Janiszewski, Nursing Home Administrator; John Miller, Facilities Manager; and Kevin Brunner, Director of Central Services.

**Agenda withdrawals**, if any – none

**Agenda approval** Motion by Brandl/Brellenthin to approve agenda. Motion carried 5-0.

**Approval of minutes of March 19 and 31, 2014 on Monroe/Brandl motion.** Motion carried 5-0.

**Public Comment period** – none.

**Special Order of Business**

**Nomination and election of Chair of Human Resources** Dale Wilson called for nominations for Chair. Motion by Monroe/Brellenthin to nominate Brandl. Wilson called for nominations twice. Motion by Stacey/Monroe to close nominations and to cast a unanimous vote. Motion carried 5-0.

**Nomination and election of Vice Chair of Human Resources** Brandl called for nominations. Monroe nominated by Monroe/Stacey. Brandl asked for nominations twice. Motion to close nominations and to cast a unanimous vote by Stacey/Monroe. Motion carried 5-0.

**Role of the Human Resources Committee** Bretl stated this committee was unique as it has long serving returning members. Bretl informed the committee that changes will be taking place with the Human Resources Department under Dale Wilson. The department will be adding risk management and safety positions and revisions will be made on how we recruit and hire new employees. Wilson added he is looking forward to the challenges.

## **Unfinished Business**

**Discussion and possible action regarding Amending Section 15-187 of the Walworth County Code Relating to Residency Requirements for Deputies.** This item was tabled from the March 19, 2014 meeting. Wilson asked for this item to be tabled until the May meeting as the Deputies have not signed their contract and we may wish to hold off until we have obtained a signed contract. **Motion by Monroe/Stacey to table amending section 15-187 for one month. Motion carried 5-0.**

## **New Business**

**Discussion and possible action regarding Lakeland Health Care Center changing position 510321 to a registered nurse position.** Wilson asked Janiszewski to the front and distributed information to the committee. Wilson stated he is supportive of the request. Janiszewski affirmed the item had passed the Lakeland Health Care Center Board earlier today. Janiszewski explained the needs to increase RN coverage include Medicare (rehab) census has increased to 12.38%. RN staffing is used when scoring 2 categories of the federal Five Star Program. We are currently only receiving a two star rating due to RN staffing. Also the acuity level in longer term care facilities has grown and the higher acuity requires more RN time. Finally, nursing homes have become an extension of hospital care with post-surgical required care provided by RN's. It is not the intent of administration to change all LPN to RN's; rather as LPN positions become vacant management will review the resident assignments and determine if additional RN coverage is needed. **Motion by Stacey/Brellenthin to approve amending section 15-17 of the code relating to the reclassification of an LPN position at LHCC. Motion carried 5-0.**

**Discussion and possible action regarding Amending Sections 15-525, 15-526 and 15-527 of the Walworth County Code relating to the donor program.** Wilson reviewed the ordinance changes with the committee regarding amending the policy to allow an employee to qualify for the donor program while on medical leave, not just FMLA leave. Wilson added the amendment reflects current practice of placing limitations on donated hours and notifications to departments. **Motion to approve amending sections 15-525, 15-526 and 15-527 of the Code relating to the donor program by Monroe/Brellenthin. Motion carried 5-0.**

**Discussion and possible action regarding Amending Section 15-17 of the Code Relating to Position Changes in Public Works.** Wilson reviewed the history of this amendment to section 15-17. The first change is to the title of the Administrative Secretary I-Facilities to Administrative Secretary I-Public Works is to reflect the job duties of the position. Included in the amendment is the reallocation of five Maintenance Assistant positions to five Maintenance Technician positions. In February of this year resolution 75 was passed committing the county to promote Public Work employees upon completion of training and testing. Wilson asked Miller and Brunner to come to the front. Miller distributed copies of training materials. Miller explained that all of the five Maintenance Assistants completed the initial plan, enrolling in February and completing by April 16. The program was on-line and administered by TPC Training Systems. Miller stated he was impressed with the enthusiasm and progress shown by each individual employee. Brunner wished to emphasize that this was the first step in a process; employees will need to continue to obtain additional certifications and have their performance

evaluations reflect their growth. Bretl commented he was surprised at the speed the certifications were obtained and was impressed with the employee's commitment. In the future employees will need training and their performance evaluation will have a goal to obtain continuing education. **Motion by Brellenthin/Ingersoll to approve amending section 15-17 of the code relating to position changes at Public Works. Motion carried 5-0.**

**Discussion and Possible action regarding Amending Chapter 15 of the Code Relating to Updates to Position Titles** Wilson explained this amendment is to update position titles in various sections and to add the Risk Benefits Manager and Financial Systems Administrator to the list of employees under employment contracts. Wilson added that the packet version is missing one additional change for Section 15-554-Tax sheltered annuities (line 20). The title deputy county administrator-finance should be changed to human resources director. This change is due to benefits being under human resources instead of finance. **Motion by Stacey/Monroe to approve amendment with the additional correction to section 15-554 line 20. Motion carried 5-0.**

Reports/announcements by Chairperson – Brandl thanked the committee for the support in electing him chair.

The next regular meeting of the Human Resources Committee was confirmed for Wednesday, May 21, 2014 at 3:30 p.m.

