

Committee Minutes Packet
September 4, 2014 County Board Meeting

County Zoning Agency

MINUTES

August 21, 2014 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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

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

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

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

A “sign-in” sheet listing attendees on August 21, 2014, is kept on file as a matter of record.

Details of the August 21, 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

Rich Brandl motioned to approve the agenda as amended to table item 8.e.2.) Allen C. and Nancy L. Lehman; and withdraw 8.f.2.) Wetland America Trust – aka Ducks Unlimited. Seconded by Dave Weber. Motion carried. 5-favor 0-oppose

Rich Brandl motioned to approve the July 17, 2014, Minutes. Seconded by Dave Weber. Motion carried. 5-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter

Disc Count #4:35:14 – 4:35:35

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Paul and Bonnie Olson**, proposed 1-lot, Certified Survey Map, Section 10, Town 4 North, Range 18 East, Town of East Troy. Parcel #'s P ET1000008 and PSP 00013. The proposed CSM contains 2.181 acres of land and is zoned R-2 Single Family Residence District (Sewered) and C-3 Conservancy-Residential District. This CSM has been prepared to combine the two identified parcels. The CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Spleas Subdivision) and it is dual zoned.

Dave Weber motioned to approve with the following conditions: 1) Approval is subject to all easements located on this CSM; 2) Approval is subject to meeting all

requirements of state statutes and county ordinances. Seconded by Rich Brandl.

Motion carried. 5-favor 0-oppose.

Disc Count #4:35:40 – 4:40:58

Old Business - Ordinance Amendments – None

Old Business – Discussion Items – None

New Business - Ordinance Amendments -

1. Amendment to Section(s) 74-26, 74-28, 74-44, 74-51, 74-56, 74-58, 74-59, 74-60, 74-61, 74-63, 74-66, 74-67, 74-129, and 74-131 of the Zoning Ordinance and Section(s) 74-151, 74-153, 74-171, 74-178, 74-183, 74-185, 74-186, 74-186.1, 74-188, 74-190, 74-193, 74-194, 74-261, and 74-263 of the 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 – Deb Grube

Jim Van Dreser motioned to approve this item. Seconded by Tim Brellenthin.

Motion carried. 5-favor 0-oppose

This item will be forwarded to the September 4, 2014 County Board meeting for discussing/possible action.

Disc Count #4:41:08 – 4:43:44

New Business – Discussion Items –

1. Discussion/Possible Action: County ordinances and procedures relating to the reconstruction of existing substandard structures - Supervisor Staples.

Statement by Supervisor Charlene Staples regarding concerns of constituent.

Statements by Carl Redenius regarding request to reconstruct and ordinances.

Statement by Administrator Dave Bretl regarding discussion of ordinances and

their application. Statements by LURM staff regarding purpose of discussion item.

Jim Van Dreser motioned to return this matter as an agenda item to discuss potential changes to the zoning ordinances. Seconded by Rich Brandl. Motion carried. 5-favor 0-oppose

Disc Count #4:43:46 – 5:29:05

2. Discussion/Possible Action - Short Term Rentals and recent Circuit Court Decision regarding Short Term Rentals *Growth Management vs. Walworth County Board of Adjustment* 13-CV-885 - Michael Cotter.

Discussion by Michael Cotter regarding decision by the Court in the above case and potential actions to be taken.

Disc Count #5:29:05 – 5:37:10

Public Hearing: 5:41 p.m.

Ordinance Amendments – None

Rezoning with Conditional Uses – None

Rezoning –

Mark and Karen Korf, Section 11, Richmond Township. The property owner is requesting to rezone a 10.57 acre C-3 Conservancy-Residential District parcel to C-2 Upland Resource Conservation District in order to be able to house animals on site. The property of concern is located on the west side of Wisconsin Parkway approximately 1400 feet south of the intersection of Wisconsin Parkway and Hwy A and is identified as Tax parcel CA1504-3.

Rich Brandl motioned to approve. **Seconded by Jim Van Dreser.** Motion carried. **5-favor 0-oppose.**

The rezone petition will move forward to the September 4, 2014, Walworth County Board for possible action.

Disc Count #5:46:36 – 5:53:03

Conditional Uses

Saint Peters Catholic Church – Owner, Mark Mottes – Applicant, Section 17, East Troy Township. The applicant is requesting conditional use approval for the construction of a mausoleum in an existing cemetery in excess of 25% of existing structures. The property of concern is located on the north side of St. Peters Road approximately 1300 feet west of the intersection of St. Peters Road and Hwy ES and is identified as Tax Parcel P ET-17-6 and 7.

General:

1. Approved per plans submitted for a cemetery with a mausoleum expansion greater than 25% of existing structures with all additional conditions.
2. Outdoor lighting shall be shielded and directed on site.
3. Must meet all Federal, State, County and local regulations.
4. The Township Highway Department must approve the access to the facility if different from the existing access locations.
5. The applicant must obtain a Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
6. The applicant must meet all requirements for cemetery expansion under State Statute 157.065.
7. All grave monuments that do not meet the definition of a minor structure will need to meet with the required sideyard, rearyard and streetyard setbacks for structures.

8. 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.
9. 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:

Dave Weber motioned to approve phase 1. Seconded by Rich Brandl. Motion carried. 5-favor 0-oppose
Disc Count #5:53:08 – 5:57:58

Adjournment

Rich Brandl motioned to adjourn. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose

The meeting was adjourned at 5:58 p.m.

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

Walworth County Board of Adjustment

MINUTES

August 13, 2014 - Hearing – 8:30 AM

August 14, 2014 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on August 13 & 14, 2014, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on August 13, 2014, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on August 14, 2014, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary of the Land Use & Resource Management Department were in attendance. "Sign-in" sheets listing attendees on August 13, 2014, and August 14, 2014, are kept on file as a matter of record.

The August 13, 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 #5. James E. & Eileen Siffermann / Delavan Township to the September agenda. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the July 9 & 10, 2014, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 8:30 A.M. on Thursday, August 14, 2014. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. The August 13, 2014, hearing went into recess at approximately 10:55 A.M.**

On August 14, 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. **Ann Seaver motioned to approve the agenda as amended to postpone #5. James E. & Eileen Siffermann / Delavan Township and #6. William & Rose Mary Leek Living Trust / Walworth Township to the September agenda. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Gregory E. Guidry motioned to adjourn until the September 10, 2014, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The August 14, 2014, decision meeting adjourned at approximately 9:02 A.M.**

Eight variance hearings were scheduled and details of the August 13, 2014, hearings and the August 14, 2014, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business - none

New Business – Variance Petitions

Hearing – Count #8:35:08 – 9:42:18 / Decision – Count #8:34:25 – 8:42:23

The First Hearing was Mark Frances & Dolores B. Zinni, owners / Mark Zinni Architects, applicant – Section(s) 27 – Geneva Township

Applicants are requesting a variance from Section(s) 74-163 / 74-164 / 74-180 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence and detached garage.

REQUIRED BY ORDINANCE: The Ordinance requires all buildable lots to abut upon a public street or other officially approved way for a frontage of at least 50' and for an accessory structure to meet a 25' street yard setback and an approximate 7.76' side yard setback (16% of lot width).

VARIANCE REQUEST: The applicants are requesting a parcel with 48.34 feet of road frontage to be buildable and to locate a detached garage with an approximate 12' street yard setback and a 3' side yard setback. The request is a variance from Section(s) 74-163 / 74-164 / 74-180 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence and detached garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, for the petition of Mark Frances & Dolores B. Zinni, owners / Mark Zinni Architects, applicant, voted to **APPROVE** the request for a parcel with 48.34 feet of road frontage to be buildable and to locate a detached garage with an approximate 12' street yard setback and a 3' side yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the property to be unique as it was platted prior to the ordinance requirement of 50' of road frontage for a parcel to be buildable. The Board found to deny the variance request would cause unnecessary hardship as the property has been owned within the family since the 1960's and was purchased with intent to build a single-family residence. The Board found to permit the garage to be constructed on the old railroad right-of-way would be in keeping with other properties along S. Shore Drive. The Board found to approve the variance request would cause no harm to public interests as the owner has altered plans for the residence in response to concerns of the neighbors. The Board found the easement not to be a thru-street and to approve the variance request would not adversely impact the flow of traffic. The Board found the variance request to be a small increment of relief. The Board found the owner will work with an arborist to minimize vegetation disturbance. There was one petition of support submitted and a letter of support from the Town of Geneva. There were three letters of opposition from neighboring property owners.

Hearing – Count #9:42:19 – 10:05:05 / Decision – Count #8:42:24 – 8:45:22

The Second Hearing was Thomas J. & Donna E. Casey, owners / Kenneth L. Etten, McCormack + Etten / Architects LLP, applicant – Section(s) 5 – Walworth Township

Applicants are requesting a variance from Section(s) 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (deck, patio and outdoor

fireplace) to a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback.

VARIANCE REQUEST: The applicants are requesting a 63' shore yard setback for a deck / patio and an approximate 73' shore yard setback for an outdoor fireplace. The request is a variance from Section(s) 74-167 / 74-179 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (deck, patio and outdoor fireplace) to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, for the petition of Thomas J. & Donna E. Casey, owners / Kenneth L. Etten, McCormack + Etten / Architects LLP, applicant, voted to **APPROVE** the request for a 63' shore yard setback for a deck / patio and an approximate 73' shore yard setback for an outdoor fireplace.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the configuration of the pond fluctuated with weather conditions and rainfall amounts. The Board found the existing residence met setbacks when the house was purchased. The Board found to approve the variance request would cause no harm to public interests as the pond is private and cannot be seen from the road. A surveyor provided an aerial photo history of the pond changes in support. There was one letter of support from the Town of Walworth. There was one letter of opposition from the Walworth County Land Conservation Division.

Hearing – Count #10:05:06 – 10:13:32 / Decision – Count #8:45:23 – 8:47:44

The Third Hearing was Nario LLC, owner / Celeste Prestinario, applicant – Section(s) 31 – Delavan Township

Applicants are requesting a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck (lower level).

REQUIRED BY ORDINANCE: The Ordinance requires a 19' rear yard setback for an uncovered deck.

VARIANCE REQUEST: The applicants are requesting a 17.29' rear yard setback. The request is a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck (lower level).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, for the petition of Nario LLC, owner / Celeste Prestinario, applicant, voted to **APPROVE** the request for a 17.29' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the very steep slope down to the road to be a unique circumstance to the property. The Board found to deny the variance request would cause unnecessary hardship as a non-compliant portion of the residence had been removed in the past in order to make the property more code compliant. The Board found the owner has shown serious intent to comply with the zoning ordinance. The Board found the variance request to be a small increment of relief. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would not harm the public's interest in navigable waters. There was one letter of support from the Town of Delavan. There was no opposition.

Hearing – Count #10:13:33 – 10:17:01 / Decision – Count #8:47:45 – 8:49:44

The Fourth Hearing was Todd B. & Jennifer L. Green, owners – Section(s) 26 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a garage.

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

VARIANCE REQUEST: The applicants are requesting an 8.5' street yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, for the petition of Todd B. & Jennifer L. Green, owners, voted to **APPROVE** the request for an 8.5' street yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the structure to be constructed by a previous owner and has existed for some time without complaint. The Board found to request the owner to remove a portion of the structure would cause unnecessary hardship. The Board found to approve the variance request would cause no harm to public interests as the parcel is the last on a dead end street. The Board found the variance request to be a small increment of relief. There was no support. There was no opposition.

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

The Fifth Hearing was James E. & Eileen Siffermann, owners / Randy & Michelle Keller, applicants – Section(s) 27 – Delavan Township

Applicants are requesting a variance from Section(s) 74-164 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires all buildable lots to abut upon a public street or other officially approved way for a frontage of at least 50' and a 10' side yard setback.

VARIANCE REQUEST: The applicants are requesting a parcel with 48.20' of road frontage to be buildable and an 8' side yard setback. The request is a variance from Section(s) 74-164 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, did not vote on the petition of James E. & Eileen Siffermann, owners / Randy & Michelle Keller, applicants.

BOARD OF ADJUSTMENT FINDINGS: This petition has been moved to the September 10 & 11, 2014, Board of Adjustment hearing / meeting at the owners' request.

Hearing – Count #10:17:02 – 10:20:09 and 10:53:25 – 10:55:09 / Decision – Count #N/A
The Sixth Hearing was William & Rose Mary Leek Living Trust, owner / Pamela Predick, applicant – Section(s) 6 – Walworth Township

Applicants are requesting a variance from Section(s) 74-86 of Walworth County's Code of Ordinances – Zoning to locate an off-premise sign on B-2 zoned property.

REQUIRED BY ORDINANCE: The Ordinance permits an off-premise sign (billboard) in the B-2 zoning district provided no billboard shall: 1) Be located within 50 feet of the existing or proposed right-of-way or 2) Be located within a 2000 feet radius of any other off-premise sign or 3) Be located within 2000 feet of any intersection or 4) Be located within 2000 feet of an allowable district boundary.

VARIANCE REQUEST: The applicants are requesting an off-premise sign (billboard) on lands zoned B-2 to be located: 1) 23.3 feet from the right-of-way of County Highway O and 2) Directly below existing off-premise sign and 3) 304.9 feet from the intersection of County O and S / D Townline Road and 4) 31.8 feet from the B-2 zoning district boundary. The request is a variance from Section(s) 74-86 of Walworth County's Code of Ordinances – Zoning to locate an off-premise sign on B-2 zoned property.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 & 14, 2014, did not vote on the petition of William & Rose Mary Leek Living Trust, owner / Pamela Predick, applicant.

BOARD OF ADJUSTMENT FINDINGS: This petition has been moved to the September 10 & 11, 2014, Board of Adjustment hearing / meeting at the owner's request.

Hearing – Count #10:20:10 – 10:40:28 / Decision – Count #8:49:45 – 8:54:27
The Seventh Hearing was Kurt & Jean Butzler, owners / Jeff Auberger, Renovations Group Inc., applicant – Section(s) 35 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck in the shore yard.

REQUIRED BY ORDINANCE: The Ordinance requires a 41.99' shore yard setback (average).

VARIANCE REQUEST: The applicants are requesting a 34.66' shore yard setback at the closest point. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 &14, 2014, for the petition of Kurt & Jean Butzler, owners / Jeff Auberger, Renovations Group Inc., applicant, voted to **APPROVE** the request for a 34.66' shore yard setback at the closest point.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the steep slope to be a unique property limitation. The Board found the arc of Mill Lake versus the straight line of Lost Nation Road skews the shore yard averaging for this property. The Board found the proposed deck will intrude no further into the shore yard than what is existing. The Board found to deny the variance request would cause unnecessary hardship. The Board found to approve the variance request would cause no harm to public interests as the proposed deck is set back further from the shore than what is found on neighboring properties. There was no support. There was one letter of opposition from the Walworth County Land Conservation Division.

Hearing – Count #10:40:29 – 10:53:24 / Decision – Count #8:54:28 – 8:59:11

The Eighth Hearing was John J. & Mary L. Knipper Jr. Trust, owner / John & Mary Knipper, applicants – Section(s) 32 – Delavan Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a deck and landing and permits the location of sheds.

REQUIRED BY ORDINANCE: The Ordinance requires a 19' street yard setback for a deck, a 10' street yard setback and 3' side yard setback for an accessory structure (sheds) in the street yard of waterfront property.

VARIANCE REQUEST: The applicants are requesting a 13.9' street yard setback for a deck, a 2.4' street yard and .8' side yard setback for a shed #1 and a 0' street yard and 1.2' side yard setback for a shed #2. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a deck and landing and permits the location of sheds.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 13 &14, 2014, for the petition of John J. & Mary L. Knipper Jr. Trust, owner / John & Mary Knipper, applicants, voted to **APPROVE** the request for a 13.9' street yard setback for a deck, a 2.4' street yard and .8' side yard setback for a shed #1 and a 0' street yard and 1.2' side yard setback for a shed #2.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found to deny the variance request (sheds) would cause unnecessary hardship as there is very limited storage ability on the property (no basement). The Board found to approve the variance request (sheds) would cause no harm to public interests as properties in the area have similar structures in comparable locations. The Board found to deny the variance request for the deck would cause unnecessary hardship as the rotting deck is in need of repair and per building codes egress is required for the residence. The Board found to approve the variance request (deck) would improve safety. The Board found to approve the variance request (deck) will permit no increase in size nor change in footprint of the residence. There were four letters of support from neighboring property owners and two letters of support from the Town of Delavan. There was no opposition.

Other

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

Staff Reports

- A. Court cases update
 - 1. Litowitz / Bear Cave / Winston – Delavan Township
Deb Grube informed the Board members this item will be coming back before the Board of Adjustment.
- B. Distribution of reports, handouts and correspondence - none

Proposed discussion for next agenda

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

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

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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



DRAFT

**Walworth County Board
Finance/Human Resources Committees
SPECIAL JOINT MEETING MINUTES
Monday, July 28, 2014**

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

The special joint meeting of the Finance and Human Resources Committees was called to order by Chair Russell at 3:00 p.m.

Roll call — Finance Committee members present included Supervisors Kathy Ingersoll, Nancy Russell, Joseph Schaefer, and Paul Yvarra. Supervisor Dan Kilkenny was absent and excused. A quorum of the Finance Committee was declared.

Roll call — Human Resources Committee members present included Supervisors Richard Brandl, Tim Brellenthin, Kathy Ingersoll, Ken Monroe and Rick Stacey. A quorum of the Human Resources Committee was declared.

Others in attendance included:

- County Staff: David Bretl-County Administration/Corporation Counsel; Jessica Conley-Finance; Dale Wilson, Sarah Anderson-Human Resources; John Miller-Public Works

Agenda withdrawals — There were no agenda withdrawals. **Motion by Supervisors Brandl and Stacey to approve the agenda; carried 8-0.**

Approval of minutes of last meeting(s) — There were no meeting minutes presented

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

New business

The committees may discuss the following topic in open session. The committees may convene 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 item listed below:

Discussion and possible action concerning County's position regarding IRS audit of County's sick leave severance/insurance credit program — Bretl recommended discussing what we can in open session then convening in closed session to discuss legal strategy. He distributed a memo summarizing the issue. In 1998, the County Board looked at ways to incentivize employees to not abuse sick leave and reward those with good attendance. Employees could choose between two options: 1) A cash severance when they left the county that would be 50% of their unused sick leave, up to 720 hours, paid at their final rate of pay, or 2) A one-time election to continue accruing sick leave with 60% being converted at retirement for a credit towards retiree health insurance. The latter would only be if they reached normal retirement age. The county policy changed after that election so

employees no longer had the option of choosing. Those hired between 1999-2006 simply received the 60% conversion of their unused sick leave when they reached normal retirement age. After 2006, we ended the retiree health plan benefit entirely. Since 1998, we administered this program and considered the health insurance credit to be a non-taxable event. We held the funds on account with no tax consequences for the employees. Those who chose the cash option paid taxes when they received their severance.

The IRS's position is that since employees had a choice in 1998 between a cash severance or health insurance credits, they were in constructive receipt of compensation which was a taxable event. The IRS believes both groups should be taxed in that the value applied to the health insurance credits should also be taxed. Wilson clarified that the IRS is only concerned about the group of employees who made the choice between the two options. Those we were just given the benefit of health insurance credits did not have a choice. **Supervisors Brandl and Monroe moved to convene in closed session to discuss the county's legal strategy. The motion carried 8-0 by roll call vote.**

The committee convened in closed session at approximately 3:14 p.m. **While in closed session, Supervisors Brandl and Monroe moved to reconvene in open session; carried 8-0.** The committee reconvened in open session at approximately 4:01 p.m. **Supervisor Brandl moved to instruct staff to proceed with the directions provided during the closed session. Supervisor Stacey seconded the motion; carried 8-0.**

Confirmation of next meeting(s) — The following meetings were confirmed:

- **Committee of the Whole**
Thursday, September 4, 2014 at 5:00 p.m., County Board Room 114 at the Government Center — Committee of the Whole-Budget Workshop
- **Finance Committee**
Thursday, September 18, 2014 at 9:30 a.m., County Board Room 114 at the Government Center — Regular Business Meeting and Budget Appeals
- **Human Resources Committee**
Wednesday, September 17, 2014 at 3:30 p.m., County Board Room 114 at the Government Center — Regular Business Meeting and Personnel Appeals

Adjournment

Upon motion and second by Supervisors Monroe and Schaefer, Chair Russell adjourned the joint meeting at approximately 4:03 p.m.; carried 8-0.

Submitted by Kate Willett, recording secretary. Minutes are not final until approved by the Finance and Human Resources Committees at their next regularly scheduled meetings.

NOTE: Items distributed at the special joint Finance/Human Resources Committee meeting may be reviewed in the County Clerk's Office.



**Walworth County Children with Disabilities Education Board/
Finance Committee
SPECIAL JOINT MEETING MINUTES
Tuesday, July 8, 2014**

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

The joint Children with Disabilities Education Board (CDEB)/Finance Committee meeting was called to order by Chair Nancy Russell at 5:04 p.m.

Roll call — Children with Disability Education Board members present included Supervisors Kathy Ingersoll, Kenneth Monroe, Charlene Staples, and David Weber. A quorum was declared.

Roll call — Finance Committee members present included Supervisors Kathy Ingersoll, Nancy Russell, and Paul Yvarra. A quorum was declared.

Others in attendance included:

- Board members: Tim Brellenthin.
- County Staff: David Bretl-County Administration/Corporation Counsel; Jessica Conley-Finance; Tracy Moate-Lakeland School; Michael Cotter-Land Use & Resource Management

Supervisor Joe Schaefer arrived at 5:05 p.m.

Agenda approval/withdrawals — There were no agenda withdrawals. Supervisors Monroe and Weber moved and seconded to approve the agenda; carried 7-0.

Supervisor Dan Kilkenny arrived at 5:06 p.m.

Approval of minutes of last meeting(s) — June 19, 2014 Finance Committee Minutes — On behalf of the Finance Committee, Supervisors Schaefer and Ingersoll moved to approve the meeting minutes; carried 4-0.

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

New business

Ordinance 874-07/14 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Children with Disabilities Education Board Lunch Fees — CDEB Chair Weber introduced the agenda item. Moate explained that the State Department of Public Instruction audits the school lunch program annually to ensure nutritional meals and adequate servings are provided. They also review the fee schedule. The fee schedule reflects age groups because the school serves students ages 3-21, with age groups having different serving requirements. It was determined that the fees for students who pay for their lunches need to be adjusted upwards to

maintain the integrity of the program and balance the equity for determining how awards are given for those who qualify for a free or reduced lunch. Staff recommend increasing the lunch fees pursuant to the Department of Public Instruction's audit recommendation. **Supervisors Monroe and Staples moved and seconded approval of the ordinance; carried 8-0.**

Confirmation of next meeting dates:

- The next Finance Committee meeting was confirmed for Thursday, July 17, 2014 at 9:30 a.m. in County Board Room 114 at the Government Center
- The next Children with Disabilities Education Board meeting was confirmed for Wednesday, September 17, 2014 at 5:30 p.m. in County Board Room 114 at the Government Center

Adjournment of Finance Committee — Upon motion and second by Supervisors Staples and Schaefer, Chair Russell adjourned the meeting at approximately 5:09 p.m.; carried 8-0.

