

**County Zoning Agency**  
MINUTES

January 21, 2016 – 4:00 p.m.  
100 West Walworth Street  
Elkhorn, Wisconsin

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

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Chair Rich Brandl called the meeting to order at 4:00 p.m.

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Deputy Director Shannon Haydin, and Site Planner/Hearing Facilitator Matt Weidensee. Present for a portion of the meeting / hearing was County Administrator David Bretl, Debora Grube/Senior Zoning Officer and Neal Frauenfelder/Senior Planner.

A “sign-in” sheet listing attendees on January 21, 2016, is kept on file as a matter of record.

Details of the January 21, 2016 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us)

**Dave Weber motioned to approve the agenda as amended to table items 8.d.1.) Robert C. and Gail A. Hansen Trust. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

**Dave Weber motioned to approve the December 17, 2015, Minutes. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:03:48 – 4:04:00

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Charles and Jeanette Sellergren, James Sellergren Applicant.** Proposed 1-lot, Certified Survey Map, Section 36, Town 4 North, Range 16 East, Town of LaGrange. Parcel #'s HW 00004 and H LG3600003B. The proposed CSM contains .862 acres of land and is zoned R-1 Single-Family Residence District. The CSM requires County Zoning Agency review and approval because it crosses the exterior boundary of an existing subdivision plat (Wolfe's Addition to Pleasant Point Subdivision).

**Neal Frauenfelder discusses the subdivision proposal.**

**Dave Weber motions to approve with the following condition: Approval is subject to meeting all requirements of state statutes and county ordinances. Seconded by Jim Van Dreser. Motion to approve carried. 5-favor 0-oppose. CSM is presented for signature.**  
Disc Count #4:04:05 – 4:06:35

Old Business - Ordinance Amendments – none

Old Business – Discussion Items –

1. Discussion/Possible Action – Update to Comprehensive Land Use Plan, Nancy Anderson/SEWRPC – Neal Frauenfelder

**Nancy Anderson and Neal Frauenfelder discuss options for updates to the Comprehensive Land Use Plan.**

**Jim Van Dreser motions to table the matter to the April CZA meeting to consider concerns. Seconded by Dave Weber. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:07:22 – 4:41:40

2. Discussion/Possible Action – Iron County Resolution to Repeal requirements of Act 55; Wal. Co. Resolution to Amend Statutory Provisions in State of Wisconsin 2015-2017 Budget Relating to Shoreland Zoning Standards (Act 55); – Michael Cotter, Deb Grube

**Jim Van Dreser motions to TABLE this matter until March CZA meeting to monitor progress in the Legislature. Seconded by Dave Weber. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:41:45 – 4:44:35

3. Discussion/ possible action regarding town responses to Wedding Barns as a farm family business in the A-1 and A-2 districts – Deb Grube

**Discussion by Deb Grube of possible conditions for a conditional use.**

**Jim Van Dreser motions to send proposal to townships for review/comments and return to CZA in March, 2016. Seconded by Dave Weber. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:44:36 – 4:59:00

4. **Robert Bern – Owner**, Section 9, East Troy Township. Rezone approximately .87 acres of C-4 Lowland Resource Conservation District (Shoreland Wetland) to the R-1 Single Family Residential District in order to match the wetland boundary to delineated field conditions. Parts of Tax Parcels P ET 900008 and PMGH 00001

**Jim Van Dreser motions to DENY based upon the Town decision. Seconded by Dave Weber. Motion to Deny carried. 5-favor 0-oppose.**

Disc Count #4:59:02 – 5:05:33

New Business - Ordinance Amendments –

1. Amendment to Section(s) 74-166(b) of the Shoreland Floodplain Zoning Ordinance and zoning map amendment to amend the 100 year floodplain map to reflect the amended floodplain analysis for failure of the Comus Lake Dam (64.02) as approved and mandated by the Wisconsin Department of Natural Resources Dam Safety Engineer.

**Dave Weber motions to send to County Board for approval. Seconded by Paul Yvarra. Motion to approve carried. 5-favor 0-oppose.**

This item will be forwarded to the February 9, 2016 County Board meeting for discussion/possible action.

Disc Count #5:06:40 – 5:08:04

New Business – Discussion Items –

1. Discussion/Possible Action – Correspondence from Supervisor Weber related to camping at Alpine Valley Music Theatre – Michael Cotter

**Discussion by Dave Weber of state legislation and campground issues at Alpine Valley. Dave Weber motions to bring this matter to public hearing in February. Seconded by Tim Brellenthin. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #5:08:10 – 5:16:15

2. Discussion/Possible Action – Lakeland Animal Shelter amendment to conditional use to allow for a sign larger than permitted in the A-4 zone district and relocation of the sign – Matt Weidensee

Amended 1/21/2016 for a 10'X10' lighted sign 18' tall see #1&32.

Amended 3/20/14 Cat Care Addition and Three Year Extension #1 & 14.

NAME: **Lakeland Animal Welfare Society Inc.**

TOWN: DELAVAN

A conditional use permit for expansion of the Lakeland Animal Shelter on approximately 18.02 acres of land zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing Districts.

The parcel is described as follows:

Tax Parcel **FA436500001**

The request has been APPROVED subject to the following conditions:

General:

1. Approved as per plan submitted **and amended 3/20/2014 for a Cat Care addition** as the Lakeland Animal Shelter with supervised dog exercise area, dog and cat grooming, veterinary services, intake and care of large animals (horses, goats, pigs) and exotic animals (reptiles, birds, pocket pets), adoption of large animals (horses, goats pigs), professional dog training classes, euthanasia of domestic animals, a humane education center for children and adults, trained temperament assessment of owned dogs and secure night drop off inside the facility for police departments with stray animals as presented **and a 10'X10' lighted sign 18' tall as depicted on the site plan approved 1/21/2016** with all additional conditions.
2. The site must meet all applicable Federal, State, County and local regulations.
3. The applicant must obtain all required zoning permit approvals including a sign permit and sanitary approvals prior to any construction on site.
4. Hours of operation shall be allowed between 7:00 a.m. to 7:00 p.m. On site animal care shall be allowed on a 24 hour basis during emergencies.
5. No business activities other than specified in the plan of operations may be conducted from the facilities.
6. All waste and medical disposal must meet with Local, State and federal regulations.

7. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by the Condominium Association. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. The quantity of topsoil generated from one lot may not be located on another lot within the development at the expense of the lot from which the topsoil was generated. No materials may be removed from the site.
8. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.
9. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed.
11. The property owner shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
12. Access approval must be granted by the State Department of Transportation prior to installation.
13. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
14. Failure to actively exercise this conditional use within three years of the **amended** approval date **March 20<sup>th</sup>, 2014** shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

15. The outside animals exercise areas between the building wings shall be supervised. Animals shall be accompanied by the animal owner, caretaker (if seeking adoption of the animal) or staff from the shelter at all times when outside. All animals shall be on a leash or halter at all times when outside. Animals shall not be allowed outdoor housing.
16. Night drop off for stray animals by the police department shall be secure and indoors.
17. No additional structures shall be added to the plan without obtaining County conditional use approval.
18. The old animal shelter building and lean too shall be required to meet the 100 foot setback to neighboring properties prior to being used to house animals other than household pets.
19. The animal shelter capacity shall be limited to a maximum of 10 large animals (horses, cows, sheep and goats), 450 cats, and 200 dogs or the maximum number of dogs allowed by the septic system as per the Town.
20. All dumpsters will be covered and located at the rear of the building as per the Town.
21. A developer's agreement shall be required as per the Town.
22. The septic system shall be subject to the Town's final engineering review and approval.
23. A maintenance contract for the septic system shall be required as per the Town.
24. When the Sanitary Sewer is located within 500 feet, connection to the sanitary sewer system will be required within 2 years as per the Town.
25. Exterior lighting shall meet the Yerkes Observatory standards as per the Town.

26. A landscaping plan will need final Town approval.
27. A dry hydrant will be installed as specified by the Fire Department as per the Town.
28. A crematorium shall be prohibited as per the Town.
29. Any special events scheduled hours must end by 10:00 p.m. as per the Town.
30. Any conceptual plan items will need conditional use permit amendment before approval and the plan will conform to the rezone and conditional use concept map dated 5-4-11 as per the Town.
31. The property owner shall comply with all requirements of the Preliminary Storm Water Review Letter issued by the Walworth County Land Conservation Division.
32. **The lighted sign may not show motion pictures and must meet all time delay and scrolling image requirements of the County sign regulations. The sign must be turned off at the end of business hours by 10:00 p.m.**

Dated this 16th day of June, 2011.

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COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

Dated this 20<sup>th</sup> day of March, 2014.

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COUNTY ZONING AGENCY  
RICK STACEY, CHAIRMAN

cc: Town of Delavan, Ryan Simons, Chairman, 5621 Town Hall Road, Delavan, WI 53115  
Town of Delavan, Dixie Bernsteen, Clerk, 5621 Town Hall Road, Delavan, WI 53115

**Dave Weber motions to with the amended #32 for the sign to be turned off by 10:00 p.m. Seconded by Jim Van Dreser. Motion to approve carried. 5-favor 0-oppose.**  
**Disc Count #5:16:16 – 5:22:03**

**Public Hearing: 5:30 p.m.**

**Ordinance Amendments –**

1. Amendment to Section(s) 74-62(7) of the Zoning Ordinance and Section(s) 74-189(7) of the Shoreland Zoning Ordinance regarding Planned Campground Developments and tent gazebos, storage sheds, structures and fencing.

**Atty Brian Schuk appears and speaks for proponents. Judy Fallon speaks in favor. Atty Mitchell Olson and Atty Matthew Loeffler speak in opposition, representing Mr. and Mrs. Bischoff. Charlene Staples speaks against. Matthew Weidensee makes clarification regarding maintaining drainage.**

**Atty Brian Schuk speaks in rebuttal.**

This item will be placed on the 4:30 P.M. agenda of the February 18, 2016 Walworth County Zoning Agency for a vote.

**Disc Count #5:35:40 – 6:29:05**

Rezoning with Conditional Uses –

**THIS MATTER NOT HEARD – NO TOWN DECISION RECEIVED**

- ~~1. Robert C. and Gail A. Hansen Trust – Owner, Robert C. Hansen – Applicant, Section 21, Darien Township. Rezone 5.39 acres of A-1 Prime Agricultural land to B-2 General Business District and a small portion of M-1 Industrial District for a vehicle sale and service facility in the B-2 area along with a small area of auto body repair in the M-1 area as conditional uses. Part of Tax Parcel B D 21 3C.~~

Rezoning – None

Conditional Uses -

- 1. Steven Blane and Yvonne Wallace Blane – Owners, Fellow Mortals, Inc. – Applicant, Section 19, Geneva Township. Expand buildings for the Fellow Mortals animal rescues in excess of 25 percent of the existing buildings by conditional use as if establishing the conditional use anew. Tax Parcel JA240500001.**

**General:**

33. Approved as per plan and plan of operations submitted as a wild animals rescue facility with all additional conditions.
34. The site must meet all applicable Federal, State, County and local regulations.
35. Hours of operation shall be allowed between 7:00 a.m. to 7:00 p.m. seven days a week. On site animal care shall be allowed on a 24 hour basis during emergencies.
36. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
37. All outdoor lighting shall be shielded and directed on site.
38. The site must be kept neat and clean.
39. All animal waste must be disposed of on a daily basis in a sanitary fashion as to prevent occurrence of nuisance.
40. All waste and medical disposal must meet with Local, State and federal regulations.
41. Sufficient adult supervision must be present at all times when the animal rescue facility is in use.
42. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
43. 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.
44. 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:**

45. Only native wildlife as specified in the plan of operations shall be served onsite by the animal rescue facility.
46. The applicant shall submit copies of all State and Federal wildlife care licenses to the County for the conditional use file and keep the licenses up to date at all times the facility is in operation.
47. The applicant shall submit any required special purpose possession/education permits to the County for the conditional use file and keep the permits up to date at all times the facility is in operation.
48. The applicant submit a list of veterinarians working with the facility for the conditional use file an keep the list up to date at all times the facility is in operation.
49. With the exception of songbirds, some birds of prey and occasional small mammals (excluding skunks), rehabilitated animals shall not be released from the animal rescue facility.
50. The property owner shall obtain all required after the fact County zoning, erosion control and sanitary permit approvals.

**Dave Weber motions to approve. Seconded by Tim Brellenthin. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #6:29:17 – 6:33:38

2. **Lake Como Beach Property Owners Association – Owner, Gene Decker – Treasurer/Applicant, Section 28, Geneva Township.** Conditional use to expand a structure in excess of 25 % of the existing structures size by construction of a deck on the Lake Como Beach Property Owners Association Club House property as if starting the use anew. Part of Tax Parcel JLCB 02822.

**General:**

1. Approved per plans submitted for a subdivision club house as a cultural activity with all additional conditions.
2. Use of the grounds shall be limited to normal recreation use as a Subdivision Club House. ~~by residence of the subdivision and their guests. The Club House shall not be rented out or used for commercial activities.~~
3. Sufficient adult supervision must be present at all times when the Club House is in use.
4. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
5. The total capacity of the Club House shall be limited to that specified in the State approval of the structure
6. Property owner shall be responsible for the enforcement of quite hours between the hours of 11:00 p.m. and 7:00 a.m.
7. Outdoor lighting shall be shielded and directed on site.
8. Must meet all Federal, State, County and local regulations.
9. ~~All burning shall be required to obtain local burn permit approval prior to being conducted on site.~~
10. The Town must approve the access to the facility.
11. The applicant must obtain a Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any

extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

**Specific:**

**Gene Decker speaks regarding recommended conditions and requested changes.  
Dave Weber motions to approve with amendment to paragraph 2 and 9 above. Seconded by Jim Van Dreser. Motion to approve carried. 5-favor 0-oppose.  
Disc Count #6:33:40 – 6:47:21**

**Adjournment**

**Dave Weber motioned to adjourn. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

The meeting was adjourned at 6:47 p.m.

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

DRAFT

**DRAFT**

**Walworth County Board of Supervisors  
January 21, 2016 Finance Committee Meeting Minutes  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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

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

**Others in Attendance**

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; County Treasurer Valerie Etzel; Comptroller Jessica Conley; Lakeland Health Care Center (LHCC) Administrator Bernadette Janiszewski; Sheriff's Office Business Manager Amanda Lagle; Director of Health and Human Services Elizabeth Aldred.

**On motion by Supervisor Schaefer, second by Vice Chair Kilkenny, the agenda was approved 4-0.**

**On motion by Vice Chair Kilkenny, Second by Supervisor Yvarra, the December 17, 2015 meeting minutes were approved 4-0.**

**Public Comment** – There was none.

**Unfinished Business** – There was none.

**Consent Items**

**8A, Budget Amendments**

Chair Russell asked to consider items 8.B.2 and 8.C.3 separately.

**Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to approve the remainder of the consent items. The motion carried 4-0.**

**2015 Budget Amendments**

- 1) Lakeland Health Care Center
  - a) LH007 – Reflect increased nursing pool staff hours and overtime worked
  - b) LH008 – Reflect increased CNA overtime worked
- 2) Public Works
  - a) PW013 – Increase 2015 depreciation budget
  - b) PW014 – Transfer mechanics' straight pay from the Highway org to Facilities
- 3) Treasurer
  - a) TR01 – Offset shortfall in sale of tax deed and special project expense accounts

**8B, Bids/Contracts**

- 1) Award sale(s) of tax foreclosure properties

- 2) Discussion and possible action regarding establishment of minimum bids for unsold tax foreclosure properties
- County Treasurer Val Etzel said the properties beginning with “JGN” in the Town of Geneva are again up for sale. Three of the properties on the list are unbuildable lots. She passed around photos of those properties. Adjacent property owners have been notified of the sale. She said the parcels could be offered to the adjacent owners at the minimum proposed bids, or given to the adjacent owners provided they pay the Register of Deeds’ fees to transfer ownership. **Vice Chair Kilkenny made a motion, seconded by Chair Russell, to approve the Treasurer’s proposed minimum bids for the future sale of county owned land. The motion carried 4-0.**

### 8C, Reports

- 1) Quarterly delinquent tax report – 4<sup>th</sup> quarter 2015
- 2) Quarterly property loss report – 4<sup>th</sup> quarter 2015
- 3) Update on Tax Incremental Financing Districts (TIDs)  
TID #5 in Whitewater is an amendment to their original TID. Vice Chair Kilkenny commented the project administrative costs of \$500,000 seem high, and thinks they shouldn’t exceed a certain percentage of the project. Comptroller Jessica Conley said the administrative costs do not include City of Whitewater staff expenses, only external costs. She noted the language on the line item caps was included in the report. Conley reported the legislative initiative was being debated at the Assembly today. Supervisor Yvarra questioned why the amendment to the TID was approved. County Administrator Bretl said Supervisor Yvarra’s comment raises the question as to how involved the government should become in these initiatives. Vice Chair Kilkenny noted that better oversight of the projects has been established; and Chair Russell said it benefits the County if the project succeeds and generates taxable revenue.

### New Business

- Ordinance \*\*-02/16 Amending Section 30-286 of the Walworth County Code of Ordinances Relative to the Sheriff’s Office Jail Inmate Deposit Fees  
Sheriff’s Office Business Manager Amanda Lagle said the deposit fees go directly to the vendors. Vice Chair Kilkenny requested Lagle to provide information to the Committee on how much the vendors make on the deposit fees. **Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to recommended approval to amend Section 30-286 of the Code relative to the Sheriff’s Office Jail inmate deposit fees. The motion carried 4-0.** Bretl said he would ask the Criminal Justice Coordinating Committee to review the fees charged to inmates at Vice Chair Kilkenny’s request, but will wait until spring when a new Chair of the Committee is elected. Deputy County Administrator-Finance Nicki Andersen expressed concern that the deposit caps have been reduced.
- Resolution \*\*-02/16 Authorizing the Public Works Automated Radio Frequency ID (RFID) Scale System to be Declared Surplus and Authorizing Staff to Dispose of the Asset  
**Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to approve declaring the RFID scale system surplus and disposing of the asset. The motion carried 4-0.**
- Resolution \*\*-02/16 Authorizing the Addition of the Department of Natural Resources (DNR) Transient Non-Community Water Systems Grant to Previously Established Pre-Approved Recurring Grants List

Director of Health and Human Services Elizabeth Aldred said the DNR grant is for well water testing by Public Health. She noted there are also federal funds associated with the grant. Revenue through the grant is only received for the number of wells tested. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to authorize adding the DNR grant for Transient Non-Community Water Systems to the Previously Established Pre-Approved Recurring Grants List. The motion carried 4-0.**

- Discussion and possible action regarding Walworth County Investment Guide  
**Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to approve the 2016 Walworth County Investment Guide. The motion carried 4-0.**

**Correspondence** – There was none.

**Confirmation of next meeting:** The next meeting was confirmed for Thursday, February 18, 2016 at 9:30 a.m., Government Center County Board Room 114.

#### **Adjournment**

**On motion by Supervisor Schaefer, second by Vice Chair Kilkenny, Chair Russell adjourned the meeting at 10:07 a.m.**

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

# DRAFT

**Walworth County Board of Supervisors  
Children with Disabilities Education Board Meeting Minutes  
Wednesday, January 20, 2016  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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The meeting was called to order at 5:30 p.m. by Chair Dave Weber.