**Adjournment.** On motion and second by Monroe/Stacey meeting was adjourned at 4:03 p.m.

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Submitted by Vicki L. Price. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

Walworth County Lakeland Health Care Center  
Board of Trustees  
MINUTES  
April 23, 2014 meeting 1:00 PM

Walworth County Meeting Room 111  
Government Center – Elkhorn, Wisconsin

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

**Roll Call** - Committee members present included Tim Brellenthin, Kathy Ingersoll, Ken Monroe, Joe Schaefer, and Charlene Staples.

**County staff present** – Bernadette Janiszewski, Nursing Home Administrator; David Bretl, County Administrator

**County Board present** – Supervisor Nancy Russell.

**Public in attendance** - Sandy Wagie-Troemel, Health and Human Services Citizen Representative, Vicky Wedig, Community Editor Delavan Enterprise.

There were no agenda withdrawals. **Supervisors Schaefer and Brellenthin moved approval of the agenda. The motion carried 5-0.**

The Lakeland Health Care Center Board of Trustees **minutes of March 19, 2014 were approved on motion and second by Schaefer and Monroe. The motion carried 5-0.**

**Public Comment** – None

**Special Order of Business** Janiszewski called for nominations of the Lakeland Health Care Center Board of Trustees chair. Schaefer nominated Ken Monroe. Janiszewski called for nominations twice. **Motion by Brellenthin/Schaefer to close nomination and cast a unanimous vote. Motion carried 5-0.**

Monroe called for nomination of the Lakeland Health Care Center Board of Trustees vice chair. Schaefer nominated Brellenthin. Monroe called twice for nominations. **On motion by Ingersoll/Monroe to close nominations and cast a unanimous vote. Motion carried 5-0.**

**Role of Lakeland Health Care Center Board of Trustees** Bretl explained that as part of the 2014 budget the nursing home operations were separated from Health and Human Services. Along with that the two committees were separated. The Lakeland Health Care Center trustees consist of five supervisor members. The Nursing Home Board can decide if it wants citizen members. If so, it can make that recommendation to the County Board. This committee now has a longer time slot in order to discuss issues. The committee sets the policy for the facility and the program. Staff is counted on for implementation. Bretl hopes that the Board is supportive of administration but invites trustees to pose questions in order to be comfortable with decisions. Janiszewski added the committee should guide policies and promised to keep the committee informed. Trustees should feel free to call her any time.

## New Business

- a) **Overview of Lakeland Health Care Center Operations**– Janiszewski reviewed the summary of operation information included in the packet. Telephone numbers for key personnel were listed along with the 2014 budget summary, programs, admissions process, and donated funds.
- b) **2013 Lakeland Health Care Center SWOT Analysis**- Janiszewski stated that the list of strengths, weaknesses, opportunities and threats was developed by staff in 2013. Janiszewski acknowledged that a committed and caring staff is one of the Center's greatest strengths. Monroe asked what is being done to eliminate the weaknesses. She is working with Human Resources to improve the hiring process. The number of retirements over the past several years seems to be slowing down. Staff is working to try different scheduling practices, things that will attract new employees. Changes in the Medicare program require the Center to work closely with the hospitals to eliminate hospital readmissions. One of the biggest threats is lack of physician involvement in long term care. Ingersoll asked if the Board could help in any way. Janiszewski stated that at this point the biggest obstacle in attracting physicians to practice at the facility is access to computer information. Staff is working with the various hospitals on ways to exchange health care information electronically. Janiszewski is working with I.S. to fix the problems with the wireless system. Physicians are frustrated because they cannot always access their patient's records.
- c) **Registered Nurse Positions** Janiszewski reviewed the request to change a Licensed Practical Nurse position to Registered Nurse position. This item is also on the Human Resources Committee's agenda. There are a number of reasons to increase RN coverage, including the increase in Medicare (rehab) census from 5.73% in 2007 to 12.38% in 2013. RN staffing hours are used to score two categories in the five star rating program. As the government works to keep people in their home as long as possible, the acuity level in long term care has grown. Higher medical acuity requires more RN time. It is not the intent of administration to change all LPN to RN's. Rather, as LPN positions become vacant management will review the resident assignments in that neighborhood and determine if additional RN coverage is needed. **Motion by Schaefer/Staples to approve request and send to the Human Resource Committee. Motion carried 5-0.**

## **Reports**

- a) **Administrator's Report and Financial Update** Janiszewski reviewed the monthly administrator's report and asked the committee if they would like to see anything added. Staples asked for a monthly average of the overtime costs. Supervisor Russell asked that more information regarding workers compensation claims be added to the report. Janiszewski will add to next report.

## Correspondence – none

## Announcements –

- a) **Upcoming Events** Janiszewski directed the supervisor's attention to the list of upcoming events and noted that the 7<sup>th</sup> annual golf outing date has been changed to Saturday, August 9, 2014. National Nursing Home week is May 11 to 17. Janiszewski said they are working on plans to make it special for staff and residents.

The next Lakeland Health Care Center Board of Trustees meeting date was confirmed for May 21, 2014 at 1:00 p.m.

**Adjournment – On motion and second by Supervisors Brellenthin/Ingersoll, Chairman Monroe adjourned the meeting at 1:45 p.m.**

Submitted by Vicki L. Price. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled meeting.

**Walworth County Board Executive Committee**  
**April 21, 2014 at 10:00 AM**  
**County Board Room 114**  
**Walworth County Government Center**  
**100 W. Walworth St., Elkhorn, Wisconsin**  
*Minutes*

Chairman Weber called the meeting to order at 10 AM. A quorum of members was in attendance, including Chairman Weber and Supervisors Brandl, Russell, Staples and Kilkenny. Others in attendance included Supervisor Kathy Ingersoll; Dave Bretl, County Administrator; Nicole Andersen, Deputy County Administrator – Finance; and, Ann Seaver and Franklin Jones, candidates for reappointment to the Board of Adjustment.