Submitted by Kate Willett, recording secretary. Minutes are not final until approved by the Children with Disabilities Education Board and the Finance Committee at their next regularly scheduled meetings.

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

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
SPECIAL MEETING MINUTES
Monday, July 28, 2014
Walworth County Government Center
County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order by Chair Rick Stacey at 4:06 p.m.

Roll call: All committee members were present: Chair Rick Stacey, Vice Chair Nancy Russell, Supervisors Ken Monroe, Joe Schaefer and Paul Yvarra. A quorum was declared.

Others in Attendance

- County Board Supervisors: Kathy Ingersoll, Rich Brandl, Tim Brellenthin, Dave Weber, Charlene Staples
- County staff: County Administrator David Bretl; Director of Central Services/Public Works Kevin Brunner; County Engineer Joe Kroll; Facilities Manager John Miller; Controller Jessica Conley, Human Resources Director Dale Wilson; Laurie Landon, Public Works Administrative Secretary; Linda Seemeyer, Director of Health and Human Services
- Members of the Public: Attorney Bill Scott; Dave Bitter, Chair of Lake Beulah Management District; Andy Terpstra, N3055 Elm Ridge Road, Delavan, Wisconsin

Agenda withdrawals/approval

A motion was made by Vice Chair Russell to move the agenda items concerning the Lake Beulah dam for consideration to follow the public comment period and to approve the agenda with the amendment. Supervisor Monroe seconded the motion and it carried 5-0.

Supervisor Schaefer made a motion to approve the July 14, 2014 meeting minutes as presented. Vice Chair Russell seconded the motion and it carried 5-0.

Public comment

Andy Terpstra was recognized by the Chair. He asked the committee to address the Canadian thistle problem countywide, particularly along the I-43 corridor near his farm. He asked the county and state to implement a management plan to eradicate the thistles and suggested that a GPS program could mark selective zones in which to apply chemicals systematically to control growth. Starvation of the plants takes 3-5 years.

Regular Business

Discussion and possible action concerning status of replacement of the Lake Beulah dam, in light of the fact that the County received no bids for the reconstruction project

County Administrator Dave Bretl said that no bids were received for the reconstruction of the dam. The draft intergovernmental is available for discussion, but some adjustment may need to be made to the agreement if it is approved before project commencement. Director of Central Services Kevin Brunner said the timing of the bids was the problem – the Zoo interchange project is underway and there are 6 other dam projects going on within the state. Brunner added that the committee could opt to re-advertise, but staff recommends waiting until early next year for construction in the spring or fall. Bretl said declaring the dam an emergency situation was discussed; however, the situation doesn't meet the emergency threshold at this point and pricing would most likely not be favorable. Brunner said the Department of Natural Resources (DNR)

permit extends to July 16, 2016 for construction; however, the grant completion date would need to be extended. Dave Bitter, Chair of the Lake Beulah Management District, said he is agreeable to extending the timeframe for construction.

Resolution No. 22-07/14 Approving an Intergovernmental Cooperation Agreement for Joint Dam Operation by and Between Walworth County and the Lake Beulah Management District

Vice Chair Russell made a motion to enter into discussion on the Intergovernmental Cooperation Agreement. The motion was seconded by Supervisor Schaefer and it carried 5-0. Bretl distributed updated copies of the agreement that was last reviewed by the committee on July 14, which incorporates changes drafted by Bill Scott, attorney for the Lake Beulah Management District and by the Public Works Committee and county staff. Bretl reviewed the proposed changes with the committee. Changes included redefinition of the interlocutory dam and the temporary coffer dam; the District's insertion that construction of the dam cannot commence until after Labor Day; the DNR's request that they be allowed to lower the water levels in an emergency situation as well as the County; and Attorney Scott's request that if the dam is ultimately constructed with a water control structure that the Lake District have control over the structure. Bretl suggested that a "sunset" date be included in the agreement, such as 24 months, and if the reconstruction of the dam does not go forward the agreement would terminate. The specifics of the Emergency Action Plan (EAP) and Inspection, Operation and Maintenance Plan (IOM Plan) still need to be negotiated with the Lake District and the DNR, Brunner reported.

Discussion ensued as to modifying the language to reflect that the county will use its best efforts not to commence reconstruction of the dam which would interfere with the owners' enjoyment of the lake during prime recreation season. **A motion was made by Supervisor Monroe, seconded by Vice Chair Russell to recommend the approval of the July 24 revised version of the Intergovernmental Cooperation Agreement for Joint Dam Operation between Walworth County and the Lake Beulah Management District, with inclusion of the changes discussed above herein: the commencement of construction after Labor Day if at all feasible; inclusion of a "sunset" date 24 months from the date of the agreement if reconstruction of the dam is not undertaken within that time period; if the county does not reconstruct the dam as previously approved by the District and the county, it shall seek DNR approval of an alternate design that has been approved by the District; and the addition of the DNR to be allowed to lower water levels in the case of an emergency. The motion carried 5-0.**

Presentation on updated costs for Public Works shop expansion project

Brunner provided updated costs on the shop expansion project which was presented to the committee at the May meeting. The specifics of Option 2 chosen by the committee include a new stand-alone fleet repair garage; reuse of the existing shop for future vehicle storage; renovation of Unit C to use that space to park trucks; add 16,000 sq. ft. to the existing heated storage building for vehicle and equipment storage and construction of a new 20,000 sq. ft. cold storage building. The total of that option was \$10,387,027. Brunner and staff worked with Barrientos Design to refine initial cost estimates, which added approximately 3.5% to the original estimates, for a total of \$10,755,857. He said the estimates are conservative and include a 7% project contingency. The project will be scheduled in phases: 2015 - design for Phase I (new facility) - \$7,948,681; 2016 - construction of Phase 1 - \$7,463,551 and design for Phase 2 - \$133,675; 2017 - construction of Phase 2 - \$2,673,500. **No action was required on this item.**

Bid award for shingle roof replacements at Public Works

Supervisor Schaefer made a motion, seconded by Supervisor Monroe, to approve the bid recommendation for shingle roof replacements for two (2) Quonset storage buildings and the Solid Waste storage garage at Public Works to Alois Roofing & Sheet Metal in the amount of \$30,050. The motion carried 5-0. Brunner added that the Solid Waste garage would be paid for from Solid Waste division funds, not tax levy.

Update on Health and Human Services HVAC issues

Brunner reported that the contractors are nearly finished with the final punch list. A second stage compressor in Unit C also failed and they are using project funds to replace it (not part of the new HVAC installation). Health and Human Services administration has established a 73 degree baseline for temperatures throughout the building, which has helped. No action required by committee.

Confirmation of Next Meeting

Monday, September 15, 2014 at 3:30 p.m. – CIP appeals

Adjournment

On motion by Supervisor Monroe, seconded by Supervisor Schaefer, the meeting was adjourned at 4:55 p.m.

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



**Walworth County Board Finance Committee
MEETING MINUTES
Thursday, July 17, 2014**

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

The meeting was called to order by Chair Russell at 9:30 a.m.

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

Others in attendance included:

- County Staff: David Bretl-County Administration/Corporation Counsel; Nicki Andersen-Finance; Ron Person-Coroner; Linda Seemeyer-Health & Human Services; Dale Wilson, Lisa Henke-Human Resources; Kevin Brunner, Peggy Watson-Public Works; John Delaney, Howard Sawyer, Amanda Lagle-Sheriff's Office; Gretchen Torres-Treasurer's Office

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

Approval of minutes of last meeting(s)

- July 8, 2014 - Special Joint Children with Disabilities Education Board/Finance Committee — **Supervisors Ingersoll and Schaefer moved to approve the minutes; carried 5-0.**

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

Unfinished business — There was no unfinished business

Consent items — Russell asked that Agenda Item 8B - bids/contracts and Agenda Item 8E1 – quarterly delinquent tax report be discussed separately. **Supervisors Ingersoll and Schaefer moved to approve the remaining consent items; carried 5-0.**

Budget amendments

Children with Disabilities Education Board

- LS001 — Reassign an Early Childhood teaching position to a Primary and Elementary position

Health & Human Services

- HS010 — Transfer funds for temporary staff in the Mental Health Nursing and Patient Assistance programs
- HS011 — Transfer funds for contracted IT project coordinator through year-end

Public Works

- PW004 — Establish budget for Wisconsin Department of Transportation performance based maintenance (PbM) projects

Sheriff's Office

- SH001 — Increase insurance recovery account to reflect anticipated recovery for hail-damaged vehicles

Bids/contracts

- Countywide pharmacy benefit manager services – Bretl noted that this item received a favorable recommendation at yesterday's Human Resources Committee meeting. Wilson distributed the proposal recommendation. Our contract with the incumbent, Serve You, ends this year. We submitted 7 proposals and received 4 back. Staff recommend a one-year contract with Express Scripts. We will probably submit a medical services Request for Proposal next year and would like to keep that and the pharmacy benefit manager services in sync. Recommended conditions to the Express Scripts award are: 1) that we reach an agreement with the vendor on contract terms, and 2) that we agree upon the implementation plan. We want to ensure that the pharmacy benefits plan is sufficient and, as much as possible, minimize the disruption from changing vendors. Based on our last 12 months of claims data, Wilson said Serve you anticipated we would realize approximately \$200,000 in savings if our claims remained consistent. Express Scripts predicts about \$350,000. Those are moving targets because prescriptions change from year to year. **Supervisor Schaefer moved to award to Express Scripts with the conditions noted by Wilson. Supervisor Yvarra seconded the motion; carried 5-0.**
- Inmate telephone & video visitation system and services for the Sheriff's Office — Delaney said staff recommend awarding to Inmate Calling Solutions, LLC (ICS). Their proposal came with a guarantee that we would realize telephone revenue of \$110,600 each year. Other vendors proposed a price pack but did not include a guarantee. We are also looking to incorporate video visitations with family members, whether they are here or located elsewhere. Either the family member or the inmate pays for that and we receive a commission from ICS. Sawyer added that inmates may choose either a phone call or video visitation. Videos are set up by the visitor but inmates make the phone calls. Our current visitation room will be remodeled slightly to accommodate this option. Kilkenny asked how much an actual video or phone call might cost. Sawyer said we are still working that out. Most of our counterparts allow 1-2 phone calls at no cost and around \$15-20 for a 30-minute video visit. Delaney explained that the video visits and phone calls are recorded for security purposes. This technology opens up visiting to those such as the handicapped or severely ill who are unable to travel to our facility. We have an officer in the area so visits are monitored closely. Russell does not feel the cost to the inmate or his/her family is expensive. It's a great convenience to them to offer that service. Sawyer added that we are looking at having 1-2 free visits a week. If inmates want more than that, then they would pay for them. **Supervisors Schaefer and Kilkenny moved to award to Inmate**

Calling Solutions, LLC; carried 5-0.

- Countywide banking services — Russell asked if the \$32,000 is for 2 years. Torres said this is a 3-year contract. We went through the RFP process and chose the vendor with the lowest cost and highest score. **Supervisors Schaefer and Ingersoll moved to award to J.P. Moran; carried 5-0.**

Emergency purchases

- Replace compressor in the HHS air-cooled condensing unit
- Replace isolation valves and re-charge refrigerant for HHS air-cooled condensing units

Declaration of Surplus

- Recommendation to declare three public works vehicles as surplus and to sell said vehicles at auction

Reports

- Quarterly delinquent tax report – 2nd Quarter 2014 — Russell said she was pleased to see that delinquent taxes have decreased.
- Quarterly property loss report – 2nd Quarter 2014
- Update on tax incremental financing (TIF) districts
- Out-of-state travel
 - Clerk of Courts/Health & Human Services
 - Kristy Secord, Katie Behl, Steven Sax, Nicole Heinrich, Sheri Skomski, David Reddy, Paul Gregory, Julia May, Jackie Jones; National Association of Drug Court Professionals (NADCP) Annual Conference; Anaheim, CA
 - Health & Human Services
 - Malinda Aney, Functional Family Therapy training series, Baltimore, MD
 - Jacquelyn Rupnik, Functional Family Therapy externship series, Compton, CA
 - Sheriff's Office
 - Michael Lambert & Robert Craig, Mobile Forensics World Conference, Myrtle Beach, SC

New business

Discussion and possible action regarding Walworth County coroner's budget — Bretl explained that we anticipated the coroner's office may need additional funding. The deputy coroner is paid on an on-call basis which is more expensive than when we had a salaried coroner.

Deputy coroners were handling all of the calls the first 4 months of 2014. Lagle said the expense looks to be about \$15,000 a month. She estimates the coroner may need an additional \$30-45,000. She was able to find cost savings in their health/dental budget to cover some of it so perhaps only \$15-20,000 would need to come from another source. The coroner's office handled 638 calls by the end of July, according to Person. Last year at this time, we were at 750 so we are behind in numbers but several cases needed more resources and are not yet finished. Some of this year's calls have been more costly than normal. He noted that the coroner's office handled a total of 1,346 calls in 2013. Person praised his predecessor, John Griebel, because he took 51% of the calls but was only paid half-time. If we'd had a number today, we could probably have taken care of it now. If this can be handled with a lower level transfer, Bretl said staff would do so. If use of the contingency fund is necessary, we might need a special meeting in September so the County Board may take action in October.

Discussion and possible action regarding Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for fiscal 2014 — Russell offered her congratulations. **Supervisor Kilkenny moved to schedule a formal presentation at the Committee of the Whole budget workshop on September 4. Supervisor Ingersoll seconded the motion.** Bretl commented that the WGFOA no longer sends a member to do formal presentations. Kilkenny asked how many counties receive this award. Andersen replied that almost all counties have some membership in the GFOA but you have to apply for the award. She thought about 11 counties in Wisconsin are recipients. *[Administrative Note: The GFOA website indicates that 7 Wisconsin counties are currently recipients of this award.]* **The motion carried 5-0.**

Correspondence — There was no correspondence presented.

Confirmation of next Finance Committee meeting(s) — The following meetings were confirmed.

- *Thursday, September 4, 2014* at 5:00 p.m., County Board Room 114 at the Government Center — *Committee of the Whole-Budget Workshop*
- *Thursday, September 18, 2014* at 9:30 a.m., County Board Room 114 at the Government Center — *Regular Business Meeting and Budget Appeals*

Adjournment of Finance Committee

Upon motion and second by Supervisors Kilkenny and Schaefer, Chair Russell adjourned the meeting at approximately 10:06 a.m.; carried 5-0.

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

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

County Zoning Agency
MINUTES

July 17, 2014 – 4:30 p.m.
100 West Walworth Street
Elkhorn, Wisconsin
* * * **D R A F T** * * *

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

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, and Site Planner/Hearing Facilitator 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, Conservation Tech/Code Enforcer;

A “sign-in” sheet listing attendees on July 17, 2014 is kept on file as a matter of record.

Details of the July 17, 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

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

Richard Kuhnke, Sr. motioned to approve the June 19, 2014 Minutes. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:32:57 – 4:33:38

Subdivision Items – Old Business: none

Subdivision Items – New Business

1. **High Hopes Hill II, LLC** proposed 2-lot Certified Survey Map, Section 12, Town 2 North, Range 16 East, Town of Delavan. Parcel # F D 1200007A. The proposed CSM contains 58.97 acres of land and is zoned C-2 Upland Resource Conservation Land District, C-4 Lowland Resource Conservation District and A-1 Prime Agricultural Land District. A portion of the proposed CSM is located within City of Elkhorn Extraterritorial Zoning Jurisdiction. This CSM requires County Zoning Agency review and approval because Lot 2 contains both C-2 and A-1 zoned lands.

Dave Weber motioned to approve with the following conditions: 1) Approval is subject to the new drive way to lot 2 being located entirely within the access easement; 2) Approval is subject to meeting all requirements of state statutes and county ordinances. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose. CSM is signed by CZA Chairman.
Disc Count #4:33:44 – 4:38:27

Old Business - Ordinance Amendments – None

Old Business – Discussion Items – None

New Business - Ordinance Amendments -

1. Amendment to Section(s) 74-131 of the Zoning Ordinance and Section(s) 74-166, 74-174, 74-187, 74-218, 74-222, 74-248, 74-250, 74-259, 74-263 and 74-264 of the Shoreland Zoning Ordinance, Walworth County Code of Ordinances relative to Floodplain Regulations. The Ordinance addresses 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

Richard Kuhnke, Sr. motioned to approve this item. Seconded by Jim VanDreser.

Motion carried. 7-favor 0-oppose

This item will be forwarded to the July 28, 2014 County Board meeting for discussing/possible action.

Disc Count #4:39:15 – 4:40:50

New Business – Discussion Items

1. Forseti Consulting, LLC C/O Ronald Carlson – Owner, Reliable Materials Corporation of Illinois C/O Jacob Mrugacz and Southwind RAS, LLC – Applicant/Operator. The Operator is requesting approval for expansion of the sand and gravel quarry operation and to expand operations of an existing asphalt shingle recycling (RAS) conditional use. Part of Tax Parcel K LF-20-2.

General: for mineral extraction and shingle recycling with 19 specific conditions:

1. This facility is approved per plan submitted as a recycle asphalt shingle (RAS) facility in conjunction with extraction of gravel materials to be incorporated into the RAS product for use off site.
2. Use of the site shall be strictly limited to a recycling of materials specified in the plan of operations.
3. The hours of operation shall be set from 6:00 a.m. to 6:00 p.m. weekdays and from 6:00 a.m. to noon on Saturday.
4. The owner/operator must comply with all federal, state, county and local regulations.
5. All signage must conform to county ordinance standards and shall require sign permit approval.
6. The owner shall notify the county if any changes are made regarding operation of this site including size, location and type of materials recycled.
7. No yard waste, domestic waste, oil and gas, anti-freeze, hazardous waste, batteries, non-empty fuel tanks, auto salvaging, air conditioning fluids or gases or other similar materials shall be allowed on site.
8. Building construction demolition materials may not be brought on site without first meeting all requirements of state local and federal regulations.

9. The materials in the outside storage area must be moved off the property and recycled at least every **eighteen** months.
10. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
11. If problems should develop, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.
12. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
13. The owner must obtain a Walworth County Land Disturbance, Erosion Control and Stormwater Permit from Walworth County Land Conservation Office. This permit shall require the installation of a stormwater basin for drainage from off the loading area and storage areas.
14. All parking must be as designated on the approved plan. The parking must be in compliance with the approved plan within in 60 days of this approval.
15. If the Walworth County Land Use and Resource 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 Walworth County Zoning Agency for approval.

Specific Conditions:

16. The recycled asphalt shingle operation is approved for ~~five~~ **three** years from the date of this approval. During the ~~five~~ **three** year approved period the recycled asphalt shingle operator may apply to the Town for review and County for renewal of this approval for ~~up to an additional successive five year approval. up to a total maximum potential of 15 years of operations on site.~~
17. This conditional use is temporary and shall not be valid upon restoration of the gravel pit to post mining conditions. The property owner shall be responsible for reclamation of the gravel pit including the recycled asphalt shingle operations area. All shingles, RAS product, equipment and waste materials shall be removed from the site prior to reclamation of the shingle recycling area. The recycled asphalt shingle operations area shall be reclaimed within two year of the removal of the recycling operations from the site.
18. The owner must contact the Walworth County Conservation Office and obtain approval of a revised reclamation plan for the gravel pit. The new extraction area shall have a reclamation plan and be covered by a reclamation bond consistent with Walworth County non-metallic mining reclamation requirements. The revised reclamation plan and bond shall be approved prior to any operations being conducted on site.
19. The on-site recycle shingle piles shall not exceed 25,000 tons of materials after two years from start of shingle recycling operations as per the Town.
20. If the total weight of on-site recycle shingle piles continue to exceed 25,000 tons after two years, an injunction shall be imposed on the import of new materials until such time as the total weight of on-site piles is brought into compliance with the 25,000 tons material requirement.
21. The total weight of all on-site shingles and RAS product materials shall be maintained at or below 25,000 tons once the maximum weight capacity is reduced to the 25,000 tons weight requirement.
22. The property owner/operator shall provide the Walworth County Land Use and Resource Management Department with a monthly report by the 15th of each month specifying the total tonnage of shingles and RAS product stored on site.
23. Compliant monthly reports shall show a continued progress of reduction of materials towards the 25,000 ton maximum weight requirement. If a noncompliant monthly report indicates an increase in on site

materials rather than a progressive reduction towards the 25,000 ton requirement, an injunction shall be imposed on the import of new materials. An injunction shall be enforced until such time as a new complaint report is provided by the operator showing continued weight reduction towards the 25,000 tons capacity maximum. A compliant report with progressive reduction must specify equal to or less onsite tonnage than the previous compliant report.

24. No new shingles shall be accepted during the final year of operation of any approved operation period. If a renewal period approval is granted the final year of operations shall be the last year of the renewal period.
25. The owner/operator shall remove and properly dispose of any contaminants that may be present in the recycle shingle material before the material is shredded or processed in any way.
26. The owner must construct a 4-foot high woven wire fence around the recycling area to insure that materials are not transported to other areas of the gravel pit.
27. All building construction demolition materials sorted from the asphalt shingles must be stored in dumpsters on site and must be immediately transported from the site and properly dispose of once the dumpsters are full.
28. If required by the Department of Natural Resources, annual submittal of the Material Recovery Facility Self Certification form shall be submitted to D.N.R. under NR 544.16 Wisconsin Administrative Code. The owner/operator shall provide a copy of any reports to and from D.N.R. for the conditional use file.
29. Proper access must be granted by the Lafayette Town Highway Department prior to operations. The owner must maintain the road maintenance agreement with the town while using the site for the recycling of shingles as per the Town.
30. The owner must provide a copy of the Tier I & II Industrial Stormwater Permits from the Wisconsin DNR and keep the permits current in the conditional use file prior to and during use of the site.
31. Tier I Industrial Stormwater testing shall be conducted annually with a copy of the results provided to the Town as per the Town.
32. The site plan shall be revised and resubmitted with the notes "former (removed)" and "existing (By Others)" asphalt plants removed from the face of the plan as per the Town.
33. The applicant shall submit a performance bond exercisable by Walworth County equal to the cost of grinding the on-site asphalt shingle stockpiles into RAS product plus twenty percent of the grinding cost to cover the binning process for a new operator and mobilization of equipment. The performance bond must be submitted prior to conducting operations on site. The performance bond shall be kept current at all times when the site is used for shingle recycling.
34. The decision to approve this conditional use replaces all other previously approved conditional uses on the affected property.

Video of the site was provided and shown by Matt Weidensee. Discussion by the Committee regarding the current CU and the CU being applied for, and what was presented to the Town. Statement by Plan Commission member Bill Jacques indicating the proposal is basically the same as was presented to the Town that was approved. Tim Brellenthin motioned to send the matter back to the Town for confirmation of proposal approved. Seconded by Paul Yvarra. Response by Brian Lansue regarding the question of timeframe requested by Dave Weber. Motion fails. 3-favor 4-oppose (Dave Weber, Rich Brandl, Richard Kuhnke, Sr. and Jim VanDreser voted in opposition.)

Jim VanDreser motions to approve with the 5 year review period. Dave Weber seconds. Discussion regarding length of time of approval. Jim VanDreser amends

motion with a 3 year review period. Dave Weber seconds amendment. Further discussion regarding timeframe. Motion is amended to approve with a 3 year review period with an extension up to five years. Motion carries 5-favor 2-oppose. (Rick Stacey and Tim Brellenthin voted in opposition.)