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

### **Others in Attendance:**

County Board members: Nancy Russell

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

**On motion by Secretary Monroe, second by Supervisor Schaefer, the agenda was approved 4-0.**

**On motion by Secretary Monroe, second by Supervisor Staples, the December 16, 2015 CDEB minutes were approved 4-0.**

**Public Comment** – There was none.

### **Unfinished Business**

- Review Chapter 9 “Special Needs Education” Ordinance and discuss possible revisions in Section 9-1 (Articles I and II)

- Determination of space availability for non-resident enrollment/tuition requests

County Administrator Bretl said he worked with Director of Special Education Tracy Moate to address concerns on the revisions to the ordinance. After the new School was built, a maximum enrollment number was established annually per ordinance. A single number is not an accurate determination of capacity, since certain departments (grade levels) could be over capacity and others below. In addition, space availability needed refining by the age of the students, unique needs, and activities conducted in the classrooms. At previous meetings, Moate discussed criteria with the Board to be included in the ordinance, including procedures for non-resident student enrollment (tuition students) and specific criteria for determining maximum enrollment. Moate said a school district cannot deny enrollment to a child with special needs because of financial considerations, but could do so based on lack of space. If a school district within our taxation district has a child whose needs are best met by Lakeland School, the School accepts them. If a student from another district enrolled in a school in the Elkhorn Area School District, for example, and subsequently it was determined that student needed Lakeland School services, the Elkhorn district would be responsible for the associated costs. As Lakeland School is not a school district, a student cannot enroll directly in the School.

Moate distributed several spreadsheets with statistics used to determine space availability and enrollment limitations, based upon the following: space capacity per department; per related services; hearing and visually impaired specialized instruction and support services; number of students with significant health concerns/needs; students with significant behavior concerns/needs and staff time per student; students with behavior intervention or sensory escalation intervention plans and student/staff ratios; transfer

enrollment projections per department; students who have exited the School at the end of the school year; the maximum projected number of students in the receiving class and department and maximum student/teacher ratio. The last spreadsheet provided an enrollment summary comprised of the statistics provided from all of the spreadsheets, which includes space availability per department. County Board Chair Russell asked how often the spreadsheets would be updated, and Moate said the program will be updated every time there is a change. Reports will be generated in February and June. **Secretary Monroe made a motion, seconded by Supervisor Schaefer, to recommend approval to amend Chapter 9 of the Walworth County Code of Ordinances Regarding Special Needs Education, after changing the word “significant” on Page 5, line 28, to “sufficient.” The motion carried 4-0.**

**Secretary Monroe made a motion, seconded by Supervisor Staples, to accept the update of the enrollment statistics and determination of space availability presented by Special Education Director Tracy Moate. The motion carried 4-0.**

**New Business** – There was none.

#### **Reports and Correspondence**

- **CDEB Chair** – No report.
- **CDEB Director**

Upcoming events include the winter in-service on January 29<sup>th</sup> and the Father/Daughter and Mother/Son Dance Friday, February 5<sup>th</sup>, a popular event sponsored by the Parent Group

**Confirmation of next meeting** – The next meeting was confirmed for Wednesday, February 17, 2016 at 5:00 p.m.

#### **Adjournment**

**On motion by Supervisor Schaefer, second by Supervisor Staples, Chair Weber adjourned the meeting at 6:31 p.m.**

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

DRAFT

**Walworth County Board of Supervisors  
Health and Human Services Board Meeting Minutes  
Wednesday, January 20, 2016  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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

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

**Others in Attendance:**

County Board Supervisors: County Board Chair Nancy Russell

County staff: David Bretl, County Administrator; Elizabeth Aldred, Director of Health and Human Services (HHS); Robert Williams, Deputy Director of Health and Human Services; Janis Ellefsen, Public Health Officer (HHS); Hollynd Schmidt, Public Health Nurse; Megan Winchill, Public Health Student; Lori Muzatko, ADRC/Aging and Resource Support Manager

Public: Ryan Lonergan

**On motion by Supervisor Staples, second by Citizen Representative Wagie-Troemel, the agenda was approved with no withdrawals.**

**On motion by Supervisor Brellenthin, second by Citizen Representative Seegers, the December 16, 2015 Health and Human Services Board meeting minutes were approved.**

**Public Comment**

Ryan Lonergan of 16C N. Walworth Ave., Williams Bay, gave a brief overview of veteran statistics and informed the committee of the need for various programs within Walworth County specifically for veterans. Discussion then focused on services being offered through the Health and Human Services (HHS) Department and the services as listed on the HHS website. Chair Monroe stated the matter will need to be placed on the agenda so it can be addressed by the Board. Lonergan gave a brief list of current needs specific to veterans within Walworth County per the request of Citizen Representative Wucherer. Lonergan volunteered his services to assist Walworth County.

**Unfinished Business** – There was none.

**New Business**

- Approval of Fourth Quarter and Annual Write Offs

Elizabeth Aldred, Director of Health and Human Services, referred to the Write Offs Summary and gave a brief overview of the report. She specifically spoke relative to the 4<sup>th</sup> quarter and stated:

- Claims in the public health area for 2013 and 2014 required review and are now being brought forward to be written off.
- Increases in Non Covered Providers for October were due to denied claims by the insurance company for an incorrect national provider number, which has been rectified.
- Nursing codes being performed by the dietician were denied because the dietician is providing a service and are not to be reimbursed.
- Under Non Covered Services, there were numerous consumers with multiple insurances, resulting in denied claims because the primary insurance was not contacted first and the timely reporting period ended.

Aldred stated tracking methods were put in place to help eliminate these issues.

Aldred gave a brief overview of some of the positive aspects of the report.

- Seeing a decrease in prior authorizations by meeting the pre-authorization requirements.
- Department wide activities are being turned in for payment in a timely manner.

Aldred reported that counties have received guidance from the State relative to how and when an individual should be taken to collection. Discussion then focused on the report and the collection process.

**Citizen Representative Wucherer made a motion, second by Supervisor Staples, to approve the Fourth Quarter and Annual Write Offs. Motion carried 6-0**

- Request to Reorganize Part-Time Receptionist Positions

Aldred gave a brief overview of the two part-time receptionist positions and the rotation of hours. She expressed the difficulty in finding qualified suitable candidates. She said the request is to make one full time FTE position with a benefit package and one part time .37 FTE position to fill in the evening hours.

**Citizen Representative Wagie-Troemel made a motion, second by Supervisor Staples, to approve the Part-Time Receptionist Positions. Motion carried 6-0**

- Update on DHS Family Care 2.0 Reform

Lori Muzatko, ADRC/Aging and Resource Support Manager, referred to Enclosure 4 of the packet and provided an update and review of the materials. Muzatko reviewed some of the major goals of the Reform. She said the State held eight public hearings and gave a brief overview of the public engagement testimony. Muzatko stated the reform affects 643 Family Care and 222 IRIS enrollees in Walworth County. It is anticipated that the waiver will be released for public comment this summer and then submitted in September to the federal government for approval. She said if it is approved by the vendors for Medicare and Medicaid services it may be implemented in January of 2017. Discussions then focused on hearing testimony and what the program may offer in the form of choice and additional options for individuals.

- Resolution to Include the Environmental Health Department of Natural Resources (DNR) – The Nature Conservancy (TNC) Contract on the Pre-Approved Recurring Grants List

Aldred referred to the revised draft of the resolution that was distributed prior to the meeting. She said the Department of Natural Resources (DNR) contract is relative to water testing for private wells and is requesting it be placed on the Recurring Grant List.

**Supervisor Staples made a motion, second by Citizen Representative Wagie-Troemel, to add the Department of Natural Resources – Transient Non-Community Water Systems contract to the Recurring Grants List. Motion carried 6-0**

- Community Health Assessment and Improvement Plan Process

Janis Ellefsen, Public Health Officer (HHS), gave a presentation of the Community Health Assessment (CHA) and Community Health Improvement Plan (CHIP) process. She referred to State Statutes 251.06(a) relative to the local board of health accessing the public health needs and advocating health services. Ellefsen briefly explained the anticipated participation group. County Administrator David Bretl pointed out the potential for a quorum of the HHS Board and stated the group may have to post an Agenda and take minutes at their meeting(s). Chair Monroe suggested that Ryan Lonergan be invited to represent the veterans. Ellefsen stated a consultant is helping with the process and they are looking for members of the board to be part of the steering committee.

### **Reports and Correspondence**

- Holiday Care Recap

Aldred gave a brief report of the Holiday Care Program that served 796 children from 328 families and the Adopt-a-Family program that provided gifts to 92 children from 31 families.

**Correspondence** – There was none.

**Announcements** – There were none.

**Confirmation of Next Meeting** – The next meeting was confirmed for February 17, 2016 at 2:00 p.m.

**Adjournment**

**On motion by Supervisor Brellenthin, seconded by Citizen Representative Wagie-Troemel, Chair Monroe adjourned the meeting at 2:55 p.m.**

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

**DRAFT**

**Walworth County Board of Supervisors  
Human Resources Committee Meeting Minutes  
Wednesday, January 20, 2016  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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

Roll call was conducted with the following members present: Chair Rich Brandl, Vice Chair Tim Brellenthin, and Supervisor Ken Monroe. Supervisor Kathy Ingersoll was excused. A quorum was declared.

**Others in Attendance:**

County Board members: County Board Chair Nancy Russell, Supervisor Charlene Staples, Supervisor David Weber and Supervisor Joe Schaefer

County staff: County Administrator David Bretl; Human Resources Director Dale Wilson; Risk/Benefits Manager Lisa Henke; Deputy County Administrator-Finance Nicki Andersen; Director of Health and Human Services Elizabeth Aldred; Register of Deeds Donna Pruess; County Clerk Kim Bushey; Treasurer Val Etzel; Sheriff Kurt Picknell; Lakeland Health Care Center Support Services Manager Seth Rehbaum.

Members of the public: Ryan Barbieri, Account Executive, and Karen Breitnauer, Sr. Compliance Attorney - M3 Insurance

**On motion by Vice Chair Brellenthin, seconded by Supervisor Monroe, the agenda was approved 3-0 with no withdrawals.**

**On motion by Supervisor Monroe, second by Vice Chair Brellenthin, the December 16, 2015 meeting minutes were approved 3-0.**

**Public comment** – There was none.

**New Business**

- Discussion and possible action regarding 2017-2020 salaries for Register of Deeds, County Treasurer and County Clerk

Human Resources Director Dale Wilson said the salaries for the next four years have to be established before the April election, so a decision has to be made by the Committee in February for approval by the full Board in March. Information on salaries paid was included on the packet. He noted that Washington County set an increase for those elected positions at 6.5% in 2017. Wilson provided a handout on considerations for elected official compensation, which included: a reminder that elected officials are also department heads with the same requirements and duties as other managers in the county; unequal access to other forms of compensation other employees receive, such as longevity/step increases, sick leave, vacation and unemployment benefits; elected officials are professionals who require education, training and experience to perform the duties of the position; and elected officials are “working” department heads, who often function as front-line employees. County Administrator Bretl observed that when considering salary information from all the other counties that there are different scopes of responsibility for the individual offices within those counties. He reminded the committee that when considering compensation, the salary should reflect the position, not the individual currently serving. Unfortunately, merit raises can’t be given to elected officials, and there is no flexibility to increase wages after the four-year salaries are set. Wilson said the Clerk of Courts position, which is on an alternate cycle, was given a 2% increase for each of the four years of the term. The Sheriff received a large

increase in the first year of the cycle because that salary was below what the Undersheriff was paid. The increase for the remaining three years was 1%. The FTE ratio in the three individual offices is comparable. Chair Brandl expressed his hesitation to set salaries for the positions when someone else with no experience could be elected and paid at the same rate. Different percentage increases could be assigned for each of the four year terms. County Board Chair Nancy Russell agreed with comments from the committee, saying there are three very competent individuals in those elected positions now; however, we can't predict the future as to elections or inflation. She feels a 2% annual increase would be reasonable. **Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to recommend a 2% salary increase annually for the years 2017-2020 for the Register of Deeds, County Treasurer and County Clerk. The motion carried 3-0.**

- Amending Section 15-17 of the Walworth County Code of Ordinances Relating to Receptionist/Clerk Positions at Health and Human Services

Wilson said Health and Human Services (HHS) currently has two vacant part-time receptionist positions: a .54 FTE and a .50 FTE. The schedule for those positions was 12:00 p.m. to 8:00 p.m. on a five-day rotating schedule, and if one was absent, the other had to cover. The positions have been vacant for a lengthy period of time because of the work schedule. Temporary staffing was used to fill the positions, and costs for those services were \$22,978 in 2015. HHS wants to increase one of the positions to 1.0 FTE and decrease the other part-time position to .37. Health and Human Services Director Elizabeth Aldred confirmed that there are budget funds to pay for the position changes.

**Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to approve staff recommendation to change the receptionist/clerk positions. The motion carried 3-0.**

- Presentation from M3 and discussion regarding "Cadillac" Excise Tax as part of Health Care Reform bill

Wilson introduced Ryan Barbieri, Account Executive, and Karen Breitnauer, Sr. Compliance Attorney, from M3 Insurance. They have been working to identify the County's potential exposure when the Cadillac Excise Tax on health insurance is imposed in 2020. Wilson said it is important from a planning perspective to be proactive and implement some options to avoid exposure. Barbieri and Breitnauer gave a presentation which included an overview of the excise tax; steps taken to date; Walworth County's potential exposure; and recommended next steps. For self-funded medical plans, the plan administrator is responsible for paying the excise tax on the amount of "excess" benefit amounts, which right now is anything over \$10,200 for individuals and \$27,500 for all other coverage. Higher limits apply for retiree coverage. Vision, dental, accident and disability insurance are not included in the calculations. Barbieri said the Cadillac Excise Tax is the focus of extensive debate by the federal government, and at this point, remains extremely fluid and subject to change. Barbieri went through the strategic planning to date and adjustments made to minimize the risk of maintaining a high value plan. Currently, the projected excise tax to be imposed on Walworth County is approximately \$400,000 for plan year 2020. M3 and Human Resources staff will continue to monitor all aspects of compliance, perform an annual review of the health plan, make plan design adjustments to bring plan costs and risk below the 40% threshold for the excise tax, institute cost containment strategies and consider options to create efficiencies and minimize taxes, with Board approval. **Wilson was directed to develop a list of priorities and options to pursue to minimize excise tax exposure. Committee members were asked to contact him with any options they are not willing to support. A timeline for expanded discussion on options and input from the committee will be placed on the February 17<sup>th</sup> meeting agenda.**

- Discussion and possible action regarding changes to various sections of Chapter 15 of the Walworth County Code of Ordinances relating to the LHCC pilot program involving 12-hour shifts

Wilson distributed the proposed ordinance relating to the 12-hour shift pilot program. At the January 12 joint meeting with the Lakeland Health Care Center Board of Trustees, a six-month pilot program for 12-hour shifts was authorized. Discussion at that meeting concerned analyzing benefits and a 36-hour vs. 40-hour work week for those working the 12-hour shifts. For the duration of the pilot period, those working 12-hour shifts would be scheduled for a 36-hour work week, and receive full-time health and dental benefits. Vacation and sick accruals would be based on hours actually worked, not on 40 hours. Earlier in the day, the LHCC Board voted to recommend approval of the ordinance, provided the Committee has the authority to permanently implement or discontinue the 12-hour shifts at the end of the pilot program. **Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to recommend adoption of the proposed ordinance. The motion carried 3-0.**

**Reports/announcements by Chair** – Chair Brandl had no reports or announcements.

**Confirmation next meetings:** The next meeting was confirmed for Wednesday, February 17, 2016 at 3:30 p.m.

#### **Closed sessions**

The committee convened in closed session at 4:53 p.m. **on motion and second by Vice Chair Brellenthin and Supervisor Monroe**, pursuant to the exemption contained in Section 19.85(1) (e) of the Wisconsin Statutes, for the purpose of negotiating or conducting other specified public business whenever competitive or bargaining reasons require a closed session, relative to the item listed below. **A roll call vote was conducted and all members present voted “aye.”** Remaining in closed session were County Administrator David Bretl, Human Resources Director Dale Wilson, Risk/Benefits Manager Lisa Henke, Deputy County Administrator-Finance Nicki Andersen, Sheriff Kurt Picknell, County Board Chair Nancy Russell, Supervisor David Weber and Supervisor Charlene Staples.

Closed session discussion: Deputy Sheriff’s Association Bargaining

**The committee reconvened in open session at 5:12 p.m. on motion and second by Vice Chair Brellenthin and Supervisor Monroe.**

**Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to recommend approval of the tentative 2016-2018 contract settlement with the Deputy Sheriff’s Association. The motion carried 3-0.**

The committee convened in closed session at 5:13 p.m. **on motion and second by Vice Chair Brellenthin and Supervisor Monroe** 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.” **A roll call vote was conducted and all members present voted “aye.”** Remaining in closed session were County Administrator David Bretl, Human Resources Director Dale Wilson, Sheriff Kurt Picknell, Deputy County Administrator-Finance Nicki Andersen, County Board Chair Nancy Russell, and Supervisors Joe Schaefer, Charlene Staples and David Weber.

Closed session discussion: Walworth County Deputy Sheriff’s Association v. Walworth County, 12CV1232

**On motion and second by Vice Chair Brellenthin and Supervisor Monroe, the committee reconvened in open session at approximately 5:21 p.m.**

**Supervisor Monroe made a motion, seconded by Vice Chair Brellenthin, to proceed as discussed in closed session. The motion carried 3-0.**

**Adjournment**

**On motion by Vice Chair Brellenthin and Supervisor Monroe, Chair Brandl adjourned the meeting at 5:21 p.m.**

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

**DRAFT**

**Walworth County Board of Supervisors  
Lakeland Health Care Center Board of Trustees Meeting Minutes  
Wednesday, January 20, 2016  
Walworth County Government Center  
County Board Room 114  
100 West Walworth Street, Elkhorn, WI 53121**

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

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

**Others in Attendance:**

Board members: County Board Chair Nancy Russell

County staff: Lakeland Health Care Center Administrator Bernadette Janiszewski; Staff and Support Services Manager Seth Rehbaum; Human Resources Director Dale Wilson; County Administrator David Bretl

**On motion by Vice Chair Brellenthin, second by Supervisor Staples, the agenda was approved 3-0 with no withdrawals.**

**On motion by Vice Chair Brellenthin, second by Supervisor Staples, the December 16, 2015 meeting minutes were approved 3-0.**

**Public Comment** – There was none.

**New Business**

- 2015 Corporate Compliance

Lakeland Health Care Center (LHCC) Administrator Bernadette Janiszewski provided an overview of the 2015 Annual Corporate Compliance Report. Part of the new federal code requires a formal compliance and ethics program. In 2015, there were 136 investigations conducted, the majority of which were falls. The incidents are reviewed, and the facility determines whether a report should be filed with the State. No deficiencies were cited as a result of the self-reports last year. Janiszewski said proper recording of the incidents is critical, as most of the write-ups from the State relate to not reporting in a timely manner. The State comes to LHCC annually and spends a full day reviewing self-report records.

Janiszewski said as part of the corporate compliance regulations, there are opportunities to report concerns anonymously. LHCC has a compliance officer and a box for anonymous complaints/concerns. Lack of parking space was an ongoing complaint until the new spaces were added, and snow removal in the parking spaces continues to be a concern. After the snowplow goes through, LHCC staff has been shoveling out spaces manually. Janiszewski emphasized that 99.5% of the feedback on the facility she receives is positive.

- Quarterly Write-Offs – There were none.