Agenda approval, with no changes or withdrawals, was moved and seconded by Kilkenny and Staples; the motion carried 5 – 0.

Approval of the March 11, 2014 & March 17, 2014 executive committee minutes was moved and seconded by Brandl and Russell; the motion carried 5 – 0.

There was no comment during the public comment period.

Nominations and election of the executive committee vice chair was conducted. Brandl moved placing Kilkenny in nomination; the motion was seconded by Russell. Chairman Weber called for any other nominations; there were none. Russell moved to close nominations and call for unanimous consent; the motion was seconded by Brandl. By a vote of 4 - 0, Supervisor Kilkenny was elected Vice Chair.

*Role of the Executive Committee.* Members had been provided a copy of Sec. 2-131 of the Walworth County Code of Ordinances listing executive committee duties. Bretl explained that some committee duties are more straightforward than others; the executive committee's duties are a bit more complicated. Roles have changed over the years. Some themes emerge: it is the committee that deals with board and organizational issues; hires County Administrator and reviews that person's performance; fill vacancies and revises chapter 2 county board rules; exercises oversight of criminal just coordinating committee activities and economic development activities in the. Over the years public safety was taken on after the sheriff's committee was eliminated in the early 2000s. Following that, oversight of Criminal Justice Coordinating Committee activities was added in addition to economic development oversight, workforce investment act activities and tourism issues. In 2004, the board's rules changed to include the entire board electing the executive committee chair; Dave Weber has held the position since 2006. Mr. Bretl asked if, in reviewing the duties, committee members had any thoughts or suggestions. Kilkenny suggested the possibility, in the future, of including any issues that aren't clearly defined as being under the oversight of another committee.

**Appointments.** The following nominations had been submitted by County Administrator Bretl for the committee's consideration.

*County Zoning Agency.* Reappointment of Richard Kuhnke and Jim Van Dreser was moved and seconded by Brandl and Russell; the motion carried 5 – 0.

*Health and Human Services Board.* Mr. Bretl nominated Berenice Solis as citizen member. Chairman Weber stated that Ms. Solis has been active in the Hispanic community. Bretl had an opportunity to talk with her. The Health and Human Services department has made an effort to engage the Hispanic community. Many HHS clients are part of Hispanic communities in the county. Russell moved and Kilkenny seconded appointment of Ms. Solis; the motion carried 5 – 0.

*Lake Geneva Public Library Board.* The library board recommended reappointment of Fritz Oppenlander, who serves as a county representative. Reappointment of Mr. Oppenlander was moved and seconded by Brandl and Russell, and carried 5 – 0.

*Board of Adjustment (BOA).* Pursuant to section 2-131 (a) (4) c of the Walworth County Code of Ordinances, the committee will interview Ann Seaver and Franklin Jones. The committee asked the candidates several questions, including: Are you a resident of an unincorporated area of Walworth County? In what town do you live? If you have had experience with the Walworth County Land Use and Resource Management Department and the County Zoning Agency, please describe your experience. If you answered “yes” to the last question, were you an applicant for a permit or did you represent an applicant? Have you had any experience with the Walworth County Board of Adjustment? If so, please describe your experience. Please articulate your feelings regarding growth in Walworth County. What qualities do you believe make you a good candidate to serve on the Board of Adjustment? Are you presently receiving any salary, compensation or fees for services that could be construed as a conflict of interest concerning serving on the Board of Adjustment? Do you have any restrictions with respect to days and/or times of BOA meeting attendance? If you are a current member of the BOA, what influenced you to apply to continue serving? Seaver resides in Town of Richmond; Jones in the town of Delavan. They commented there has been slow growth (development) for the past four-five years resulting from the economic depression; thus, the BOA has not had as many reviews to conduct. Viewing the properties that are in question is important to gather a fair sense of the variance requests. Analyzing individual situations is also very important. **Kilkenny moved reappointment of both Jones and Seaver; the motion was seconded by Staples and carried 5-0.**

**Consent items.** Supervisor Rick Stacey’s claim in the amount of \$19.04 was moved and seconded for approval by Brandl and Russell; motion carried 5 – 0. Supervisor Nancy Russell’s claim in the amount of \$109.42 was moved and seconded for approval by Kilkenny and Brandl; motion carried 4 – 0 (Russell abstained).

#### **New business**

*Resolution Recognizing the UW-Whitewater Warhawks Basketball Team on the Occasion of Their Fourth Division III National Championship.* Bretl indicated that former supervisors Jerry Grant and Art Lein will make the presentation to the coach and team. Kilkenny and Russell moved and seconded approval; the motion carried 5- 0.

*Outagamie County Resolution No. 160-2013-14* Supporting legislation requiring the Department of Corrections to develop a graduated sanctions system for violations of conditions of release and permits the sanctions to be imposed on the individual and allowing a district attorney to use the

graduated sanctions system for violations of a deferred prosecution agreement. Bretl indicated he had requested but not received any feedback from District Attorney Necci concerning the proposal. He stated he wasn't sure the legislature would be enacting any more business this year. There are generally two schools of thought concerning graduated sanctions. Some think one break should scare a criminal straight. The other says is that setbacks happen and those who have committed crimes don't always think rationally. Graduated sanctions might better fit the severity of the violation. Kilkenny stated support for graduated sanctions, saying they are consistent with evidence-based correctional practices. Lock-ups for rule violations is not fiscally responsible. The goal is for those imprisoned to improve, not to keep them imprisoned. Kilkenny and Russell thought this resolution would be one that the WCA might want to take a position on at the fall convention. **Kilkenny moved support of county board adoption; Russell seconded the motion, which carried 5 – 0.**

Chairman Weber had no announcements or reports. He thanked supervisors for the faith and confidence in him to lead the committee for another term.