Disc Count #4:40:50 – 5:21:58

Public Hearing: 5:32 p.m.

Reclamation Plan Revision -

Southwind RAS, LLC, Section 17 and 20, Lafayette Township - Revised nonmetallic mining reclamation plan. The operator has submitted a request to the Walworth County Land Conservation Division for the approval of a revised reclamation plan covering the mining site on Tax Key Parcel # K LF17-5 and K LF20-2. The revised reclamation plan must comply with the Walworth County's Nonmetallic Mining Reclamation Ordinance, contained in Chapter 26, Article VI, of the Walworth County Code of Ordinances.

Disc Count #5:35:02 – 5:41:08

Ordinance Amendments -

Amendment to Section(s) 74-26, 74-28, 74-44, 74-51, 74-56, 74-58, 74-59, 74-60, 74-61, 74-63, 74-66, 74-67, 74-129, and 74-131 of the Zoning Ordinance and Section(s) 74-151, 74-153, 74-170, 74-178, 74-183, 74-185, 74-186, 74-186.1, 74-188, 74-190, 74-193, 74-197, 74-261, and 74-263 of the 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.

Amendment will be made to the definition section concerning *gross farm revenues* (page 127 of CZA Packet) to include "for farmland preservation tax purposes."

This item will be placed on the 4:30 P.M. agenda of the August 21, 2014 Walworth County Zoning Agency for a vote.

Disc Count #5:41:15 – 5:55:40

Rezones with Conditional Uses - none

Rezones -

Michael and Mary Ellen Vilona – Owners, Section 36, Troy Township. The owners are requesting approval to rezone approximately 1.45 acres of A-1 Prime Agricultural to A-5 Agricultural-Rural Residential District for creation of a lot on which to build a new home. Part of Tax Parcel L T-36-8A.

Dave Weber motioned to approve. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the July 28, 2014, Walworth County Board for possible action.

Disc Count #5:55:40 – 6:02:58

R. Logan Wenger and Karen G Jacobson Trust – Owners, Section 8, Sugar Creek Township. The owners are requesting approval to rezone approximately 1 acre of A-1 Prime Agricultural and R-1 Single Family Residential to M-1 Industrial and R-1 Single Family Residential Districts to correct the zone district lines to match the property boundary lines. Part of Tax Parcels G SC-8-21, 25 and 25A.

Richard Kuhnke, Sr. motioned to approve. Seconded by Jim VanDreser. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the July 28, 2014, Walworth County Board for possible action.

Disc Count #6:03:00 – 6:08:18

Conditional Uses

Edmonds Family Trust – Owner, Attorney Brian Schuk – Applicant, Section 34, Darien Township. The property owner is requesting conditional use approval for a pallet construction business as light assembly of products from wood on land zoned B-2 General Business District. Tax Parcel B-D-34-4C.

General:

1. Approved as per plan submitted for a pallet reconstruction business with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. Must meet all applicable Federal, State, County and local regulations.
4. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on-site. No burning of waste materials shall occur outside on the site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed.

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 conditions:

13. Hours of operation shall be from 6:00 a.m. to 9:00 p.m. seven day per week with no work on holidays.
14. All pallet construction shall take place within the shop building and no pallet construction shall be conducted in the garage building.
15. The property owner shall sound proof the shop building by insulating the interior walls prior to conducting any work on site after the hour of 6:00 p.m.
16. No general public sales allowed on premises.
17. The number of employees shall be limited to 9 employees.
18. The operator shall haul all waste wood to the landfill upon the waste wood storage area containment as specified on the site plan becoming full.
19. The property owner shall apply for approval of a holding tank to replace the existing illegal onsite septic system within 30 days of this approval and install the new system within 90 day or provide the County with a copy of the state well abandonment application and abandon the onsite well within 30 days of this approval.
20. If the onsite well is abandon the property owner shall provide portable toilet facilities and provide a copy of the maintenance agreement from a licensed septic hauler within 30 days of this approval.
21. There shall be on no overnight stays allowed on the property without additional conditional use approval for a dwelling.

Rich Brandl motioned to DENY. Seconded by Dave Weber. Discussion: the lot is not in a proper location for extensive outside storage of pallet materials as it is a gateway lot to the Village of Darien and there were no water facilities proposed for employees. Motion carried. 7-favor 0-oppose
Disc Count #6:08:20 – 6:36:19

Adjournment

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

The meeting was adjourned at 6:36 p.m.

Minutes are not final until approved by the committee at its next meeting.

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**Walworth County Board of Supervisors
Health & Human Services Board
MEETING MINUTES
Wednesday, July 16, 2014
Walworth County Government Center
County Board Room
100 W. Walworth Street, Elkhorn, Wisconsin
*DRAFT***

The meeting was called to order by Chair Monroe at 2:00 p.m.

Roll Call – Committee members present included Chair Ken Monroe, Vice-Chair Tim Brellenthin, Charlene Staples, Kathy Ingersoll, Joe Schaefer, Sandra Wagie-Troemel, and Dr. James Seegers. Citizen Representatives Berenice Solis and William Wucherer arrived at 2:07 p.m. and 2:08 p.m., respectively. A quorum was declared.

Others in Attendance Included

- Board members: Nancy Russell, County Board Chair.
- County Staff: David Bretl, County Administrator; Joe Kroll, County Engineer; Linda Seemeyer, Director of Health and Human Services; Liz Aldred, Deputy Director of Health and Human Services; Jennifer Selz, ADRC Supervisor; Lori Muzatko, Director of ADRC; Janis Ellefsen, Public Health Officer; Erica Bergstrom, Environmental Health; Anne Prince, Nutrition Program Supervisor; and Juliet Young, Health and Human Services.
- Members of the Public: None.

Agenda Withdrawals – There were no agenda withdrawals. On motion by Supervisor Schaefer, seconded by Supervisor Staples, the agenda was approved by voice vote.

Approval of minutes of last meeting(s) – On motion by Citizen Representative Wagie-Troemel, seconded by Supervisor Schaefer, the June 18, 2014 minutes were approved by voice vote.

Public Comment – None.

Unfinished Business – None.

New Business

Brighter Futures Initiatives Grant. Linda Seemeyer stated this grant has been on the recurring grant list for years and it was automatically received. She said the State of Wisconsin announced the rules are changing and it will now be awarded on a competitive basis. She requested permission from the committee to apply for the grant. **Supervisor Staples offered a motion, seconded by Supervisor Brellenthin, to approve applying for the Brighter Future Initiatives Grant. Motion carried 7-0.**

Personal Services and Child Foster Parents/Respite Care Providers Contracts. Seemeyer stated HHS has special purchasing powers from the state and they are able to do purchase of services contracts. She said they use these for purchasing services for clients, such as adult family homes, respite services, foster parents, etc. She stated they are proposing some changes including having some contracts for multiple years versus one-year and moving to an electronic format. She said another change they are proposing is to eliminate purchase of service contracts

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for foster services and respite providers. She stated they want to require respite care providers to obtain a foster home license within six months. David Bretl, County Administrator, recommended favorable action on this item. He said he has been a big critic of the purchase of service contracts as they are 25 pages of boiler plate and as an example, you have to go page 20 to determine what is being purchased or contracted. He stated his concern is if they had to go to court, a judge will not have the patience to go through the document and would have a negative reaction. He said since the county already licenses foster care providers, it makes sense to combine everything into a single document as it would cut down on a lot of unnecessary paperwork. Supervisor Ingersoll questioned why HHS is proposing to require respite care providers to obtain a foster home license. Seemeyer stated that many of their respite care providers are already foster care parents. She said they want to ensure they have some oversight over the home and have the requirement to report child abuse and/or neglect. **Citizen Representative Wagie-Troemel offered a motion, seconded by Supervisor Staples, to move away from the use of contracts and to have respite workers be licensed within six months. Motion carried 9-0.**

Radon Grant. Erica Bergstrom requested permission from the committee to apply for a Radon Grant in the amount of \$2500 to assist in the promotion of radon testing, provide testing kits, and increase staff training. She provided a list of ideas for how the funding will be used. Chair Russell suggested having a booth at the Walworth County Fair instead of the Home Builders Expo. Bergstrom said the state recommends working with builders as new homes tend to have higher radon build up than older homes. She said testing is voluntary but highly recommended. She also said that most realtors will require radon testing before a sale. She stated the deadline for the grant application is August 1st. **Citizen Representative Wagie-Troemel offered a motion, seconded by Supervisor Brellenthin, to approve applying for the Radon Grant. Motion carried 9-0.**

ADRC/Aging Unit Presentation. Lori Muzatko, Division Manager of the Aging & Long Term Care Division, introduced Jennifer Selz, ADRC Supervisor, and Anne Prince, Nutrition Program Supervisor. They delivered a PowerPoint presentation regarding the Division of Aging and Long Term Care. Muzatko stated they receive a substantial amount of funding from the state and donations as well as the tax levy which balances out expenditures for the program. Selz stated the ADRC is a one-stop shop for resources and services for older adults or adults with disabilities. She said they can start serving youth with special needs when they are 17 years and 6 months. She also said services are free of charge to all consumers in Walworth County regardless of income and assets. She stated the purpose of ADRC is to inform people of their choices so if they have private funds, those funds can be extended and last longer. She said the most frequent service used is information and assistance.

Selz stated another service offered is Options Counseling, which is where they gather information about the consumer's situation and provide information on private or public options. She said after options counseling concludes, the ADRC provides long term care program eligibility determination where it is determined if the consumer is functionally and financially eligible. She said in order to be financially eligible for the long term care programs, the consumer must be eligible for medical assistance. She also said the consumer can have a varying income but assets have to be \$2,000 or below, which does not include the consumer's home, car, funeral money, or a life insurance policy of \$1,500 or less. She stated once it is determined if the consumer is eligible for the long term care programs, the next service offered is enrollment

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counseling where long term care funding options are discussed. She stated another service they provide is their benefits specialists. She said their elder benefits specialist assists consumers who are 60 and older to ensure they are receiving maximum benefits through their supplemental insurance, Medicare, or Medicare Part D. She said their disability benefits specialist assists consumers that are 18-59 years of age in obtaining social security disability. She stated they also provide short-term case management, nursing home relocations, and youth in transition services.

Muzatko stated the mission of the Aging Services Division is to assist older adults to maintain their independence in their own homes and communities. She said they serve individuals who are 60 and older and their goal is to target those individuals with the greatest economic and social needs. She gave an overview of the programs under Aging Services, which include nutrition, preventive health, supportive services and case management, National Family Caregiver Support Program, elder rights, and transportation. Prince gave an overview of the nutrition services they offer, which includes the Meals on Wheels Program and the Senior Dining Program, which has six dining centers in four communities. She gave an overview of Preventive Health Services offered, which include the Stepping On, Living Well, and Powerful Tools for Caregivers programs. She stated they also offer vouchers to farmers markets, which provides seniors the opportunity to purchase fresh fruits and vegetables. Muzatko said through the Older American Act, they also receive funding for elder rights services, also known as elder abuse, which is now a part of the Crisis Unit. She stated that transportation was outsourced in April 2014 and was awarded to VIP Services.

Selz distributed samples of marketing items used to promote the ADRC. Chair Monroe asked if transportation has increased since it was contracted with VIP Services. Muzatko stated that numbers have been stable but they are anticipating it will grow through this year. Supervisor Russell said the ADRC newsletter has been announcing the Transportation Coordinating Committee meetings, but the meeting date has usually passed by the time they receive the newsletter. Prince said they will put in future meeting dates starting with the September newsletter.

Reports

Building/Space Updates. Seemeyer said the HVAC building project was completed last December. She stated two of the compressors failed within a two-week period and they were without air conditioning in the Children's Unit and the auditorium. She said they have also been struggling with variances in temperature. Joe Kroll, County Engineer, stated he is currently working with the contractors and they have found some issues but nothing that would indicate a failure. He said final payment will not be remitted until matters are resolved. He also said the system should operate with occupant comfort and they need to establish a baseline and monitor it.

Correspondence – None.

Announcements

Comprehensive Community Services (CCS) Certification. Liz Aldred stated they received their first approval for the certification and they are in the process of moving forward.

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Confirmation of Next Meeting – September 17, 2014 at 2:00 p.m.

Adjournment – On motion by Supervisor Staples, seconded by Citizen Representative Wagie-Troemel, Chair Monroe adjourned the meeting at 3:05 p.m.

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

Walworth County Human Resources Committee

MINUTES
July 16, 2014 – 3:30 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

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 – County Board Chair Nancy Russell; Dale Wilson, Human Resources Director; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; David Graves, Sheriff, John Delaney, Jail Administrator, Howard Sawyers, Jail Superintendent, Amanda Lagle, Business Office Manager, Walworth County Sheriff Department; Tracy Moate, Director-Special Education of Lakeland School; Becky Bechtel, Administrative Clerk, County Clerk; Lisa Henke, Risk/Benefits Manager, Melissa Pohl, Human Resources Generalist, Seth Rehbaum, Human Resources Assistant arriving at 3:47 p.m. Human Resources.

Agenda withdrawals, if any – none

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

Approval of minutes of June 18, 2014 on Stacey/Ingersoll motion. Motion carried 5-0.

Public Comment period – No members of the public were in attendance.

Unfinished Business

Discussion on IRS audit related to retiree health credits Wilson explained that this item was on last month's Human Resources and Finance Committee agendas. Wilson stated he did not have additional information and asked to keep this item on the agenda for next month.

Update on non-represented pay plans for CDEB Professional employees (former LEA)

Wilson stated it had come to his attention that a resolution authorizing a 2% increase will need to be drafted to potentially authorize a 2% increase effective for the 2014-15 school year that begins in September 2014. The resolution would need to appear before the full County Board at a possible special meeting to be held July 28, 2014. Wilson reminded the committee that this item would not be able to be pulled back from the 2015 budget because CDEB employees will be receiving the increase before that budget is approved. Brandl commented that an increase had not been approved for a few years. Motion by Monroe/Stacey to authorize sending a resolution to the County Board approving a 2% increase for CDEB Professional employees (former LEA) effective the 2014-15 school year. Motion carried 5-0.

New Business

Discussion and possible action regarding amending section 15-802 of the Code Regarding Ethical Standards for Employees – Bretl stated the amendment clarifies ethical rules governing employee conduct. The necessity of amending section 15-802 came about due to a recent audit and inquiries from the auditors regarding fraud prevention within the County. The first change adds language concerning outside employment and using influence to do business with an organization with whom an employee is employed. Wilson stated refining will take place administratively to inform current employees of the outside employment changes. Newly hired employees are informed and sign a statement they have received and understand the policy at orientation. Current employees are required to complete a form for outside employment for the Department Head's signature; Department Heads should have an idea if there is a conflict. Both the Department Head and Human Resources Director sign off and if a conflict is perceived the form will be sent to Corporation Counsel for their determination.

The second part adds language regarding fraud and fraud reporting. This new section includes making it the employee's duty to report fraud, where and to whom the fraud should be reported and providing for no retaliation for reporting. Also, the amendment gives the County the right to take appropriate disciplinary action against an employee who knowingly makes an untrue statement. **Motion by Monroe/Brellenthin to approve amending section 15-802 of the Code Regarding Ethical Standards for Employees. Motion carried 5-0.**

Discussion and possible action regarding amending Sections 15-533 and 15-536 of the Code relating to Premium Contributions and Changes in Employment Status. Wilson stated this amendment is necessary to put the County in compliance with Health Care Reform's affordability provision as it pertains to health insurance premium contributions for part-time employees. The amendment also fixes an incorrect reference in Section 15-536. Wilson said only two employees within the county would currently be affected. This amendment will help protect the county when casual employees are working additional hours. Wilson will be working with the departments on providing reports indicating when part time employee hours have reached a level where insurance premium contributions will be involved. **Motion by Stacey/Monroe to approve amending Sections 15-533 and 15-536 of the Code relating to Premium Contributions and Changes in Employment Status. Motion carried 5-0.**

Discussion and possible action regarding Employee Wellness Council 2014-2015 Operating Plan. Wilson introduced Lisa Henke, Risk/Benefits Manager and invited her to discuss the Wellness Council Operating Plan. Wilson stated they would like the Committee to be familiar with the activities of the council and to approve the draft plan. Henke reviewed the overview of the wellness program at Walworth County and the benefits to both employees and the County. Based on the 5 year success of this program the council wishes to apply for the Wellness Council of America's Well Workplace Award. The application contains criteria that must be addressed

Walworth Co Human Resources Committee minutes

July 16, 2014

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in documenting accomplishments for a twelve-month program cycle. The operating plan for 2014-2015 includes overall yearly goals to provide employees with a monthly newsletter and access to other resources that promote overall wellness. Also to continue to work towards developing, organizing and facilitating wellness events and programs. Finally, offering wellness challenges quarterly and coordinating an annual "Get Fit 5K" run/walk as a fund raiser to support the goals and efforts. Long term goals are to obtain a 15% participation rate (currently at 10%) and to increase participants in Get Fit 5K to increase revenues. Henke drew the Committee's attention to the Events Plan in the packet and the quarterly activities included.

Brandl inquired as to why there are representatives from each building but not each department. Wilson replied the idea was not to have too many people on the council in order to keep it manageable and cost efficient. Bretl complimented the department for a job well done and reminded the committee that without a wellness program the insurance rates are higher. Bretl commented that the wellness program is also a morale builder for employees. **Motion by Brellenthin/Monroe to approve Employee Wellness Council 2014-2015 Operating Plan. Motion carried 5-0.**

Update on Request for Proposals for Pharmacy Benefit Manager (PBM) Services. Wilson distributed the Proposal Recommendations for the Pharmacy Benefits Manager. The item will be on the Finance Committee's agenda at tomorrow's meeting for award, but Wilson wanted the Human Resources Committee to be aware since it affects both employee and retiree benefits. Wilson informed the committee that the pharmacy benefit management services have been with Serve You since 2011, with the contract concluding at year end. To calculate costs and possible savings each vendor runs 12 months of prescription claims data to determine what the value of their pricing would be. Based on estimated pharmacy claims cost savings, Wilson will be recommending Express Scripts with some stipulations. We have had excellent service from Serve You and they are located in Milwaukee. The rest of the companies are larger but due to the possible savings they warrant investigating. Wilson is recommending a one-year contract, so that when Auxiant's contract expires at the end of the next year and we perform an RFP for those services, we aren't locked into this PBM contract long term. Wilson warned that switching the pharmacy benefit management is not without problems. One problem for employees is that their current pharmacies may not be included. Wilson said the estimated possible saving by awarding contract to Express Scripts is approximately \$350,000.00. Wilson advised the committee that savings are not written in stone, as savings are dependent on cost of prescriptions used and costs. Brandl thanked Wilson for the information.

Discussion and possible action regarding Sheriff Department's request for additional FTE – Correctional Officer starting October, 2014. Bretl asked to comment on this request. During his tenure as Human Resources Director he had the opportunity to work closely with all departments. While working with the jail, Bretl said it became apparent that staffing was an issue and he felt it would need to be re-evaluated in 2015. Bretl wanted the committee to be

aware that additional correctional officers, one or two, will also be requested in the budget for 2015 and he would like the position request to receive high priority in the budget. If approved, this additional FTE request would be placed on the special county board agenda for July 28. Bretl's request for favorable recommendation is based on the considerable staff cuts (10-11 positions) that occurred in 2011 and the toll staff shortages have taken on jail employees. Bretl believes an additional position will not solve all staffing issues, but is a step in the right direction. When the jail is short staffed employees draw extra shifts for overtime but eventually this becomes a stressor and employees can develop medical issues. Brandl inquired if one or two positions were being requested at this time; Bretl replied he would support one. Delaney stated the cost savings from current vacancies in the jail would cover the additional expenses of a FTE starting in October of 2014. Once hired, employees are required to complete a 14 weeks of on the job training in addition to completing a 4 week Wisconsin State Jail Academy within the first year of employment. Delaney believes with additional help he will be able to reduce overtime, staff fatigue and allow current employees to use accrued benefit time. He also feels sick time will be reduced, which will increase the overall efficiency of jail operations. Sawyers mentioned that the average age of employees at the jail is 46; on first shift the average age is 51 with 17 years of service. Delaney mentioned he will be in turnover mode for the next 5 years due to 20 staff members that will be reaching 55 to 60 years old and could retire. Graves mentioned that he sat in on listening sessions with employees and staffing shortages came up time and time again. Graves emphasized additional staff will provide safety at the jail and help with the wellness of the employees. **Motion to approve the addition of one FTE – Correctional Officer starting October, 2014 by Stacey/Ingersoll. Motion carried 5-0.**

Supervisor Monroe was excused at 4:40 p.m.

The committee will convene 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."

In closed session, the committee will discuss the following item: ERD/EEOC Complaints filed against Walworth County

Chair Brandl read the closed session language. **Motion by Stacey/Ingersoll to go into closed session. Roll Call was taken with Brandl, Brellenthin, Ingersoll, Stacey present, Monroe excused. Motion carried 4-0.** All members voted "aye" to convene in closed session at 4:41 p.m. to discuss the following topic pursuant to the exemption contained in Section 19.85 (1)(g) of the Wisconsin Statutes: **ERD/EEOC Complaints filed against Walworth County. On motion by Stacey/Ingersoll the committee reconvened in open session at 5:45 p.m. Motion carried 4-0. Motion by Ingersoll/Brellenthin to proceed as discussed in closed session. Motion carried 4-0.**

Reports/announcements by Chairperson - none

Set/confirm next meeting date and time – Wednesday, September 17, 2014 at 3:30 p.m.

Adjourn at 5:47 p.m. on motion by Stacey/Ingersoll. 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.

**Walworth County Board of Supervisors
Lakeland Health Care Center Board of Trustees
MEETING MINUTES
Wednesday, July 16, 2014
Walworth County Government Center
County Board Room
100 W. Walworth Street, Elkhorn, Wisconsin
*DRAFT***

The meeting was called to order by Chair Monroe at 1:03 p.m.

Roll Call – Committee members present included Chair Ken Monroe, Vice-Chair Tim Brellenthin, Kathy Ingersoll, Joe Schaefer, and Charlene Staples. A quorum was declared.

Others in Attendance Included

- Board members: Nancy Russell, County Board Chair
- County Staff: Bernadette Janiszewski, Nursing Home Administrator; Sharon Annen, Business Office Supervisor; David Bretl, County Administrator; and Elizabeth Bechtel, Administrative Clerk.
- Members of the Public: None.

Agenda Withdrawals – There were no agenda withdrawals. On motion by Supervisor Schaefer, seconded by Supervisor Ingersoll, the agenda was approved by voice vote.

Approval of minutes of last meeting(s) – On motion by Supervisor Schaefer, seconded by Supervisor Ingersoll, the June 18, 2014 minutes were approved by voice vote.

Public Comment – None.