- Discussion regarding changes to various sections of Chapter 15 of the Walworth County Code of Ordinances relating to the 12-hour shift pilot program

Human Resources Director Dale Wilson distributed the proposed changes to the ordinance relating to the 12-hour shift pilot program, which was authorized at the joint Human Resources and Lakeland Health Care Center Board of Trustees meeting on January 12. Wilson included language that an employee scheduled to work three 12-hour shifts would be considered full-time for the purposes of health and dental insurance and holiday pay. Sick and vacation time accruals would be based on hours actually worked. He asked for comments and concerns from the Board, and said he would report any objections and/or agreement to the Human Resources Committee later in the day. County Administrator Bretl noted the 36-hour workweek is a different approach, but for purposes of the pilot

program it seems to work best. He agrees on limiting time off accruals to hours actually worked. Once the pilot program is launched, it would be difficult to scale back benefits later on. Bretl stated it is best to proceed cautiously. Vice Chair Brellenthin asked if Wilson wanted to insert a sunset clause into the ordinance. Wilson said if the pilot program proves successful, the ordinance wouldn't have to be changed. If the 12-hour shifts aren't permanently implemented, the amended sections could be removed. Vice Chair Brellenthin said he is comfortable with the ordinance as is, as long as the committee approves the continuance or discontinuance of the 12-hour shifts. **Vice Chair Brellenthin made a motion, seconded by Supervisor Staples, to recommend approval of the ordinance amendments relating to the LHCC pilot program involving 12-hour shifts. The motion carried 3-0.** Supervisor Staples asked about establishing criteria for success of the pilot program. Janiszewski said she, Wilson and staff will discuss goals and bring them back to the Board for their input at the February 17th meeting.

#### **Administrator's Report**

Janiszewski reported overtime was down by 25% in December, which was a direct result of filling the open nursing positions. Her report included worker's compensation statistics. One of the incidents involved a strain when an employee was moving a bed when it was locked. As a result, another training session was conducted on the proper procedures for moving beds to avoid injuries and damage to the floors.

**Announcements** – None.

#### **Upcoming Events**

A resident of Geneva Lake will be providing a program on the history of the Lake and Black Point on February 15, which everyone is looking forward to. All upcoming events were included with the agenda packet.

**Confirmation of next meeting:** The next regular meeting was confirmed for February 17, 2016 at 1:00 p.m.

#### **Adjournment**

**On motion by Vice Chair Brellenthin, second by Supervisor Staples, Chair Monroe adjourned the meeting at 1:20 p.m.**

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

**DRAFT**

**Walworth County Board of Supervisors  
January 18, 2016 Agriculture & Extension Education Committee Meeting Minutes  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Kilkenny at 1:04 p.m.

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

**Others in Attendance**

County Staff: Christine Wen, Co-Department Head/Horticulture Educator; Jenny Wehmeier, Co-Department Head/Family Living Educator; County Administrator David Bretl; Brittany Savaglio, UW-Extension Assistant; Debbie Burkman, 4-H Educator

**On motion by Citizen Member Krejci, second by Supervisor Staples, the agenda was approved by voice vote with no withdrawals.**

**On motion by Supervisor Russell, second by Citizen Member Merwin, the November 16, 2015 meeting minutes were approved by voice vote.**

**Public Comment** – There was none.

**Unfinished Business**

• **nEXT Generation Reorganization Recommendations**

Co Department Head/Family Living Educator Jenny Wehmeier thanked everyone for attending the January 6 meeting with UW Colleges and UW Extension Chancellor Cathy Sandeen and Dean/Director Rick Klemme. Wehmeier said staff is assembling questions from the meeting and will submit them to Extension's internal website. She distributed a chart listing Extension employees in the County and their respective funding sources. Three employees are 100% county-funded and three are Walworth County employees. Citizen Member Merwin said she was very uncomfortable about receiving the reorganization recommendations from UW Extension officials at the meeting because staff wasn't provided copies. Supervisor Russell provided the following comments: UW-Extension in the more populated areas of the state should not be involved in economic development at the local level. Walworth County has the Walworth County Economic Development Alliance and the Tri-County Workforce Development Consortium. In addition, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) has recently been charged with conducting an economic study and developing recommendations. There is value in collaborating with other UW Extension employees, but Walworth County is not interested in sharing time with other counties.

Wehmeier indicated it is difficult to understand and have buy-in to the new model because counties have not been part of the planning process. She appreciates that there is an opportunity for the County to address its priorities with the state office. Citizen Member Merwin said it appears the new model would add another administrative level to the structure; regional directors would become administrators and counties would lose educational resources. Also, there appears to be an assumption that every county needs two educators; whereas, some of the northern counties with sparse populations clearly do not require as much time. Citizen Member Merwin said the overriding problem with the plan is that it was developed by officials at the top of the organization, with little consideration given to staff and local input. Citizen Member Krejci said the meeting was beneficial because it gave the Committee something concrete to respond to. UW Extension officials are now well aware that Walworth County has objections.

Each committee member needs to submit comments to the Chancellor. Discussion ensued concerning position funding and county funding percentages. Citizen Member Krejci said he wanted clarification as to which positions would remain local and which would be “area” positions. Wehmeier said the area leaders would likely be allocated first, between July and December of this year. She said there are issues concerning tenured faculty and academic positions that need to be addressed. Citizen Member Merwin expressed concern that incumbents would have to reapply for their jobs, which could fracture the working relationships that have been established within the counties. Citizen Member Riewer said by adding more layers to the organization, time dedicated to job duties would diminish. Chair Kilkenny asked Bretl if the County could budget for paying 100% of the Extension salaries and opt out of the new model. Bretl doesn’t think that option would be available. The ongoing funding cuts would be \$3.6 million annually, of which \$1.2 million would need to come from the counties. Chair Kilkenny suggested if services need to be shared, the Agricultural agent services could be combined with other counties with the least disruption in service. The proposed changes in the system should be fluid and change as needs arise. Supervisor Russell noted that Ginny Hall’s comments from the meeting should be sent to officials.

**New Business** – There was none.

### **Reports**

- Family Living Educator Report – Jenny Wehmeier

Wehmeier said she included a report on 2015 Family Living programs and contacts. Often, people don’t have an understanding of the extent of the duties performed by staff. Wehmeier’s report was broken down by four areas: Community Health, Family Development, Food Preservation and Eating Well. Extension staff is out in the community every day. Family Living reached 2,337 individuals in 2015. The Family Development area held 33 programs, and attracted 663 participants. The Get Moving Program had 19 events and 533 families participated. Wehmeier said if the reorganization plan is implemented, staff won’t be able to devote time to the jobs they were hired for and all the programs they have developed. She expressed appreciation for the County’s investment in UW Extension.

- 2016 Farm Technology Days Update – Peg Reedy, Executive Secretary  
Ms. Reedy’s report was distributed at the meeting.

- UW-Extension outreach and educational events  
Information on outreach and educational events was included in the agenda packet.

- Chairperson’s Report – None.

**Announcements** – There were none.

**Confirmation of Next Meeting.** The next committee meeting was confirmed for Monday, March 14, 2016 at 1:00 p.m. – County Board Room 114 in the Government Center

### **Adjournment**

**On motion by Supervisor Staples, second by Citizen Member Krejci, Chair Kilkenny adjourned the meeting at 2:04 p.m.**

**DRAFT**

**Walworth County Board of Supervisors  
Executive Committee Meeting Minutes  
Monday, January 18, 2016  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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

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

**Others in Attendance**

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Central Services Director Eric Nitschke; County Treasurer Val Etzel

Members of the public: Ron Henriott and Douglas Snyder

**On motion by Supervisor Brandl, second by Supervisor Staples, the agenda was approved by voice vote.**

**On motion by Supervisor Brandl, second by Supervisor Staples, the December 14, 2015 meeting minutes were approved by voice vote.**

**Public Comment** – There was none.

**Appointments**

Recommendations regarding County Administrator's nominations:

- Walworth County Metropolitan Sewerage District (WalCoMet) – appointment of Douglas Snyder; reappointment of Ron Henriott.

County Administrator Bretl said Commission member Harold Shortenhaus passed away, and recommended reappointing Ron Henriott, whose term expires next month, to serve the remainder of Mr. Shortenhaus' term. Douglas Snyder would be appointed for a five-year term.

Chair Weber asked Messrs. Henriott and Snyder a series of questions concerning their residency, experience with and understanding of WalCoMet's functions and duties, whether they felt WalCoMet could be improved, potential conflicts of interest, experience and qualifications. **Vice Chair Kilkenny made a motion, seconded by Supervisor Brandl, to approve the reappointment of Ron Henriott and the appointment of Douglas Snyder to the Walworth County Metropolitan Sewerage District. The motion carried 5-0.** Bretl said the nominations would be confirmed by the County Board at the February 9 County Board meeting. The County Clerk will notify them of their appointments.

- Agriculture and Extension Education Committee – appointment of Rosalie Riewer  
**Supervisor Russell made a motion, seconded by Supervisor Staples, to recommend the appointment of Rosalie Riewer to serve on the Agriculture and Extension Education Committee. The motion carried 5-0.**

- Veterans Service Commission – reappointment of John W. Allen  
**Supervisor Staples made a motion, seconded by Supervisor Russell, to recommend the reappointment of John W. Allen to the Veterans Service Commission. The motion carried 5-0.**

- Civil Service Board – reappointment of James Nerud  
**Supervisor Brandl made a motion, seconded by Supervisor Russell, to recommend the reappointment of James Nerud to the Civil Service Board. The motion carried 5-0.**

**Consent items** – expense/mileage reimbursement claims submitted by:

- Nancy Russell, County Board Chair, in the amount of \$42.32

**Supervisor Brandl made a motion, seconded by Vice Chair Kilkenny, to approve the \$42.32 reimbursement to County Board Chair Russell. The motion carried 4-0. Supervisor Russell abstained.**

#### **New business**

- Discussion/possible action regarding request for proposals for workforce development services  
Bretl said the County contracts with a third party to manage its Workforce Investment Act (WIOA) programs. The arrangement was sole sourced to Kaiser Group, now Dynamic Workforce Solutions. WIOA consultant Marilyn Putz recommended all of the services be competitively bid. Bretl said he, Putz and Purchasing staff will work together to develop the bid documents. These services are paid for by federal funds. Russell added that Dynamic Workforce Solutions, f/k/a Kaiser Group, has provided great service and wants to maintain the relationship with them. Chair Weber commented Walworth County has done an excellent job investing in programs for youth entering the job market, unemployed and dislocated workers. Bretl said he would bring the bid recommendations to the Committee for discussion/action in late spring.

- Resolution No. 66-01/16 – Supporting the Implementation of the Achieving a Better Life Experience (ABLE) Act to Reform the SSI Asset Limits in Wisconsin

Bretl said as he was doing research to write the final advisory resolution, he discovered that Wisconsin approved the legislation to enact ABLE in July 2015, which allows accounts to be set up for education that bypass current asset limits for SSI. The second portion of the resolution supports raising asset limits in general for SSI recipients. The current limits were established in the 1980s and need updating; however, it is unlikely that a county sponsored resolution supporting reforms to the SSI asset limits would have an effect on federal legislation. **Vice Chair Kilkenny made a motion, seconded by Supervisor Brandl, to place Resolution No. 66-01/16 on file. The motion carried 5-0.**

- CGI Videos for County Website

Three years ago, CGI Communications produced seven short promotional videos of the County for the website. CGI's services were free, and they sold advertising on the page on which the videos were posted. At the end of June 2016, the contract will expire, as will the agreement with advertisers. Bretl recommended entering into a new contract with CGI. He recommended Derek D'Auria of the Walworth County Economic Development Alliance (WCEDA) act as the liaison between the County and CGI. Supervisor Russell recommended that the Committee view the videos and provide input. **Supervisor Russell made a motion, seconded by Supervisor Staples, to recommend entering into a new contract with CGI Communications, and directed Derek D'Auria to present a timetable of the video project at the February committee meeting and receive input from the committee on improving the videos. The motion carried 5-0.**

**Reports/announcements by Chairperson** – Chair Weber had no reports or announcements.

**Next meeting date and time** – The next meeting was confirmed for Monday, February 16, 2016 at 10:00 a.m.

### **Claims and Litigation**

The committee convened in closed session at 10:48 a.m. on motion and second by Supervisors Brandl and Staples, pursuant to the exemption contained in Section 19.85(1) (g) of the Wisconsin Statutes, “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” relative to the items listed below. **A roll call vote was conducted and all members present voted “aye.”** Remaining in closed session were County Administrator David Bretl, Deputy County Administrator-Finance Nicki Andersen, Treasurer Val Etzel and Central Services Director Eric Nitschke.

- a. Notice of Hearing – Michael P. Scholl and Christine L. Scholl vs. Walworth County and ONE90H90H, LLC
- b. City of Elkhorn’s Amended Claim for Surplus – In re: LSCG Fund 17, LLC vs. Mann Bros., Inc., et al.
- c. Central State’s Answer to First Amended Complaint – In re: LSCG Fund 17, LLC vs. Mann Bros., Inc., et al.
- d. Answer of Defendant, City of Elkhorn, to Plaintiff’s Second Amended Complaint and Counterclaim for Surplus – In re: LSCG Fund 17, LLC vs. Mann Bros., Inc., et al.
- e. Claim for Damaged Property – Chuck Nass

**The committee reconvened in open session at approximately 11:08 a.m. on motion and second by Vice Chair Kilkenny and Supervisor Staples.**

**Supervisor Brandl made a motion, seconded by Supervisor Russell, to proceed as discussed in closed session on items a, b, c and d and e . The motion carried 5-0.**

### **Adjournment**

**On motion by Vice Chair Kilkenny, second by Supervisor Brandl, Chair Weber adjourned the meeting at 11:09 a.m.**

**DRAFT**

**Walworth County Board of Supervisors  
Land Conservation Committee Meeting Minutes  
Monday, January 18, 2016 at 2:00 p.m.  
Walworth County Government Center  
County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Vice Chair Charlene Staples at 2:09 p.m.

Roll call was conducted. Members present included Vice Chair Charlene Staples, Supervisor Nancy Russell, Supervisor Dan Kilkenny, USDA/FSA Representative Matthew Polyock, and Citizen Member Rosemary Badame. A quorum was declared. Chair – Vacant.

**Others in Attendance:**

County Staff: David Bretl, County Administrator; Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel; Shannon Haydin, LURM Deputy Director

**Chairperson Nominations/Elections**

Vice Chair Staples turned the election process over to Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel.

Cotter, announced that nominations for the Land Conservation Committee Chairperson were open.

On motion by Supervisor Kilkenny, seconded by Citizen Member Badame, Supervisor Staples was nominated for Land Conservation Committee Chairperson. Cotter asked if there were any other nominations. There were none. On motion by Supervisor Kilkenny, seconded by Citizen Member Badame, nominations were closed.

**Supervisor Kilkenny made a motion, second by Supervisor Russell, to elect Supervisor Staples as Land Conservation Committee Chairperson. Motion carried 5-0**

**On motion by Supervisor Kilkenny, second by USDA/FSA Representative Polyock, the agenda was approved with no withdrawals.**

**On motion by Citizen Member Badame, second by Supervisor Russell, the November 16, 2015 Land Conservation Committee meeting minutes were approved.**

**Public Comment** – There was none.

**New Business**

- Discussion/Possible Action – Results received from lake districts regarding lake district officer salaries – Michael Cotter

Cotter referred to the results of the Walworth County Land Conservation Committee Request for Compensation Information on Pages 4 and 5 of the packet and gave a brief overview. Cotter stated that Joyce Ketchpaw, who requested a survey be sent out, was informed that this item was on the Agenda for today's meeting. Supervisor Russell suggested that the survey results be sent to all survey participants. Discussion followed regarding the results. Citizen Member Badame asked who is responsible for setting the salaries. Cotter referred to Wisconsin State Statute Chapter 33.30(4)(c) that refers to the Annual meeting and establishing compensation to be paid the district board commissioners.

**Supervisor Kilkenny made a motion, second by Citizen Member Badame, to place the survey results on file. Motion carried 5-0.**

- Discussion/Possible Action – Pabst Lake District Notice of Interest as County Representative – David Bourenske – Michael Cotter

Cotter referred to the Notice of Interest to Serve as a Lake District Citizen Representative for David Bourenske on Page 6 of the packet and gave a brief overview. Cotter stated the candidate was informed of the meeting today.

**Supervisor Kilkenny made a motion, second by USDA/FSA Representative Polyock, to approve the appointment of David Bourenske. Motion carried 5-0.**

- Discussion/Possible Action – 2016 WI Land+Water Dues – Michael Cotter

Cotter gave a brief overview of the Wisconsin Land and Water Conservation Association and stated that the dues were specifically included in the budget. Shannon Haydin, LURM Deputy Director gave a brief overview of the value of working with this agency. Chair Staples inquired as to the extra Standards Oversight Council fee of \$350. Hayden said when the State updates the administrator codes the council assists in facilitating those changes and gives the County a voice.

**Supervisor Kilkenny made a motion, second by Citizen Member Badame, to approve and continue the 2016 Wisconsin Land and Water Conservation Association Dues. Motion carried 5-0.**

**Confirmation of next meeting** – The next meeting was confirmed for Monday, February 15, 2016 at 2:00 p.m.

### **Adjournment**

**On motion by Supervisor Kilkenny, second by Citizen Member Badame, the meeting adjourned at 2:21 p.m. Motion carried 5-0.**

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

**DRAFT**

**Walworth County Board of Supervisors  
January 18, 2016 Public Works Committee Meeting Minutes  
Walworth County Government Center, County Board Room 114  
100 W. Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order by Chair Nancy Russell at 3:30 p.m.

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

**Others in Attendance**

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Director of Central Services Eric Nitschke; County Engineer Joe Kroll; Public Works Finance Manager Penny Bishop

**On motion by Supervisor Schaefer, second by Supervisor Monroe, the agenda was approved by voice vote.**

**On motion by Supervisor Schaefer, second by Supervisor Yvarra, the December 14, 2015 meeting minutes were approved by voice vote.**

**Public comment** – There was none.

**Special Order of Business**

- Election of Public Works Committee Vice Chair  
Chair Russell opened nominations for Vice Chair. **Supervisor Schaefer made a motion, seconded by Supervisor Yvarra, to nominate Supervisor Monroe for Vice Chair of the Public Works Committee.** The Chair asked twice more for nominations. There being none, **Supervisor Schaefer made a motion, seconded by Supervisor Yvarra, to close nominations. The motion carried 4-0. Supervisor Schaefer made a motion, seconded by Supervisor Yvarra, to elect Supervisor Ken Monroe as Vice Chair of the Public Works Committee. The motion carried 4-0.**

**New Business**

- Approval of Final Contract Payment of Kitchen Hoods at Lakeland Health Care Center and Sheriff's Office

Central Services Director Eric Nitschke said the final payment for the project is \$146,952, which was completed in early December. There is \$12,511 remaining in the project budget. **Vice Chair Monroe made a motion, seconded by Supervisor Yvarra, to approve the final payment for the Kitchen Hoods project. The motion carried 4-0.**

- Approval of specifications for Caterpillar 962M Wheel Loader  
The new wheel loader will replace the 1995 Caterpillar. The loader from the main site will be moved to the Darien salt site. There are over 8,000 hours on the existing equipment. Nitschke will provide the age of the loader to be used at Darien at the next meeting. **Vice Chair Monroe made a motion, seconded by Supervisor Yvarra, to approve the specifications. The motion carried 4-0.**

- Approval of Summary Specifications for CTH NN East County Campus Limits to CTH H  
Nitschke said this is a mill and overlay project, approximately 5.6 miles, beginning at the east limits of the County Campus and continuing south to CTH H. Originally, the project was scoped to include pavement pulverization and widening to provide for bicycle and pedestrian accommodations required by funding for the project. However, TRANS-75 was repealed and the widening of the roadway is no longer required.