The next executive committee meeting was confirmed for May 19, 2014 at 10 AM.

**Claims and litigation.** Supervisors Kilkenny and Brandl moved and seconded convening in closed session pursuant to the exemption contained in Section 19.85 (1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the items listed below. All members voted "aye" to convene in closed session at approximately 10:25 AM.

- (a) Claim of William Schmidt in regard to Lot 1 Block 17 Sunset Hills
- (b) Notice of Injury – Robert Drozdowski
- (c) Summons and Complaint – Pounder Bros., Inc. vs. Jeffrey S. Fuller, Town of Darien and Walworth County

The committee reconvened in open session on motion and second by Brandl and Russell and took the following action on the above-referenced agenda items: Kilkenny and Staples moved and seconded holding a special quick executive committee meeting preceding the May 13 board meeting regarding the claim of William Schmidt and including the claim on the board agenda for action on the committee's recommendation; motion carried 5 – 0. Russell and Kilkenny moved and seconded holding item (b) without any recommendation; the motion carried 5 – 0. With regard to item (c), Brandl and Staples moved and seconded staff proceeding as discussed in closed session. The motion carried 5 – 0.

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

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



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES

April 9<sup>th</sup>, 2014

The April 9th, 2014 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:01PM. Board members present were, Chuck Chamberlain, Ernie Roy, Brad Corson, Jerry Grant Walworth County Representative and Norm Prusener Town of Whitewater Representative.

Absent: Larry Brady

Standing Team Present: Dave Clevon

Standing Teams Absent: Tom Potrykus

Guest Present: Art Speerbrecher

Clerk Present: Susie Speerbrecher

### ADMINISTRATIVE

The amended agenda was accepted as presented by a motion from Ernie and seconded by Rich. Motion Carried.

The March 13th, 2014 minutes were accepted as presented by a motion from Jerry and seconded by Chuck. Motion Carried.

**PUBLIC INPUT** – Brad reported that a written notice of complaint was received from a property owner for activities related to carp spear fishing late at night causing a disturbance, using bright lights and being disrespectful of property owners. Brad will respond to the complaint.

### COMMISSIONER REPORTS

Secretary – No Correspondence

Finance – Brad reviewed the check register handout. Expenses for March 2014 totaled \$353.74. Total disbursements were \$5353.74. JNT received a \$5000 cash advance. Brad motion to accept these disbursements, seconded by Ernie. Motion Carried. Brad continued reviewing the Capital Fund Activity handout showing a balance of \$66,323.93. He then reviewed the following handouts: 2013 Monthly Spending Analysis, the Comparative Balance Sheet, and the 2013 Comparative Income Statement. A footnote will be added to the 2013 Comparative Income Statement regarding a change in presentation of line item: Tax Assessment. Brad motioned to accept the modified presentation of the financial statement on a consolidated basis as recommended by the audit chairman. Ernie seconded the motion. Motion Carried. Financial Statement accepted.

Weed – No report from Larry. Brad did report the weed / bog contract has been signed by Jeff agreeing of a 5% increase in rates instead of 10% that was in the bid.

Chemical - Ernie reported all permits have been received. In a couple weeks a survey will be done by Clean Lakes. Rich will be a back up for Ernie while he is on vacation April 24<sup>th</sup> until the middle of May.

Bog – No report

Equipment – Chuck reported he visited Aquarius and saw the T45 transport being built. He was prepared with a list of questions about the transport in order to be prepared when giving his presentation at the annual meeting. He is working on the grant application and will submit it by June 1<sup>st</sup>, 2014. The cost is approximately \$160,000. He reported the trucks are going in for general maintenance. Belting and a hydraulic motor is being installed on the transport. The 7' harvester will be going in Rice Lake coordinating splash in with Inland Marine. The 10 ' and 12' harvesters are being checked over.

Wildlife Management – Dave reported that all the permits have been received. From Mid-April to Mid-May, all the Canadian Goose nests and eggs will be searched out and located. The Goose Round-Up will take place towards the end of the summer.

Audit – Brad will begin getting information together for Dominick Fashoda to audit.

Safety – Larry has set up a boater's safety class for May 17<sup>th</sup> and 18<sup>th</sup>, 2014 to be held at the Town Hall.

Water Quality – No formal report.

2014 Schedule – Updated to include getting a new tax roll of property owners twice a year.

## **OLD BUSINESS**

Weed Harvesting contract covered earlier in the meeting under the Weed Harvesting Report.

## **NEW BUSINESS**

Rich began with a discussion on the spring newsletter. Susie sent the articles to the printer on April 9<sup>th</sup>, 2014. Rich has received an updated list of property owners addresses and sent them to the printer. Mailing is projected for April 25<sup>th</sup>, 2014.

## **OTHER BUSINESS**

Norm reported that NO parking signs will go up on the east side of Krahn Drive. Anyone parking on the west side must have all wheels off the pavement.