New Business

Presentation by staff concerning preparation of LHCC budget – ICD-10 Diagnosis and Procedural Codes. Bernadette Janiszewski stated this is the third and final presentation created to outline the changes in long term care that are influencing their 2015 budget requests. She introduced Sharon Annen, Business Office Supervisor at LHCC, who can assist with questions on coding. Janiszewski gave a brief presentation outlining the changes of the tenth revision of the International Classification of Diseases (ICD), which codes diseases and symptoms, abnormal findings, complaints, social circumstances, and external causes of injury or disease. She said the United States has been using ICD-9 since 1979 and because of its limited data it is not sufficient to serve the health care needs of the future. She stated that an expanded coding system will help us better care for the resident. Codes will be very specific in order to obtain prior authorization for tests and procedures. ICD-10 will determine the severity of illness and prove the medical necessity for treatment.

Janiszewski stated they need to start discussing and demonstrating ICD-10 with staff as ICD-10 codes are tied to procedure codes, payment codes, and reimbursement. She said if claims sent to Medicare are not specific enough, our RUGS rate can be reduced by hundreds of dollars per claim per day. She stated that a documentation improvement plan needs to be developed in order to be ready for ICD-10 as there must be consistency between the medical records and ancillary departments because insufficient medical documentation will greatly reduce cash flow. She said nursing staff needs further training in the proper use of the SBAR tool because if a physician

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does not paint a clear picture, we will not have enough information to write a proper code. She also said they will need to run a current diagnosis list and identify all those they list as unspecified, and they should stop using unspecified codes right now.

Janiszewski stated the new system starts in October 2015 and staff will begin preparing for it in January. She said for every new resident, they will first use an ICD-10 code then the ICD-9 code. She also said billers will use the ICD-10 code to send practice claims to Medicare starting in April and as practice claims are rejected, they will build their procedure manual. She stated the code needs to be determined by someone who communicates well with the physician and has a solid medical background. She explained the ICD-10 coding structure. She said it is important for coders to practice early to become well-versed while they are still under the current system. Supervisor Ingersoll asked if moving to the ICD-10 system is mandatory. Janiszewski stated it is mandatory and it was postponed until 2015.

Discussion regarding increasing employee eligibility for use of the G. Charter Harrison Scholarship Fund. Janiszewski stated they have a scholarship fund with a sizable amount of money. She said the original donation amount of \$15,000 is restricted and cannot be spent. She also said the scholarship criteria set up by the family and the nursing home administrator at the time included people seeking education to be an RN and they later added LPN. Janiszewski suggested opening the scholarship up to all resident service workers. She said they had a couple of instances where they paid a sizable amount of money to educate someone, then the employee retired or left the county. She stated historically there were payback provisions and they are proposing to add language in the procedure where a scholarship is not available to employees whose anticipated employment period is less than six months. Supervisor Russell stated her former employer allowed \$1,000 per year and employees were paid after education was completed and the employee had to maintain a certain grade point average in order to be reimbursed. Russell suggested some changes to the criteria such as removing the reference to average job performance as she thought it should be given to employees with above average job performance. Janiszewski stated she is hesitant to make that change as she wants to maintain the integrity of the evaluation process. Supervisor Ingersoll suggested changing the language to the employee must show evidence of meeting the requirements of the job performance. Janiszewski stated that currently the employee's supervisor must write a letter of recommendation. She also stated they have awarded two scholarships in the last 3-4 years and want to encourage greater participation. Supervisor Russell suggested making a change to the language on Item 1 under "Scholarship Award Recommendation" with "The employee must demonstrate a commitment to learning and the residents of Lakeland Health Care Center." She also suggested changing to a 3.0 grade point average on a 4.0 scale and grades of "B" or better. She said she wants to make sure the best people use it and come back to work for us.

Supervisor Schaefer asked when this was started if it was earmarked strictly for nurses. Janiszewski stated the original intention was for nurses and LPNs were added in 1991. She said they are able to change this as the Brickner family left no restrictions. Supervisor Ingersoll suggested approval of the discussed items and then review it one year. Chair Monroe suggested making the changes discussed and bring it back for the September meeting. Bretl stated that setting the amount is a very critical part of this. He said there is also a county-wide program for education costs. He stated that the nursing home is very diligent among all county departments in scrutinizing their evaluations.

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Administrator's Report – Janiszewski stated the difference in this month's report is they added the Quarterly – Medicaid Census for Area Facilities. She said that overtime came down and they expect it come down more in July.

Correspondence – None.

Announcements

Upcoming Events

Janiszewski stated a list of upcoming events was included in the packet. She said the Golf Outing is scheduled for August 9th. Supervisor Ingersoll suggested coordinating with HHS when scheduling the Golf Outing so it is more spread out from when HHS has their Golf Outing.

Confirmation of Next Meeting – September 17, 2014 at 1:00 p.m.

Adjournment – On motion by Supervisor Staples, seconded by Supervisor Brellenthin, the meeting was adjourned at 1:46 p.m.

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

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/25/13)
JUDITH CORRELL: SECRETARY; (re-elected for 3-year term, 8/28/11.)
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 THRU 5/1/16.

July 15, 2014 MONTHLY MEETING

Present: Lutz, McIndoe, Kolosso, Correl, Trimberger
Absent: Mike Weinkauf

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

Secretary Correl read the minutes of the June 17, 2014, monthly meeting which were subsequently approved. Treasurer Kolosso read the June, 2014 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

Old Business:

Due to the inclement (wet) weather, the work on redoing County Line Blvd. is being delayed until approx.. Aug 1st.

New Business:

Chairman Lutz reported that Emily Kolosso has worked out very well doing the maintenance work, and he recommended that we increase her hourly wage from \$8.00 to \$8.50. A motion was then made, seconded and approved for that amount.

Chairman Lutz indicated that he and Treasurer Kolosso will soon get together and start working on the budget for next year.

Next month, the term of the safety deposit box expires at BMO. It will then be terminated, a fee for a lost key will be paid, and a new box obtained at Chase Bank. Chairman Lutz indicated that he has been going through "paperwork" determining whether to save in the deposit box or "dump". He also indicated that he has "LOTS" of rolls of documentation dating back to the dredging of the Lake.

Chairman Lutz indicated that there are more problems with the drawdown device, and that it will need to be examined more closely this Fall.

Chairman Lutz reported that the years'-old deserted and "for sale" property on Casa Loma Drive has become an eye sore and a nuisance due to the extremely-high growth of weeds. (5'-6'). Discussion held on who (other than the apparently disinterested owner) could or should cut everything down. Trimberger, not being familiar with the property, said that he intended to drive out there to look at it after the meeting. After doing so, Trimberger stopped at Lutz's

house from where he phoned the owner of the property, told him that he was calling as a representative of the Town of Spring Prairie and, as such, he was giving the owner one week to remove all of the weeds and brush. Apparently Trimberger received some "lip" from the owner but a company was apparently hired to mow the property later in the week.

Chairman Lutz indicated that repairs are needed to the park area. The Honey Lake Improvement Association has no taxing powers, and with only a \$25.00 per year membership fee, it "supposedly" has little monies to pay for repairs. Chairman Lutz wants to discuss at the upcoming "Annual Meeting" to be held at 1:30 p.m., on 8/24/14, at the Rochester Village Hall. We will have our normal August monthly meeting, 8/19/14, before the "Annual Meeting"

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 7:53 p.m.

Respectfully submitted,



Robert E. McIndoe 7/18/14

Walworth County Land Conservation Committee

MINUTES

July 14, 2014 – 2:00 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

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

The meeting was called to order at approximately 2:05 p.m. by Chairperson Russell.

Roll call – In attendance were Chairperson Nancy Russell, Vice Chairperson Charlene Staples, Supervisor Daniel Kilkenny, and USDA Representative William Leedle. A quorum was declared. Citizen Member Rosemary Badame appeared at approximately 2:10 p.m.

Others present – Michael Cotter, Deputy Corporation Counsel/LURM Director; Louise Olson, Deputy LURM Director; Fay Amerson, Urban Conservation Specialist; citizen Merilee Holst.

Approval of the agenda was moved and seconded by Kilkenny and Staples, with no withdrawals, and carried 4 – 0.

Approval of the June 16, 2014 Land Conservation Committee meeting minutes were moved and seconded by Kilkenny and Staples, with no withdrawals, and carried 4 – 0.

Rosemary Badame arrives at meeting.

Public comment: None

Discussion / Possible Action – Correspondence from Supervisor Charlene Staples regarding concerns about the planned expansion of Enbridge Energy's Line 61 – Charlene Staples. Discussion by Staples regarding the proposed pipeline going through the District. Information is provided regarding concerns and a map of the roads to be affected. There are concerns regarding the little information provided to the public regarding the process and the effects. Statements by Michael Cotter regarding previous pipeline issues. Discussion by Dan Kilkenny regarding concerns. **Approval of the presentation of the proposed Resolution as presented to the County Board was moved and seconded by Staples and Badame. Motion carries 5-0.**

Discussion/Possible Action – SE 2013 - 2014 LWRM Landowner Contracts- DATCP Funding For Implementation Of Conservation Practices With State Cost Sharing Monies – Louise Olson. Discussion by Lou Olson regarding the implementation of conservation practices with farmers and filed with DATCP.

Approval of the conservation contracts drafted/signed was moved and seconded by Kilkenny and Staples. Motion carries 5-0

Discussion/Possible Action Nonmetallic Mining Reclamation Ordinance – Chapter 26, Article VI – Review of Determination per Statute §68.11 – Fay Amerson.

Discussion by Fay Amerson regarding amendments to the proposed ordinance concerning a review of a determination process. Statement by Michael Cotter regarding discussion of the same and recommendation to bring the matter back to the next scheduled meeting for review by the County Administrator. Discussion by the Committee regarding the intent and purpose of the ordinance, and options available. **Placing the matter on the agenda for the September 15, 2014 LCC Meeting was moved and seconded by Kilkenny and Badame. Motion carries 5-0.**

Chairperson Russell did not have any announcements.

The next regular meeting of the land conservation committee was confirmed for Monday, September 15, 2014, 2:00 p.m.

Adjournment. On motion and second by Kilkenny and Badame, Chairperson Russell adjourned the meeting at approximately 2:33 p.m.

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

DRAFT

**Walworth County Board of Supervisors
Public Works Committee
MEETING MINUTES
Monday, July 14, 2014
Walworth County Government Center, County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin**

Chair Stacey called the meeting to order at 3:32 p.m.

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

Others present:

County Board members: Kathy Ingersoll and Charlene Staples
County staff: Public Works: Kevin Brunner, Director of Central Services; Peggy Watson, Business Services Manager; Facilities Manager John Miller; County Engineer Joe Kroll. County Administrator David Bretl; Nursing Home Administrator Bernie Janiszewski; Capt. David Gerber; Capt. Scott McClory; Director of Health and Human Services Linda Seemeyer; Deputy Director of Health and Human Services Liz Aldred; Clerk of Courts Sheila Reiff and Evan Wynn; Deputy Corporation Counsel, Director of LURM Michael Cotter.

A motion was made by Supervisor Schaefer, second by Supervisor Russell to consider item 5 m) first under Regular Business and to approve the agenda with this amendment. The motion carried 5-0.

A motion was made by Supervisor Russell, second by Supervisor Monroe to approve the June 16, 2014 meeting minutes as prepared. The motion carried 5-0.

Public comment period. There was no public comment.

Regular Business

Request from Sheriff's Office to replace Harley Davidson motorcycle - declared totaled. Capt. Scott McClory reported that on June 5, a deputy was involved in a motorcycle crash while responding to a call. Subsequently, the insurance carrier declared the damaged motorcycle a loss. The Sheriff's office would like to purchase a 2015 model for approximately \$20,000, with the difference between the insurance settlement and the purchase price to come from their operating budget. **A motion was made by Supervisor Schaefer, second by Supervisor Monroe to approve the request to replace the motorcycle.** Discussion then focused on motorcycle safety and the related training Walworth County deputies are required to successfully complete to operate a motorcycle. **Motion carried 5-0.**

Discussion/possible action concerning county policy on after hours meeting room use.

Administrator Bretl said Supervisor Staples requested consideration of this item. Staples requested use of a meeting room within the county for a constituent informational session, which would have occurred after regular business hours. Currently the policy for after-hours meetings dictates that a department head is responsible for attending the meeting/securing the building after the meeting. Staples asked that Supervisors be allowed to use county facilities if they agree

to assume the same responsibilities for meetings after business hours as required for department heads. **No action was taken regarding this matter.**

Request from Lakeland Health Care Center to purchase bariatric bed (capital purchase). Brunner reported that this item was before the committee because for Medicaid cost reporting purposes, equipment with an estimated useful life of at least two years and an acquisition cost of \$1,000 or greater needs to be included in the capital improvement plan. **On motion by Supervisor Schaefer and second by Russell, the request to purchase a bariatric bed for \$3,125, as noted in the memo of Nursing Home Administrator Bernie Janiszewski, carried 5-0.**

Request to approve change in scope/addition to Judicial Center Hearing Room videoconferencing project to include Jury Assembly Room video upgrade. The original budget of \$160,000 was for videoconferencing in the hearing rooms. Clerk of Courts Sheila Reiff said all costs for that project have been encumbered and they would like to upgrade the jury assembly room at a cost of \$16,011 with remaining funds. **A motion to approve the request to change the scope of the videoconferencing in the hearing rooms to include the audio and video upgrade in the Jury Assembly room was made by Supervisor Schaefer, second by Supervisor Monroe. The motion carried 5-0.**

Request to approve change in scope to Health and Human Services south parking lot repair project. The original project request stated that the parking lot repairs would be performed by an outside contractor. Subsequently, the Public Works Department acquired an infrared pavement heater and Public Works crews can do the repairs more efficiently and economically. **A motion was made by Supervisor Schaefer, second by Supervisor Russell to approve the change in scope to allow Public Works to perform repairs to the Health and Human Services south parking lot. The motion carried 5-0.**

Bid award for upgrades to automated scale. Brunner referred to the bid recommendation distributed before the meeting. There is \$36,000 in the budget to upgrade the RFID reader, transponder and software for the scale. Staff recommends award to the low bidder. The scale itself is 40 years old and is scheduled for replacement. This software will be compatible with the replacement scale. **A motion was made by Supervisor Russell, second by Supervisor Yvarra to approve the bid award to Advanced Weighting Systems, Inc., in the amount of \$14,995. The motion carried 5-0.**

Bid award for plow blades. The recommendation was distributed before the meeting. The recommended contract to three vendors is \$96,726.32. **A motion was made by Supervisor Monroe, second by Supervisor Schaefer to approve the bid award for plow blades to Grays, Inc., Burke Truck & Equipment and Winter Equipment Company, in the contract amount of \$96,726.32. The motion carried 5-0.**

Approval of "driveway scraper" purchase. Brunner said that the scraper will cost approximately \$1,100, but since it is listed as "classified equipment" by the State of Wisconsin Department of Transportation it is therefore considered a capital item requiring committee approval. **A motion was made by Supervisor Russell, second by Supervisor Yvarra to approve the driveway scraper purchase. The motion carried 5-0.**

Discussion/possible action concerning Lake Beulah dam project – piers. Chair Stacey asked for consideration of this item. Brunner said that the bid specifications do not require the contractor to remove the private piers. The two affected property owners are responsible for the removal and storage of the piers before project commencement (after Labor Day). Brunner added that often in public projects, personal property is required to be removed – i.e., mailboxes in the right of way during roadwork projects. Stacey said he thought the owners had no storage for the duration of the dam replacement. Brunner said he would talk to the Lake District to see if they could accommodate the pier storage. He added that there would be a public information meeting on the project sometime in August. **Committee consensus was to place this item on the special July 28 meeting agenda for follow up.**

Review/possible action on intergovernmental agreement for the operation of the Lake Beulah dam. Bretl distributed portions of the easement that was entered into with the Lake Beulah Management District before negotiations on the dam replacement began. The principal issue remaining is control over the regulation of the lake level. The control structure problem has been resolved and the design and specifications have been agreed to by the Department of Natural Resources and the parties. Bretl reviewed the salient portions of the easement agreement with the committee, which clarifies the responsibilities of the Lake Management District and the County. Bretl then distributed a copy of the draft intergovernmental agreement for the dam operation, which includes items not addressed in the original easement. Deputy Corporation Counsel Michael Cotter said that the biggest issue to be resolved is what the District actually owns and the question of financial responsibility. Russell asked that the requirement for the District to furnish annual proof of insurance be included in the agreement. Brunner asked that in Section 2.2 (DNR Authorization) the language be amended to reflect that the DNR has approved the design of the dam. Brunner reported that the original project budget has been exceeded because of the additional engineering fees incurred in redesigning the dam. Bretl recommended that the approval of the agreement with incorporated changes be placed on the July 28 special meeting agenda; or another special committee meeting could be held for that purpose. A separate cost for the coffer dam can also be calculated. **A motion was made by Supervisor Russell, second by Supervisor Monroe to conceptually approve the Intergovernmental Cooperation Agreement for Joint Dam Operation with changes to be recommended by the County Administrator and County Engineer. The motion carried 5-0.**

Report on Health and Human Services HVAC issues. Health and Human Services Director Linda Seemeyer said two compressors failed within two weeks of each other. There are also extreme temperature fluctuations in some areas of the building. County Engineer Joe Kroll said he reviewed the specifications, project documentation and new equipment and determined that the issues are not part of the new HVAC installation. The failed compressors were installed in 2001. Facilities Manager John Miller stated that with the new variable air volume system, there is a change in the way air moves. Brunner said that funds will be budgeted in next year's and future year CIPs for repairs. **By consensus, the committee decided to place this item on the July 28 special meeting agenda for update on the resolution of the problems.**

Approval of correction of title overlap via Quit Claim Deed – tax parcel #CR 300006C (Matthew and Catherine Simpson). The property is adjacent to Natureland Park. Brunner said a quit claim deed from the county needs to be executed to correct a title overlap. **A motion was made by Supervisor Monroe, second by Supervisor Russell to approve a quit claim deed to correct the error. The motion carried 5-0.**

Discussion/possible action – sustainability projects. There is \$250,000 budgeted for 2014 sustainability projects. Brunner said they would like to undertake three projects: kitchen hood controls at Lakeland Health Care Center and the Sheriff's Office; install night setbacks on air handling at the Judicial Center; and LED lighting retrofitting at the Sheriff's Office, which will take a couple of budget cycles to complete. Brunner requested soliciting a Request for Qualifications from energy service companies and asked if board supervisors would like to be involved in the interview process. **A motion was made by Supervisor Russell, second by Supervisor Yvarra to direct Public Works staff to conduct the interviews. The motion carried 5-0.**

Next Public Works Committee meeting date and time: Monday, July 28, 2014 at 3:30 p.m. A special County Board meeting will be scheduled for 4:30 p.m. on July 28, following the Public Works Committee meeting.

A motion was made by Supervisor Monroe, second by Supervisor Schaefer to adjourn the meeting. The motion carried 5-0 and the meeting concluded at 5:37 p.m.

Minutes recorded by Becky Bechtel, Administrative Clerk

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

Walworth County Board of Adjustment

MINUTES

July 9, 2014 - Hearing – 8:30 AM

July 10, 2014 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on July 9 & 10, 2014, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on July 9, 2014, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, Maegan Sankey, Conservation & Code Enforcement Officer and Sheril Oldenburg, recording secretary of the Land Use & Resource Management Department were in attendance. Those present on July 10, 2014, were Chair John Roth, Vice-Chair Gregory E. Guidry and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, Maegan Sankey, Conservation and Code Enforcement Officer and Sheril Oldenburg, recording secretary of the Land Use & Resource Management Department were in attendance. "Sign-in" sheets listing attendees on July 9, 2014, and July 10, 2014, are kept on file as a matter of record.

The July 9, 2014, hearing was called to order by Chair John Roth at 8:30 A.M. Sheril Oldenburg 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 the Todd B. & Jennifer L. Green hearing to the August 2014 agenda. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. Gregory E. Guidry motioned to approve the June 11 & 12, 2014, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Gregory E. Guidry motioned to recess until 8:30 A.M. on Thursday, July 10, 2014. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. The July 9, 2014, hearing went into recess at approximately 10:05 A.M.**

On July 10, 2014, at 8:30 A.M., Chair John Roth called the decision meeting to order. Sheril Oldenburg 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 remove the Todd B. & Jennifer L. Green hearing and postpone the hearing to the August 2014 agenda. Seconded by Gregory E. Guidry. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the August 13, 2014, hearing at 8:30 A.M. Seconded by John Roth. Motion carried. 3-favor, 0-oppose. The July 10, 2014, decision meeting adjourned at approximately 9:18 A.M.**

Seven variance hearings were scheduled and details of the July 9, 2014, hearings and the July 10, 2014, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business

Count #8:33:28 – 8:52:25

Scott E. Robison, owner / Owen Lavin, applicant – Section(s) 10 – East Troy Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (roof alteration) (approved July 10, 2014), an 8' x 13' patio and proposed grade changes in the shore yard with a retaining wall.

REQUIRED BY ORDINANCE: The Ordinance requires a 59.98' shore yard setback (average) of structures and prohibits grade changes within 75' of the ordinary high-water mark (OHWM).

VARIANCE REQUEST: The applicants are requesting a 13.4' shore yard setback at the closest point for an addition (roof alteration) (approved June 12, 2014), deck and patio and to make grade changes in the shore yard with a retaining wall approximately 27.9' from the OHWM. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition (roof alteration), an 8' x 13' patio and proposed grade changes in the shore yard with a retaining wall.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Scott E. Robison, owner / Owen Lavin, applicant, voted to **APPROVE** the request for a 13.4' shore yard setback at the closest point for a deck and voted to **DENY** a 13.4' shore yard setback to the closest point for a patio and voted to **DENY** the request to make grade changes in the shore yard with a retaining wall approximately 27.9' from the OHWM.

A motion was made by Gregory E. Guidry to deny the patio, grade changes and the retaining wall variance request.

A motion was made by Gregory E. Guidry to break the decision into two sections separating the deck from the proposed grade changes. Seconded by Ann Seaver for discussion.

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

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL OF THE DECK: The Board found the unique property limitation to be a small lot. The Board found the deck would provide safe access to the shoreline. The Board also found no harm to public interest as the deck has been there for some time and is in need of repair.

A motion was made by Gregory E. Guidry to deny the patio and grade changes per the revision that was presented to the Board. Seconded by Ann Seaver for discussion. Motion carried. 2-favor 1-oppose (John Roth)

DENIAL OF PATIO, GRADE CHANGES IN SHORE YARD AND A RETAINING WALL APPROXIMATELY 2.9' FROM THE OHWM: The Board reviewed the revised plans and found that slight modifications were made but not enough to significantly reduce land disturbance in the shore yard. The Board found the patio door, retaining wall and grade changes proposed were a large increment of relief. The Board found to deny the request for the patio, grade changes in the shore yard and the retaining wall would protect the public's interest in navigable waters.

There was one letter of support from the Town of East Troy. There were letters of opposition from the Walworth County Land Conservation Division and from the Wisconsin Department of Natural Resources.

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

New Business – Variance Petitions

Hearing – Count #8:36:17 – 9:05:23 / Decision – Count #8:52:33 – 9:06:07

The First Hearing was Hugh T. & Janet E. Wakefield, owners – Section(s) 26 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning for the location of a deck, screen porch, steps, retaining walls, shore yard path and grade changes.

REQUIRED BY ORDINANCE: The Ordinance requires a 69.78' shore yard setback (average) for structures, a 19' street yard setback for deck steps, a 7.3' side yard setback for a deck and prohibits grade changes within 75' of the OHWM.