Chair Russell expressed concern over the State's replacement of the bridges on I-43 and asked if this project would further impede traffic flow. The mill and overlay project shouldn't take more than several weeks. During the State's construction of the bridge, one lane will be open to traffic for the duration of the project. Wisconsin Department of Transportation is holding a project meeting on the bridges on January 27, 2016 from 4:00-6:00 p.m. **Supervisor Schaefer made a motion to approve the summary specifications, seconded by Supervisor Yvarra. The motion carried 4-0.**

- Review of County Facility Cleaning Contract

Nitschke said KAS Custom Cleaning has been awarded the contracts for cleaning county facilities. Three separate contracts have been executed: Lakeland School for \$125,000; Lakeland Health Care Center for \$347,280; and all other county facilities for \$332,000 annually. The contract is for one year, with four one-year renewal options. Chair Russell said because of the complaints received about the previous vendor, and if the new vendor hires the same staff, it is important to closely monitor contract performance. County Administrator Bretl said KAS was the cleaning vendor before Diversified Building Maintenance.

- Presentation of Plunkett Raysich Architects (PRA) study regarding HHS remodel

Nitschke said at the last meeting, a discussion on the PRA study was requested. He discussed the study with staff, and stated he and Elizabeth Aldred, Director of Health and Human Services, will thoroughly review the study. From there, they will develop a current needs space study, taking into consideration the infrastructure and HVAC improvements that have to be made to the existing facility. In February, Nitschke will have a timetable for the necessary steps in the process. In May, he will have a full discussion, including options for building new vs. remodeling the existing facility, or a combination thereof.

- Update regarding the stormwater detention agreement with the Children's Advocacy Center (CAC)  
Bretl said approval of the agreement was held over for review by Corporation Counsel. As he was working on it, he became aware of a document on the stormwater facility that needs to be prepared and recorded per Land Conservation and Department of Natural Resources requirements. Bretl said he needs to meet with CAC officials and needs to address their future plans for expansion. Language stating in the event the property was sold to a commercial entity, the new owners would share the maintenance expenses needs to be included in the agreement. **Supervisor Schaefer made a motion, seconded by Vice Chair Monroe, to hold discussion/approval of the agreement until it is revised and approved by Corporation Counsel. The motion carried 4-0.**

**Old Business – None.**

## Reports

- Report on Current Public Works Projects

White River County Park Bridges – Nitschke said the bridges are in place, which give public access to 28 acres in the Park. He expressed gratitude to the individual donors and thanked Geneva Lake Conservancy and the Peter Scherrer Group for all their work.

Update on Highway Projects

Vice Chair Monroe requested information on when the CTH H through Genoa City roadwork project is scheduled. He also asked if an update on the 10-year roadwork plan could be provided at the next meeting.

New Vehicle Repair Facility – A late spring groundbreaking is anticipated. Nitschke will report to the committee as soon as the construction schedule is finalized.

Sheriff's Shooting Range – Vice Chair Monroe asked for a project update at the next meeting.

- Reports/Announcements by Chair – None.

**Correspondence** –None

**Confirmation of Next Meeting** – The next meeting was confirmed for Monday, February 15, 2016 at 3:30 p.m.

**Adjournment**

**On motion and second by Supervisor Yvarra, second by Vice Chair Monroe, Chair Russell concluded the meeting at 4:00 p.m.**

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

## Walworth County Board of Adjustment

### MINUTES

January 13, 2016 - Hearing – 9:00 AM

January 14, 2016 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on January 13 & 14, 2016, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on January 13, 2016, were Vice-Chair Elizabeth Sukala, Secretary Ann Seaver, 1<sup>st</sup> Alternate Franklin B. Jones and 2<sup>nd</sup> Alternate Joseph J. Pappa. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on January 14, 2016, were Vice-Chair Elizabeth Sukala, Secretary Ann Seaver, 1<sup>st</sup> Alternate Franklin B. Jones and 2<sup>nd</sup> Alternate Joseph J. Pappa. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on January 13, 2016, and January 14, 2016, are kept on file as a matter of record.

The January 13, 2016, hearing was called to order by Acting Chair Elizabeth Sukala at 9:00 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 remove and postpone #4 Witkowski. Seconded by Joseph J. Pappa. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the December 9 & 10, 2015, Minutes and dispense with the reading. Seconded by Joseph J. Pappa. Motion carried. 3-favor, 0-oppose.** Joseph J. Pappa sat for hearing #1) Jonathan Kurasch Living Trust, owner / Delavan Township and for hearing #2) James R. Hertel, owner / Delavan Township due to a potential conflict of interest. **After testimony of all cases, Ann Seaver motioned to recess until 9:00 A.M. on Thursday, January 14, 2016. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose.** The January 13, 2016, hearing went into recess at approximately 10:56 A.M.

On January 14, 2016, at 9:00 A.M., Acting Chair Elizabeth Sukala 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 #4 Witkowski to a future meeting. Seconded by Joseph J. Pappa. Motion carried. 3-favor, 0-oppose.** Joseph J. Pappa sat for hearing #1) Jonathan Kurasch Living Trust, owner / Delavan Township and for hearing #2) James R. Hertel, owner / Delavan Township due to a potential conflict of interest. **After the decisions were completed, Ann Seaver motioned to adjourn until the February 10, 2016, hearing at 9:00 A.M. Seconded by Franklin B. Jones. Motion carried. 3-favor, 0-oppose.** The January 14, 2016, decision meeting adjourned at approximately 9:50 A.M.

Five variance hearings were scheduled and details of the January 13, 2016, hearings and the January 14, 2016, decisions are digitally recorded and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us).

**Old Business - none**

**New Business – Variance Petitions**

Hearing – Count #9:05:11 – 9:52:06 / Decision – Count #9:03:40 – 9:10:33

The First Hearing was Jonathan Kurasch Living Trust, owner / Peter Juergens, applicant – Section(s) 28 – Delavan Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck bench, stairs, patio and hot tub in the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 75' shore yard setback for all structures.

**VARIANCE REQUEST:** The applicants are requesting a 50' shore yard setback for a deck bench and stairs and an approximate 40' shore yard setback for a patio and hot tub. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a deck bench, stairs, patio and hot tub in the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of January 13 & 14, 2016, for the petition of Jonathan Kurasch Living Trust, owner / Peter Juergens, applicant, voted to **APPROVE** the request for a 50' shore yard setback for a deck bench, voted to **DENY** the request for a 50' shore yard setback for the location of stairs and voted to **DENY** the request for an approximate 40' shore yard setback for a patio and hot tub.

**A motion was made by Ann Seaver to break the decisions out into separate requests. Seconded by Joseph J. Pappa. Motion carried. 3-favor 0-oppose**

**A motion was made by Ann Seaver to approve the deck bench request. Seconded by Joseph J. Pappa. Motion carried. 3-favor 0-oppose**

**A motion was made by Ann Seaver to deny the stairs request. Seconded by Joseph J. Pappa. Motion carried. 3-favor 0-oppose**

**A motion was made by Ann Seaver to deny the patio / hot tub request. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:**

**APPROVAL of the deck bench:** The Board found the deck bench does serve as a railing around the deck. The Board found the deck bench lies within the confines of the existing structures. The Board found to deny the request for the deck bench would cause unnecessary hardship as it is a safety concern. The Board found to approve the deck bench would cause no harm to public interests. The Board found to approve the request would not harm the public's interest in navigable waters.

**DENIAL of stairs:** The Board found the hardship is self-created due to alterations made to the contour of the land without permit. The Board found the owner has other options for ingress / egress to the deck.

DENIAL of patio / hot tub: The Board found no unique property limitations rather considerations personal to the property owner. The Board determined the patio and hot tub are considered to be structures and are not permitted in the shore yard. The Board found the owner has options other than the shore yard of the property for placement of the patio / hot tub. The Board found the hardship was self-created as the patio and hot tub were located on the property without Walworth County zoning review and approval. The Board found to approve the request would adversely affect the property, the neighborhood, the entire community and the general public. The Board found to permit the impervious surface in the shore yard would not protect the public's interest in navigable waters.

There was one letter of support from the Delavan Lake Sanitary District. There were letters of comment from the Walworth County Land Conservation Division and the Wisconsin Department of Natural Resources. Three neighboring property owners spoke in 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 #9:52:07 – 10:00:00 / Decision – Count #9:10:34 – 9:12:20

The Second Hearing was James R. Hertel, owner / James R. Hertel, Sr., applicant – Section(s) 6 – Delavan Township

Applicants are requesting a variance from Section(s) 74-38 / 74-52 / 74-131 of Walworth County's Code of Ordinances – Zoning to construct an accessory structure (storage building) 25' x 48'.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 25' street yard setback from a right-of-way.

**VARIANCE REQUEST:** The applicants are requesting a 3.2' street yard setback. The request is a variance from Section(s) 74-38 / 74-52 / 74-131 of Walworth County's Code of Ordinances – Zoning to construct an accessory structure (storage building) 25' x 48'.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of January 13 & 14, 2016, for the petition of James R. Hertel, owner / James R. Hertel, Sr., applicant, voted to **APPROVE** the request for a 3.2' street yard setback.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found unique property limitations in the septic system being located on the only level spot on the property not occupied by other buildings. The Board found the owner will remove five existing accessory structures to enable storage under one roof. The Board found compliance with the ordinance was an unnecessary hardship. The Board found to approve the variance request would not affect the surrounding property owners. 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 #10:00:15 – 10:28:37 / Decision – Count #9:12:35 – 9:37:01

The Third Hearing was John J. & Jan Bachmeier, owners – Section(s) 35 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a patio, deck and ramp in the shore yard and to permit the location of an addition to a single-family residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 55.6' shore yard setback (average) and a 10.3' side yard setback (established).

**VARIANCE REQUEST:** The applicants are requesting an approximate 40' shore yard setback for a stone patio, an approximate 44' shore yard setback for a wood deck, an approximate 37.5' shore yard setback for ramp and a 7.7' side yard setback for a single-family residence addition. The request is a variance from Section(s) 74-167 / 181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a patio, deck and ramp in the shore yard and to permit the location of an addition to a single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of January 13 & 14, 2016, for the petition of John J. & Jan Bachmeier, owners, voted to **APPROVE WITH CONDITION** the request for an approximate 40' shore yard setback for a stone patio, voted to **APPROVE** the request for an approximate 44' shore yard setback for a wood deck, voted to **APPROVE** the request for an approximate 37.5' shore yard setback for a ramp and voted to **APPROVE** the request for a 7.7' side yard setback for a single-family residence addition.

**A motion was made by Ann Seaver to approve the variance request for the addition to the residence. Seconded by Franklin B. Jones. Motion carried. 3-favor 0-oppose**

**A motion was made by Ann Seaver to approve the variance request for the ramp. Seconded by Franklin B. Jones. Motion carried. 3-favor 0-oppose**

**A motion was made by Franklin B. Jones to approve the variance request for the wood deck. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose**

**A motion was made by Ann Seaver to deny the variance request for the patio / firepit. Seconded by Franklin B. Jones for discussion.**

**Ann Seaver rescinded her motion to deny the variance request for the stone patio / firepit. Franklin B. Jones rescinded his second.**

**A motion was made by Franklin B. Jones to approve the variance request for the stone patio / firepit. Seconded by Ann Seaver.**

**An amended motion was made by Franklin B. Jones to approve the stone patio with the condition the mortar be removed from between the paving blocks. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose**

## **BOARD OF ADJUSTMENT FINDINGS:**

APPROVAL of patio WITH the CONDITION THAT MORTAR BETWEEN STONES BE REMOVED: The Board found to require removal of the mortar between the flagstones will allow seepage of water rather than the pooling of water or the flowing of water from an impervious surface. The Board found unique property limitations in the extreme rugged and steep slope of the property. The Board found to deny the request and require removal of the patio would cause more land disturbance than to allow the patio to remain. The Board found the benefit gained by eliminating some impervious surface (mortar) in the shore yard is offset by the fact the horizontal surface helps retard the downward flow of runoff to the lake. The Board found to deny the request would cause unnecessary hardship in reducing the use of the property. The Board found to approve the request would cause no harm to public interests. The Board found the owner did receive approval from the Township.

APPROVAL of deck: The Board found unique property limitations in the extremely steep slope of the property that runs from the road to the lake. The Board found to allow the deck to remain will help dissipate and disperse runoff and retard the flow of water to the lake. The Board found to deny the request and remove the deck would eliminate a horizontal area of the parcel and adversely affect water drainage on the property. The Board found to deny the request would restrict the owner's ability to utilize the property.

APPROVAL of ramp: The Board found the topography of the parcel dictated the need for the ramp. The Board found to approve the request would ease access to the storage shed and movement of maintenance equipment. The Board found the ramp to be existing and not constructed by the current owner. The Board found to approve the request would cause no harm to public interests. The Board found to approve the request would not harm the public's interest in navigable waters.

APPROVAL of addition: The Board found the owner did prove exceptional or unique circumstances to the property. The Board found to require removal of the addition would cause more harm than to allow the addition to remain. The Board found to approve the request would cause no harm to public interests. The Board found to approve the request would not harm the public's interest in navigable waters.

There was one letter of support from the Town of Whitewater. There were letters of comment from the Walworth County Land Conservation Division and 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.**

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

The Fourth Hearing was Joshua D. & Sally J. Witkowski, owners – Section(s) 33 – Geneva 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 repair and replace portion of upper and

lower decks in the shore yard.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 35' shore yard setback (average).

**VARIANCE REQUEST:** The applicants are requesting an approximate 16' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to repair and replace portion of upper and lower decks in the shore yard.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of January 13 & 14, 2016, did not vote on the petition of Joshua D. & Sally J. Witkowski, owners.

**BOARD OF ADJUSTMENT FINDINGS:** The variance request has been postponed at the applicant's request.

Hearing – Count #10:28:40 – 10:56:06 / Decision – Count #9:37:02 – 9:43:31

The Fifth Hearing was Lange Trust, owner / Tim Lange, applicant – Section(s) 9 – East Troy Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the 37' height of an accessory structure (garage).

**REQUIRED BY ORDINANCE:** The Ordinance permits an accessory structure 2130 square feet in size to be 25' in height.

**VARIANCE REQUEST:** The applicants are requesting an accessory structure 37' in height. The request is a variance from Section(s) 74-163 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the 37' height of an accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of January 13 & 14, 2016, for the petition of Lange Trust, owner / Tim Lange, applicant, voted to **APPROVE** the request for an accessory structure 37' in height.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found unique property limitations in the odd-shaped lot. The Board found the parcel narrows from the waterfront to the road which limits the code compliant positioning of the accessory structure to be accessible to the driveway and the road. The Board found to deny the request would cause unnecessary hardship. The Board found the below grade entrance would allow the access needed for seasonal storage. The Board found to approve the variance request would cause no harm to public interests. The Board found the new structure is located further from the lot line than what was existing. The Board found the new structure allows for better drainage on the property and allows more storage to be put under roof. The Board found the driveway to the lower level entrance of the accessory structure will

remain a pervious surface. There were letters of support from the Town of East Troy and a neighboring property owner. There were four memos of support from neighboring property owners. There was no opposition.

**Other**

- A. Discussion / possible action regarding a Board of Adjustment Workshop in Germantown, Wisconsin  
The Board members were informed of a BOA Zoning Workshop offered to provide information about the reasons behind zoning and legal standards applicable to zoning board decisions
  
- B. Discussion / possible action on Township correspondence – none

**Staff Reports**

- A. Court cases update - none
  
- B. Distribution of reports, handouts and correspondence  
Board members received copies of the 2015 Board of Adjustment Annual Reports

**Proposed discussion for next agenda**

The following items were requested to be put on the February 2016 agenda, if applicable:

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

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ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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





**DRAFT**

**Walworth County Board of Supervisors  
Special Joint Meeting Minutes  
Human Resources Committee and Lakeland Health Care Center Board of Trustees  
Tuesday, January 12, 2016  
Walworth County Government Center, County Board Room 114  
100 West Walworth Street, Elkhorn, Wisconsin**

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The meeting was called to order at 12:15 p.m. by Human Resources Committee Chair Rich Brandl.

Roll call was conducted with the following members present:

Human Resources Committee: Chair Rich Brandl, Vice Chair Tim Brellenthin and Supervisor Ken Monroe. Supervisor Kathy Ingersoll was excused. A quorum was declared.

Lakeland Health Care Center (LHCC) Board of Trustees: Chair Ken Monroe, Vice Chair Tim Brellenthin, Supervisors Joe Schaefer and Charlene Staples. Supervisor Kathy Ingersoll was excused. A quorum was declared.

**Others in Attendance:**

County Board members: County Board Chair Nancy Russell, Supervisor David Weber

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Human Resources Director Dale Wilson; Lakeland Health Care Center Administrator Bernadette Janiszewski; Support Services Manager Seth Rehbaum; Deputy Director of Health and Human Services Robert Williams

**On motion by Vice Chair Brellenthin, second by Supervisor Staples, the agenda was approved by voice vote.**

**Public comment** –There was none.

**Old Business**

- Discussion and possible action regarding amending various sections of Chapter 15 of the Walworth County Code of Ordinances relating to overtime threshold changes and weekend premium changes for certain employees at Lakeland Health Care Center
- Approval of pilot program for 12 hour shifts at Lakeland Health Care Center

Human Resources Director Dale Wilson followed up on the request to research overtime policy. There can be different overtime rules for employees, even within the same job class and positions, provided that the policy is approved before the hours are worked. Wilson said typically the policy would be effective when the ordinance is approved. If, however, the overtime policy would not be unilateral for employees, he suggested a signed agreement.

LHCC Administrator Bernadette Janiszewski said her request is threefold: First, she is asking to change third shift weekends from Friday and Saturday to Saturday and Sunday, which requires an ordinance amendment. Second, she requests implementation of a six-month pilot program with 12-hour shifts, in response to employees wanting a work/life balance and trying to reduce the turnover rate by 15% by mid-2017. The 12-hour shifts would alleviate some of the need to mandate additional hours. Third, Janiszewski asked that the overtime policy in the nursing and dietary departments be changed to the “over 40” rule to avoid paying overtime after 8 hours. Additional money currently being paid in overtime could then be used to reward long-time employees who are not eligible to receive a merit raise when they reach the top of their pay scale.

Janiszewski said that the pilot program is entirely voluntary. If volunteers are unable to finish the pilot program, they could go back to their regular schedules. Janiszewski recommended that the 12-hour employees work three 12-hour shifts, which would equal a 36-hour work week with benefits; or, if necessary, the employee would work three 12-hour shifts plus a 4-hour shift for 40 hours. Wilson said that health insurance would still be provided with a 36-hour work week. Other benefits such as dental, long-term disability and life insurance may have to be negotiated in a side letter or by ordinance amendment. LHCC Chair Monroe said he wants to emphasize that the pilot program is strictly voluntary, with opportunity for employees in the pilot to return to their regular shifts. Also, a pilot program cannot be implemented until the details are finalized. Bretl said that keeping the overtime rules the same for those not in the pilot program is a good thing to do for the duration of the pilot. He said that if Supervisors are not comfortable with the 12-hour shifts that they should speak up now.