Next meeting: May 8th, 2014 6 :00 PM

Ernie motioned to adjourn the meeting. Seconded by Chuck. Motion Carried.

Meeting adjourned at 7:35 PM

Respectfully submitted  
Susie Speerbrecher, Clerk

Telephone: (262) 728-4140  
Fax: (262) 728-4142

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT**  
975 W. Walworth Ave. • Delavan, WI 53115

**April 8, 2014**

**1:30 p.m.**

**CALL TO ORDER**

The Regular meeting was called to order at 1:33 p.m. by Commissioner Logterman.

**ROLL CALL**

Commissioner Henriott, yes; Commissioner Logterman, yes; Commissioner Shortenhaus, yes;  
Commissioner Eck not present

Others present:

Brad Huza, Administrator  
Cindy Moehling, Assistant Administrator  
Jennifer Jackson, Administrative Assistant  
Timothy Fenner, Axley Brynelson  
Thomas Johnson, Collection System Service Manager  
Steve Scheff, Maintenance Manager  
Ron Altmann, Operations Manager

**VISITOR COMMENTS/PUBLIC COMMUNICATIONS/OTHER BUSINESS**

None

**APPROVAL OF MINUTES OF March 11, 2014**

Commissioner Shortenhaus made a motion to approve the minutes of the regular Commission meeting of March 11, 2014 as presented. Commissioner Henriott seconded and the motion unanimously passed.

**ADMINISTRATOR'S MONTHLY REPORT**

Administrator Huza reviewed and summarized the Administrator's Monthly Report for April, 2014

**PERMIT COMPLIANCE UPDATE**

The wastewater facility met all Permit requirements for the month of March, 2014.

**UPCOMING TRAINING**

Ron Altmann is scheduled to attend the biosolids certification meeting in Madison in April.

**BUDGET AND FINANCE**

In review of the revenues (less the Elkhorn agreement payment), the revenues collected for the first quarter is slightly over the cash disbursements for the same time period by approximately \$61,000. All in all the status of the budget looks good.

### **PROJECT UPDATE**

Telecommunications System Upgrade Project: Staff received four proposals on the telecommunications system upgrade project. All of the proposed pricing was well within budget projections. The next phase of the project will include visits to working sites. The actual monetary expenditure is relatively small when compared to the overall budget. This purchase will be with the organization for a considerable amount of time. Staff wants to be sure that the most functional system is installed. Staff anticipates that the purchase of the phone system will be on the May agenda.

### **RECEIPTS AND DISBURSEMENT REPORT**

Commissioner Henriott made a motion to accept the Receipts and Disbursements Report for the month of March, 2014 as presented. Commissioner Shortenhaus seconded and the motion unanimously passed.

### **ACCOUNTS PAYABLE LISTING**

After review, Commissioner Shortenhaus made a motion to approve the Accounts Payable listing for April 8, 2014 in the amount of \$92,786.19. Commissioner Henriott seconded and the motion unanimously passed.

### **OLD BUSINESS**

Commissioner Logterman stated that there were no Old Business items on the agenda.

### **NEW BUSINESS**

- a) **Interceptor Sewer Televising** – After discussion Commissioner Henriott made a motion to approve the 2014 televising project to Great Lakes TV Seal, Inc for televising approximately 11,253 feet of sewer for WalCoMet for a total of \$7,877 and \$995 for using Odling Construction to excavate the buried manhole covers that are located in the farm fields for a total cost of \$8,872. Commissioner Shortenhaus seconded and the motion passed unanimously.
- b) **Leadership Training** – Commissioner Henriott made a motion to authorize an expenditure of \$6,050 to MRA for leadership training. Commissioner Shortenhaus seconded and the motion passed unanimously.
- c) **Thomas Johnson, Collection System Service Manager** – Commissioner Logterman acknowledged Thomas Johnson's retirement and read Resolution 2014-05 recognizing Thomas Johnson for his service. Commissioner Shortenhaus made a motion to approve Resolution 2014-05. Commissioner Henriott seconded and the motion unanimously passed.

**ADJOURN:** Commissioner Henriott made a motion to adjourn, seconded by Commissioner Shortenhaus and the motion unanimously carried. The Regular meeting adjourned at 1:53 pm.

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Thomas Eck  
Secretary

APPROVED: May 13, 2014

PUBLISHED:

# WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, APRIL 4, 2014 @ 10AM  
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10: 00 AM      **Call to Order** – *Alan Sweeney, 1<sup>st</sup> Vice Chair*
2. Roll Call.      **Establishment of Quorum** – *Mary Penn*

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

Executive Committee met quorum.

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

<ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administrator</li> <li>• Forrest Van Schwartz, pro bono consultant</li> </ul>	<ul style="list-style-type: none"> <li>• Ken Lucht, WSOR</li> <li>• Frank Huntington, Kim Tollers, WDOT</li> <li>• Alan Anderson, Pink Lady RTC</li> </ul>
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3. Action Item.      **Certification of Meeting’s Public Notice** – *Noticed by Penn*
  - *Motion to approve public notice of meeting – Nilson/Polivka, Passed Unanimously*
4. Action Item.      **Approval of Agenda** – *Prepared by Penn*  
*Penn told Sweeney that due to a software problem, Jim Matzinger would not be able to submit a Treasurer’s Report.*
  - *Motion to approve amended agenda, removing the Treasurer’s Report – Cornford/Kuhnke – Passed Unanimously*
5. Action Item.      **Approval of draft March Meeting Minutes** – *Prepared by Penn*
  - *Motion to approve draft March meeting minutes – Nilson/Rocksford, Passed Unanimously*
6. Updates.          **Public Comment** – *Time for public comment may be limited by the Chair*

Alan Sweeney welcomed Genevieve Borich to the Commission. Karl Nilson asked if she was here to representing the county or the economic development corporation. Ben Wehmeir said she would be appointed formally by the end of the month and Sweeney said that since she was to be formally appointed, she could vote on issues as she represented the County.

