

County Zoning Agency

MINUTES

November 19, 2015 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

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

Roll call – Committee members present were Chair Richard Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Tim Brellenthin, Paul Yvarra and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser (arrived just after vote to approve agenda). 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 November 19, 2015, is kept on file as a matter of record.

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

Rich Brandl motioned to approve the agenda as amended to table items 8.e.2.) Robert Bern. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Rich Brandl motioned to approve the October 15, 2015, Minutes. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:31:56 – 4:34:29

Subdivision Items – Old Business - none

Subdivision Items – New Business – none

Old Business - Ordinance Amendments – none

Old Business – Discussion Items –

1. **B & J Tree Service, Inc. – Owner, Attorney Theodore Johnson – Applicant**, Section 24, Geneva Township. Conditional use to add snow plowing operations to an existing contractor storage yard for a landscaping/firewood/tree nursery. In addition, amend the existing conditional use to include an increase in the number of employees from 10 to up to 26 employees, change the closing hours from 6:00 p.m. to 7:00 p.m. for the landscaping/firewood/tree nursery operations and 24 hours per day for snow plowing, relocate the outside parking and access drives, Relocate an approved storage building and obtain flexibility to expand and contract the designated materials storage areas within the overall outside storage area based on materials demand. Tax Parcel JA390300001.

Has been approved subject to ~~the related rezoning~~ passing County Board and the following conditions:

1. Approved as per plan submitted as a contractor storage yard for a landscaping/firewood/tree nursery and snow plowing business with all additional conditions.

2. Storage limited to **specified** material and goods directly associated with business. Outside storage shall be ~~limited and~~ located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. On site hours of operation **for the contractor storage yard for the landscaping/firewood/tree nursery** shall be from 6:00 a.m. to ~~6:00~~ **7:00** p.m. Monday through Saturday with hours after 6:00 p.m. **to 9:00 p.m.** for ~~off premise work and returning of equipment to the premises~~ **(No Sunday operations) seven days a week. On site hours of operation for snow plowing shall be seasonally October through April, 24 hours per day, seven day a week.**
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. **Reconfiguration of the west access, and installation of the new east access shall occur within 60 days of this approval. No loading or off-loading of equipment or materials shall occur on the Town road.**
10. The project site must be kept neat, clean, and mowed.
11. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific conditions:

12. No general public sales allowed on premises.
13. The number of employees shall be limited ~~10 plus the owner~~ **to 26.**
14. No fill encroachment will be allowed into the wetland area or within the 100-year floodplain.
15. The buildings shall be used for storage only. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
16. The Owner must record a deed restriction within 120 days of this approval indicating that the portions of A-2 property on either side of the stream may not be separated from each other. The owner must file for approval of a two lot CSM with the County Land Use and Resource Management Office within 120 days showing the A-4 rezoned area as lot 1 and the remnant A-2 on both sides of the stream as lot 2 with a restriction for no further land division of the A-2 area.
17. The owner shall construct a fence at the south end of the storage area so commercial traffic may not access the shoreland.
18. ~~This conditional use shall be valid until January 1st, 2006 and may be renewed by the County Zoning Agency upon staff verification that all conditions have been complied with and that the existing illegal business on tax parcel JG-23-4D has been discontinued, including removal of the sign painted on the building.~~
19. The fuel tanks will be relocated from the west side of the property to the east side of the property as per the Town.
20. The construction of the salt storage building must be up to code and will follow DOT and DNR requirements as per the Town.
21. The west driveway location will comply with Walworth County requirements as per the Town.
22. B & J Tree Service, Inc. shall be required to come back to the Town Plan Commission in November 2016 and then to the Town Board for a review of their conditional use as per the Town.

23. The vegetative screening shall be allowed to be brought back to the County Zoning Agency upon complaint during the first 12 months.

Public hearing was held on this matter (October 15, 2015). Matthew Weidensee/Planner reviews recommended conditions. Discussion regarding screening – statements by Atty Ted Johnson regarding trees planted.

Dave Weber motions to approve. Seconded by Rich Brandl. Issues are discussed. Jim Van Dreser Motions to amend the conditions to include a mechanism to return the matter based upon complaints on screening read by Staff. Seconded by Dave Weber. Motion to amend conditions carried. 7-favor 0-oppose. Motion to approve carried. 7-favor 0-oppose.