Supervisor Staples said in order for a pilot program to be measurable, definite criteria for success should be established before it is implemented. She said that Human Resources would be conducting an employee poll in the near future, and advised waiting until input is received from LHCC employees.

Janiszewski said that the 12-hour shift pilot is just one piece of the effort to recruit and retain quality employees. Implementing the program is a symbol of administration's willingness to work with employees. The measurement of success of the program would be having full schedule coverage and less overtime mandates. In addition, agency staffing has been eliminated. Nurses from the staffing pool will be scheduled to work throughout the building. The Memory Care Unit has unique staffing requirements.

Support Services Manager Seth Rehbaum said the positions of those participating in the 12-hour shifts would be left open during the pilot program. Wilson encouraged Supervisors to offer input on measurable criteria to be used in evaluating the pilot program.

County Board Chair Nancy Russell reiterated that that she is opposed to implementing 12-hour shifts. She estimated that if you add the time spent getting ready for work and traveling to and from work, employees would be essentially working 14-1/2 hours. In nursing home, residents need full care and the workload is more than that in a hospital. She is concerned that employees' health could suffer, and the level of care for the residents could also be affected. Russell said truck drivers are not allowed to drive for 12 hours straight because it isn't safe for them and the motoring public, and she does not think it is safe for employees and residents at LHCC. In addition, a half-hour lunch and two 15 minute breaks are not adequate respite when working a 12-hour shift.

LHCC Chair Monroe said although he shares Chair Russell's concern about the length of the shifts, the pilot program should be tried for six months to see if it is feasible long-term. The overtime policy should not be changed now. He asked that an employee merit program be considered. He also asked if Human Resources would investigate giving employees a set number of days per year to use as time off, but not designated as "sick" or "vacation."

Human Resources Chair Brandl said that employees need to be made aware that the pilot program could potentially be canceled before the six month period is over. He asked if an employee working a 12-hour shift would be required to pull a double shift if his/her replacement called in. Janiszewski said no; minimum staffing levels would still be maintained because LHCC staffs above the minimum requirement.

Supervisor Staples agreed with Chair Russell's concerns. Licensed staff at hospitals typically work 12-hour shifts, but they have less patients and physical duties than certified nursing assistants in a nursing home who are caring for residents whose needs are greater. She feels there are other ways to retain employees, such as offering on-call stipends, overtime hours and double shifts to all employees to better utilize the care staff and provide more coverage.

**LHCC Chair Monroe moved to recommend the 12-hour shift pilot program for six months, change third shift weekend premiums to Saturday-Sunday and keep the overtime policy as is during the pilot period. Vice Chair Brellenthin seconded the motion. Human Resources Chair Brandl called for a vote. The LHCC Board vote carried 3-1, with Supervisor Staples voting No. The Human Resources Committee voted 3-0 in favor.**

Discussion ensued concerning the 36-hour work week vs. 40 hour work week for the 12-hour shifts. Wilson said he would have to do further research and clarify the potential benefit changes before the 36-hour work week could be implemented.

**Reports/announcements by Chair** – Chairs Brandl and Monroe had no reports or announcements.

**Confirmation next meetings:**

**Lakeland Health Care Center Board of Trustees: Wednesday, January 20, 2016 at 1:00 p.m.**

**Human Resources Committee: Wednesday, January 20, 2016 at 3:30 p.m.**

**Adjournment**

**On motion by Vice Chair Brellenthin, second by Supervisor Schaefer, Chair Brandl adjourned the meeting at 1:15 p.m.**

# County Zoning Agency

## MINUTES

December 17, 2015 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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Vice Chair Dave Weber called the meeting to order at 4:30 p.m.

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

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Deputy Director Shannon Haydin, and Site Planner/Hearing Facilitator Matt Weidensee. Present for a portion of the meeting / hearing was County Administrator David Bretl, Debora Grube/Senior Zoning Officer and Neal Frauenfelder/Senior Planner.

A “sign-in” sheet listing attendees on December 17, 2015, is kept on file as a matter of record.

Details of the December 17, 2015 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us)

### **Chairperson nominations / elections**

**Tim Brellenthin motioned to nominate Supervisor Rich Brandl for Chairperson. Second by Jim Van Dreser. Motion carried. 5-favor 0-oppose Chair Rich Brandl presided over the remainder of the meeting.**

**Dave Weber motioned to approve the agenda as amended to table items 10.f.2.) Steven Blane and Yvonne Wallace Blane. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

**Dave Weber motioned to approve the November 19, 2015, Minutes, as amended to include Chair Rick Stacy calling the meeting to order. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter  
Disc Count #4:34:21 – 4:35:10

Subdivision Items – Old Business - none

Subdivision Items – New Business –

1. **Mound Road Estates Final Plat, Covington Court Apartments, LLC, applicant.** Proposed 71 lot and 2 out lot residential subdivision plat located in Sections 14 and 15, Town 2 North, Range 16 East, Town of Delavan. Parcel #s F D 1400002, F D 1400003 and F D 1500003. The proposed plat contains 38.38 acres of land and is zoned R-2 Single Family Residence District (Sewered) and C-4 Lowland Resource Conservation District.

### **Recommended Conditions**

1. Approval is subject to joining the remnant parcel on the west side of Barnum Road with the parcel to the west (F D 1500001) by submitting a lot line adjustment application to the Walworth County Zoning Department. This lot line adjustment will have to be accomplished by preparing a Certified Survey Map because the new parcel crosses a section line. The lot line adjustment CSM should be recorded at the Walworth County Register of Deeds Office at the same time the subdivision plat is recorded.  
Note: A notation on the final plat has been made regarding this.

2. Approval is subject to providing road access to Mound Road for the C-2 and A-1 remnant parcel (F D 1400003) located to the east of the subdivision plat. This can be accomplished by either recording a 50 foot wide access easement or by combining the remnant area with the existing CSM to the north. Note: A notation on the final plat has been made regarding this.
3. Approval is subject to identifying on the final plat the new shoreland zoning line as it relates to the recent DNR ordinary high water mark delineation.
4. Approval is subject to submitting the covenants and restrictions for review and approval by the County Land Conservation Department.
5. 3. Approval is subject to addressing the concerns and requirements identified in the Walworth County Land Conservation Division Preliminary Stormwater Review Letter and staff report for the County Zoning Agency Public hearing on 9/18/14.
6. Approval is subject to adding a note to the final plat stating how the Primary (Not Prime) Environmental Corridor was mapped.
7. Approval is subject to adding a note to the final plat identifying the source of Natural Area # 39 as being from the "Natural Areas and Critical Species Habitat and Protection and Management Plan for Southeastern Wisconsin Region"
8. Approval is subject to adding a note to the final plat stating the name of the wetland delineator and the date of the wetland field survey.
9. 4. Approval is subject to complying with County Construction Site Erosion Control and Stormwater Management Ordinances for any construction.
10. 5. Approval is subject to providing a 10' utility easement in the street yards of all lots.
11. 6. Approval is subject to meeting all requirements of state statutes and county ordinances.

**Neal Frauenfelder discusses letter received from Alliant Energy and AT&T regarding requested easements on CSM of 8' and 10'. Atty John Maier speaks on behalf of Applicant.**

**Dave Weber motions to approve. Seconded by Jim Van Dreser with the amendment to add in the 10' street yard easement. Dave Weber approve amendment. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:35:15 – 4:54:41

Old Business - Ordinance Amendments – none

Old Business – Discussion Items –

1. Discussion/Possible Action – Resolution to Amend Statutory Provisions in State of Wisconsin 2015-2017 Budget Relating to Shoreland Zoning Standards (Act 55) – Michael Cotter, Deb Grube

**Jim Van Dreser motions to table this matter until January, 2016. Seconded by Dave Weber. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:54:50 – 4:56:27

2. Discussion/Possible Action – Town of Bloomfield Ordinance 2015-O-1114 and Resolution 2015-R-12 for a rezone from A-2 to B-2, and a conditional use to operate a retail fireworks store – Town of Bloomfield Representative

**Town of Bloomfield Chair Dan Schoonover speaks concerning Town's approval.**

**Dave Weber motions to approve. Seconded by Tim Brellenthin. Motion to approve carried. 5-favor 0-oppose.**

Disc Count #4:56:30 – 4:57:50

3. Discussion/ possible action regarding town responses to Wedding Barns as a farm family business in the A-1 and A-2 districts – Deb Grube

**Jim Van Dreser motions to review this matter in January, 2016 CZA to prepare proposed recommended conditions for Town review and approval. Seconded by Dave Weber. Motion to approve carried. 5-favor 0-oppose.**  
Disc Count #4:57:52 – 5:07:40

New Business - Ordinance Amendments – None

New Business – Discussion Items – None

**Public Hearing: 5:30 p.m.**

Ordinance Amendments –

1. Amendment to Section(s) 74-166(b) of the Shoreland Floodplain Zoning Ordinance and zoning map amendment to amend the 100 year floodplain map to reflect the amended floodplain analysis for failure of the Comus Lake Dam (64.02) as approved and mandated by the Wisconsin Department of Natural Resources Dam Safety Engineer in Sections 2, 3, 5, 10, 11, 12, 13, 15, 16, 17, 18, 20, and 21 in Darien Township.

This item will be placed on the 4:30 P.M. agenda of the January 21, 2016 Walworth County Zoning Agency for a vote.

Disc Count #5:34:12 – 5:37:34

2. Amendment to Chapter 58 - Subdivisions of the Walworth County Code of Ordinances relative to land divisions. Section 58-11.6. - Lots (4); to incorporate the zoning districts of the Walworth County Zoning Ordinance.

**Dave Weber motioned to approve this item to be sent to County Board. Seconded by Jim Van Dreser. Motion carried. 5-favor 0-oppose**

This item will be forwarded to the January 12, 2016 County Board meeting for discussion/possible action.

Disc Count #5:37:36 – 5:39:25

Rezones with Conditional Uses – None

Rezones –

1. **Robert Bern – Owner**, Section 9, East Troy Township. Rezone approximately .87 acres of C-4 Lowland Resource Conservation District (Shoreland Wetland) to the R-1 Single Family Residential District in order to match the wetland boundary to delineated field conditions. Parts of Tax Parcels P ET 900008 and PMGH 00001.

**No property owner or applicant appears. Greg Thomas speaks in opposition.**

**Dave Weber motioned to DENY. Seconded by Paul Yvarra for discussion. Discussion had on the requested rezone. Motion and Second are withdrawn by Weber and Yvarra. Jim Van Dreser motions to table this matter to January, 2016 for staff to get information from Town regarding denial. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose.**

Disc Count #5:39:35 – 6:03:06

2. **Jeffrey and Margaret Keller – Owners, Section 26 Spring Prairie Township. Rezone approximately .21 acres of C-4 Lowland Resource Conservation District (Shoreland Wetland) & C-2 Upland Resource Conservation District to C-2 & C-4 for correction of the wetland boundary along an existing driveway. Part of Tax Parcels OA253700002.**

**Margaret “Molly” Keller appears.**

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

Disc Count #6:03:08 – 6:06:57

The rezone petition will move forward to the January 12, 2016, Walworth County Board for possible action.

3. **Stonebeigh Real Estate, LLC – Owner, Donald S. Huml – Applicant, Section 23, Lyons Township. Rezone approximately 3.43 acres of A-2 Agricultural District to C-2 Upland Resource Conservation District to create a standard size C-2 area on the parcel. Part of Tax Parcel N LY2300001.**

**Don Huml appears for property owner.**

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

Disc Count #6:07:11 – 6:12:18

The rezone petition will move forward to the January 12, 2016, Walworth County Board for possible action.

#### Conditional Uses -

1. **Jan and Kimberly Christianson – Owners, Alexis Wolf – Applicant, Section 10, Delavan Township. Conditional use on an M-1 Industrial property for a living quarters for a caretaker along with an art and photographic studio and a retail sale space. Tax Parcel F D 1000008.**

General:

1. Approved as per plan submitted as an art/photographic studio with a small retail sales area and caretaker’s quarters with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by ordinance.

7. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of zoning permit approval.
8. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
9. Implementation of dust and noise control measures shall occur at all times on site.
10. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with No operation on Sundays or Holidays.
11. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
12. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
13. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
14. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
15. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
16. 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:

17. Any paint or lacquer spray areas must meet State ventilation requirements.
18. All outside storage shall be enclosed as per the Town.

**Dave Weber motioned approve. Seconded by Jim Van Dreser. Motion carried. 5-favor 0-oppose.**

**Disc Count #6:12:25 – 6:22:00**

**ITEM NOT HEARD DUE TO NO TOWN DECISION**

- ~~2. Steven Blane and Yvonne Wallace Blane Owners, Fellow Mortals, Inc. Applicant, Section 19, Geneva Township. Expand buildings for the Fellow Mortals animal rescues in excess of 25 percent of the existing buildings by conditional use as if establishing the conditional use anew. Tax Parcel JA240500001.~~

**Adjournment**

**Jim Van Dreser motioned to adjourn. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose**

The meeting was adjourned at 6:22 p.m.

## Walworth County Board of Adjustment

### MINUTES

December 9, 2015 - Hearing – 8:30 AM

December 10, 2015 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

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A hearing and decision meeting of the Walworth County Board of Adjustment was held on December 9 & 10, 2015, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on December 9, 2015, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on December 10, 2015, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on December 9, 2015, and December 10, 2015, are kept on file as a matter of record.

The December 9, 2015, 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 presented. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the November 11 & 12, 2015, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Elizabeth Sukala motioned to recess until 8:30 A.M. on Thursday, December 10, 2015. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The December 9, 2015, hearing went into recess at approximately 10:55 A.M.

On December 10, 2015, 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 add item #6.A. reconsideration regarding Fiedler. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the January 13, 2016, hearing at 9:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The December 10, 2015, decision meeting adjourned at approximately 9:14 A.M.

Six variance hearings were scheduled and details of the December 9, 2015, hearings and the December 10, 2015, decisions are digitally recorded and available to the public upon request / video to view on our website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us).

**Old Business - none**

**New Business – Variance Petitions**

Hearing – Count #8:34:07 – 8:40:06 / Decision – Count #8:33:11 – 8:35:49

**The First Hearing was Ryan & Cynthia Collins, owners – Section(s) 35 – Sharon Township**

Applicants are requesting a variance from Section(s) 74-38(2) / 74-38(8) / 74-52 of Walworth County’s Code of Ordinances – Zoning to construct an accessory structure (shed) prior to a

residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a principal structure to be present or under construction before an accessory structure is located on a parcel.

**VARIANCE REQUEST:** The applicants are requesting to locate an accessory structure on a parcel prior to the residence. The request is a variance from Section(s) 74-38(2) / 74-38(8) / 74-52 of Walworth County's Code of Ordinances – Zoning to construct an accessory structure (shed) prior to a residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of Ryan & Cynthia Collins, owners, voted to **APPROVE** the request to locate an accessory structure on a parcel prior to the residence with a stipulation that construction begin within one year.

**A motion was made by Ann Seaver to approve the variance request with a stipulation that construction begin within one year. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found to approve the variance request will allow the owner to put under cover the materials needed for building the new residence. The Board found the request to be temporary as the residence will begin construction in spring. The Board found to approve the variance request will cause no harm to public interests as the accessory structure will be located at the end of the lot and not visible from the roadway. There was one letter of support from the Town of Sharon. There was no opposition.

Hearing – Count #8:40:20 – 8:59:53 / Decision – Count #8:35:50 – 8:42:19

The Second Hearing was James & Gloria Graham, owners – Section(s) 11 – Linn Township

Applicants are requesting a variance from Section(s) 74-162 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions to a single-family residence.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 14.5' street yard setback (established) and prohibits structures over 2 ½' tall in the vision triangle of an intersection.

**VARIANCE REQUEST:** The applicants are requesting an approximate 5.2' street yard setback for a screen porch and to increase the height of an existing residence in the vision triangle of an intersection. The request is a variance from Section(s) 74-162 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions to a single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of James & Gloria Graham, owners, voted to **DENY** the request for an approximate 5.2' street yard setback for a screen porch and voted to **APPROVE** the request to increase the height of an existing residence in the vision triangle of an intersection.

A motion was made by Ann Seaver to approve the variance request for the second story and to deny anything going into the vision triangle. Ann Seaver rescinded her motion.

A motion was made by Elizabeth Sukala to separate this out into sections and accept the second story addition within the vision triangle. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose

A motion was made by Ann Seaver to deny the request for an approximate 5.2' street yard setback for a screen porch. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala to allow reconstruction of the deck as it exists. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

**BOARD OF ADJUSTMENT FINDINGS:**

APPROVAL to increase the height of an existing residence in the vision triangle: The Board found a unique property limitation in the residence existing in the vision triangle. The Board found to approve the height variance request would not obstruct any further than the corner of the house as it now exists. The Board found a second story and roofline will not affect traffic.

DENIAL of an approximate 5.2' street yard setback for a screen porch: The Board found no exceptional circumstances rather than considerations personal to the property owner. The Board found to deny the variance request would not prevent the owner from using the property for a permitted purpose. The Board found to deny the variance request would cause no unnecessary hardship. The Board found to approve the variance request and allow additional structure in the street yard would cause harm to public interests. The Board found to allow the owner to reconstruct or repair the deck as it exists.

There was one letter of support from the Town of Linn. There was no opposition.

Hearing – Count #8:59:59 – 09:31:34 / Decision – Count #8:42:20 – 8:47:06

The Third Hearing was Howard & Karen Moser, owners / Home Design Mfg., applicant – Section(s) 16 – Linn Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence.

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

**VARIANCE REQUEST:** The applicants are requesting a 45.2' shore yard setback at the closest point. The request is a variance from Section(s) 74-167 / 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of Howard & Karen Moser, owners / Home Design Mfg., applicant, voted to **DENY** the request for a 45.2' shore yard

setback at the closest point.

**A motion was made by Ann Seaver to deny the variance request as presented. Seconded by Elizabeth Sukala. Motion carried. 2-favor 1-oppose (John Roth)**

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner did not prove unique circumstances to the property rather than considerations personal to the property owner. The Board found the owner has the ability to construct a code-compliant addition. The Board found no unnecessary hardship as the owner was aware of the size of the residence at time of purchase. The Board found to approve the variance request would not protect the public's interest in navigable waters. There was one letter of support from the Town of Linn. There was one letter of opposition from the Walworth County Land Conservation Division.

Hearing – Count #9:31:43 – 9:49:21 / Decision – Count #8:47:07 – 8:50:43

The Fourth Hearing was Steven & Yvonne Blane, owners – Section(s) 19 – Geneva Township

Applicants are requesting a variance from Section(s) 74-44 / 74-52 of Walworth County's Code of Ordinances – Zoning to permit the location of a fawn barn and a flight cage barn.

**REQUIRED BY ORDINANCE:** The Ordinance requires a 100' setback from side and rear lot lines for buildings that house animals.

**VARIANCE REQUEST:** The applicants are requesting an approximate 8' side yard setback and an approximate 75.6' rear yard setback for a fawn barn and an approximate 36.2' rear yard setback and an approximate 54.6' side yard setback for a flight cage barn. The request is a variance from Section(s) 74-44 / 74-52 of Walworth County's Code of Ordinances – Zoning to permit the location of a fawn barn and a flight cage barn.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of Steven & Yvonne Blane, owners, voted to **APPROVE** the request for an approximate 8' side yard setback and an approximate 75.6' rear yard setback for a fawn barn and an approximate 36.2' rear yard setback and an approximate 54.6' side yard setback for a flight cage barn.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found unique property limitations in the narrow lot size. The Board found the owner has limited options for placement of the structures on the parcel to maintain separation of animals. The Board found the structures to be located out of view of the public. The Board found to approve the variance request would benefit public interests. One person spoke in support. There was no opposition.