VARIANCE REQUEST: The applicants are requesting a 5' shore yard setback (at the closest point) for decks, screen porch and steps, retaining walls at 11' shore yard setback, a path in the shore yard outside the view access corridor, a deck / steps with a 14.1' street yard setback and a 6' side yard setback for a deck. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning for the location of a deck, screen porch, steps, retaining walls, shore yard path and grade changes.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Hugh T. & Janet E. Wakefield, owners, voted to **MODIFY AND APPROVE** the request for a 5' shore yard setback (at the closest point) for decks and screen porch and steps and a 6' side yard setback for a deck and voted to **APPROVE** grade changes, retaining walls at 11' shore yard setback, a path in the shore yard outside the view access corridor and steps with a 14.1' street yard setback.

A motion was made by Ann Seaver to modify and approve the request to approve the same request as in 2012 for a deck and screen porch. Seconded by Gregory E. Guidry. Motion carried. 3-favor 0-oppose

A motion was made by Ann Seaver to approve the variance request to enlarge the footpath to 60", keep the retaining walls where necessary on the path portion of the property and remove the tram and existing stair grade where necessary. Seconded by Gregory E. Guidry. Motion carried. 3-favor 0-oppose

A motion was made by Gregory E. Guidry to approve the 14.1' street yard setback to the stairs off the deck in a modification of the 2012 variance approval. Seconded by John Roth. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board MODIFIED the request to APPROVE the same plans for a screened porch, deck and stairs as previously approved in 2012. The Board found a unique circumstance on the property to be the extremely steep slope. The Board found the structures beyond the 2012 request were personal to the owner and not a unique property limitation and to modify and approve the variance request would cause no more encroachment into the yards. The Board found the additional request for the screen porch and deck was a large increment of relief. The Board found that to reduce the request to the 2012 approval would have less impact on the waters.

The Board found to APPROVE the steps on the northeast side of the deck to be necessary for safe ingress / egress. The Board found to permit the retaining walls, grade changes and the meandering shore yard path would lessen the impact of water coming down the slope toward the lake. The Board found to deny the variance request would cause unnecessary hardship as it would be difficult to keep the path in a walkable condition and allow foot traffic to the lake. The Board found to deny the variance request would affect the owner's ability to use the property for its intended purpose. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would protect the public's interests in navigable waters. There was one letter of support from the Town of Whitewater and one letter of recommendation from the Wisconsin Department of Natural Resources. There was no opposition.

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

Hearing – Count #9:05:54 – 9:12:46 / Decision – Count #9:06:11 – 9:07:56

The Second Hearing was Logan Wenger / Jacobson Trust, owners / R. L. Wenger, applicant – Section(s) 8– Sugar Creek Township

Applicants are requesting a variance from Section(s) 74-56 of Walworth County's Code of Ordinances – Zoning to do a lot line adjustment to correct a residential encroachment.

REQUIRED BY ORDINANCE: The Ordinance requires a 50' side yard setback abutting a residential district.

VARIANCE REQUEST: The applicants are requesting a 35.43' side yard setback. The request is a variance from Section(s) 74-56 of Walworth County's Code of Ordinances – Zoning to do a lot line adjustment to correct a residential encroachment.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Logan Wenger / Jacobson Trust, owners / R. L. Wenger, applicant, voted to **APPROVE** the request for a 35.43' side yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the residence to be constructed on a lot line which is a unique property limitation. The Board found to approve the variance request would allow the commercial structure and the residential structure in their entirety to be located on separate parcels. The Board found the structures and the business have existed for some time. The Board found to deny the variance request and require removal of the residence to be an unnecessary hardship. 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 Sugar Creek. There was no opposition.

Hearing – Count #9:12:56 – 9:20:50 / Decision – Count #9:08:00 – 9:10:08

The Third Hearing was Lois M. Newgard, owner / James Newgard, applicant – Section(s) 34 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a detached garage and a single-family residence (porch).

REQUIRED BY ORDINANCE: The Ordinance requires a 25' street yard setback and prohibits accessory structures in the street yard on lots less than one acre in size.

VARIANCE REQUEST: The applicants are requesting a 4.3' street yard setback for an accessory structure (garage), to locate a garage in the street yard on a lot 20,640 square feet in size and a single-family residence (porch) with a 22.6' street yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a detached garage and a single-family residence (porch).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Lois M. Newgard Trust, owner / James Newgard, applicant, voted to **APPROVE** the request for a 4.3' street yard setback for an accessory structure (garage) and a single-family residence (porch) with a 22.6' street yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the residence and detached garage have existed for some time with no harm to the public. The Board found measuring techniques at the time the structures were erected are not as accurate as they are at present. The Board found to deny the variance request and require the structures to be moved or removed would cause unnecessary hardship. The Board found to approve the variance request permits no change in the current footprint or envelope. There was one letter of support from the Town of Whitewater. There was no opposition.

Hearing – Count #9:21:02 – 9:29:18 / Decision – Count #9:10:14 – 9:12:36

The Fourth Hearing was Scott W. & Barbara L. Anderson, owners / Eric Nelson, applicant – Section(s) 31 – Delavan Township

Applicants are requesting a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to construct an addition to a single-family residence and to permit a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 25' street yard setback for an addition and an 11.7' street yard setback per variance of 2001.

VARIANCE REQUEST: The applicants are requesting a 13.6' street yard setback for an addition and an 11.5' street yard setback for an existing residence. The request is a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to construct an addition to a single-family residence and to permit a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Scott W. & Barbara L. Anderson, owners / Eric Nelson, applicant, voted to **APPROVE** the request for a 13.6' street yard setback for an addition and an 11.5' street yard setback for an existing residence.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found unique property limitations to be the small substandard lot located on a dead end street. The Board found the variance request to be a small increment of relief. The Board found to deny the variance request would cause unnecessary hardship. 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 Delavan. There was no opposition.

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

The Fifth Hearing was Todd B. & Jennifer L. Green, owners – Section(s) 26 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a garage.

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

VARIANCE REQUEST: The applicants are requesting an 8.5' street yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a garage.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, did not vote on the petition of Todd B. & Jennifer L. Green, owners.

BOARD OF ADJUSTMENT FINDINGS: This petition has been moved to the August 13 & 14, 2014, Board of Adjustment hearing / meeting at the owners' request.

Hearing – Count #9:29:28 – 9:54:31 / Decision – Count #9:12:38 – 9:15:05

The Sixth Hearing was Kenneth J. & Nora Gile, owners / Attorney John L. Maier, Jr., Sweet & Maier, S.C., applicant – Section(s) 31 – Delavan Township

Applicants are requesting a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a residence, deck, landing and stairs.

REQUIRED BY ORDINANCE: The Ordinance requires a 7.5' side yard setback (per 1994 variance decision) for a single-family residence and a street yard setback of 19' for an uncovered deck.

VARIANCE REQUEST: The applicants are requesting a 7.19' side yard setback for a residence and a 0' street yard setback for a deck, landing and stairs. The request is a variance from Section(s) 74-181 / 74-221 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a residence, deck, landing and stairs.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of Kenneth J. & Nora Gile, owners / Attorney John L. Maier, Jr., Sweet & Maier, S.C., applicant, voted to **APPROVE** the request for a 7.19' side yard setback for a residence and a 0' street yard setback for a deck, landing and stairs.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the unique property limitations to be a platted road abutting the parcel that has existed for some time without improvement. The Board found to approve the variance request would not affect the view of neighboring properties as the parcel has a buffer of wooded area along the unimproved road. The Board found the deck is the main entry to the house and is needed for safety. The Board found to approve the variance request would cause no harm to public interests. The Board found the variance request to be a small increment of relief. There was one letter of support from the Town of Delavan. There was no opposition.

Hearing – Count #9:54:43 – 10:04:43 / Decision – Count #9:15:10 – 9:17:16

The Seventh Hearing was La Grange Town Hall, owner / Frank Taylor, Town Chair, applicant – Section(s) 15 – La Grange Township

Applicants are requesting a variance from Section(s) 74-53 of Walworth County's Code of Ordinances – Zoning to permit the construction of a 12' x 32' addition to the fire station.

REQUIRED BY ORDINANCE: The Ordinance requires a 25' rear yard setback.

VARIANCE REQUEST: The applicants are requesting a 6' rear yard setback. The request is a variance from Section(s) 74-53 of Walworth County's Code of Ordinances – Zoning to permit the construction of a 12' x 32' addition to the fire station.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of July 9 & 10, 2014, for the petition of La Grange Town Hall, owner / Frank Taylor, Town Chair, applicant, voted to **APPROVE** the request for a 6' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the small size of the lot to be a unique property limitation. The Board found options were limited for the location of an addition. The Board found to approve the variance request would benefit the public by enabling a faster response time. The Board found to approve the variance request would create a safer environment for responders and increase job efficiency. The Board found to deny the variance request would cause unnecessary hardship by not allowing the extra footage needed for the vehicles. There was one letter of support from the Town of La Grange, two letters of support from neighboring property owners and one person spoke in support. There was no opposition.

Other

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

Staff Reports

- A. Court cases update
 - 1. Litowitz / Bear Cave / Winston – Delavan Township
Deb Grube reported no new information is available regarding this appeal.
- B. Distribution of reports, handouts and correspondence - none

Proposed discussion for next agenda

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

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

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

BOOTH LAKE MANAGEMENT DISTRICT
P.O. BOX 778
EAST TROY, WISCONSIN 53120-0778
REGULAR MEETING OF THE BLMD COMMISSIONERS
June 28, 2014

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Greg McElwee, Stan Muzatko (County Board Rep.), Kathy Tober (Town of Troy Board Rep.).

1. Meeting called to order at 9:00 am.

2. APPROVAL OF MINUTES

April 5, 2014 Meeting

Motion for approval of the minutes of the April 5, 2014 meeting by Stan Muzatko, 2nd by Greg McElwee. Motion approved.

3. TREASURER'S REPORT

Barry Loveland reviewed the Treasurer's Report (attached). Of particular note, there is a projected 2014 budget surplus of \$3,220. Motion for approval of the Treasurer's Report by Greg McElwee, 2nd by Gary Hegeman. Motion approved.

4. CHAIRPERSON'S REPORT

Hank Hubbell reported that the treatment for the Eurasian water-milfoil was completed June 12, 2014. The DNR inspector noted that Booth Lake looks good compared to many other lakes and that we are doing a very good job in our control efforts. Approximately 1 acre was treated.

5. OLD BUSINESS

a. Water Way Markers: The Board discussed the current status of the Water Way Markers. Kathy Tober indicated Jerry's Pier Service is the current contractor for putting in and taking out the water way markers. When the markers were initially put in they were not put in according to the designated GPS coordinates. The markers have since been properly reset. No specific problems have surfaced to date other than concerns there are not enough markers. Water way markers and the new ordinance will be discussed at the Annual Meeting.

b. Water Quality Class/Presentation: The Board decided to continue to table this item.

c. Lake Habitat – Fish Stocking: Hank Hubbell noted he has contacted several lake management companies to assist us with our efforts to potentially re-stock Booth Lake. Hank recommended we consider utilizing Aquatic Biologists, Inc. (ABI). ABI has also received positive recommendations from the DNR and the Southeastern Planning Commission. ABI would do a complete lake study including plants, fish, structure, trees, etc. and provide a 5 to 7 page report with suggestions and recommendations. They would also use, reference and incorporate, as appropriate, the results and report from the previous lake study. Cost for this initial review by two biologists would be \$400.00. Motion by Greg McElwee, 2nd by Barry Loveland, to approve \$400.00 for ABI to conduct a lake study. Motion approved.

6. NEW BUSINESS

a. FY 2015 Budget: Barry Loveland presented and the Board discussed the proposed FY 2015 Budget (attached). The proposed budget calls for total expenditures of \$16,440 which is up from \$16,200 for FY 2014. The increase is due to expected routine increases in the septic system contract. The FY 2015 proposed tax levy is \$140.00 which is the same as FY 2014. The increase in total expenditures is expected to be offset by the FY 2014 Budget surplus. Motion by Gary Hegeman, 2nd by Greg McElwee, to approve presenting the proposed FY 2015 Budget calling for total expenditures of \$16,440 and a tax levy of \$140.00 to the membership for approval at the July 20, 2014 Annual Meeting. Motion approved.

b. Election of Commissioners: Greg McElwee announced that due to other personal commitments he would be resigning from the Board effective at the conclusion of this Board meeting. It was noted that the terms for Hank Hubell and Gary Hegeman were expiring but both Hank and Gary are interested in being nominated for an additional 3 year term. This leaves a long-term Board vacancy (3 year term), and Greg's unexpired term, with no nominees for either position. Nominations will be accepted from the floor at the Annual Meeting. It was also noted that the Board has been unable to find anyone interested in becoming a Board member for some time. Motion by Greg McElwee, 2nd by Hank Hubell, to approve presenting the option of amending the Bylaws (Article III, Section 5, Electing Commissioners and Article V, Section 1, Composition) to call for three (3) elected commissioners instead of five (5) and a total Board membership of five (5) instead of seven (7) to the membership at the Annual Meeting. The Board discussed the motion and an opinion was expressed that the number of elected Board members should not be reduced as it is important to have as high a ratio of elected Board members to appointed members as possible. After more discussion the motion was approved with the understanding that the membership would be given the opportunity to nominate and elect/have appointed a full slate of Board members prior to consideration of the Bylaws amendment.

c. July 20, 2014 BLMD Annual Meeting Proposed Agenda: The proposed agenda (attached) was accepted with the following changes noted; update proposed budget, delete separate entry for Fish Stocking as it will be covered under Chairperson's report, delete entry for education class as item is tabled, update election information to include Greg's unexpired term, and add entry for consideration of proposed Bylaws amendment.

7. PUBLIC/COMMISSIONER'S COMMENTS

Stan Muzatko presented a letter (attached) from Nancy Russell, Walworth County Board Chair, reappointing him to the BLMD Board of Commissioners until May 1, 2016.

8. Motion to adjourn the meeting by Stan Muzatko, 2nd by Gary Hegeman. Meeting adjourned at 9:52 am.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

JUNE 6, 2014
BOOTH LAKE MANAGEMENT DISTRICT
CURRENT COMMISSIONER TERMS

<u>Name</u>	<u>Position</u>	<u>Term Expires</u>
Hank Hubbell	Chairperson	July 2014
Gary Hegeman	Secretary	July 2014
Barry Loveland	Treasurer	July 2016
Greg McElwee	Past President	July 2016
Vacancy	Board Member	3-Year Term

Walworth County Health and Human Services Committee

MINUTES

June 18, 2014 Meeting – 2:00 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chairman Monroe at 2:04 p.m.

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

Others present – Linda Seemeyer, Director of Health and Human Services; Elizabeth Aldred, Deputy 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; Nicole Heinrich, Health and Human Services Supervisor;

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 Staples to approve the agenda. Motion carried 8-0**

The Health and Human Services minutes from the May 21, 2014 meeting were approved. **Motion and second made by Supervisor Staples/Citizen Representative Wagie-Troemel to approve the minutes. Motion carried 8-0.**

Public Comment – There was no public comment.

Unfinished business – There was no unfinished business

New Business –

Recommendation and Possible Action Open Arms Free Clinic Donation Resolution – Ms. Seemeyer asked permission from the committee to make a donation of influenza vaccine in an amount not to exceed \$5,000 to the Open Arms Free Clinic. Ms. Seemeyer stated that the Department is able to purchase the vaccines at a better rate and this donation helps with the strengthening community partnerships portion of the Department's mission, vision and values statement.

Motion and seconded by Supervisors Schaefer and Staples to approve this donation resolution. Motion carried 8-0.

Overview of Behavioral Health – Ms. Seemeyer introduced Carlo Nevicosi, manager of Behavior Health and Nicole Heinrich, supervisor in AODA. Sonia Hill, the crisis intervention supervisor, was unable to come to today's meeting. Mr. Nevicosi and Ms.

Heinrich gave a PowerPoint presentation outlining the functions of this unit within WCDHHS. Citizen Representative Seegers asked what the average length of stay was for consumers in inpatient facilities. Mr. Nevicosi stated the average stay in the institutes is sixteen days and in private hospitals the average stay is 8 days with Rogers Memorial averaging around ten days.

Supervisor Ingersoll asked if consumers were given follow up care upon release. Mr. Nevicosi stated it depends if they were under a commitment or a voluntary placement. Those under commitment receive follow up care but not all voluntary placements are reported to the Department so there would not be any involvement.

Citizen Representative Wucherer asked if the Department collaborated with other agencies. Mr. Nevicosi stated the Department just started collaborating with agencies such as Credence. He stated historically there was not much success in dealing with larger providers but stated collaboration with these providers would be welcomed by the Department.

Citizen Representative Wucherer asked about heroin and alcohol prevention services. Ms. Heinrich stated most of the services offered are reactive but they are working towards prevention. There is the prevention service provided through Judge Cotter's court. Area schools have shown an interest in learning Screening, Brief Intervention, and Referral to Treatment (SBIRT) and the Department is looking into training staff that could then train school personnel. Ms. Aldred added that protective placements and repeat offender numbers are going down and that early interventions appear to be working. Citizen Representative Wucherer asked for staff to return to a future meeting and update on SBIRT services.

Supervisor Monroe asked about the OWI Court program results. Mr. Nevicosi stated over 90% of participants complete the program and so far there is only one re-offense.

Citizen Representative Seegers asked about publishing outcomes. He suggested using interns to help compile the data. Mr. Nevicosi stated publication is a big undertaking but it is being looked into. Ms. Aldred added that Deputy Director Dr. Thompson with working with the UW-Whitewater to find students to help with data review. Citizen Representative Seegers stated that he feels this will become a recruitment source.

Citizen Representative Wucherer asked if there was anything this committee could do in helping with budget. Mr. Nevicosi stated not at this time but stated there are some costly items that are out of the control of the Department.

Reports -- There were no reports.

Correspondence -- There were no correspondences.

Announcements -- There were no announcements.

Next Meeting Date – The next meeting is scheduled for July 16, 2014 at 2:00 p.m.

Adjournment – **On motion and second by Supervisor Staples/Citizen Representative Wagie-Troemel, Chair Monroe adjourned the Health and Human Services meeting at approximately 2:37 Motion carried 8-0.**

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

Walworth County Lakeland Health Care Center
Board of Trustees
MINUTES
June 18, 2014 meeting 1:00 PM
Walworth County Meeting Room 111
Government Center – Elkhorn, Wisconsin

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

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

County staff present – Bernadette Janiszewski, Nursing Home Administrator; David Bretl, County Administrator, Lena Rosenthal, Admissions Coordinator, Lakeland Health Care Center, Nicole Hill, Deputy Clerk of Courts.

Public in attendance – No members of the public were in attendance.

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 May 21, 2014 were approved on motion and second by Ingersoll and Schaefer. The motion carried 5-0.

Public Comment – No members of the public were in attendance.

New Business

Presentation by staff concerning preparation of LHCC budget – Dementia Care System Redesign Janiszewski began the second of three presentations generated to help the committee understand changes occurring in long term care that will influence the 2015 budget request. The Center for Medicare and Medicaid has initiated a national partnership to improve resident-centered quality of care provided in nursing homes. Knowing more about what makes the resident happy and what his stressors are will help reduce the need for antipsychotic medication as well as reduce falls leading to injuries. Wisconsin's Dementia Care Redesign plan focuses on promoting different levels of training for employees and promotes enhanced quality of care that addresses who the resident is. The goal is to improve the experience for the resident by providing purposeful tasks, engagement opportunities and providing strength based care.

Janiszewski informed the committee that the facility had recently received an F-323 citation for a fall incident in May that directly ties to this presentation. Surveyors are focusing on how much staff knows about a resident as a person in order to avoid problems. This incident involved a resident fall while self-transferring in the bathroom. The resident had increasingly become confused during the night and the surveyors felt staff did not document what occurred adequately. The State accepted the plan of correction which includes working with the IT Department to solve system outages. During this time period staff was repeatedly kicked out of

the charting system and lost what they were trying to document. In-service education sessions have been held for all staff to stress the importance of documenting on paper if the computer is not available. Procedures have been updated so that staff immediately reports changes in behavior. Ingersoll inquired as to staff to patient ratio in the memory care unit. Janiszewski stated that there are two CNA's assigned to 15 residents with an additional CNA that serves meals. On the day of this fall, another CNA was assigned 1:1 with another resident in this neighborhood.

Staples commented as a former CNA it is very difficult to manage time, care and documentation. Staples asked about staff ratio on third shift, Janiszewski stated 1-15 at night and 2-15 during the day. Janiszewski emphasized that the problem was with lack of communication between staff, which resulted from incomplete documentation. The surveyor felt the resident would have been better supervised if all staff working in the area was aware of the heightened confusion on that day. Staples stated she was a trainer for new CNA's and she reinforced the idea that the CNA's are the eyes and ears for the nurses and it is important to report what is going on with the resident. Janiszewski stated the health care center is incorporating an "About Me" campaign which is meant to educate staff on the importance of knowing the resident as a person, not as a medical condition.

First Quarter Resident Satisfaction Survey Results Janiszewski inquired if supervisors had questions regarding the survey. Schaefer questioned the negative comments regarding meal service experience. Janiszewski replied that some love while others dislike the same food. Staples commented as people age taste buds change, and food just doesn't taste like they remember it. Staples asked if additional leisure activities could be scheduled in the evening. Janiszewski said that the recreation staff tries to schedule activities for smaller groups during the early evening.

Administrator's Report - Janiszewski stated that this month's report includes census stats based on those residents who have applied but have not yet been approved for Medicaid coverage. Information regarding payer source mix of area nursing homes will be included in the July report. Staples inquired about the overtime costs, Janiszewski stated overtime expense should start to decrease in June as the new hires complete their training.

Correspondence - None

Announcements - None

Upcoming Events - List of events from June 14 to August 9 was included in the packet.

Set/confirm next meeting date and time - July 16, 2014 at 1:00 p.m. Janiszewski informed the committee she will be on vacation from June 29 to July 8 and Mr. Bretl will be at the agenda setting.

Adjournment on motion by Schaefer/Staples at 1:41 p.m. Motion carried 5-0.

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

Walworth County Human Resources Committee

MINUTES

June 18, 2014 – 3:30 p.m.

County Board Room 114 – Government Center
Elkhorn, Wisconsin

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 Charlene Staples; Dale Wilson, Human Resources Director; David Bretl, County Administrator; Nicki Andersen, Deputy County Administrator – Finance; Linda Seemeyer, Director Health and Human Services; Elizabeth Aldred, Deputy Director of Health and Human Services; Kimberly Bushey, County Clerk; Tracy Moate, Director Special Education of Lakeland School; Lisa Henke, Risk/Benefits Manager, Human Resources; and Joe Kroll, County Engineer, Walworth County Public Works.

Agenda withdrawals, if any – none

Agenda approval Motion by Stacey/Monroe to approve agenda. Motion carried 5-0.

Approval of minutes of May 21, 2014 on Stacey/Ingersoll motion. Motion carried 5-0.

Public Comment period – No members of the public were in attendance.