**7. Updates. Correspondence & Communications – Discussion may be limited by the Chair**  
Penn distributed the three handouts from Forrest who gave background on them.

**8. Updates. Announcements by Commissioners – No Discussion Permitted**  
No announcements were made. Alan Sweeney asked Gene Gray about the March 19<sup>th</sup> meeting. Gray reported that WSOR had been audited and they were growing by acquisition, earnings were up, and freight was down from 2011. For 2013 they would show more growth. He said the greatest growth in WI was on the Prairie line. Grain, aggregate, food and chemicals were the top loads with weather and access in Chicago as the 2 greatest challenges. WATCO representatives said WSOR was one of their better properties and very important part of the whole system. Frank Huntington noted that the information on car loads would be made available to the public. He said that WDOT had an auditor at this meeting and who had no concerns. Sweeney said this auditor would come to a future WRRTC meeting and update them. Ken Lucht commented on how important this meeting was to WSOR and he thanked everyone who attended. He added that a big highlight was the decrease in carloads from 2012 to 2013 (due to lower grain volume) and said another 10 people would be added to attend to grain shipment. Capital Expenditures were up 12% from 2012 for updates in infrastructure (tracks, crossings, signals etc.) and he said WSOR would drive more investment into the system into the future. Terry Thomas asked how much expenses were due to weather. Lucht said that all the maintenance was done “in-house” so the weather did not drive expenses up and was not an additional cost. Weather did add additional cost to WSOR as it caused service slows down which required more communication and time with customers. Gray said there was a comment that there weren’t as many seasonal people hired and asked if full time employees would be doing the maintenance. Lucht said seasonal workers could be problematic as they were not as invested. He said that over the summer you never knew if they would be back the next summer; with just 70 people on staff it was more cost effective to contract with local contractors. He said there were 3 or 4 track contractors locally who did the track work but noted that sometimes they did get a bid outside of WI.

Robert Scallon asked about a train he’d met coming to the meeting and asked if those cars were empty. Lucht said probably some were loaded and some empty, adding that outbound cars were mostly grain and sand. Dennis Polivka asked about the speed restrictions on the Prairie line and how long a train took on it. Lucht said was about 8 hours and said a unit train from Janesville could take 14 hrs.

**9. Wisconsin & Southern Railroad’s Report on Operations – Ken Lucht, WSOR**  
Lucht said bids were due today on the CWR work on the Fox Lake sub as this work would soon be underway. He said some other Fox Lake sub work were priority 2 repairs and included 7 structures. WSOR was wrapping up a bridge project in Madison and Lucht said on the Prairie sub work had begun on the Wauzeka Bridge (a \$2.2M project) which would be replaced by the middle of summer. He added that the Vita spur work had 2 bridge jobs bid out currently.

On the Oregon/Fitchburg line there had been some progressive. Attorneys for the communities had wanted to look at a line sale agreement example. Lucht said Fitchburg would have a committee meeting this month and if passed, it would come to vote in late April. Fitchburg was also looking a document that would transfer common carrier rights to WSOR. He noted that at this point the communities are the carrier and WSOR was hoping they would transfer the rights so WSOR could start rehabbing the line. Lucht said it was up to WSOR to sell this idea to the Fitchburg common council.

In Oregon, if the Village approved the transfer, it would be approved: no further action would be necessary. Lucht asked if the WRRTC would want to send any representatives to the Oregon/Fitchburg meetings. One question Lucht thought would be asked is why should the City have to sell at such a low price, along with the obligation of replacing some crossings they took out. Lucht said hopefully the agreements entered between the City and WRRTC in the past would be honored. WSOR would follow this through the public process. Huntington said he would try to come to the meetings and he anticipated WDOT would be approving the operating authority to the WSOR and approving the assets going to the WRRTC. The alternative would be for the City to assume the responsibility of providing service. If they retained ownership the City would have some expenses and Huntington anticipated the City would want to get “out from under that”. Sweeney asked if Huntington had the original documents at the community meeting. Huntington said the problem might be there wasn’t any one on the City Council who was present when the original documents were signed. Lucht said their customer was expecting rail service as of November and Lycon was getting very anxious to help move this along adding that time was of the essence and WSOR was working to provide information to the customer and the communities. The issue was in the hands of the communities.

Gray asked about many cars per week Lycon anticipated and Lucht said over 500 cars.

## WRRTC EXECUTIVE COMMITTEE APPROVED APRIL 2014 MEETING MINUTES

### 10. **WDOT Report**– *Frank Huntington, Kim Tollers, WDOT*

Frank Huntington said that the 2014 rail maps were now available and he would bring them to the May meeting. He said there wasn't a lot of new information to present but said there are a lot of projects getting underway right now as the construction season opened up. He said between 8 to 10 applications were in that were unfunded for the 2014 – 2015 budget. He said \$15 M is available and \$10M was being held in hopes of the TIGER grant. WDOT would evaluate in June and July for project funding.