Hearing – Count #9:49:30 – 10:14:26 / Decision – Count #8:50:44 – 8:53:51

The Fifth Hearing was Elgin Club, owner / Andrea Gibbs, applicant – Section(s) 4 – Linn Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to an accessory structure (garage).

**REQUIRED BY ORDINANCE:** The Ordinance permits an accessory structure on 8.51 acres provided it does not exceed 7,414 square feet total size and requires a 5' setback from the north lot line.

**VARIANCE REQUEST:** The applicants are requesting a 912 square foot addition to an accessory structure garage for a total of 8,912 square foot accessory structure and a 3.3' setback from the north lot line. The request is a variance from Section(s) 74-163 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to an accessory structure (garage).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of Elgin Club, owner / Andrea Gibbs, applicant, voted to **APPROVE** the request for a 912 square foot addition to an accessory structure garage for a total of 8,912 square foot accessory structure and a 3.3' setback from the north lot line.

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found the owner does not have the ability to locate a garage on the parcel with their residence. The Board found the proposed accessory structure garage will be located adjacent to comparable accessory structures garages existing on the Elgin Club common property. The Board found the proposed accessory structure garage will match existing rooflines. The Board found to approve the variance request will cause no harm to public interests. The Board found the Elgin Club has approved the location of the proposed accessory structure garage. There were letters of support from the Town of Linn, the Elgin Club President and a neighboring property owner. There was no opposition.

Hearing – Count #10:14:32 – 10:54:29 / Decision – Count #8:53:52 – 8:57:37

The Sixth Hearing was Andrea Z. Gibbs Trust, owner / Andrea Gibbs, applicant – Section(s) 4 – Linn Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 / 74-221 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (shed).

**REQUIRED BY ORDINANCE:** The Ordinance requires an accessory structure located in the side yard to meet a 25' street yard setback.

**VARIANCE REQUEST:** The applicants are requesting a 12' street yard setback for an accessory structure (shed). The request is a variance from Section(s) 74-163 / 74-181 / 74-219 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (shed).

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of December 9 & 10, 2015, for the petition of Andrea Z. Gibbs Trust, owner / Andrea Gibbs, applicant, voted to **DENY** the request for a 12' street yard setback for an accessory structure (shed).

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

**BOARD OF ADJUSTMENT FINDINGS:** The Board found no unique or exceptional property limitations not generally found on neighboring properties rather than considerations personal to the property owner. The Board found the owner has the ability to locate a code compliant structure elsewhere on the property. The Board found to deny the variance request would cause no unnecessary hardship. There was one letter of support from the Elgin Club President. There were letters of opposition from the Town of Linn and four neighboring property owners.

**Other**

- A. Discussion / possible action regarding a reconsideration request for Michael & Karen Fiedler – FDLA 00140 – Town of Delavan

**NOTICE OF BOARD OF ADJUSTMENT DECISION AND FINDINGS**  
**AMENDED DECEMBER 10, 2015**

**REQUIRED BY ORDINANCE:** The Ordinance requires a 75' shore yard setback, a 5' setback for additions (outside the footprint and envelope) to a single-family residence (substandard structure) that is less than 5' to a property line, a 10.4' rear yard setback (established yard). The Ordinance also prohibits grade changes within 75' of the shore.

**VARIANCE REQUEST:** The request is a variance from Section(s) 74-167 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct second story additions to a single-family residence, construct stairs and a patio and to change the grade within 75 feet of the shore. The applicants are requesting a 67.68' shore yard setback for stairs to the residence, a 48.83' shore yard setback for a shore yard patio and stairs, a 3.4' side yard setback on the southeast corner for a second story addition to a residence, a 10.26' rear yard setback requirement for a second story addition to a residence and grade changes and retaining walls within the shore yard setback (75') as close as 48.83' from the Ordinary High Water Mark.

**BOARD OF ADJUSTMENT DECISION:** The Walworth County Board of Adjustment, during the meeting of November 11 & 12, 2015, for the petition of Michael & Karen Fiedler, owners, voted to **APPROVE** minimal grade changes within the shore yard setback (75') as close as 48.83' from the Ordinary High Water Mark for a parking spot with pavers, **DENY** a 48.83' shore yard setback for a shore yard patio, retaining wall and stairs, and voted to **APPROVE** a 3.4' side yard setback on the southeast corner for a second story addition to a residence, a 10.26' rear yard setback requirement for a second story addition to a residence, the request for a 67.68' shore yard setback for stairs and window wall to the residence. **(\*\*see reconsideration below)**

**BOARD OF ADJUSTMENT FINDINGS:** **(\*\*see reconsideration below)**



Seaver. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala to approve the reconsideration request for a small extension to the existing rear deck. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

**12-10-15 BOARD OF ADJUSTMENT FINDINGS: The Board found to stand by their denial of the variance request for a 48.83' shore yard setback for a shore yard patio, retaining wall and stairs. The Board found no additional information presented in the submittal to justify a change of the decision made by the Board on November 12, 2015.**

**The Board found to reconsider their decision and approve the variance request for a small extension to the existing rear deck. The Board found the request had been overlooked at the November 11 & 12, 2015, hearing and meeting. The Board found the request to be minimal and to approve the request would cause no harm to public interests.**

B. Discussion / possible action on Township correspondence – none

#### Staff Reports

A. Court cases update - none

B. Distribution of reports, handouts and correspondence – none  
Board members received a copy of the 2016 Board of Adjustment schedule

#### Proposed discussion for next agenda

The following items were requested to be put on the January 2016 agenda, if applicable:

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



ANN SEAVER  
WALWORTH COUNTY BOARD OF ADJUSTMENT

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



BOARD OF ADJUSTMENT DECISION

Thursday, December 10, 2015

PLEASE SIGN IN

| NAME<br>(Please Print) | ADDRESS<br>(Please Print) | TOWNSHIP & PHONE<br>NUMBER (Please Print) |
|------------------------|---------------------------|---|
| <i>[Signature]</i>     |                           | <i>[Signature]</i>                        |
| Sully Roth             | N2483 Ravine Dr #6.       | Walworth-Linn                             |
| Karl A Fredh           | 117 N Gage St             | <i>[Signature]</i>                        |
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**Walworth County Workforce Development Board Meeting**  
Walworth County Job Center  
Thursday, November 5, 2015

**Minutes**

Meeting was called to order at 7:35 a.m. by Karen Burns

**WDB Members Present:**

Karen Burns, Theresa Carroll, Andrew Dammeir, Grace Eckland, Brianna Fox, Lynn Jones, Michael O'Donnell, Nancy Russell, Cindy Simonsen.

**Excused:** Derek D'Auria, Eric Wentz

**Attendees:** Presenters Mark Leemkuil, Marci Barr, Wandy Miezio, Lea Bell

Agenda and minutes approved on motion by Eckland and 2nd by Simonsen. Passed unanimously.

**Board Chair**

Karen Burns stated that Theresa Carroll volunteered to be a chair for Walworth County. A motion was called by Jones to approve this and was seconded by O'Donnell. Passed unanimously.

**WIA/WIOA**

Karen Burns discussed the possibility of South East WI and Milwaukee becoming a super region. The state has the option of regionalizing and the plan is to move forward with this. It was investigated and found that the regions did not match up in regards to age groups, median income or education but they are planning on regionalizing anyway. This is set to be in the state plan in 2018. They will be meeting next week to vote on this. Activities surrounding the plan is still in process.

**Rapid Response**

Mark Leemkuil spoke about the HyPro closing. They are set to lay off about 50 employees, mostly machinists and CNC operators. They did a rapid response about three weeks ago and met with 20-25 people. Unemployment and the Vet. Reps. were there as well.

Leemkuil also stated Sentry Foods in Whitewater will be closing. They are to lay off 70 employees. The Job Center is in the process of setting up a rapid response for them. Sentry said that they are closing due to the competition from Festival Foods and are fearful of losing their Janesville location as well.

**Manufacturing Month**

Marci Barr stated that we had our high school manufacturing tours last month. Students from eight Walworth County high schools were taken on tours of two manufacturing companies each. There were 14 total companies that participated. Each company generously donated the money that paid for the busses and the lunches for the students. Gateway was involved as well and provided the students with a presentation on the programs they offered. During the lunch of the October 15<sup>th</sup> tour Deputy Secretary of State Georgia Maxwell made an appearance and spoke to the students. Feedback received from the student was great. Barr will send the results to Burns so everyone can see them.

Barr talked about the manufacturing job fair too. There were 138 job seekers and 18 employers in attendance. The feedback received from both job seekers and employers was great. Barr mentioned that more job fairs were in the process of being set up. The Business Service Team is hoping to have a health care job fair in January and a hospitality and retail job fair in the spring. The plan is to have a job fair every quarter.

### **Gateway Technical College**

Michael O'Donnell said that the Elkhorn campus is still under construction. GTC is having six CNC machines set up as well as a swiss screw machine. They will be providing training to students on these machines. They are also pushing the welding program due to the increase in job opportunities in this area. O'Donnell mentioned the possibility of a culinary program coming to Elkhorn, again due to the number of job opportunities available. O'Donnell said that the health care program is expanding as well with many courses offered at the Burlington campus now.

### **WCEDA**

Derek D'Auria was not in attendance but left a memo for Burns to read. It stated that WCEDA's annual meeting is November 12<sup>th</sup> at the Grand Geneva. The topic for the meeting is leveraging the generational differences in the work place.

Also, there is a Fundamentals of Supervision training going on. It is a three module professional development course in which the participants learn to apply the skills and tools necessary to perform the functions of a frontline leader. Each participant will demonstrate the application of strategies and transition to a contemporary supervisory role including day-to-day operations, analysis, delegation, controlling, staffing, leadership, problem-solving, team skills, motivation, and training.

WCEDA is always working to bring local businesses together and share their ideas.

### **Economic Development Update**

Andrew Dammeir from the Lake Geneva Economic Development Corporation stated that the city is working on taking down the Traver Hotel, which has been empty for about 10 years now. They are hoping to have this done with in the next few months. They are hoping to then sell land so it can be used for business. The Hillmoor Golf Course land is also in debate. They are looking to use that land for businesses or housing but cannot come to a unanimous vote on what to do with it.

### **Economist Report – Wandy Miezio, economist**

A profile preview for Walworth County was passed out with updates on the workforce and population changes.

Population: Whitewater has the greatest increase and Elkhorn has the greatest decrease

Labor force: Walworth County has about a 69% participation rate, which is up 5% from last year

Industry employment and wages: Manufacturing has the highest percentage of total employment and percentage total payroll. Education/Healthcare are second.

The average annual wage for all industries in Walworth County has grown 2.8%.

### **Vision 2050**

Nancy Russell stated that the Vision 2050 meeting is November 11 from 6-8pm at the Matheson Library in Elkhorn They will be voting on alternative transportation programs, there are three to choose from.

1. Alternative I- which is a projection to 2050 of trends in land and transportation system development from the past 20 years
2. Alternative II- will provide more new development at higher densities; transit-oriented development; improved/expanded transit; enhanced bicycle facilities; and widened/new arterial streets and highways to address congestion
3. Alternative III- will provide more high-density/mixed-use development due to additional TOD; two commuter rail and ten rapid transit corridors; and highway capacity expansions primarily limited to rural and lower density suburban areas not served by commuter rail or rapid transit.

Russell adds that transportation is a key factor for the success of our economic development.

Dammeir made a motion to close the meeting. There was a second from Carroll.

Next meeting is tentatively scheduled for February 4, 2016

# HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

## BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/25/13)  
SHELLEY HILDEBRANDT: SECRETARY; (appointed 12/15/15 for the balance of  
Judith Correll's term, expiring 8/17, after Ms. Correll resigned 12/15)  
JOE KOLOSSO: TREASURER; (re-elected for 3-year term, 8/24/15)  
MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE  
DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011  
ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION THRU 5/1/16.

## JAN. 19, 2016 MONTHLY MEETING

Present: Lutz, McIndoe, Kolosso, Hildebrandt, Weinkauf  
Also in attendance: Michael Hurst (President of the Rochester Village Board)

Meeting was called to order at 7:05 p.m. by Chairman Lutz.

Secretary Hildebrandt read the minutes of the Dec.15, 2015 meeting which were subsequently approved. Treasurer Kolosso read the Dec. 2015 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

### Old Business:

Chairman Lutz indicated that there has been nothing new to report from Custom Grading relative to the repairs needed to the flume pipe between Honey Lake and Del-Monte Lake.

He also reported that a resident had been making and maintaining a skating rink near the north beach on Honey Lake. No "problems"; no permission required since the Lake is for the resident's usage.

The drawdown device (as reported in previous reports) to be created and installed next Spring, will require a permit from the DNR.

### New Business:

Chairman Lutz stated that he had reserved the Rochester Village office building spacing for the annual meeting for 8/21/16 at 1:00 p.m.

At this point, there began a discussion lasting about 45 minutes on the following topic.  
(Mike Weinkauf, Michael Hurst , both affiliated with the Rochester Village, and John Lutz were the most knowledgeable of past "happenings".)

For several years, there was a house located in a flood plane area beyond the Honey Lake dam. As a result of this house's location, the Honey Lake dam had a very high rating for any possible disaster. A few years ago, the house burned down....and the "disaster rating" for the dam was reduced. It has remained that way until the present.

Currently, there is an Ohio resident, Terry Leonard, who has apparently purchased the property, and is having everything "negotiated" by his brother, Tim Leonard, a Rochester resident .

The intent is to build a house on that portion of the property which is above the flood plane elevation of 770 ft. (See attached survey plat)

Tim Leonard has dealt with the Rochester Board/Planning Comm. to this point, and the Honey Lake Board has not been involved, except that John Lutz has had some phone conversations with Mr. Leonard who had asked to be put on the agenda for this night's meeting, but then cancelled saying that he could not make the meeting due to being out of town.

Tim Leonard has applied for a permit for a holding tank on the property, since a septic system cannot be installed. Rochester has apparently tentatively given approval for the holding tank, even though the Village has a policy to NOT permit them except in cases of "emergency".

The Honey Lake Board has several concerns about this proposed construction, but does NOT have the authority to prevent it....which is all within the jurisdiction of the Village of Rochester and Racine County. All Honey Lake can do is present its concerns to the Rochester Board.

Among the Honey Lake concerns are:

\*\*The potential increase in the "disaster rating " of the dam...which would cost \$\$\$\$.

\*\* Can a holding tank and well all be positioned legally above the flood plane level and all be within legal limits of each other, the house, the flood plane area, the creek, roads, etc.?

\*\* Currently, that portion of Del-Monte Drive leading to this territory is not "maintained" by Honey Lake. (i.e., it is not paved, plowed etc). Furthermore, although the survey platting may indicate that the road is "X" feet in width, it actually may be much less than that. Is it wide enough and in such condition as to permit access by emergency and trash collection vehicles etc. ?) What costs would be involved in maintaining this road to the status required?

There are possibly two more Rochester meetings before the next Honey Lake Board meeting in February during which this topic will be discussed with Mr. Leonard. John Lutz will likely attend those meetings. At this point, it is likely that Mr. Leonard will attend the February Honey Lake meeting, in which case Michael Hurst will also attend..

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

With no further items to address, a motion was made & seconded to adjourn at 8:30 p.m.

Respectfully submitted,



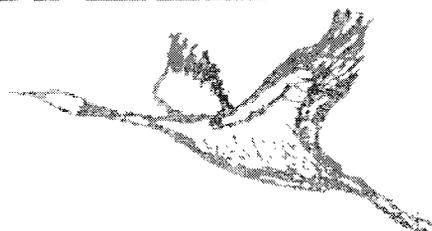
Robert E. McIndoe 12/21/16

# ***HONEY LAKE***

Protection and  
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



## **Commissioner's Meeting**

**December 15, 2015**

Chairman Lutz called the meeting to order at 7 p.m. at the Rochester Village Hall. Commissioners present were John Lutz, Judith Correll, Joseph Kolosso, Robert McIndoe, Donald Trimberger, and Mike Weinkauf.

The minutes of the November 17, 2015 meeting were read. Two corrections were noted: Robert McIndoe indicated that Cheryl Oldenburg's first name was correctly spelled Sheril and Joe Kolosso indicated that Ken Mosher's last name was correctly spelled Moser. A motion to approve the minutes with the corrections was made by Mike Weinkauf, seconded by Donald Trimberger, and carried.

The treasurer's report was read. A motion to approve the report was made by Mike Weinkauf, seconded by Donald Trimberger, and carried.

## **OLD BUSINESS**

- Fall cleanup was completed by Jeff Johnson, with the exception of some brush trimming between the fences and the dam, which will be completed in spring.
- Mr. Kordus was contacted regarding the repairs to County Line Blvd. It was indicated that the asphalt plant was closed for the season; therefore, they will contact Chairman Lutz in the spring to arrange for completion of the repairs.
- The vandalism to the shed was not reported to the Racine County Sheriff as the damage was minor. Mike Weinkauf stated that he would request the Racine County Deputy to check on the shed more frequently.

**Honey Lake Commissioner's Meeting  
December 15, 2015**

- Matt Slavin will move the picnic tables so that they can be picked up for disposal as scrap metal.

**NEW BUSINESS**

- The garbage cans have been stored for the season with the exception of one that was left in the park, which will be placed into storage shortly.
- Matt Slavin was informed that his services would no longer be needed for the season, after moving the picnic tables. He was also informed that although his work has been satisfactory, it was unlikely that he would be hired next year, mainly because he is too young to perform some of the required duties
- This is the last year of the snow plowing contract so it will need to be re-bid for next season.
- Custom Grading evaluated the flume pipe between Honey Lake and Delmonte Lake and found that it had rusted through. They proposed to replace an approximate 3 foot section of the cast iron pipe for \$1050. A motion was made by Robert McIndoe to approve the Custom Grading bid, seconded by Mike Weinkauff and carried.
- When the district gets proposals for the repair of the drawdown device it's proposed to request various modifications, including rounding the square concrete face, adding a pair of channels in front of the coffer dam, replacing the current treated pine boards with oak boards, and possibly increasing the width of the boards.
- Given the retirement of Secretary Judith Correll, Chairman Lutz proposed appointing Shelley Hildebrandt to fulfill the remainder of Ms. Correll's term, effective through August 2017. A motion to approve the appointment was made by Mike Weinkauff, seconded by Robert McIndoe and carried.
- In order to facilitate the transition of the secretary position, Chairman Lutz proposed compensating Ms. Correll for her services at her current rate during the transition from miscellaneous funds. Mike Weinkauff made a motion to approve the proposal, seconded by Robert McIndoe and carried.
- The HLPRD may reconsider storing older files at the Rochester Village Hall due to limited storage space at other locations.