Unfinished Business

Discussion and possible action on non-represented pay plans Wilson reviewed the background and the Committee's request for additional information from the May meeting. Wilson stated he had responses from 7 counties and one city that he requested information from regarding their process for evaluating pay plans. He has copies of plans that supervisors may review, most are over 100 pages. Wilson stated that most of the entities he has contacted have decided to use this type of a system for pay plans since Act 10. Wilson suggested the committee begin with the study and what items to include. Brandl asked about job descriptions, Wilson stated that would not be part of the study. The process of updating job descriptions has begun and Human Resources will be updating them with input from department heads. Wilson stressed the importance of benchmarking pay ranges to private/public sector. Wilson stated it would be very difficult to do a study in-house; especially obtaining private sector comparisons. Wilson also recommends the study include the total compensation benchmarks to public/private sector importance. Brandl asked why the study could not be accomplished in-house. Wilson stated in time a study could be accomplished in house, but as strange as it seems we are running out of time to be able to plug numbers into the budget. The earliest he feels an in-house study could be

accomplished is 2016. Brandl inquired if Wilson would like the approval for this budget cycle and if Wilson would be ok with obtaining the RFP's and if too expensive it could be removed from the budget. Bretl commented that item could be removed at budget, but if proposals are obtained the Committee can review, award and have control. Wilson stated the RFP would not be ready to go until the end of 2014, but it needs to be placed in the budget if the committee wishes. Stacey asked if the study could be put out for bid with the two processes included that Wilson thought was important. This includes benchmark pay ranges to private/public sector and total compensation benchmarks to public-private sector, then with that information bring proposals back to the committee. Brandl inquired as to the 2015 cost of living increase amount. Wilson stated the Bureau of Labor statistics has it as 2.1%. Wilson stated we need a budget recommendation so the payroll piece of the budget would go forward. Wilson warned the committee that if a study is not completed externally, an in house study would take significant time and he does not wish the salaries to remain stagnant to ensure Walworth County remains competitive and motivates employees. Wilson stated acceptance of a proposal would need to go before both Finance and Human Resources Committees. **Motion by Stacey /Ingersoll for the Human Resources Department to acquire Request for Proposals for an outsourced study on wages to include two processes (benchmark pay ranges to private/public sector and total compensation benchmarks) and bring the recommendations to the Committee. Motion carried 4-1. (Brandl against)** Brandl asked if Wilson was looking for a motion to have a 2% percent increase to all non-represented pay tables. Wilson confirmed and reminded the committee the teachers are now included in this non-represented group and his wish is to have teachers become effective at the beginning of the school year for the 2014/15 school year. **Motion by Stacey/ Monroe to approve a cost of living increase of 2% in 2015 for non-represented pay plans. Motion carried 5-0.** Wilson thanked the Committee for their work on this subject. Bretl reminded the Committee that one or both items could be pulled out of the budget if necessary.

New Business

Discussion and possible action regarding amending section 15-394 of the Code Relating to Safety Shoes. Wilson asked the committee to approve the amendment of section 15-394 to add the following Public Works employees to receive a yearly \$75.00 stipend for the purchase of safety shoes Assistant Superintendents (4) Highway Operations Manager (1) and Facilities Manager (1). Wilson said after discussion with Kroll, he was also requesting the committee's consideration of adding additional employees to include the Director, County Engineer, Head Groundskeeper and Engineering Tech to the ordinance. The Public Works safety policy requires safety shoes when on job sites. Kroll thought he and Kevin were on job sites no more than 10% of their work time. Wilson stated in his opinion it was important for the Head Groundskeeper to wear safety shoes due to the conditions he will be in. **Motion by Monroe/Stacey to approve amending section 15-394; and to add the head groundskeeper position to the ordinance and to approve as amended. Motion carried 5-0.**

Discussion and possible action regarding amending section 15-505 of the Code relating to past due employee-paid benefits. Wilson informed the committee that the current code does not designate a person to have authority to enter into a repayment plan with an employee that

may owe money for employee paid benefits. The amendment would allow the Human Resources Director to negotiate a payment plan. Wilson explained further this has not been a common occurrence but the ability to enter into a payment plan is an important addition to the section. **Motion by Stacey/Brellenthin to approve amending section 15-505 of the Code relating to past due employee-paid benefits. Motion carried 5-0.**

Discussion and possible action regarding amending section 15-324 relating to performance based compensation. Wilson stated this amendment would accomplish two goals. The first being allowing a red circled management pay plan employee to receive a one-time bonus payment if their evaluation indicated they were a solid contributor or high level performer. The amount offered was ½ the percent of those in the fourth quartile. The one-time payment did not add to the employee's base pay. Wilson explained the second goal is to have the ability to update performance evaluations when a new hire management employee starts or a management employee is promoted or reclassified. The rules for performance evaluation need to be updated and standardized. The amendment adds the following four items: 1) a new employee hired between January 1st and October 1st receives an evaluation at the end of the year but the increase will be pro-rated. 2) An employee hired after October 1st would not receive a performance evaluation until the end of the following year and would be eligible for a full increase plus a pro-rated amount based on the number of days worked in the calendar year of hire. 3) A promoted or reclassified employee who received an increase below 5% upon promotion/reclassification will receive a performance evaluation at the end of the year and will be eligible for a full increase. 4) A promoted/reclassified employee who received an increase of 5% or above when promoted or reclassified will receive an evaluation at the end of the calendar year, but the increase will be pro-rated based on the number of days worked in the new position in that particular calendar year. Wilson informed the Committee that in each year's budget performance based compensation is included. Wilson believes this policy is fiscally responsible to the taxpayers but still rewards a high level performance employee. **Motion to approve amending section 15-324 relating to performance based compensation by Monroe/Brellenthin. Motion carried 5-0.**

Discussion and possible action regarding amending section 15-17 of the Walworth County Code of Ordinances relating to the reclassification of an interpreter position and the creation of an additional special education aide position. Wilson invited Moate to provide details. Moate stated for the first part of the request staff was in the process of evaluating and assigning staff for the next school year, the fact that the aide to student ratio was not adequate became apparent. During the past school year they have been relying heavily on substitute staff. An interpreter position is currently vacant due to a student leaving for Wisconsin School for the Deaf; it has been over a year so if the student would transfer back they would need to supply their own interpreter. The second part is a tuition request from a family living in Racine that requested their child attend Lakeland, Racine County rejected the request and the family moved to Walworth County. Walworth County will need to pay for the costs to support the student. The student will require an additional special education aide. Moate stated the additional costs for 2014 can be covered within the existing budget and the future annual costs will be included in the budget. **Motion by Ingersoll/Brellenthin to approve amending section 15-17 of the Code relating to the reclassification of an interpreter position and create an additional special education aide position. Motion carried 5-0.**

Discussion/possible action on expanding the role of the county clerk - Bretl reviewed the history of the consolidation of minute taking and asked Bushey to come forward. A change in State law now makes the County Clerk responsible for taking minutes. Bretl recommends that one of Administrative Clerk positions from his office transition to the County Clerk's office. Bushey's plan will upgrade an existing position in her office to Administrative Clerk. Bretl asked the committee for their approval of the changes. Brandl asked if Bushey is looking for two employees to take minutes, Bushey confirmed. Bushey would like to designate an employee in Administration as a back-up to help provide coverage due to the small size of the Clerk's office. Bretl recommended the Administrative Clerk position remaining in his office would be the logical choice. **Motion by Stacey/Monroe to approve expanding the role of the County Clerk and approve staffing changes to section 15-17 of the Code. Motion Carried 5-0.**

Discussion on IRS audit related to retiree health credits Wilson explained this item was on the agenda to bring the Committee's attention to the recent IRS audit. A closed session on this subject is on the Finance Committee's agenda. The major issue that has come out of the audit pertains to retiree health insurance and the Committee may receive questions from former employees. In 1998 a plan was implemented to allow employees to use 60% of their accumulated sick leave as credits towards health insurance. This option was only available if you retired from the County. The IRS has said if a choice was available it becomes a taxable event to retirees. Walworth County will have to either litigate this or compromise with the IRS. Wilson stated if the committee wished they could attend the Finance Committee's meeting and sit in on the closed session or a joint meeting could be held. **Motion by Monroe/Stacey to table this item until July Human Resources meeting. Motion carried 5-0.**

Reports/announcements by Chairperson - none

Set/confirm next meeting date and time - Wednesday, July 16, 2014 at 3:30 p.m.

Adjourn at 5:20 p.m. on motion by Stacey/Ingersoll. Motion carried 5-0.

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



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES

June 12th, 2014

The June 12th, 2014 Whitewater/Rice Lakes Management District board meeting was called to order by Chairman Rich Charts at 6:00 PM. Board members present were, Chuck Chamberlain, Brad Corson, Larry Brady, Ernie Roy, and Jerry Grant Walworth County Representative

Absent: Norm Prusener, Whitewater Town Representative

Standing Teams Present: Tom Potrykus, Dave Clevon

Guest Present: Art Speerbrecher, Jeff Widner, Phil James, and Allyn Carlson

Clerk Present: Susie Speerbrecher

ADMINISTRATIVE

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

The May 8th, 2014 minutes was accepted as presented by a motion from Larry and seconded by Ernie. Motion Carried.

PUBLIC INPUT – Phil James, a property owner on Chapel Drive gave a handout to each board member to review while he discussed his concerns of heavy weeds growing in the south lobe. In review of his handout he pointed out there is more water than the chemical formula called for and therefore the chemical was not very effective in his area. More discussion was held under chemical in the commissioner reports.

COMMISSIONER REPORTS

Secretary – No relevant correspondence except for advertising.

Finance – Brad reviewed the finance report handout explaining the May expenses totaled \$6,611.61. Brad motioned to approve these expenses, seconded by Rich. Motion Carried The auditor is requesting all invoices be documented with a signature. Brad received a letter from Carol Willick from G 2 Insuan Services, Inc. asking if they could submit a proposal to insure our harvesting equipment. Brad will follow up with them.

Weed – Larry reported the south lobe is heavy with weeds and half the bay has been cut. He predicted weeds grow approximately 6" a day. The strategy after June 20th will be to circle the lake with the harvesters. He also suggested using a GPS device to harvest more efficiently.

Equipment – Chuck reported he will have information regarding GPS devices at the next meeting. Larry and Jeff will also work with him. He discussed the Saturday pickup of weeds and stressed there cannot be any

twigs, logs, or sticks mixed in and that weeds need to be at the end of piers. A conveyor/dump truck method of unloading weeds and delivery to dump sites was briefly discussed. The 7' harvester will be moved to Whitewater Lake. Inland Marine was out and addressed repair issues. The white truck is in the shop for service on the hydraulic pump. The grant application for a new T45 Transport was submitted on May 28th, 2014 for \$159,000 which includes transport and trailer. The Wisconsin Waterways commission will meet in August at which time we hope to know of a dollar figure granted to us prior to the annual meeting.

Chemical – Ernie In response to Public Input Ernie discussed depth of the lake is what determines the formula for chemical spraying. That depth is 4.8 feet. Another weed survey will be done June 23rd, 2014 along with a depth survey.

Bog – No report

Wildlife Management – Dave reported Federal Agents for the goose roundup will be out sometime this month. No Cormorant nests have been sighted on Bird Island when the Federal Agents did a follow up check this year.

Fish Stocking – Tom reported he has located a hatchery near Beaver Dam that offers the purchase of fish for stocking at a lower price then we have been paying. He will try to see if we can be part of the program to purchase 6 – 8" Walleyes this year. He also continues to work with the carp fisherman.

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

Safety – Larry reported 14 people attended the boating safety class held in May. Ten people were from the area and four out of the area. Deputy Shawn Blanton would like to hold another class in July if anyone from the Minneiska Ski Team is interested. Susie will get contact information to Larry. He suggested the board purchase a projector for doing power point presentations which the board approved of by a motion from Larry and a second by Brad. Motion Carried The projector will also be helpful at the annual meeting.

Water Quality – No formal report.

2014 Schedule – No update

OLD BUSINESS – None

NEW BUSINESS

Rich discussed rebuilding a relationship with the UW-W water quality and environmental department. The board agreed that this would be a positive action for the District. Rich will get together with Tom Potrykus to pursue this.

OTHER BUSINESS

A discussion was held regarding a request from the GWLPOA if they could hold an additional meeting before or after the annual meeting with the property owners. It was suggested due to the length of the annual meeting it may not be feasible to have two meetings on the same day. Discussion was carried over to the next meeting.

Next meeting: July 10th, 2014 6:00 PM

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

Meeting adjourned at 7:40 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

June 10, 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, yes

Others present:

Brad Huza, Administrator
Cindy Moehling, Assistant Administrator
Jennifer Jackson, Administrative Assistant
Timothy Fenner, Axley Brynelson
Steve Scheff, Maintenance Manager
Ron Altmann, Operations Manager
Laura Felton, McGladrey LLP
Mark Olson, McGladrey LLP
Jim Smith, Applied Technologies
Jim DeLuca, DLSD
Stan Riffle, DLSD Attorney
Mark Wendorf, City of Delavan

VISITOR COMMENTS/PUBLIC COMMUNICATIONS/OTHER BUSINESS

None

APPROVAL OF MINUTES OF May 13, 2014

Commissioner Eck made a motion to approve the minutes of the regular Commission meeting of May 13, 2014 as presented. Commissioner Shortenhaus seconded and the motion unanimously passed.

ADMINISTRATOR'S MONTHLY REPORT

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

PERMIT COMPLIANCE UPDATE

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

UPCOMING TRAINING

Cindy Moehling attended a multi-day HR conference in Sheboygan, WI. MRA conducted the conference. Mrs. Moehling indicated the subject matter was excellent and she felt the experience was worthwhile.

BUDGET AND FINANCE

The comparison of actual vs budgeted of revenues for the first five months of FY 2014, the actual cash receipts were \$2,969,000 and the budget was \$2,601,000. For expenditures, the actual was \$2,534,000. From a budgetary standpoint, the organization is where it wants to be with actual revenues 14% over budget and cash disbursements being 4% under budget.

PROJECT UPDATE

2014 Sewer Televising Contract: Great Lakes TV Seal started its televising on May 22nd and completed their work on May 27th. Staff has not reviewed the videos, but the contractor indicated that no major issues were noticed.

Employment Vacancy: Staff completed the "maintenance mechanic" interviews on May 22 and 23. Five candidates were interviewed of which two were brought back for a second interview. Unfortunately, the top candidate accepted another position before an offer of employment was made. The selection committee is presently evaluating its options. One option would include the review of the laborer's applications in an effort to find a promising candidate which may be developed into a maintenance mechanic.

Electronic Time Sheets: Staff has been working on the electronic time sheet for several months. In the last two months, Staff has offered this option to five employees as a means to evaluate the time sheet before rolling it out to the entire team. Staff recently went "live" with its concept in mid-May. The electronic time sheet has gotten very favorable reviews on its implementation and ease of use. The e-timesheet should save time and improve the accuracy of the time keeping.

Phosphorus Removal: The operational staff has started a pilot study that included the addition of chemicals (ferric chloride) in an attempt to determine what level the existing plant is capable of treating without the need for a costly expansion. The overall goal is to determine if the optimization of the operation and adaptive management could achieve the anticipated permit limit for low level phosphorus.

RECEIPTS AND DISBURSEMENT REPORT

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

ACCOUNTS PAYABLE LISTING

After review, Commissioner Henriott made a motion to approve the Accounts Payable listing for June 10, 2014 in the amount of \$118,797.93. Commissioner Eck seconded and the motion unanimously passed.

OLD BUSINESS

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

NEW BUSINESS

- a) **Year 2013 Financial Report** – A presentation of the Financial Report was given by Mark Olson from McGladrey LLP and a brief discussion followed. Commissioner Shortenhaus made a motion to approve the Financial Report as of December 31, 2013 as presented. Commissioner Henriott seconded and the motion unanimously passed.
- b) **2013 Annual Report** – A Power Point presentation was given by Administrator Huza highlighting sections of the report. Commissioner Shortenhaus made a motion to

- approve the Annual Report for WalCoMet for calendar year 2013. Commissioner Henriott seconded and the motion unanimously passed.
- e) **Compliance Maintenance Annual Report (CMAR)** – After discussion Commissioner Eck made a motion to accept the 2013 CMAR as presented and adopt Resolution 2014-07 and instruct Staff to submit the 2013 CMAR to the DNR. Commissioner Henriott seconded and the motion unanimously passed.
 - d) **Industrial Compliance Sampling** – After discussion Commissioner Henriott made a motion to accept the three year bid from Sigma Group, Inc. Milwaukee, WI and authorize the issuance of the purchase order in the amount of \$17,400 for compliance testing services for the year 2014. Commissioner Shortenhaus seconded and the motion unanimously passed.
 - e) **Reaffirmation of Resolution 2012-09** - Present language is acceptable, no motion is required.
 - f) **DLSD Intergovernmental Agreement Update** – Commissioner Logterman gave direction to Staff to continue with developing the intergovernmental agreement including 100% metering and 70% sampling. Staff will try to have agreement for July meeting.

ADJOURN: Commissioner Eck made a motion to adjourn, seconded by Commissioner Shortenhaus and the motion unanimously carried. The Regular meeting adjourned at 3:07 pm.

Thomas Eck
Secretary

APPROVED: July 8, 2014

PUBLISHED:

WISCONSIN RIVER RAIL TRANSIT COMMISSION

EXECUTIVE COMMITTEE MEETING - FRIDAY, JUNE 6TH, 2014 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10: 02 AM **Call to Order** – *Alan Sweeney, Chair*
2. Roll Call. **Establishment of Quorum** – *Mary Penn*

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

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Mary Penn, WRTC Administrator • Forrest Van Schwartz, pro bono consultant 	<ul style="list-style-type: none"> • Ken Lucht, WSOR • Frank Huntington, Kim Tollers WDOT • Alan Anderson, Pink Lady RTC, 10:21 AM
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3. Action Item. **Certification of Meeting's Public Notice** – *Noticed by Penn*
 - *Motion to certify posting of meeting – Cornford/Gustina, Passed Unanimously*
4. Action Item. **Approval of Agenda** – *Prepared by Penn*
 - *Motion to approve agenda – Kuhnke/Cornford, Passed Unanimously*
5. Action Item. **Approval of draft May Meeting Minutes**– *Prepared by Penn*
 - *Motion to approve May minutes – Cornford/Gray, Passed Unanimously*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
 Robert Scallon said that a Mr. Dull approached the County Board on the Bike Trail proposal. Scallon said he had invited the man to this meeting to explain the project to the Commission. He said he was not necessarily against the project but thought it should pass the County Board before Mr. Dull came before the Commission. He said fund raising for this project had begun but Scallon believed that the project would probably not start this year. Alan Sweeney asked Ken Lucht to comment during his report.

WRRTC EXECUTIVE COMMITTEE APPROVED JUNE 2014 MEETING MINUTES

Vern Lewison said it appeared from the May minutes that income was down due to the amount of grain being hauled. He said that he had talked to a person who worked at the grain elevator in Boscobel and reported they were having problems getting cars to move grain. He said the Commission was doing a good job but could improve.

Sweeney announced the November 12, 2014 Freight Rail Conference.

Chris James updated the Commission on the states bicycle funding and talked about a bike trail project which funding was in jeopardy if bids for it did not go out for bid by autumn. He said this particular trail protected users by taking them off the rail corridor and put them on the trail. The trail would be in some cases outside the ROW. He said they were under a time crunch and if anyone wanted to support the project, he asked they see him at the break. He added that Act 20 said funds awarded must be bid out within 4 years, saying the Dane County Executive was putting a letter together for the WDOT. Frank Huntington suggested getting an exemption but James said that would probably not be possible. James asked if the Commission would provide a letter of support for the project that could go to the Secretary. Huntington confirmed it was a WDOT project and in their hands and said the bridge that they were building would be totally off the railroad ROW and therefore improve safety on the trail. Sweeney said if James came up with a resolution, the Commission could address it next month.

Forrest Van Schwartz said that Mary Penn would forward everyone a pictorial on the Oregon Fitchburg line work via email early next week.

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

Penn listed the correspondence of the past month. Correspondence included:

- a. Copy of signed resolution from City of Prairie du Chien; "Resolution 2014-01 Opposing the Storage of Railroad Cars and Related Equipment on St. Feriole Island"
- b. Letter from WDOT re: release of the Wisconsin Rail Plan 2030
- c. Confirmation of Charles Anderson's reappointment to the WRRTC
- d. Confirmation of Jim Haefs-Flemming's reappointment to WRRTC
- e. Communication with Walworth County re: Richard Kuhnke's reappointment
- f. Copy of WSOR letter informing adjacent land owners of Oregon/Fitchburg rehabilitation work commencing.
- g. Confirmation from Sauk of Dave Riek and George Johnson's appointments and John Miller's reappointment to Commission

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

There were no announcements.

REPORTS & COMMISSION BUSINESS

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

Gene Gray gave the Treasurer's Report and said that county contributions were coming in so there were funds to cover all the checks. Bills to be paid included:

- Check #1260, \$2,144.64 - McHenry County taxes (to be reimbursed by WSOR)
- Check #1261, \$586.55 – Accounting Jan-April
- Check #1262, \$15,553.00 - Liability Insurance
- Check #1263, \$3,571.91 - SWWRPC Q1, 2014 Admin.

Sweeney said he wanted to keep action on check #1262 to item 13 the agenda.

- *Motion to approve the Treasurer's Report and checks #1260, #1261, and #1263 – Nilson/Cornford, Passed Unanimously*

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

Ken Lucht commented on the City of Prairie du Chien resolution, saying WSOR understood the city's concerns. He said the City was asking WSOR to keep cars off the island as much as possible, mentioning a specific business that wanted no cars on the tracks particularly on weekends due to weddings. However, he pointed out this was WSOR's access point and they were trying to meet the needs of the customers while addressing the City's issues, which was a challenge. He said WSOR had developed a solution and next month Lucht said he would present it to the Commission. He said this solution would greatly reduce their need to switch cars, noting it would be very costly but not cost the public "one cent", calling it "a private solution to a public problem".

WRRTC EXECUTIVE COMMITTEE APPROVED JUNE 2014 MEETING MINUTES

Tom Cornford said the same person who brought up the issue with the City was also on the County Board and he suspected that a resolution would be brought to the County Board too. Lucht said he would follow up on that, and said that this was not a binding resolution and the City knew that WSOR had to move freight. He said WSOR would try to work with the City and County as necessary.

On the Woodman bridge bike proposal, Lucht said WSOR had communicated with staff and some commissioners on this. He suggested the trail organizers first meet with WDOT and WSOR before coming before the Commission. He said there would be engineering and safety challenges in what was being suggested, adding that the bridge in question, between Woodman and Wauzeka, was over 100 years old and was designated for complete replacement in the long term: it could not just be retrofitted to support a bike bridge on a railroad bridge 100 years old. He assumed that WSOR would be contacted in the future on this. Gary Ranum said he had contacted Mr. Dull and gave him Ken Lucht's and Frank Huntington's contact information and basically said that it would be unlikely there would be Commission support without input from WDOT and WSOR but Dull had not contacted anyone. Gene Gray asked if this suggested modification had happened in other parts of the country. Van Schwartz gave an example in Virginia with a double track in an historic district. Sweeney said it may be a win/win situation for a multi-use structure. James said they had looked at this as an alternative also and said there were some structures like this out west and there was potential for a partnership for rail and trail.