Disc Count #4:34:39 – 4:51:20

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. Discussion/Possible Action – Introduction of new LURM Deputy Director Shannon Haydin – Michael Cotter
Disc Count #4:51:27 – 4:51:54
2. Discussion/Possible Action – Workshop for Local Land Use Officials – Neal Frauenfelder
Disc Count #4:51:58 – 4:54:46
3. Discussion/Possible Action – Update to Comprehensive Land Use Plan – Neal Frauenfelder

Recommendation by Neal Frauenfelder to bring this matter back to the January 2016 CZA meeting to discuss comp plan updates with Nancy Anderson/SEWRPC. Committee agrees.

Disc Count #4:54:47 – 5:08:36

4. Discussion/Possible Action – Walworth County Compliance with Act 55 – Michael Cotter, Deb Grube
Disc Count #5:08:37 – 5:16:58
5. Discussion/Possible Action – Resolutions to Repeal Statutory Provisions in State of Wisconsin 2015-2017 Budget Relating to Shoreland Zoning Standards (Act 55) from Sawyer County, Waushara County, Oconto County, Washburn County and Langlade County – Michael Cotter

Jim Van Dreser directs staff prepare a Resolution for Amendment of Act 55 regarding the 35' height for structures less than the shore yard setback requirement and return this issue in December, 2015. Seconded by Rich Brandl. Motion carried. 7-favor 0-oppose

Disc Count #5:16:58 – 5:25:31

6. 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

Jim Van Dreser motions to table this matter until December for a Town of Bloomfield Representative to appear. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Disc Count #5:25:31 – 5:26:34

7. Discussion/Possible Action – Correspondence received from Attorney Brian Schuk regarding Willow Run Condominium Association – Michael Cotter, Deb Grube

Jim Van Dreser motions to return this matter to the January, 2016 CZA meeting for a public hearing. Seconded by Tim Brellenthin. Motion carried. 7-favor 0-oppose

Disc Count #5:26:34 – 5:38:38

8. Discussion/Possible Action – Establishing potential joint Town/County on-site visit meeting dates for South Shore Property – Shodeen Family conservation subdivision (Town of Walworth) between December 2, 2015 - January 21, 2016 - Matt Weidensee

Discussion by Committee regarding potential meeting dates. Best time would be at noon. Date to be attempted during the first two weeks of December, though not on the date of the scheduled Board meeting.

Disc Count #5:38:40 – 5:43:29

9. Discussion/Possible Action – Amendment of Conditional Use for Birdseye Foods/Pinnacle Food Inc. for addition of 7680 sq. ft. of new warehouse and dock enclosure as per plan submitted dated received October 5, 2015 - Matt Weidensee

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted with all additional conditions for adding approximately 45,000 sq. ft. of productions space, 3000 sq. ft. of dock space and a 6,000 sq. ft. pole building for machinery storage to the existing vegetable processing facility with parking as shown **and amended 11/19/2015 for addition of 7680 sq. ft. of new warehouse and dock enclosure as per plan submitted dated received October 5, 2015.**
2. No general public sales allowed on premises.
3. Storage limited to material and goods directly associated with business. Outside storage shall not be allowed. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
4. On site hours of operation shall be 24 hours a day, seven days a week.
5. Must meet all applicable federal, state, county and local regulations.
6. Outside lighting shall be shielded and directed on site.
7. The applicant must obtain all required zoning permit approvals including a sign permit.
8. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
9. The applicant must obtain a Walworth County Land Disturbance, Erosion Control and Stormwater Management Permit from the Walworth County Land Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the Walworth County Land Conservation Office, including a landscaping berm and screening for headlights as requested by the town.
10. The project site must be kept neat, clean, and mowed.
11. Any changes to the character, intensity or use of this site, not capable of being discerned by the Walworth County Land Use and Resource Management Department as consistent with this approval, must be brought before the Walworth County Zoning Agency for additional conditional use review.

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

Specific:

13. The conditional use permit is not valid until such time as the applicant receives a permit from the Department of Natural Resources for grading adjacent to the stream. No zoning permit will be issued until the Chapter 30 Permit is submitted for the file.
14. The property owner will need to address potential errors in the floodplain mapping with FEMA prior to construction of additions in the areas currently identified as 100 year floodplain. A letter from FEMA addressing the floodplain correction and removal of the floodplain area of concern shall be provided for the conditional use file.
15. The operations plan must show any additional needed parking and access space meeting with county requirements. The truck and trailer parking area must be used for all truck and trailer parking on the property. The number of truck and trailer parking stalls may need to be increased at the designated parking area. Trucks and trailers may not be parked on the access road around the building. All parking and access to the site shall meet county requirements. All parking shall be installed according to county requirements within one year of this approval.