Honey Lake Commissioner's Meeting  
December 15, 2015

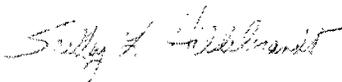
➤ BILLS SUBMITTED AS FOLLOWS:

|   |  |          |
|---|--|----------|
| Commissioner compensation                                   | John Lutz  | \$200.00 |
| Commissioner compensation                                   | Judith Correll                                   | \$175.00 |
| Commissioner compensation                                   | Joseph Kolosso                                   | \$175.00 |
| Commissioner compensation                                   | Donald Trimberger                                | \$25.00  |
| Commissioner compensation                                   | Mike Weinkauf                                    | \$25.00  |
| Fall Cleanup- trimming, pruning,<br>leaf and debris removal | Cutting Edge Lawn Maintenance<br>and Landscaping | \$900.00 |

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

- A motion to adjourn, subject to recall, was made by Chairman Lutz, seconded by Mike Weinkauf, and carried at 8:00 P.M.

Respectfully submitted,



Shelley Hildebrandt, Secretary  
HLPRD

**Honey Lake Protection & Rehabilitation District**  
**Treasurers Report**  
**December 2015**

Joseph Kolosso

Treasurer

**Honey Lake Protection and Rehabilitation District**  
**Regular Checking-December 2015-For Fiscal Year 2015-2016**

| <u>Date</u> | <u>Number</u> | <u>Transaction</u>                                    | <u>Category</u>   | <u>Payment</u> | <u>Deposit</u> | <u>Balance</u>    |
|-------------|---------------|---|---|----------------|----------------|-------------------|
| 12/1/2015   |               |   | Starting Balance  |                |                | \$12,042.88       |
| 12/1/2015   | 4357          | Snow Solutions LLS<br>Snow Plowing Contract 14 of 18  | Roads   | \$3,200.00     |                | \$8,842.88        |
| 12/15/2015  | 4358          | Cutting Edge Lawn Maintenance<br>& Landscaping        | Fall Cleanup-leaf & debris<br>removal. Trimming & pruning | \$900.00       |                | \$7,942.88        |
| 12/15/2015  | 4359          | John Lutz   | Commissioners Compensation                                | \$200.00       |                | \$7,742.88        |
| 12/15/2015  | 4360          | Judith Correll  | Commissioners Compensation                                | \$175.00       |                | \$7,567.88        |
| 12/15/2015  | 4361          | Joseph Kofosso  | Commissioners Compensation                                | \$175.00       |                | \$7,392.88        |
| 12/15/2015  | 4362          | Donald Trimberger                                     | Commissioners Compensation                                | \$25.00        |                | \$7,367.88        |
| 12/15/2015  | 4363          | Mike Weinkauf   | Commissioners Compensation                                | \$25.00        |                | \$7,342.88        |
| 12/23/2015  | Deposit       | Transferred money from Non-Lapsing Fund for Insurance |   |                | \$5,013.37     | \$12,356.25       |
| 12/23/2015  | 4364          | The Horton Group Inc.                                 | Annual Liability & Workers Comp<br>Compensation Insurance | \$5,120.00     |                | \$7,236.25        |
| 12/31/2015  | Deposit       | Chase Bank-Interest                                   | Interest  |                | \$0.08         | \$7,236.33        |
| 12/31/2015  |               |   | Ending Balance  |                |                | <u>\$7,236.33</u> |

## **Honey Lake Protection and Rehabilitation District**

### **Payroll Checking-December 2015-For Fiscal Year 2015-2016**

| <u>Date</u> | <u>Number</u> | <u>Transaction</u>  | <u>Payment</u> | <u>Deposit</u> | <u>Balance</u>           |
|-------------|---------------|---------------------|----------------|----------------|--------------------------|
| 12/1/2015   |               | Starting Balance    |                |                | \$6,815.31               |
| 12/31/2015  | Deposit       | Chase Bank-Interest |                | \$0.06         | \$6,815.37               |
| 12/31/2015  |               | Ending Balance      |                |                | <u><u>\$6,815.37</u></u> |

## **Honey Lake Protection and Rehabilitation District**

### **Non-Lapsing Fund-December 2015-For Fiscal Year 2015-2016**

| <u>Date</u> | <u>Number</u> | <u>Transaction</u>                                      | <u>Payment</u> | <u>Deposit</u> | <u>Balance</u>            |
|-------------|---------------|---|----------------|----------------|---------------------------|
| 12/1/2015   |               | Starting Balance  |                |                | \$75,013.37               |
| 12/23/2015  | 214           | Transferred to Regular Checking<br>for Insurance (Loan) | \$5,013.37     |                | \$70,000.00               |
| 12/31/2015  | Deposit       | Chase Bank-Interest                                     |                | \$0.62         | \$70,000.62               |
| 12/31/2015  |               | Ending Balance  |                |                | <u><u>\$70,000.62</u></u> |

# *HONEY LAKE*

P.O. Box 565

Protection and  
Rehabilitation District

Burlington, WI 53105

## **HONEY LAKE DISTRICT BUDGET 2015 - 2016**

|                                      |                    |
|--------------------------------------|--------------------|
| Audit / Attorney                     | \$2,500.00         |
| Beaches / Parks / Trees              | \$10,000.00        |
| Dam / Dikes / Drawdown               | \$4,000.00         |
| Insurance                            | \$5,100.00         |
| Maintenance / Equipment              | \$1,000.00         |
| Office Supplies / Mailings           | \$650.00           |
| Commissioners Compensation           | \$7,200.00         |
| Wages                                | \$5,200.00         |
| Weed Control                         | \$19,000.00        |
| WLP / Conventions / Meetings         | \$2,200.00         |
| Miscellaneous                        | \$700.00           |
| Amount to Replenish Non-Lapsing Fund | \$0.00             |
| <b>TOTAL APPROVED</b>                | <b>\$57,550.00</b> |

**PLAT OF SURVEY**  
-OF-

LOTS 1, 2 AND 3, BLOCK 26, HONEY LAKE SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF. SAID LAND BEING IN THE VILLAGE OF ROCHESTER, COUNTY OF RACINE AND STATE OF WISCONSIN.

SURVEY FOR: TERRY LEONARD  
SURVEY ADDRESS: 35504 DELMONTE DRIVE, BURLINGTON, WI 53105

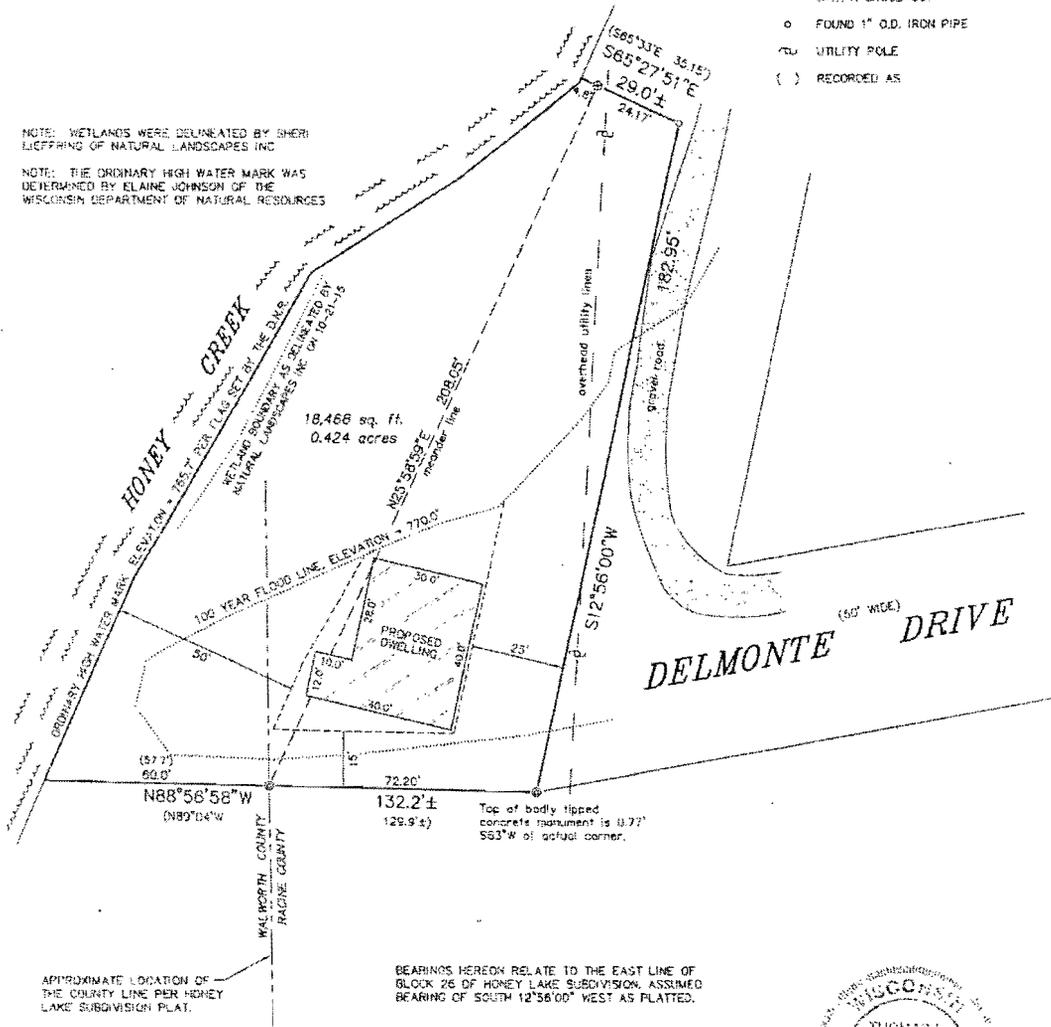
NOTE: REFER TO A CURRENT TITLE REPORT FOR EASEMENTS, RESTRICTIONS OR COVENANTS WHICH MAY AFFECT THIS PROPERTY.

**LEGEND**

- ⊙ FOUND CONCRETE MONUMENT WITH AN AXLEROD
- ⊕ FOUND CONCRETE MONUMENT WITH A CROSS-OUT
- FOUND 1" O.D. IRON PIPE
- ⌘ UTILITY POLE
- ( ) RECORDED AS

NOTE: WETLANDS WERE DELINEATED BY SHERI LICHTFELD OF NATURAL LANDSCAPES INC

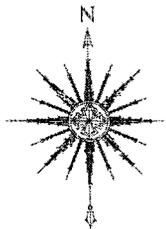
NOTE: THE ORDINARY HIGH WATER MARK WAS DETERMINED BY ELAINE JOHNSON OF THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES



"I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A CORRECT REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAYS AND ENCROACHMENTS, IF ANY."

"THIS SURVEY IS MADE FOR THE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THEREIN WITHIN ONE YEAR FROM DATE HEREOF."

**SATTER SURVEYING, LLC**  
LAND SURVEYS, MAPPING AND PLANNING  
272 ORIGIN STREET  
BURLINGTON, WI 53105  
262-651-4239



0 15' 30' 60'

SCALE: 1" = 30'



THIS IS NOT AN ORIGINAL PRINT UNLESS THIS SEAL IS RED.

*Thomas L. Satter*  
THOMAS L. SATTER S-2800

REVISED: 11/17/15  
NOVEMBER 2, 2015 10150'  
DATE JOB NUMBER



## WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301  
Whitewater, WI 53190



### MINUTES December 10th, 2015

The December 10th, 2015 Whitewater/Rice Lakes Management District board meeting was called to order by chairman Rich Charts at 6:00 PM. Board members present were, Ernie Roy, Brad Corson,, Chuck Chamberlain, Jerry Grant, Walworth County Supervisor, Norm Prusener Town Representative, and Larry Brady by tele-conference.

Standing Teams Present – Dave Cleven

Standing Teams Absent - Tom Potrykus, Tom Ganfield

Guest Present: Gerhard Stegemann, Theresa Stegemann, Art Speerbrecher

Clerk Present: Susie Speerbrecher

#### ADMINISTRATIVE

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

A motion to approve the November 12th, 2015 minutes as presented was made by Jerry, seconded by Ernie. Motion Carried.

**Public Input** – None

#### COMMISSIONER REPORTS

**Secretary** – Correspondence – Ernie reported that the draft for the Lake Management Plan should be ready around December 15<sup>th</sup>, 2015. We have also been granted an extension to the survey until June of 2016.

**Finance** – Brad reviewed the November expense handout and discussed the total disbursements of \$21,129.55. Expenses totaled \$10,840.71. Ernie motioned to accept the expenses as presented, seconded by Chuck. Motion Carried. He then reviewed the P & L handout and discussed an estimated surplus of \$29,614.00 at the end of 2015.

**Weed** – Brad led a discussion on the Harvesting & Equipment bids. In a correspondence to Jeff at JNT's Marina he advised Jeff the board had rejected his bid because of the 10% increase from last year. Board members reported on their research during the month of other vendors willing to harvest our weeds. The board decided to publish another RFP in the Whitewater Register for the weeks of December 17<sup>th</sup>, and 24<sup>th</sup> with a post mark date no later than January 8<sup>th</sup>, 2016, RFP proposals will be mailed to the vendors contacted during the month, and again to JNT Marina. Bids will be reviewed at the January 14<sup>th</sup>, 2016 board meeting.

**Chemical** – No report

**Bog** – No report

**Equipment** – Chuck reported the new transport barge has been repaired, winterized and stored. Ten percent of the cost will be held back until the operation of the new spud anchors is witnessed in spring. Collection boxes are being ordered and delivery will be at the Town Hall. The grant money should be arriving in the next several weeks. Chuck handed out signage paperwork for review during the month and discussion at the January meeting. He would like signage for the boat landings done by spring and at time for collection box installation.

**Wildlife Management** – No report

**Fish** – No report

**Safety** – No report

**Water Quality** – No report

**2015 Schedule** – On track

**Audit** – No report

**AIS** – No report

**OLD BUSINESS** – No report

**NEW BUSINESS** – No report

**OTHER BUSINESS** - Susie brought up information on Act 79 regarding the posting of documents at three locations. Act 79 was voted on in November of 2015 and no longer do documents need to be posted at three locations. One location posting and a website is all that is needed. A resolution will be discussed and signed at the January 2016 board meeting.

Gerhard and Theresa spoke of their interest in native plants along the path from the beach to the marina.

Ernie motioned to adjourn the meeting, seconded by Chuck. Meeting adjourned at 7 PM.

**Next Meeting:** January 14<sup>th</sup>, 2016 at 6 PM

Respectfully submitted      Susie Speerbrecher, Clerk

WISCONSIN RIVER RAIL TRANSIT COMMISSION  
 COMMISSION MEETING - FRIDAY, DECEMBER 4<sup>TH</sup>, 2015 @ 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, <i>2nd Vice Chair</i>   | x       | Rock     | Ben Coopman, <i>Alternate</i>               |         |
|           | Rocky Rocksford                       | x       |          | Wayne Gustina                               | x       |
| Dane      | Gene Gray, <i>Treasurer</i>           | x       | Sauk     | Alan Sweeney, <i>Chair</i>                  | x       |
|           | Jim Haefs-Fleming                     | x       |          | Terry Thomas                                | x       |
|           | Chris James, <i>Vice Secretary</i>    | x       |          | Marty Krueger, <i>Alternate; left 11:15</i> | x       |
| Grant     | Gary Ranum                            | x       | Walworth | John Deitrich                               |         |
|           | Vern Lewison                          | excused |          | Scott Alexander                             | x       |
|           | Robert Scallon, <i>1st Vice Chair</i> | x       |          | Dave Riek, <i>3rd Vice Treasurer</i>        | x       |
| Iowa      | Charles Anderson, <i>Secretary</i>    | x       | Waukesha | Kevin Brunner                               |         |
|           | William G Ladewig                     | x       |          | Richard Kuhnke, <i>2nd Vice Treasurer</i>   | excused |
|           | Jack Demby                            | x       |          | Allan Polyock                               | x       |
| Jefferson | John David                            | x       | Waukesha | Karl Nilson, <i>4th Vice Chair</i>          | x       |
|           | Laura Payne                           | x       |          | Dick Mace                                   | x       |
|           | Augie Tietz, <i>3rd Vice Chair</i>    | x       |          | Richard Morris                              | x       |

Commission met quorum.

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

|  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Mary Penn, WRRTC Administrator</li> <li>• Ken Lucht, WSOR</li> <li>• Kim Tollers, Rich Kedzior, Dave Simon, Frank Huntingdon, WisDOT</li> <li>• Forrest Van Schwartz</li> </ul> | <ul style="list-style-type: none"> <li>• Alan Anderson, Pink Lady RTC</li> <li>• Jim Matzinger, WRRTC Acct.</li> <li>• Dave Popenhagen, Richmond Township, McHenry Cty, IL</li> <li>• Mike VonBergen, Richmond Township, McHenry Cty, IL</li> <li>• Dave Schumacher, Mid-Continental RR Museum</li> <li>• Bryon Schumacher, Mid-Continental RR Museum</li> </ul> |
|--|--|

3. Action Item.      **Certification of Meeting’s Public Notice – Noticed by Penn**
  - *Motion to approve posting of meeting – Nilson/Ladewig, Passed Unanimously*
4. Action Item.      **Approval of Agenda – Prepared by Penn**
  - *Motion to approve agenda – Nilson/Mace, Passed Unanimously*
5. Action Item.      **Approval of draft November Meeting Minutes– Prepared by Penn**
  - *Motion to approve draft November meeting minutes with corrections – Mace/Nilson, Passed Unanimously*

Dick Mace asked about item 13 of the November minutes referring to the Grunow sign and whether the sign was removed. Penn said it would be addressed in item 14 of the December agenda.

6. Updates.      **Public Comment – Time for public comment may be limited by the Chair**  
 Alan Sweeney asked for introductions from the non-Commission members which included representatives of the Mid Continental Railroad Museum and two persons who had come to discuss drainage issues in Walworth County.

7. Updates.      **Announcements by Commissioners – No Discussion Permitted**  
 Karl Nilson told the Commission that December was the time that counties did their bills, reminding the Commissioners to make sure they submitted their expenses.

**REPORTS & COMMISSION BUSINESS**

8.      **WRRTC Financial Report – Jim Matzinger, WRRTC Account.**
  - *Motion to approve the Treasurer’s Report and payment of bills – Anderson/Cornford, Passed Unanimously*

Jim Matzinger apologized for the room change. As to financials, he spoke to the Commission on disbursements. He said there was a bill for \$900 and one for \$48 bills for auditing, budgeting, and meeting time. He said his budget was \$3,000.00 for the year and as a lot of work happened mostly in December, that explained his large bill. Matzinger said he had gotten two bills late so only Dane County highway showed on the distributed disbursement sheet. He said the bill for legal expenses (\$3744.10 with a \$3,000.000 budget) was submitted late. He noted that the budget for legal

## WRRTC DECEMBER 2015 MEETING MINUTES

expenses had been increased for 2016. He also noted that SWWPC had billed \$3874.24 for the third quarter, 2015 and still needed to submit its bill for the 4<sup>th</sup> quarter. He added the SWWRPC was on track for their budget.

Matzinger went through the balance sheet and noted 2014 projects had not been billed out yet. He noted cash availability, most of which was reserved for 2015 projects. Tom Cornford asked about Crawford's bad debt and whether the \$7,000.00 had been subtracted for 2015. Matzinger gave the background on the Crawford County situation as requested. Next, Matzinger noted revenue was on track for the year though sign lease revenue was down but permits were up. He repeated that the legal budget was over by \$700, adding that accounting might go over a bit as well. Sweeney asked if the budget distributed was the revised 2016 budget. Matzinger confirmed it was.

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

Ken Lucht said the construction season was ending and the ties in the Watertown project were being installed. He said the project would end soon as the ground was starting to freeze. On the tie project between Crawford and east to Wauneka the ground was also starting to freeze up but due to the recent higher temps, WSOR had another week or so to complete what they could of the work.