On Capital Projects, Lucht said the Milton siding will soon be bid out this summer and said he would keep the Commission updated on this capacity expanding project. He said he believed the Commission may need to give approval on this.

On the Fox Lake Sub continuous welded rail (CWR) work was underway on the 8 miles between Avalon and Janesville and this would be the last stretch of CWR on this part of the line. Curves would also be straightened out as part of the projects. Lucht said on their allocation, the Commission would probably get a bill in the next few months. He reminded the Commission on the amount of freight moved on the Fox Lake sub.

Lucht reported on other projects outside the Commission's territory that were progressing, adding that in the WRRTC, as well as the PRTC area, bridge repair and maintenance work were underway, most of which were state funded.

On the Oregon acquisition, Lucht said WSOR got a signed license agreement from both communities, allowing WSOR access to start brushing the line. He said WSOR was committed to the project and said there have been a number of calls on the paperwork to submit to the STB. He said Eileen Brownlee needed to inform the STB that WDOT and WRRTC were not to become the railroad. WSOR has to provide a freight easement deed and operating agreement to the STB. Lucht said there was some new information on the freight easement document that was being negotiated between WSOR and the communities which would then require some legal review. As a result, he was not sure they could meet their submission deadline. The only other issue was the budget: because the project was delayed, the bids came in over 56% over budget and WSOR was considering options. He said they could do the work internally or could go ahead and have WSOR absorb the additional cost and risk no state funding but said there was not a lot of enthusiasm for that. Another idea was to request additional funding from the State. He said there was currently a high tie demand and timing was also an issue due to their restricted timeline. Internally WSOR was discussing their options with one possibility being no service to Oregon this year. Another idea would be to rebid when there are more ties available. However Lucht said the customer would be out and WSOR did not think that would be fair considering how long they have waited for service and he hoped State funding would come through. Gray asked how many carloads would be generated by the customer in a year but Lucht could not say. He did say the State had done a cost/benefit analysis on the tie which justified the cost.

Lucht then distributed a handout of a comparison between 2013 and 2014 funding and led the Commission through it. He said WSOR was meeting their maintenance obligations throughout their system and he delineated the costs associated with that. He then talked about the amount of maintenance done in the past year on the subs in the WRRTC's area. On capital projects, he particularly discussed a tie replacement project, noting that not much was done last year as the Reedsburg acquisition was progressing. He explained if all their 2014 projects were approved they would be installing almost 100K ties. He noted CWR work, bridge work, both in and outside the WRRTC area, saying some projects were waiting for some agreements to be executed before work could commence. He said that this handout information had also been provided to WDOT and said they were going to bring the WDOT inspector out to the Prairie sub and show him its condition and what work was required. He said this was a very highly capitol intensive work. Mo Hansen asked about the \$11 M maintenance budget and where those numbers were. Lucht said they did not list the costs of each. Gray said it was good to see 2 years together to provide a point of reference. Terry Thomas asked about a time table on the Avalon section and Lucht said it would be probably next spring. Kim Tollers asked about the speeds and Lucht said it would be 40 mph. Huntington said there would be more work necessary on this sub but only after the next budget cycle. Gary Ranum said that the past meeting minutes noted a lot of improvements and work on the Prairie sub and said that he did not see much work going on currently. Lucht said there were State applications in for tie replacement and WSOR was waiting for its award which would probably be next year. For federal and state funding WSOR was waiting for word on the TIGER funding which hopefully they would

WRRTC EXECUTIVE COMMITTEE APPROVED JUNE 2014 MEETING MINUTES

hear about in September. He said there was a lot of bridge work going on, saying there were 2 crews out now. He thought they were on the Avoca and Woodman bridge currently. Scallon asked about where CWR would go if the the TIGER funding came through. Lucht said it would be from Madison to Spring Green, beginning on Broom Street. Outside of Madison, track speeds would be 40 mph. West of Spring Green track speed would still be 25 mph. Sweeney told Lucht he appreciated the handout and said he thought the Commission would appreciate this report annually. Lucht said May would probably be the best time for this report in future;

Scallon asked Lucht about Blue River and Lucht said they had contacted WSOR.

Alan Anderson noted that the speed limits on tracks had really gone up in the past couple of years and suggested that a perspective in showing how much the track has improved might be useful.

11. WDOT Report– Frank Huntington, Kim Tollers, WDOT

Huntington reported that the Reedsburg acquisition was very close to completion and hopefully by next week it would be complete. He said once that was done, the information would need to be submitted to the STB. He said he hoped that by next month he could report it would be filed with the STB.

On projects in the WRRTC area, Huntington reported that the Sheboygan Falls/Plymouth line work is underway and hopefully in the next few weeks work bids would go out. In the northern part of the state, he said the Marinette project continued and hopefully would be done by the end of the construction season. He said WDOT is working on its next budget and at this point he could not say what the budget would be, adding that legislative support remained good for the rail program.

Sweeney asked about customers from Madison to Reedsburg and Lucht said there were about a dozen with more than a dozen from Prairie du Chien to Madison. Anderson commented that there were about 3000 jobs on the Reedsburg sub, so locally it was very economically important.

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

Penn listed the administrative tasks of the past month including preparing and distributing a Commissioner contact list. She asked the Commissioners to look it over and send her edits if necessary. She said she had updated the WRRTC website to include all of the articles submitted by Van Schwartz in 2014 and viewers could find them on the "News and Articles" tab. She said she was trying to identify a potentially illegal crossing in Rock County. Lastly, she said she had worked with Sauk County to submit the Sauk County 2014 Outside Organization Budget request. She thanked Commissioner John Miller on his agreeing to present this request to the Sauk County Economic Development Committee later this summer.

13. Consideration and possible action on paying for WRRTC 2015 liability insurance with Richgels-Schaefer Insurance – Mary Penn, WRRTC Admins

Penn explained that the Commission needed to approve the insurance before July 10th as the policy lapsed on that date and explained the ramifications if that happened. She added that she agreed with Gray that the whole Commission address this due to the amount of the bill and suggested next year the June meeting be a Full Commission meeting to do so. Karl Nilson reminded the Commission that they had taken action allowing Gray and Jim Matzinger to execute checks in situations like this.

- *Motion to approve check 1262, 2015 liability insurance with Richgels-Schaefer Insurance– Nilson/Gustina, Passed Unanimously*

Sweeney told the Commission that there were 2014 rail maps available that Penn had brought with her from the May PRTC meeting.

14. Action Item. Adjournment

- *Motion to adjourn at 11:01AM – Cornford/Thomas, Passed Unanimously*

DRAFT***MEETING MINUTES*****DRAFT**

SOUTHEAST AREA LAND & WATER CONSERVATION ASSOCIATION

Meeting of June 4, 2014

SEWRPC Office, Commissioners Conference Room

W239 N1812 Rockwood Drive, Pewaukee, WI

1:00 p.m.

Attendees: Paul Sebo, Peter Sorce, Chad Sampson, Perry Lindquist, Alan Barrows, Dan Treloar, Lou Olson, Rosemary Badame, Gary Korb, Andy Holschbach, Rick Bauzenberger, Jim VandenBrook, Coreen Fallatt, Christina Anderson, and Steve Keith.

Peter Sorce called the meeting to order at 1:08 p.m.

After introductions, a motion was made at 1:10 p.m. by Perry Lindquist, seconded by Andy Holschbach, to approve the minutes from March 10, 2014. **ALL AYES; MOTION CARRIED.**

WLWCA Update:

Jim VandenBrook gave an update regarding the vacancy on the WLWCA Board. Chuck Wagner, Kewaunee County, was not assigned to the Land Conservation Committee after the last election, and therefore cannot be on the WLWCA Board. This has left a vacancy. Currently WLWCA is in a process to fill the position.

Jim VandenBrook talked about the phosphorus bill known as 2013 Wisconsin Act 378. This law will make point sources pay \$50 per pound of phosphorus discharged into a watershed basin. At least 65% of this money would need to go towards cost-share. The County(s) in that basin would receive the payments. The basins will likely be in HUC 12 sizes or roughly 20,000 acres each. The system is set up to basically give the permittee a 20-year reprieve on expensive updates to the discharging facilities. Statewide, it would be a variance from the permit. EPA may or may not approve this form of adaptive management, but it currently appears the EPA is working with the DOA and DNR to make this happen. Jim continued to say, by next summer, permittees may want to work with the County's as this process unfolds.

Perry Lindquist asked if any rulemaking is involved or if this was being administered directly out of the statute.

Jim VandenBrook said the DNR will prepare guidance instead of rule making which has recently been more typical. Jim also noted that a public hearing is part of the guidance procedures.

Rick Bauzenberger asked about economic support for this process.

Jim VandenBrook stated that the phosphorus rules are going to be costly. As an example, Jim believed the Green Bay Metro Sewage District may need \$200 million to complete the required upgrades, and Madison Metro Sewage District might need \$90 to \$100 million to complete the upgrade. DNR and DOA are completing a statewide report to determine the cost. Jim continued to say a similar analysis was done out west. This analysis broke out smaller communities, larger communities as well as similar private corporations in their report. In the report the DOA and DNR will provide the EPA with the economic problem and the appropriate fix.

Gary Korb asked if \$50 per pound of phosphorus was specifically designed to be an acceptable cost.

Perry Lindquist stated it seems like a solution to implement low cost conservation practices.

Dan Treloar asked how much the municipalities would save annually.

Jim VandenBrook said the cost would be \$50 per pound of phosphorus annually. This may reduce the permittees cost from \$200,000 to about \$50,000 annually. DNR has a website that shows the calculations.

Southeast Area Update:

Gary Korb talked about Washington County's poster contest. All of the winning Washington County student's made it to the State competition and one poster won the State competition.

Paul Sebo said the State winning poster is currently at the national competition.

Gary Korb stated that Stephanie Egner has successfully grown Washington County's poster contest effort the past few years and continues to generate interest.

Peter Sorce thanked Paul Sebo and staff for having a great poster contest each year.

Gary Korb passed around a calendar made winning posters.

Paul Sebo said the calendars cost about \$4 each to make. The winning students receive free calendars and the remaining calendars can be purchased at cost.

Treasurer's Report:

The treasurer's report was prepared and distributed by Andy Holschbach. The expenses included the \$500 payment to WLWCA and a reimbursement to Gary Korb for the poster contest trophies. The revenue received was Washington County's dues payment. Dan Treloar made a motion to approve the treasurer's report, seconded by Paul Sebo. **ALL AYES; MOTION CARRIED.**

New LCC Member Training:

Jim VandenBrook handed out a folder that included a LCC handbook, acronym page, 2013 annual report, 2014 strategic plan, WLWCA by-laws, SOC Council, UW Extension Partnership report, 2012 Wisconsin Land and Water Conservation report.

Jim VandenBrook continued with a power point presentation that can be found at www.wlwca.org.

Coreen Fallat followed Jim's presentation with a power point as an overview of the bureau as well as related programs.

Southeast Area Elections:

Chad Sampson nominated Peter Sorce for President and Perry Lindquist for Vice President, seconded by Andy Holschbach. No other nominations. **ALL AYES; MOTION CARRIED.**

WLWCA Board of Directors Election:

Perry Lindquist nominated Peter Sorce as the LCC Representative and Alan Barrows as the LCD representative, seconded by Alan. No other nominations. **ALL AYES; MOTION CARRIED.**

WLWCA Board Alternates Election:

Perry Lindquist offered to be an alternate staff representative and Rick Bauzenberger offered to be an alternate LCC representative to the board. Perry made the nomination for both and Paul Sebo seconded. No other nominations. **ALL AYES; MOTION CARRIED.**

Southeast Area Tour:

Andy Holschbach announced that Ozaukee County will be putting together a tour. More details to come.

Great Lake Committee Appointment:

Andy Holschbach said he was formerly the Treasurer of GLNAC and would be willing to be the representative. Paul Sebo recommended Steve Keith as an alternate. Perry Lindquist nominated Andy Holschbach and Steve Keith to the Great Lakes Committee of WLWCA.

Other Business:

Coreen Fallat handed out a nutrient management brochure with interviews and examples from farmers who had participated in implementing nutrient management.

Adjournment:

A motion was made at 3:43 p.m. by Dan Treloar, seconded by Rick Bauzenberger, to adjourn. **ALL AYES; MOTION CARRIED.**

Minutes prepared by Chad Sampson

2014 Southeast Area Land and Water Conservation Association

<u>County</u>	<u>Name</u>	<u>Title</u>	<u>E-Mail</u>	<u>Phone</u>
	Gary Korb	Regional Planning Educator	gkorb@sewrpc.org	262-547-6721
Kenosha	Ron Johnson	LWCC Supervisor, Chair	ron.johnson@kenoshacounty.org	262-654-5047
Kenosha	Dan Treloar	County Conservationist	dan.treloar@kenoshacounty.org	262-857-1895
Milwaukee	Steve Keith	Environmental Engineer	skeith@milwcnty.com	414-278-4355
Ozaukee	Andy Holschbach	Director of Land & Water Dept.	aholschbach@co.ozaukee.wi.us	262-284-9411
Ozaukee	Rick Bauzenberger	County Board Supervisor	rbauzenberger@co.ozaukee.wi.us	262-241-0852
Racine	Robert Grove	LCC Supervisor	rgig81@aol.com	262-498-7821
Racine	Monte Osterman	LCC Supervisor	monteosterman@aol.com	262-308-2766
Racine	Chad Sampson	County Conservationist	chad.sampson@goracine.org	262-886-8440
Walworth	Fay Amerson	Urban Conservationist	famerson@co.walworth.wi.us	262-741-7909
Walworth	Rosemary Badame	LCC Citizen Member	rosemarybadame@aol.com	262-279-3370
Walworth	Louise Olson	Deputy Director	lolson4@co.walworth.wi.us	262-741-7912
Washington	Paul Backhaus	Project Technician	paul.backhaus@co.washington.wi.us	262-335-4803
Washington	Michael Miller	County Board Supervisor	michael.miller@co.washington.wi.us	262-338-2934
Washington	Paul Sebo	County Conservationist	paul.sebo@co.washington.wi.us	262-335-4805
Washington	Peter Sorce	County Board Supervisor	peter.sorce@co.washington.wi.us	262-253-0561
Waukesha	Alan Barrows	Senior Conservation Specialist	abarrows@waukeshacounty.gov	262-896-8307
Waukesha	Keith Hammitt	County Board Supervisor	khammitt@waukeshacounty.gov	414-840-7207
Waukesha	Perry Lindquist	Land Resources Manager	plindquist@waukeshacounty.gov	262-548-7867

2014 - Southeast Area Executive Board and Appointees

President – Peter Sorce, LCC Supervisor, Washington County
Vice President – Perry Lindquist, Land Resources Manager, Waukesha Co.
Treasurer – Andy Holschbach, Director, Ozaukee County
Secretary – Chad Sampson, County Conservationist, Racine County
Area Coordinator – Gary Korb, Regional Planning Educator, SEWRPC

2014 - WLWCA Board Representatives – Southeast Area

LCC Representative – Peter Sorce, Washington County
LCD Representative – Alan Barrows, Waukesha County
LCC Alternate – Rick Bauzenberger, Ozaukee County
LCD Alternate – Perry Lindquist, Waukesha County

Transportation Coordinating Committee

MINUTES

June 2, 2013 Meeting – 1:00 p.m.

Walworth County Board Room
Government Center – Elkhorn, Wisconsin

The meeting was called to order by Chair Russell at 1:02 p.m.

Roll call – Committee members present included Supervisors Russell and Monroe, Citizen Representatives Kerwin, Hallatt, Leffelman and Simonsen and Health and Human Services staff Seemeyer and Muzatko. Citizen Representative Davis was excused.

Others present – Juliet Young, Health and Human Services; David Bretl, County Administrator;

Public in attendance – There were 3 members of the public in attendance.

There were no agenda withdrawals. **Motion and second made by Citizen Representative Hallatt/Supervisor Monroe to approve the agenda. Motion carried 5-0.**

There was one change to the minutes. **Motion and second made by Citizen Representatives Kerwin/Hallatt to approve the minutes as amended from the April 7, 2014 meeting. Motion carried 5-0.**

Public Comment –

Jerry Grant stated he would ask questions during the presentation.

Unfinished business – There were no items of unfinished business.

New Business

Dave Lowe Presentation – Dave Lowe gave a brief history of his time in transportation and reviewed the enclosures. He explained that public transit in Wisconsin is split in a tier funding system. The first two tiers are Milwaukee and Madison and stated Walworth County would be in the tier C group. He also stated that rural area ridership is approximately 75-80 percent elderly and disabled. Mr. Lowe reported the outlook for rural area transportation is not good due to changes in grant funding however he does feel that there are opportunities for Walworth County.

Supervisor Russell asked if the 5310 grant allows hiring a Mobility Manager. Mr. Lowe stated that it does and it is an eligible project.

Supervisor Monroe asked if the grant set the hours for transportation. Mr. Lowe stated the hours are set locally.

Ms. Seemeyer asked if shared taxi services are the norm. Mr. Lowe stated smaller municipalities use this service.

Citizen Representative Simonsen has always completed the 5310 grant and asked for more information on the 5310 grant. Mr. Lowe stated that he could only speak on the history of this grant due to expected changes by the State. He said the grant has been used to purchase vehicles with a 20% local share. It is a competitive grant and historically there has been enough money to cover almost all requests.

Mr. Grant asked if there are restrictions on buying vehicles. Mr. Lowe stated that vehicles need to be purchase off the State bid as the State determines the vehicle specifications.

Mr. Grant asked if a county does not have a mobility manager if they are not eligible to receive funding. Mr. Lowe stated that someone needs to be designated on the grant application. Mr. Grant asked if VIP had a mobility manager if that would fulfill the grant requirement. Mr. Lowe stated that it would meet the requirement.

Supervisor Russell asked if VIP wanted to apply for funds for more vehicles and the County wanted to apply for the mobility manager should the applications be coordinated together or done separately. Mr. Lowe stated that either way would be acceptable. He did stated that it would be better for VIP to apply as they are an eligible applicant under the current requirements of the grant.

Supervisor Russell stated concern over the application deadline of August 15th. Mr. Lowe stated it would probably be extended. Citizen Representative Simonsen stated that applications are usually available around the middle of June. Mr. Lowe stated one of the changes will be a yearly application process rather than every two years and that enforcement rules may also be changing. Ms. Muzatko stated that VIP may not be the only agency applying for the 5310 grant.

Mr. Grant asked if a large housing complex could apply for the grant. Mr. Lowe stated that nonprofit and private nonprofit entities are eligible to apply. If they choose to apply they would have to present to this committee and explain their plan. Their plan would have to include offering service to consumers other than just their residents due to the competition for the grant money.

Supervisor Russell asked if VIP were awarded the grant how would services be expanded. Mr. Lowe stated that a mobility manager can work on outreach to let the public know about transportation services.

Supervisor Russell asked if the County was excluding consumers who need transportation but are unable to afford it. Mr. Lowe stated that if fares could be lowered that ridership would increase. The challenge is finding funding sources to offset the decrease in fares.

Citizen Representative Kerwin asked about volunteer driver programs. Mr. Lowe stated that volunteers are essential for really rural areas as mass transit is not economically

feasible. He added that volunteer hours could be used for matching funds. Mr. Lowe stated that there was not a need for a transit commission for obtaining volunteers as this committee could contract with agencies.

Supervisor Russell thanked Mr. Lowe for his time and information and stated this committee will be in contact with him.

Response from SEWRPC – There were no questions or comments on this response. It will be placed on file and the committee will decide at a later date if they will seek assistance from SEWRPC.

Discussion and Possible Recommendation Concerning Mobility Manager Position – Supervisor Russell stated that since it is close to budget time she wanted this item added to the agenda.

Citizen Representative Hallatt asked if this will be a position at VIP or a separate entity. The committee, including Citizen Representative Simonsen, agree this should be a neutral position separate from VIP.

Supervisor Russell asked Citizen Representative Simonsen if she has done her application for vehicles. Citizen Representative Simonsen stated she has not and is looking to phase out the larger buses in favor of smaller buses.

Supervisor Russell asked about the application and Citizen Representative Simonsen stated it should be a collaboration between VIP and Walworth County since the County has a higher ranking.

Supervisor Monroe asked if the Mobility Manager would be with the VIP contract. It was stated that the contract will be changing. Mr. Bretl stated he can see a need for more resources and agrees with neutrality. He added that he was unsure if this position would conduct audits of the system. He believes that DHHS should not have the position due to the high clientele and is open to input from this committee. Citizen Representative Kerwin asked what department would be a natural fit for this position and Mr. Bretl stated there wasn't one at the County level. Ms. Muzatko agreed with Mr. Bretl stating this position would bring strength but questioned the timing and felt it should be applied for next year.

After some discussion Supervisor Russell suggested putting in this year's budget but that does not require that the position has to be hired this year. Mr. Bretl cited an example with the Criminal Justice Coordinating Council (CJCC) coordinator position. It was a two-step process where an interim coordinator was hired and then someone else was brought in permanently. Supervisor Russell stated she liked that idea and suggesting starting out with more of a consultant and then make the position full time later on. Supervisor Monroe suggested an advisor for this position. Citizen Representative Kerwin noted finding someone to do the surveys and focus groups is important and stated that a Mobility Manager will give strength to future applications. Supervisor Russell stated she did not think that SEWRPC documented all the available transportation resources in their report.

She stated she favored hiring an experienced consultant rather than use SEWRPC. Supervisor Monroe suggested asking Mr. Lowe to help find a consultant.

Discussion and Possible Recommendation Concerning Section 5310 Application due August 15, 2014 - Supervisor Russell asked the committee if there was any interest in applying for this grant this year. Mr. Bretl stated Citizen Representative Simonsen would have to apply for this grant. He suggested taking a pass on it this year and Citizen Representative Simonsen agreed. It will be put on the next agenda when there is more information known about the changes for this grant.

Reports – There were no reports.

Correspondence – There were no correspondence.

Announcements –

Citizen Representative Simonsen announced that the VIP Open House will take place on Tuesday, June 24th starting at 4:00 p.m. She invited this committee to attend this event.

Next Meeting Date – The next regular meeting will be July 7, 2014 at 1:00 p.m. in this room. Pam Busch from Door County will be giving a presentation.

Adjournment – **On motion and second by Supervisor Monroe/Citizen Representative Leffelman. Chair Russell adjourned the Transportation Coordinating Committee meeting at approximately 2:37 pm. Motion carried 6-0.**

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

Walworth County Agriculture and Extension Education Committee

MEETING MINUTES

Monday, May 19, 2014 – 1:00 PM

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

The meeting was called to order at 1:01 p.m.

Roll Call – Committee members present included Supervisor Kilkenny, Supervisor Russell, Supervisor Staples, School Representative Kelly Pickel, Michael Krejci, Mary Kaye Merwin, Kathleen Papcke, and Bob Handel. FSA/Ag Representative Sue Bellman was excused. A quorum was declared.

County Staff Present – County Administrator David Bretl, Department Head/Family Living Educator Jenny Wehmeier, Volunteer Coordinator Colleen Lesniak, 4-H Youth Development Educator Debbie Burkman, 4-H Youth Development Coordinator Chelsea Dertz, Wisconsin Nutrition Education Program Coordinator Yolanda Peña, and Agriculture Educator Peg Reedy were in attendance.