Huntington said 65 bridge applications were received in 2013 and another 14 in February 2014, all of which were still unfunded. He said there were about \$60 M in unfunded projects and only about \$10 M available. Starting in July 2015, unfunded projects would be carried over. At this point WDOT's intention was to come in with a budget of about \$52 M although he said they might request \$60 M. That request would be made in November/December although nothing was guaranteed. He noted there had been some staff issues so they were filling the gaps with some retirees including Ben Meighan (to do inspections) for the next few months.

Karl Nilson asked about the Sheboygan project, Kohler to Plymouth. Huntington said it was an unusual project and the track had been out of service for 25 years and was a complete reconstruction project. He said the brushing was done about 1 ½ years ago and the old track was being removed and sometime within the next month the bids would be going out for the track work with the hope that the work would begin in July. He said the project would probably not be complete until June 2015. He said there were several bridges and some would be replaced or rehabbed; the bridges will be quite a bit of work.

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

Mary Penn distributed a rail map asking Commissioners to note any errors to her. She said it would be made available on the website and that it was a long-time project in the making due to personnel changes over the years.

### 12. **Discussion and Possible Action to approve a letter of support from WRRTC for the 2014 TIGER VI application** –*Ken Lucht, WSOR*

Ken Lucht said at the last meeting, the WRRTC took action to be a co-applicant on the 2014 TIGER VI grant and that WSOR had been working very hard putting the application together. In trying to beef up their application packet, WSOR requesting letters of support from local, state, regional, and federal agencies. He said that the TIGER project work area would be from downtown Madison to Spring Green and was a very exciting project. However, due to the wording of the motion before, he and Penn had thought it worthwhile to make it clear that the Commission also specifically approve a letter of support.

- *Motion to approve a letter of support from WRRTC for the 2014 TIGER VI application – Thomas/Scallon, Passed Unanimously*

Polivka asked how much money would be requested and Lucht said \$25 M was being asked with about 54% as local match.

### 13. **Discussion and Possible Action to agree to terminate the 1996 Trackage Rights Agreement (#188722) between WSOR, WRRTC and the Union Pacific Railroad Company, due to the Reedsburg acquisition** – *Frank Huntington, WDOT*

Frank Huntington gave some history on the agreement and the reasoning behind the document. He said this document was part of the WSOR's lease agreement with Union Pacific and when the state acquired the Reedsburg line this document will not be necessary. However, he said he wanted it on the agenda just in case the trackage rights did not automatically stop.

Polivka said he did not see why they needed to take action if the document ceased upon the Reedsburg purchase – there was no need for the Commission to take action. He then asked if the acquisition was complete. Huntington said the sale of the line was very close and there were some final negotiations in play. He said the agreement language needed to be finalized and a bridge inspection on the bridge on the Merrimac River was still needed but to date ice had prevented it. He said that WDOT knew the bridge needed work but they were hoping there was still some working use to the bridge. John Miller asked if Eileen Brownlee had reviewed the trackage rights document. Alan Anderson asked if the Merrimac Bridge was in bad shape would that affect the sale of the track. Huntington said the agreement said that WDOT had until April 30<sup>th</sup> to terminate the sale but it would depend on a number of factors. He said there would be between \$5 -6 M dollars in maintenance on the bridge but if that number jumped, WDOT would have to decide how to proceed. If the cost of the bridge went up to between \$60 – 70 M WDOT might renegotiate the purchase price.

### 14. **Action Item. Adjournment**

- *Motion to adjourn at 11:38 AM – Gustina/Cornford, Passed Unanimously*

**Walworth County Agriculture and Extension Education Committee**

**MEETING MINUTES**

Monday, March 17, 2014 – 1:00 PM

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

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The meeting was called to order at 1:08 p.m.

Roll call – Committee members present included Chairman Daniel Kilkenny, Supervisor Nancy Russell, FSA/Ag Representative Sue Bellman, School Representative Kelly Pickel, Michael Krejci, Mary Kaye Merwin, and Kathleen Papcke. A quorum was declared.

County Staff Present – County Administrator David Bretl, Department Head/Family Living Educator Jenny Wehmeier, Horticulture Educator Christine Wen, Agriculture Agent Peg Reedy, 4-H Youth Development Educator Debbie Burkman, 4-H Youth Development Coordinator Chelsea Dertz, and Volunteer Coordinator Colleen Lesniak were in attendance.

Public in Attendance – Matt Hanson, UW-Extension Southwest Region Director.

There were no amendments or withdrawals from the agenda. **Supervisor Russell and Krejci moved and seconded approval of the agenda. The motion carried 7-0.**

There were no additions or corrections to the minutes from the January 20, 2014 meeting. **Merwin and Supervisor Russell moved and seconded approval of the minutes. The motion carried 7-0.**

Public Comments – There were no public comments.

Unfinished Business

*Wisconsin Nutrition Education Program Coordinator Position Update, UW-Extension Southwest Regional Director Matt Hanson* – Hanson stated that the position closed. There are many good candidates, a few bilingual. March 25 will be the preliminary interviews. Once this position is filled, they will then look to fill the educator position. Wehmeier added that they will be looking for committee members to participate in the second interviews once they are set.

*Second Agriculture Position Update, UW-Extension Southwest Regional Director Matt Hanson* – Hanson stated that the paperwork for this position is in and should be posted Friday. Their goal is to have someone on board before the July Farm Technology Days.