Lucht said the Continuous Welded Rail (CWR) project between Janesville and Avalon should be closed out by the end of this year. There was just one more phase between Walworth and the state line. He said this project would complete CWR on the WI portion of the Fox Lake Sub.

Lucht said various applications for projects had been submitted to WisDOT for work, particularly on the Prairie Sub. The eventual plan was to get CWR from Prairie to Madison. He said WSOR was still waiting for the award for the Spring Green Bridge.

On the Fox Lake Sub, Lucht said there were 11 bridges with three of those in the engineering /design phase for work. One was in Fox Lake, IL proper. The cost for these bridges totaled \$2.3 million and when replaced would be 286,000 lb. compatible. Lucht said the Illinois bridge work would be financed entirely by WSOR without any public dollars from Wisconsin or Illinois.

Lucht said he would bring WSOR 2016 calendars to the next meeting.

Bill Ladewig asked about a number of non-WSOR derailments in Wisconsin and why they were occurring. He asked if WSOR was having similar problems. Lucht said WSOR had not as their trains traveled more slowly and noted WSOR did not haul crude oil. He said the Watertown spill was a break in the rail and emphasized the maintenance done by the rail detector car. He said 99.9% of materials moved by rail reached their destination. Forrest Van Schwartz said there were no fires, leakage, or injuries on these spills. John David corrected him, noting there was some leakage in the Watertown derailment.

Bob Scallon asked about the ties he had seen in Blue River and asked how and where old ties were recycled. Lucht said WSOR tried to recycle. Charles Anderson asked about the sub west of the Lone Rock Bridge and whether there were plans to build that bridge up in the future. Lucht said he would need to locate the site exactly and said he could speak to Anderson after the meeting.

Lucht next spoke about the upcoming Polar Express and said WSOR leased the track for that train/event and clarified that WSOR was not part of that service.

Lucht said grain was moving very well, saying the 4<sup>th</sup> quarter of 2015 had been very good even though frac sand shipping was down which was hurting WSOR. He said steel and plastic continued to move and said WSOR would finish the year in good shape. Gary Ranum said it sounded like most materials carried over the system were inert and asked what was hazardous. Lucht said WSOR moved natural gas and ammonia but they made up less than 1% of their commodity shipping. Lucht said lumber, plastic, and aggregate were beginning to move more as well.

Nilson asked about Positive Train Control (PTC) and its delay in implementation at the federal level. Lucht explained what PTC was and what was needed to implement it. He said PTC had been expected to be implemented by the end of 2015. At a \$15 billion dollar cost that was unfunded by the states or the feds, implementation had not been reached and last month Congress extended the deadline 3 years. Lucht said about \$5 or \$6 billion nationally had already been invested in PTC. He said it would be a \$2 to \$3 million dollar investment just for WSOR.

Nilson said he had looked at the new rail on the Plymouth Kohler line and complimented the work.

### 10. **WisDOT Report–Kim Tollers, Dave Simon, Rich Kedzior WisDOT**

Dave Simon expressed his appreciation to Frank Huntington for returning to WisDOT as an LTE and he thanked him for helping on the Freight Rail Conference and also the help Huntington had given to Rails and Harbors to date.

Rich Kedzior said there was a high level of anticipation of grant awards and said WisDOT was very close to awards but he still could not make firm announcements.

Dave Simon said Rails and Harbor staff toured the Spring Green Bridge November 9<sup>th</sup> and they got a lot of questions answered by WSOR. He said that December 3<sup>rd</sup> WisDOT had executed grant agreements for rehab on the Prairie sub with WSOR and also for work on the Reedsburg and Cottage Grove subs. He said these would be put into the 2016 construction season. He said WisDOT hoped to conclude agreements for the Plymouth, Watertown and Madison subs and the Gibson spur also. He noted there were a lot of agreements in the queue.

## WRRTC DECEMBER 2015 MEETING MINUTES

In reference to the Polar Express train, Kim Tollers said excursion trains were permitted via Trans 29. The applicant applied and WisDOT permitted the operator (in this case WSOR) to run the train. She said there was a fee for administration.

On property management, Tollers said there had been progress on data and files, incorporating them to into GIS. She said this work would be initiated by Southwestern Wisconsin Regional Planning Commission. Now WisDOT was working to migrate assets management into the (GIS) system. She said WisDOT was ready to discuss working on documenting assets with WSOR and they were moving away from paper into the electronic age.

Ladewig said he had been told WisDOT had signed off on the Great Sauk Trail (GST) and asked what the status of that was. Simon said this had been a very challenging and controversial issue. He said it was complicated with many stake holders and issues including the Merrimac Bridge, the Sauk line through Sauk City and Prairie du Sac. Eventually, Simon said, WisDOT would have to make the decision to continue train service to Reedsburg and Baraboo. He said WisDOT was informing stakeholders on this issue, including WSOR (with whom WisDOT had met the day before. Simon said Ayres and Associates had been contracted for a bridge analysis on the Merrimac Bridge. He said WisDOT asked Ayres to redo the cost estimates from a previous report and supply alternatives to prolong the Merrimac Bridge life. He said one option was to restore the bridge to original design – Coopers E 40 – at an estimated cost of \$7.6 million. This would extend the life of the bridge for 40 years. Simon said WisDOT believed that the most cost effective solution was to continue service over the Merrimac Bridge. Given the cost of maintenance, this would make way for the Great Sauk Trail and there was no need to let the track sit idle for another 40 years. He said the rails and ties would be removed and the corridor maintained via Rails to Trails if needed. He said there was a lot of work and discussion still to be done on this and more definition on what would be done on the Merrimac Bridge but WisDOT believed this was the most responsible solution.

Van Schwartz asked if there was information on this on the WisDOT website. Sweeney asked if the resolution of this was a moving target. Simon said WDOT had established their position and would continue to work with stakeholders. Simon said there were questions and issues needing resolution particularly in regard to the Bridge and what it would cost. The estimate of the bridge was reasonable in that it would gain 40 years of use. Ladewig asked if the WRRTC was owner of the Great Sauk Trail. Tollers said the rail corridor was WisDOT's and the track and improvements were granted to the Commission. Sweeney asked if the process of putting the Great Sauk Trail into Rails to Trails had begun. Tollers confirmed that the line was formally abandoned by the Surface Transportation Board (STB).

Frank Huntington said many lines acquired in late 70s and 80s were abandoned and the State got them as abandoned track. He said many of those lines were brought back into service and the STB had to issue modified certificates to allow operations to resume. For the Middleton to Lone Rock and the Lone Rock to Richland Center line Tollers said was the same certificate. She said the Great Sauk Trail would follow the same process. Ladewig asked if the Commission would become owner of the trail. Simon confirmed this was the corridor through the villages of Sauk City and Prairie du Sac from the Sauk City Bridge north to a point to be determined. Tollers said the WDNR and WisDOT and the transit Commission were already in an agreement to rail bank the Badger Armory portion of the trail.

Alan Anderson said this was of great interest to the community's in question. He spoke of recent concerns and said it sounded like a lot of work was needed. He wanted to know exactly when the bridge would be fixed, asking if they were back to a 5-year fix. Simon said when the Bridge was fixed there might still be a reduction in capacity as it probably would not be at a 286,000 lbs. standard. Industries that used that line had been told what was going to happen and noted this had been considered a negative in making WisDOT's decision. He said this was part of why the decision took so long to make. He said costs for shippers might go up 0-5% if there was a weight restriction in place. He reiterated WisDOT had determined that this was the most cost effective solution going forward, considering all the factors involved.

Marty Krueger commented that Alan Anderson and he had formed the Pink Lady and they had been heavily involved in the rail service issue as it effected Sauk County. He said he was at the meeting as a total supporter of rail but also as the chair of the Great Sauk Trail project. He said he would not have said "the deal was done" but if there were any questions on the GST, they could contact him. He said the discussions had been exhausting but inclusive, saying that back in September the WDNR, WisDOT, and Pink Lady had all met and walked the line, most of which had been unused for 30-35 years. He said it had not been a deliberate exclusion of the WRRTC but they had been waiting for WisDOT to act. He said the work of this Commission was to be fully supportive to get the bridge work done. He said that Prairie du Sac dropped out of the Pink Lady and although the community had been involved for 3 years and he believed they had been disheartened by the unused corridor in their community.

Alan Anderson said about 10% of WSOR's traffic came out of the Baraboo/Reedsburg area and rail was important to them. He said not all the shippers were loaded to the 286,000 lbs. maximum weight. He said this was big deal to the communities in the area and he just wanted to see the bridge fixed.

Lucht said that WSOR had just found out about this late yesterday and said the Ayres report was not a long term fix and there had already been conversations with WSOR's engineers that noted the weaknesses of the bridge. He said some unit prices used were for highways versus those for a railroad bridge. He said WSOR had some differences of opinion with Ayres. He said WSOR did not have data for load restrictions yet but when they did they would want to sit down with a railroad engineering firm to get another opinion. Considering the age of the Bridge, spending \$7-6 million dollars for another 40 years was not something WSOR was convinced was the best option. He said WSOR just wanted to be part of the ongoing discussion. Lucht said WSOR was committed to Wisconsin and Sauk County but they wanted to see something long term. He said WSOR would have to do a lot of work. Dick Mace asked who owns the Bridge. Huntington said WRRTC owned the bridge as granted by WisDOT. He said WisDOT did have some interest in the event the bridge were sold. Lucht said the \$7.6 million did not address the load restrictions: it just meant the Bridge remained standing at E40 not E80 (today's standards).

Ladewig asked if excess rail would impact the agenda's Item 12. Van Schwartz said it was basically scrap.

**11. WRRTC Correspondence/Communications and Administrator's Report – Mary Penn, WRRTC Admin.**

Penn listed the correspondence she had addressed since the last meeting. She next informed the Commission on her administrative tasks since the last meeting, saying that she had been unable to locate a copy of the Lamar sign lease either in electronic or paper form. She said she would continue looking. Also, she said the 2014 audit was not yet ready for approval but assumed that it would be ready in time for the January 2016 meeting.

**12. Discussion and Possible Action on Proposed Donation of Rail and OTM to Mid-Continent Railway Museum from MG&E site in Madison, WI – Ken Lucht, WSOR**

Ken Lucht said he did not have anything to report as Madison Gas & Electric (MG&E) had not yet come to an agreement with WSOR. Bryon Schumacher of the Mid-Continental Railroad Museum gave some background on the Railroad Museum and distributed a map. He said there had been a lot of wear on their rail so they were looking to get more rail donated. Also, he said a quarry at the end of their line had expressed interest in shipping aggregate on the Museum's line so he encouraged the Commission to work on this issue. Mace asked why the Commission needed to wait for MG&E. If WRRTC did not own the track why were they being asked to donate the rail. Lucht said WSOR had not come to an agreement with MG&E and that no action was necessary at this point. Once an agreement had been agreed upon, Lucht said he would present a proposal to WRRTC for concurrence. Right now, WSOR had an easement on MG&E property. Until WSOR terminated the easement, WRRTC could not contribute any tracks to the Museum. Mace asked if they agreed to donate the material, what did WRRTC care about that agreement. Lucht said the Commission did not have a right to the rail.

Tollers said the reason MG&E wanted to terminate the track was because they wanted to sell the land to the City of Madison. If the easement was ended, WSOR would never be able to serve customers at that site again. Once the track was abandoned, all rights were terminated forever. She said WSOR was being very careful in making that decision. Sweeney clarified that Schumacher was speaking about the spur in North Freedom and that Mid Continental wanted rail from the MG&E site in Madison if possible. Dave Schumacher said some of the curves on the railroad museum track were being worn down so much they had to be taken out of service. He added that flooding in 2008 had also impacted the museum. He said it would really help the museum if they got this rail.

Ladewig asked if they could take a vote up now rather than wait for MG&E. Sweeney asked the Commission if they were ready to act.

Motion to give concurrence to the proposed donation – Ladewig/Mace

Huntington interjected that the Commission should check with Corporation Counsel on the Commission's ability to give away public property. He confirmed that WRRTC owned the track and MG&E owned the land.

Motion to rescind the motion – Ladewig/Mace,

There was discussion on the ability to make the motion and rescind the motion between Krueger and Sweeney. Krueger said Sauk County had a process to donate public property.

Van Schwartz said the situation was with any old rail taken out of service, the tonnage was credited against new welded rail. The scrap value offset the CWR. Nilson said that was not so, the scrap had intrinsic value and therefore could not be given away. He confirmed that Mid-Continental was a 503 Corporation and he liked the idea of checking with Eileen Brownlee.

Sweeney declared that neither motions were valid. Bryon Schumacher made a clarification on the map he had distributed.

Sweeney said they would wait and see what happened next month.

**13. Discussion of Drainage Issues on Fox Lake Sub – Allan Polyock, Walworth County Commissioner**

Allan Polyock gave background on the issue and noted there were people from McHenry County, Illinois to speak to it. Mike Von Bergen said he operated on the farm where the drainage issue was and said this had been going on for over a year, with the railroad having exacerbated the problem through maintenance work. He said he had been farming the land the last 18 years with increasing drainage issues. He said Todd Maloney at WSOR had been contacted but there had been no progress on this issue. He said they needed it fixed, adding that this was on a 1000+ acre watershed that moved a lot of water through. He said there were two 8' clay pipes draining the land and probably the tile had been there for 100 years. He asked for the right person to contact to fix the problem. He wanted to know whose tile it was: if it was the WRRTC's property there needed to be some sort of agreement to remedy the situation. Sweeney confirmed the tile was on both sides of the track. Von Bergen said water was 30" over the tile and noted that another property owner also impacted had taken out the tile. He said there is a big "suck hole" on top of the railroad bed. Sweeney asked if the tile mentioned was below the culvert. Von Bergen confirmed it was. He said at another farm farther up, new culvert had been put in.

Lucht said WSOR did not install drain tile and they were required to accept drainage from land abutting the ROW. However, anything not seen (underground) was not the railroad's responsibility. He asked who owned the permit for the tile installation. Von Bergen confirmed that the tile was over 100 years old and most of the main line tiles were installed in 1911 – 1915. This would correlate with the tile at issue and probably there was no permitting process at that time. He said this was not a drainage district and any owner of the property in Illinois was responsible for fixing tile on their property. Lucht said Maloney had mentioned that WSOR was willing to work with the property owner to do the work as long as it was permitted.

Polyock said the tile probably came before the railroad. Lucht said regardless of the past, today it had to be permitted. Polyock asked who to apply to in that case. Lucht said the farmers would need to apply to Illinois. Von Bergen asked where he could do that. Sweeney said in this case it would be NRCS. He said any drainage that drained a farm or a wetland was an NRCS issue. Polyock said maybe it would be NRCS and WSOR. Von Bergen said the tile was broken. There was discussion on who was responsible for the cost of boring and tiling. Sweeney said whoever was on each end might be those who had to pay for this. Von Bergen said it was hard to get landowners to pay the bill and it could involve liens and get pretty pricey. He said there was a tax bill on that rail property with WRRTC as owner and the landowners would definitely need some financial participation. Sweeney said "you'd probably get permission, probably not get financial help". Von Bergen asked if that were true, even if the water running over the land was impacting the railroad bed. Sweeney said the railroad was going to fix what they saw. Von Bergen said by the railroad filling in the hole, they blocked up the tile and had now created a drainage issue by damming that up which had led to this issue. He reiterated they would like some financial support and help as they had been dealing with this for a long time.

Sweeney said he thought he could count on WSOR to do the permit. Von Bergen said he wanted WSOR there to watch it done as there was a liability issue. Lucht said if a contractor was boring, WSOR would have a flagger present. Sweeney said Von Bergen needed to work with Lucht and Penn. Sweeney recommended Von Bergen talk to the local NRCS agent to make sure the repair was a legitimate practice in that area.

**14. Discussion and Possible Action on Adjusting Lease and Offer to Use Fees – Mary Penn, WRRTC Admin.**

- *Motion to remove first three lines of fee schedule (WI utility permit) – Mace/Brunner, Passed Unanimously*
- *Motion to move the words "application fee\*\*" after "leases" on the fee schedule – Mace/Payne, Passed Unanimously*
- *Motion to approve fee schedule as amended Dec. 4, 2015, Mace/Brunner, Passed Unanimously*

Penn distributed a fee schedule and said she had brought this issue up due to discussion at the November meeting about lease fees pertaining to the Grunow issue. Van Schwartz said he believed there was a waiver to the public at the time this schedule was adopted. Sweeney said the other things noted in the schedule were not an issue. Van Schwartz said overall it was ok. Tollers said WisDOT charged what they did based on Trans 29. She said occasionally they did not charge municipalities or government entities but that was not written down. Sweeney asked if they should include that in the WRRTC fee schedule. Huntington said what the Commission did was outside the State. Nilson said he did not think they should lower the fees but if there had been no complaints, not to change. Tollers said WisDOT actively discouraged leases and cautioned the Commission to be careful of allowing leases of the ROW: using or building on the property. She suggested a Temporary Access Permit (TAP) was more appropriate.

Gene Gray asked if there was a stage where Eileen Brownlee was involved. Von Schwartz said item 4 on the schedule was for government. Sweeney asked if the fee structure could remain as it was and received general concurrence. He then asked if any attending wanted to change the fee schedule. J Chris James asked about private crossings versus public crossings. Tollers said public crossings were permitted by WisDOT.

Mace asked about the 2<sup>nd</sup> fee on the schedule. Von Schwartz thought the 2<sup>nd</sup> one referred to public crossings and suggested putting an amount in. Tollers said WisDOT did not even need to charge a fee. Mace asked that leases have "application fee" written under them to clarify. Nilson said that this was only for the application fee.

Laura Payne asked about the second set of asterisks on the schedule and Penn explained they pertained to the materials used.

**15. Discussion and Possible Action on Direction on Executive Committee Duties and Responsibilities versus Full Commission Issue – Mary Penn, WRRTC Admin.**

Penn said she was seeking guidance from the Commission to go forward on the issue. Sweeney said this was a very busy commission, processing a lot of information and therefore it was imperative to meet monthly as the Charter stated. He read the pertinent section of the Charter to the Commission which stated its obligation to meet monthly. He said in Section 5.06, the Executive-Committee was given authority to handle business but the types and frequency was not stated. Sweeney said in his opinion there was the possibility the Executive Committee had made some decisions the Full Commission should have made but said the Executive Committee was established by Charter and they needed to make clear what the duties were for both the Committee and the Commission. Nilson spoke about how the Executive Committee came to be. He said there was a quorum of counties at past (Executive Committee) meetings and said now it was so busy that the Full Commission should meet every month. He suggested the Commissioners write down how they felt about meeting every month. Huntington said back in the 1990's, the Commission did rehab projects, had staff, and both the Executive Committee and the Full Commission met monthly. Prior to that, the Commission met every month. Nilson confirmed quorum was presently 14 for a full Commission meeting.

Nilson asked the Commissioners to let them know about monthly meeting and to submit their ideas. Sweeney said if the idea was to amend the Charter, let the counties know. Ladewig asked if conference phone meetings could be pursued. Mace said last year there was a meeting that was not all that important and maybe the Chair and Vice-Chairs could decide not to meet. Sweeney and Nilson both confirmed that that had happened in the past. Mace pointed out quorum had never been an issue. Penn said the closest to not making quorum was that fall (the September meeting). Sweeney said they would have this issue on the January agenda as a possible action.

**16. Action Item. Adjournment**

- *Motion to adjourn at 11:53 AM – Gustina/Polyock, Passed Unanimously*