There were no amendments or withdrawals from the agenda. **Supervisors Kilkenny and Staples moved and seconded approval of the agenda. The motion carried 8-0.**

There were no additions or changes to the minutes from the March 17, 2014 meeting. **Supervisor Russell and Papcke moved and seconded approval of the minutes. The motion carried 8-0.**

Public Comments – There were no public comments.

Election of Committee Chair – UW-Extension Department Head Jenny Wehmeier opened nominations for the position of Committee Chairperson. Supervisor Russell nominated Supervisor Kilkenny, which was seconded by Supervisor Staples. **Supervisor Russell moved to close nominations and vote by unanimous consent. The motion passed 8-0, and Supervisor Kilkenny was unanimously elected as Committee Chairperson.**

Election of Committee Vice-Chair – Committee Chairman Kilkenny opened nominations for Committee Vice-Chairperson. Supervisor Russell nominated Supervisor Staples, which was seconded by Pickel. **Supervisor Russell moved to close nominations and vote by unanimous consent, which was seconded by Merwin. The motion passed 8-0, and Supervisor Staples was unanimously elected as Committee Vice-Chairperson.**

Unfinished Business

Agriculture Position Timeline Update – Reedy stated that there are five candidates for the preliminary interviews to be held over Skype on May 28th. The second interviews will be held either June 10 or 11 in afternoon. Reedy would like someone from the committee to sit in on the interviews. Papcke, Krejci, and Handel volunteered to be present. Reedy stated that she believes they are all good candidates, and most have at least their Master's degree. Two of the candidates have strong animal science backgrounds, and all have strong farm and agriculture backgrounds.

Designate Attendees to the Wisconsin Association of County Extension Committees (WACEC) State Meeting – Wehmeier stated that she had received more information on the meeting since the last AEE meeting. Krejci showed an interest in attending, but UW-Extension has funds available for another person to attend if anyone else is interested.

Update of 2014 UW-Extension Needs Assessment – Moser explained that UW-Extension Horticulture Educator Chrissy Wen had done a bit of work on the needs assessment before going on leave. The Walworth County UW-Extension office does a needs assessment about every five years to figure out the needs of the county residents. The office staff looked at different options and ways to best find the needs of the entire county. The staff drafted a survey containing about 60 questions that residents will rank from very important to not important or not sure. Staff are working with the UW-River Falls Survey Research Center to administer and compile results. The center would tweak and establish the survey, send it out to about 10% of population, send a postcard to those who haven't responded, and provide us with a summary, results, and a question-by-question analysis. Having the Survey Research Center do this would come at a price, but it would save the county staff a large amount of work. Moser does not have a hard estimate on the cost, but it would be about \$4,500-5,000 for the whole thing. Kilkenny stated that he would support this if UW-Extension has the funds available. The committee asked to see a copy of the survey before it is sent. **Chairman Kilkenny asked for a motion to approve UW-Extension paying UW-River Falls Survey Research Center to administer their needs assessment, which was made by Papcke and seconded by Krejci. The motion carried 8-0.**

New Business

Introduction of Wisconsin Nutrition Education Program Coordinator María Yolanda Peña – Peña is originally from Columbia. She worked in Rock County as Nutrition Educator for 11 years, and just started in Walworth County on May 1. She will be the primary educator until a Nutrition Educator is hired.

AEE Orientation Materials – The UW-Extension staff reviewed enclosure 3, outlining the various UW-Extension program areas and their offerings. Russell suggested starting a Master Naturalist program in the county. Reedy responded that this would most likely be a collaboration with NRCS, Land Use, and Agriculture. It could be good project for the new agriculture employee. Handel asked about the duties of the second agriculture position. Reedy responded that the intention is to give the person the results of the latest needs survey to find the needs of the county, but part of the idea was to have them do some of the mandated programs that are time consuming but have to be done, such as pesticide applicator training, tractor safety, and the Farm Fresh Atlas.

Scheduling Annual Public Hearing for UWEX – Wehmeier stated that by county ordinance, UW-Extension is required to hold an annual public hearing. The best dates that would work for staff members include July 14 at 1:00 p.m. during the AEE meeting, July 23 at 12:00 p.m., or August 18 at 6:00 p.m. Kilkenny stated he would prefer to have it during the meeting, as it would make sense and save time. **Papcke made a motion to hold the annual public hearing on July 14 during the regularly scheduled meeting, which was seconded by Chairman Kilkenny. The motion carried 8-0.**

Reports

Agriculture/Agribusiness, Peg Reedy – Reedy provided handouts to the committee outlining her programming. Her passion is in integrated pest management. With this, she has been working on soybean aphid monitoring, atrazine research, whorled milkweed, and corn rootworm research. Her other recent programming has included private pesticide applicator

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training, bi-state equine programming, farmers' market and direct marketing workshops for vendors, tractor safety training, and farm bill meetings with the Farm Service Agency. She also pointed out that the county has an aging demographic, and there is going to be a lot of need over next decade for farm transition planning.

2016 Farm Technology Days Update – Reedy stated that the working committees are set with chairmen. There is an all-committee meeting Tuesday, May 20, which will include an orientation for the committee chairs. They are hard at work with fundraising and planning crop rotation. They are planning to charter a coach bus to Portage County Farm Technology Days on Thursday, August 14. For anyone interested, the bus ride will be complimentary and the entrance fee will be about \$6. They are planning to leave around 6:30 or 7:00 a.m. and returning around 5:30 p.m. The 2015 event will be in Dane County. Kilkenny asked about the layout of the event. Reedy responded that the event is basically the same, just reproduced in different counties.

4-H Centennial Update – Merwin stated that things are moving along well. There is a very active committee, and things are moving into place. An exhibit for 2014 is being put up at the Lake Geneva Museum, featuring Linn 4-H club, with pictures from almost every decade of the last century. Invitations are going out for the opening ceremony at the Fair. They are working on digitalizing photos and slides for a PowerPoint or CDs. One dilemma they have is that there is no one place to go to find historical information about 4-H. Over the years, there has been a large amount destroyed, and the rest is all in different places. They are looking for a place to turn over everything for the future, which right now is with the historical society.

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

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

The Monday, July 14, 2014 committee meeting at 1:00 p.m. in Room 114 at the Government Center was confirmed.

Adjournment – **On motion and second by Merwin and Papcke, Chairman Kilkenny adjourned the meeting at 2:17 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.

WISCONSIN RIVER RAIL TRANSIT COMMISSION

FULL COMMISSION MEETING - FRIDAY, MAY 9TH, 2014 @ 10AM
 DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI

1. 10: 03 AM Call to Order – Alan Sweeney, 1st Vice Chair

2. Roll Call. Establishment of Quorum – Mary Penn

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

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> Mary Penn, WRRTC Administrator Eileen Brownlee, WRRTC Attorney Jim Matzinger, Dane County Forrest Van Schwartz, pro bono consultant Pat Raney, Village of Oregon 	<ul style="list-style-type: none"> Ken Lucht, WSOR Frank Huntington, Roger Larson WDOT Alan Anderson, Pink Lady RTC Tony Roach, City of Fitchburg Shirley Grant
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3. Action Item. Certification of Meeting's Public Notice – Noticed by Penn

- Motion to certify posting of meeting – Ruf/Gustina, Passed Unanimously

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

Alan Sweeney suggested that the agenda be amended by moving the elections to the top of the meeting.

- Motion to approve agenda with amendment of item 14, 2014 election of WRRTC officers, moved to become item 5 – Anderson/Rocksford, Passed Unanimously.

5. WRRTC 2014 Election of Officers

Position	Nominee	Nomination (First / Seconded)	Motion to close the nominations and the secretary be instructed to cast a unanimous ballot
Chair	Alan Sweeney - Rock County	Gray/Mace	Cornford/Lewison, Passed Unanimously
1st Vice Chair	Bob Scallon – Grant County	Nilson/Scallon	Mace/Anderson, Passed Unanimously
2 nd Vice Chair	Tom Cornford – Crawford County	Scallon/Gustina	Lewison/Ruf, Passed Unanimously

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3 rd Vice Chair	Mo Hansen – Jefferson County	Tietz/Ruf	Ruf/Mace, Passed Unanimously
4 th Vice Chair	Karl Nilson – Waukesha County	Sweeney/Mace	Mace/Gustina, Passed Unanimously
Secretary	Charles Anderson – Iowa County	Ladewig/Scallon	Mace/Cornford, Passed Unanimously
Vice Secretary	Chris James - Dane County	Gustina/Ruf	Mace/Nilson, Passed Unanimously
Treasurer	Gene Gray - Dane County	Sweeney/Gustina	Nilson/Tietz, Passed Unanimously
Vice Treasurer	John Miller - Sauk County	Riek/Gustina	Ruf/Gustina, Passed Unanimously
2 nd Vice Treasurer	Richard Kunhke – Walworth County	Gustina/Thomas	Nilson/Ruf, Passed Unanimously

6. Action Item. Approval of draft April Meeting Minutes – Prepared by Penn :

- *Motion to approve April minutes – Ruf/Cornford, Passed Unanimously*

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

Members of the public attending the meeting introduced themselves to the Commission.

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

Gene Gray suggested a roster of commissioner contact information so all the Commissioners could communicate with each other. Alan Sweeney agreed that this would be a good idea. Sweeney then asked the new Commissioners (Dave Riek of Sauk County, and Laura Payne, Mo Hansen, and Augie Tietz of Jefferson County) to introduce themselves. Sweeney welcomed them to the Commission. He then asked all the other commissioners to introduce themselves around the table. While introductions were being done, articles submitted by Forrest Van Schwartz were distributed.

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

- **Treasurer’s Report for March and April and Payment of Bills**

Jim Matzinger gave his report, saying they were in good shape. He said the counties have been billed for their 2014 contribution and noted that the budget will need to be approved for 2015. He proposed that unless there were changes the budget could be approved in June but Karl Nilson said August would be the month to do that. There were no bills to be paid.

- *Motion to approve the Treasurer’s Report – Thomas/Ruf, Passed Unanimously*

Sweeney said he had volunteered Gene Gray to be the go-between for the Commission and Matzinger due to Matzinger’s summer schedule in which he does not work Friday’s. Matzinger said he would work with Gray to get treasurer reports to the meetings.

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

Ken Lucht reported that WSOR engineers were preparing projects to go out for bid, including the Fox Lake continuous welded rail (CWR) project, adding that they were hoping to complete 18 miles of CWR this year. Internally, they were preparing bids for the 8000’ siding in Janesville, as well as gaining permits, etc. for this project and the hope was for it to be completed by winter 2014.

He reported on other work outside the WRRTC region, in particular projects by Sheboygan Falls. He said that bridge work was on-going including rehabilitation and replacements, specifically in Avoca. He said bridges would be a big part of their work this year. On the Oregon/Fitchburg line, WSOR had decided to do the preliminary work in-house and that other construction activities on this line had gone out for bid and it looked like some of those bids would be awarded. He reminded the Commission there was a customer waiting for the rail access in Oregon.

He next thanked Iowa County and WDOT for sponsoring the TIGER VI application and said there was 56% local match which was very strong. Lucht said the work area proposed was about 37 miles between Madison and Spring Green, and that currently WSOR was reviewing ideas for a public outreach plan to emphasize the public/private partnership aspect of this project.

He next reported that WSOR was waiting for WDOT input on the tie project in Watertown and that they were updating information on the Waukesha line (between Milton and Waukesha).

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In business development, Lucht said the Prairie sub is "going gang-busters" and they were monitoring river levels, as the water was up to the ballast line on the west edge on the island in Prairie. He said it looked like they would "be fine" and anticipated the river receding soon. Dick Mace asked if this was a 100-yr flood and Tom Cornford said it looked like it was getting close as it was at 18'. Lucht said they were underwater at 19'. Cornford asked about tie replacement on the Prairie sub and said that it was only a matter of time before folks reported on ties left on the line. Lucht said they would be shipping those old ties to the power plant in Cassville. He explained that the island was a big rail hub but they needed to work with the City to accommodate the summer tourism season. Jack Demby asked if the TIGER VI was approved, would they get a new bridge but Lucht said no but confirmed that the Avoca Bridge would be replaced.

Jerry Grant asked about a truss culvert on the Fox Lake Line that was plugged and the drainage stopped up. He asked if a crew could open it up but Lucht said it did not look like a rail area and said that it seemed more likely an adjoining landowner had put in drain tile.

Gary Ranum said that he had been contacted about some bike groups of setting up trails in Grant County including a cantilevered bike trail on the Wauzeka Bridge. Lucht said WSOR had not been contacted by these folks. Gray asked Lucht if WOSR's customers wrote support letters for the TIGER grant and also asked about how many ties would be going in for projects, not maintenance work. Lucht said he would be getting the numbers for the Commission and listed a variety of projects and the associated number of ties, saying that overall there would be over 50K ties. He said he would get tie numbers for Gray. Scallon spoke of the County's Master Plan for the Riverway and said the Boscobel Mayor told him the track would be used for a bike trail. Scallon said he was for progress but this proposal needed input from WSOR and WDOT. He noted that no one had ever said where the money for this project was coming from and described some problems associated with the boat landing but Lucht said WSOR had never been contacted. Chris James asked if there was any change in position on the Sauk Trestle for bikes and snowmobiles. Lucht said WSOR had not talked with WDOT about this and were focusing more on the acquisition. He said they did not have a new bridge in Merrimac. Scallon asked if a person from Blue River had contacted Lucht regarding a rough crossing. Vern Lewison asked about rebuilding the bridges, and would the track be shut down during construction. Lucht said no, shipping would continue just as highways do when being constructed, with work progressing in certain time slots.

11. WDOT Report—*Frank Huntington, Kim Tollers, WDOT*

Frank Huntington reported that WDOT continued to work on the Reedsburg line acquisition and the agreement was anticipated to be complete in the next couple of weeks. Once the agreement was done it would have to be submitted to the Surface Transportation Board (STB) and that may take a while. He said WDOT was looking for a determination from the STB so that WDOT did not become a railroad. Once the agreement was signed there would be discussions with local municipalities in regard to trail issues in Sauk County. He said the TIGER grant had been submitted and this was the first year WDOT had participated as an applicant. He said another Wisconsin Tiger grant application had been submitted by the Northwoods RTC.

Budget wise, Huntington said there was \$52M in the biennium with about \$10M for the 2nd fiscal year as WDOT was not counting the \$10M for the Tiger grant. He said if that project was not funded there would be \$10M additional dollars available. He said there were plenty of applications to eat up that money. However, he said this would be decided after July 1st, after which WDOT would begin developing the new budget to be submitted next spring. Huntington said WDOT was assuming the new budget would be similar to the old one at \$52M – \$60M, noting that the need "is certainly there".

He reported that the Baraboo project was moving along but since the bids came in over budget WDOT was waiting for the City to contact them to try and adjust to accommodate the bids. He reported on other projects in the state, noting that bridges were a major issue everywhere.

Dave Riek asked Huntington about the Sauk City/Prairie du Sac trail project, saying he was under the impression that the trail project was a go and a commission dedicated to that had been set up but that Ken Lucht had said that WSOR wanted the bridge as an alternative route. Huntington said the Sauk County Board had approved this a few years ago once the line was acquired. He said they would be sitting down with the County and the trail groups and once the acquisition was in place, the WDNR could start looking for funding but no final decision had been made for how the work would be done. Huntington also said the Merrimac bridge had been recently inspected and there was necessary work to be done, saying the bridge was estimated to be good for another 15 – 20 years and adding it would cost from \$34M to \$70M to replace it. He said inspectors said in April they had found nothing significant. Huntington said they anticipated WDOT working on the bridge but said if it went into Rails to Trails and rail was needed, the corridor would revert to rail and the STB still considered it as rail corridor. When it came time to spend money on the bridge, alternatives would be looked at and noted there were advantages and disadvantages to putting money into the bridge. He said that this analysis would not be done for a few years and in the near term the bridge would be used for rail; in the long term, he could not say.

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Augie Tietz asked if anything had been done on the acquisition on the line in Watertown to the ethanol plant. Huntington said that it had come up a few times but the state had not pursued it.

Van Schwartz mentioned that TIGER VII grant funds could be cut below \$100M. Bill Ladewig asked about the purchase price on the Reedsburg line but Huntington would not release it pending acquisition. Chris Jamesa asked about the track by Devils Lake Huntington made the same response.

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

Penn gave her report, saying that she had met with the insurer, Tom Schaefer who had said he was 95% certain that the premium would be the same amount as last year. She told the Commission it would be meeting in June to approve the insurance because if they waited until the July meeting, their coverage would lapse. She reported she had participated in a conference call regarding the UW Madison power plant Charter Street issue and asked Huntington to update the Commission on it. He gave the history on the Charter Street issue while Penn distributed the Resolution that had been passed by the Commission in 2010. Huntington explained the situation to date and the problem at hand, saying that due to political changes, the power plant had been switched to gas and no longer needed additional rail. He said there were issues relating to liability on the switches and the need for their removal and said WDOT had been working with the University to honor their commitment to doing so. He said that the Commission would not experience any loss and WSOR would be recompensed via a rail grant if the University did not pay for the switch removal.

Penn next said that if all budget inputs could be settled before the June meeting, the budget could be approved in June but if budget approval must come from Full Commission, budget would be approved in August. Sweeney noted that Gray and Matzinger needed to be involved in budget talks and Ladewig asked if the insurance needs would go down with the new agreements being signed but Eileen Brownlee said no.

13. Discussion and Possible Action on the WRRTC's Executive Committee's recommended confirmation of the Commission's interest in and authorization of exercising its right-of-first-refusal to purchase Oregon to Fitchburg rail line and taking such other related action as may be necessary. – Frank Huntington, WDOT, Eileen Brownlee, Corp.

Eileen Brownlee gave some history on the Oregon/Fitchburg line and explained how the Commission had come to the point of acquisition. She said because there was a potential of rail service, back in the 90's the communities and the Commission had both paid in \$20K each to maintain their interest in the line. Once a new customer came along the situation changed. She explained that if the WRRTC bought out the communities' interest (the share of the purchase price of the line) and through a series of meetings, some agreements had been put together resulting in the Commission becoming the owner in the line. Brownlee explained the Common Carrier responsibility which required the owner to provide service. She stated the Commission did not want the responsibility of being a railroad; that WSOR was an operator, so this was an acquisition of the real estate of the line, but not the Common Carrier Rights (CCR) which was what WSOR wanted to acquire. She said the communities had approved the rights in the trackage and the land to the Commission and the CCR to WSOR and what the Commission needed to approve today was the exercise of the first refusal so the Commission could acquire the cities and villages rights and real estate as was recommended by the Executive Committee. She said the Commission would be asked to approve the transaction of which this was the first step. Brownlee said the Commission could not take everything but CCR status: the STB had to approve that. In order to do what they wanted, Brownlee would have to file with the STB for their approval for the Commission to get the property but not the CCR. By their approval, the Commission would be authorizing her to file. She said that WSOR and the WDOT were integrally involved in this transaction as were the City and Village. Huntington said that one of the things that needed to go in was the operating agreement which was tentatively approved in December and would be the same as the one submitted for the Reedsburg purchase. He explained that by using those as models, they hoped the STB would put this thru smoothly. Tony Roach said he was here to show support for the purchase and that Fitchburg wanted to get "out of the railroad business". He noted a few contingencies including working with the OCR regarding some crossings and Pat Raney from Oregon, said that the Village was very much interested in having the Commission acquire the line and having WSOR supplying the service. He requested the Commission act to keep the process moving.

- *Motion to accept the Executive Commission's recommendation to exercise the WRRTC's right of first refusal to purchase the Oregon to Fitchburg rail line and to authorize the filing of the petition to the STB and authorization to proceed with all documentation to complete – Ruff/Riek*

Ladewig asked about the CCR rights and Brownlee said they did not have the final versions of all the agreements yet but this was part of those agreements as they were approved. She said the operating agreements and other agreements had already been approved. Since there were no substantive changes in those agreements, she thought that this would be the last approval by the Commission necessary, adding that all the agreements would be attachments to the STB petition. She said that WSOR would also be submitting to the STB and said either WSOR got CCR and Commission got the property or nothing would happen.

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Dick Mace asked about the sale agreement and if there was sharing of those funds. Brownlee said that the communities wanted the amounts returned they had paid back in the day. She said that the State paid 80% and the city/village each paid 10% (roughly \$60K) and WRRTC paid roughly \$60K. Huntington added that the 10%-10%-80% were for track improvements. Mace said the net cost to the Commission was \$37,000 as outlined in the balance sheet. Brownlee said no, the Commission would pay \$59K which were funds that came from the counties involved. Van Schwartz pointed out the amount in the treasurer's report was \$37K. Mace asked if this was in the budget and Sweeney said this amount had been in for some time and asked Huntington for confirmation on the price who said this had been on the books for such a long time it might be buried. Sweeney asked Gray to get Matzinger for confirmation.

Huntington led the Commission through the Sale of Contract and showed that the purchase would be. He said he was not sure of \$37K as was noted but confirmed there had been \$59K paid. Sweeney agreed, saying that he had seen balance sheet showing Dane, Rock, and Green Counties contribution. There was a discussion on the CCR and the operating agreement and Huntington said the freight easement would be between WSOR and the communities and that was how the communities would convey the rights to operate service on the line. Mo Hansen asked if there were a monetary transaction on the line but Raney said no.

Mace said he was not 100% sure of where the money was on the books. Huntington explained how the line was acquired and said that the communities had wanted to acquire it to maintain it for railroad. He said WDOT provided the funds for the acquisition. In this case they got the money to buy the land and the track because there was no carrier. There was more discussion on the repercussions on the CCR and the funds involved. Gray returned and explained how the money was budgeted and said it was through the Reedsburg line funds. Nilson confirmed that the number was \$59K.

Mace asked about the use of the railroad for a summer festival and snowmobile use and if those issues had been resolved. Ken Lucht said that Brooklyn had used speeder cars as part of their long term Depot Days and said WSOR had been approached to have this event continue but at this point WSOR could not do anything yet because they did not have CCR yet. He said this had been lingering and he did not know what would happen for Depot Days this year. In future years, he said WSOR would have to look at this in terms of safety. He said he did not know of any railroad in the state or the country that let active tracks be used like this: the liability burden would be very large. Hansen asked if it would be appropriate for the Commission to act contingent on the Depot Days issue and in effect have the Commission become part of the local discussion on Depot Days. Brownlee said the quick answer was no and the reason due to the operating agreement between the Commission and the shipper which meant the care and running of the track was up to the operator. Gray said he thought that the snowmobiles had been using the track in the past. Mace asked about the time frame and Brownlee said it might be 60 to 90 days. Huntington said 6 months has been their experience but they were hoping for speedier action because they used a successful agreement as a model.

- *Motion to amend the original motion to add "all necessary documents to be signed in support the petition to the STB" – Ladewig/Mace, Passed Unanimously*

Returned to the original motion:

- *Motion to accept the Executive Committee's recommendation to exercise the WRRTC's right of first refusal to purchase the Oregon to Fitchburg rail line and to authorize the filing of the petition to the STB and authorization to proceed with all documentation to complete and to allow all necessary documents to be signed in support the petition to the STB – Rusf/Riek, Passed Unanimously*

14. Action Item. Adjournment

- *Motion to adjourn at 11:47 AM – Cornford/Nilson, Passed Unanimously*