New Business

*2014 UW-Extension Needs Assessment* – Wen stated that the office staff have been putting a lot of thought into the assessment. We have been utilizing many resources to determine the best route to get the assessment to people who may not be served currently by UW-Extension programming. It has taken some time, but after touching base with a few professionals, it has been developed preliminarily with topics addressed through programming. Right now, we are determining the best ways to achieve random results. The UW-River Falls Survey Center is willing to look over the survey and also pull together a random address mailing list of the county for a fee. We will also be getting it translated for Spanish speakers. We are hoping to have the survey online and also mailed. This is a way for the office to see if we are reaching the community's needs with our programming. There were questions about how to achieve a random sampling and if this is the best way to get the results the office is looking for. Kilkenny

recommended doing a random sampling, but then also giving the survey to people who have utilized the programming to see what they are looking for. Russell recommended having questions that are ranked with numbers from most important to least important. Merwin added that all program areas have collaboration groups they work with on a regular basis, and she feels a random sampling would be better, with a focus on the program areas staff are able to service. Wen replied that we may get things that we are not able to service, but we will then know what the needs are, and we have many resources out there to fulfill those needs. The random survey is also to reach people who have not heard about Extension

## Reports

*4-H/Youth Development, Debbie Burkman & Chelsea Dertz* – A packet about the 4-H Youth Development program and the staff's success stories was handed out to the committee. Dertz explained that as of March 1, 2014, there are 787 youth enrolled in 4-H, which is down about 45 members from 2013. There are 242 adult volunteers as of March 1. The value of 4-H volunteers, using the return of investment value of \$22.14 per hour Lesniak presented at the previous AEE meeting, totals over \$153,000, or the equivalent of six fulltime employees. Dertz noted that agriculture is no longer in the top five projects in which 4-H youth are involved. She also explained some of the opportunities youth have available by being involved in 4-H.

Burkman continued by talking about how 4-H is making an impact on both the local and national levels. A survey done by Tufts University of the same children over the course of 10 years showed that children involved in 4-H are four times more likely to contribute to community, are twice as active, are twice as likely to make healthier choices, and are twice as likely to participate in science, technology, and engineering programs outside of school.

The Walworth County 4-H Expansion and Review Committee did a survey on program needs in the local community clubs. 115 families participated, and results showed that between ¼ and 1/3 of families don't feel a strong sense of "belonging" in their community club program. Burkman is working to change that issue with officer and leader trainings.

Science is one of the 4-H program's three "Mission Mandates." There has been a lot of research on the importance of getting girls involved in science. Burkman has a program called "Adventures in Nature" that is directed towards that need. The results of the first run of that program are outlined in her success story handout. She sent a science outreach survey to area educators and found interesting data responses with ideas on how 4-H can support them. To foster enthusiasm for science, Burkman started a Science Lab program in local schools, which reached about 2,000 kids, and she expanded to after-school programming at Turtle Creek, homeless shelter programs, girls' science outreach programs, community club programs, Junior Leaders' programming, and leader trainings.

Dertz stated that she started in the 4-H position on October 15. As this is her first year as coordinator, she wanted to outline for the committee what she is looking to do in the future with this position. Her focus is on health and wellness. She wants to implement Club Health Reporters in each local club, have healthier Fair Book options, and host a Health Fair. She wants to promote healthy relationships with diversity. She is currently working with Milwaukee County 4-H to do an Inner-City/Country Exchange Program with Walworth County. She is also working with the wheelchair basketball office at UW-Whitewater to set up a program for 4-H members so they can learn more about what it means to be in a wheelchair.

There was talk about 4-H's connection to the University and also how it presents children with options and ways to find their strong suits. Pickel commented that the Science Outreach program is one thing that she hears kids are really talking highly about.

**Walworth County Agriculture and Extension Education Committee**  
Monday, March 17, 2014

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*2016 Farm Technology Days Update* – Reedy stated that there will be a presenter from the Farm Technology Days committee at the next meeting to better explain how things are going. They are currently two-thirds of the way finished filling the chairs of the 17 committees. The Fundraising Committee has hit the ground running, the Field Demo and Tent City committees are working on getting things started, and they are mapping the host site to see where to locate things. There is an all committee meeting on May 22 where all working committee chairs will meet with the Executive Board. They are also setting up crop rotation for the host site.

*4-H Centennial Update* – Merwin stated that on Wednesday, a group of 4-H members and leaders will meet state officials in Madison as part of the 4-H State Legislative Day. Currently, the Centennial Committee is working on trying to recapture and highlight the history of 4-H over the last 100 years. Merwin handed out a copy of historical data from Walworth County on the past Outstanding 4-H Boys and Girls Award. She explained that this list shows leadership in the county. It is an impressive list, and if we are looking for the long-term impact of 4-H, these are the things to look at. 1996 was the last year of this award, and there are a few missing blanks in-between. After 1996, they moved to a different award. Presently, the Bankers' Association gives Outstanding Youth Awards, and those are separate from 4-H.

*UW-Extension outreach and educational events* – Upcoming program and event flyers are attached in the packet for your information.

Chairperson's Report – Chairman Kilkenny had no report.

Announcements

*Wisconsin Association of County Extension Committees (WACEC) State Meeting, June 24-25, 2014, Eau Claire, Wisconsin.*

*Farm Technology Days, Portage County, August 12-14, 2014.*

The Monday, May 19, 2014 committee meeting at 1:00 p.m. in Room 114 at the Government Center was confirmed.

Adjournment – **On motion and second by Krejci and Bellman, Chairman Kilkenny adjourned the meeting at 2:10 p.m.**

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