Richard Kuhnke, Sr. motions to approve. Seconded by Dave Weber. Motion carried.
7-favor 0-oppose
Disc Count #5:43:30 – 5:45:00

10. Discussion/Possible Action – Amendment of Conditional Use for Whitewater Limestone Inc. for request for an 8 year time extension for completion of quarry operations - Matt Weidensee

Has been **APPROVED** subject to the following conditions:

General:

1. Approved as per plan submitted for a limestone quarry with a bottom elevation of 720 with all additional conditions as stated.
2. Approval is granted for operation of the quarry for ~~18 months~~ **for 8 years from the date of this amendment (11/19/2015) resulting in a completion date of 11/19/2023** with all conditions as stated. The Applicant must petition for any extension of this conditional use prior to the expiration of the ~~18 month~~ time period.
3. Implementation of dust and noise control measures shall occur at all times on site.
4. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County's Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project-sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all County fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.
5. The operator of the nonmetallic mining sites must have a Nonmetallic Mining Reclamation Permit and Plan approved by the Walworth County Land Conservation Division, prior to undertaking any mining on the parcel. The operator of the mining site shall obtain financial assurance covering the costs to the County to complete the reclamation plan, prior to undertaking any mining on the parcel. Financial assurance covering the implementation of the Reclamation Plan must comply with the requirements specified in the Walworth County Nonmetallic Mining Reclamation Ordinance.
6. This conditional use shall not be valid without a current post mining land use rezone application being on file with Walworth County. The property owner shall submit an application, fee and a post mining reclamation plan to Walworth County allowing for rezone of the property back to the post mining land use zone district as specified above. The post mining land use rezone application shall be required to be kept current by the property owner during excavation and reclamation of the site. Should ownership of the site transfer prior to receiving Certification of Completion of Reclamation from the County (Sec. 26-293 (a.7)), the new property owner must re-sign the post mining land use rezone application and pay a new post mining land use rezone application fee at the current rezone rate in order to keep this conditional use valid.
7. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday.

No work shall be conducted on Sundays or holidays.

8. Road access and maintenance agreements shall be filed with the City, Township and County prior to hauling materials off site as part of the restoration plan.
9. The County will not be liable for any damage to neighboring wells due to the operation of the project.
10. Any additional Office/trailer or structures shall obtain approved zoning and sanitary permits.
11. Approval of the project shall be subject to all applicable gravel pit policies.
12. The project shall meet all applicable Federal, State and local regulations.
13. All material storage locations must be in an approved zoning district.
14. No materials shall be brought in from off-site other than those materials specified in the approved restoration plan. There shall be no excavation beyond the extent of the excavation contours identified on the approved excavation plan. No over excavation and then backfilling with off-site materials to reclaim the site to the approved excavation contours shall be allowed without specific approval and/or amendment of the conditional use and excavation plan including identification of the type, quantity and quality of off-site materials to be used as backfill.
15. All topsoil generated from the site must remain on site for use in restoration as indicated in and regulated by the restoration plan. All topsoil will be regraded evenly on the disturbed area.
16. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area in accordance with the Erosion Control and Stormwater Management permit. The site may not be dewatered until all sediment has settled in the open water area of the pit.
17. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.
18. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district. The owner of property approved for non-metallic mining shall be required to submit an up-front fee for rezoning the property back to the pre-existing zone district. Upon completion of restoration the County shall hold a public hearing for rezoning of the property back to the original zone district. The County shall not release the required performance bond or surety until the property of concern has been restored.
19. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any signs on site. No off premise signs or billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.
20. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
21. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The applicant has agreed to provide a copy of the liability insurance coverage document for the file.
22. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.
23. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.
24. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:

25. The property owner and/or operator shall meet all State of Wisconsin requirements regarding blasting during quarry operations.
26. **There shall be no importing of asphalt materials into the limestone quarry as crushed asphalt contains oils and the ultimate reclamation of the quarry shall be a pond below the natural water table (See existing condition #14).**

Jim Van Dreser motions to approve. Seconded by Rich Brandl. Motion carried.
7-favor 0-oppose
Disc Count #5:45:00 – 5:49:29

Public Hearing: 5:49 p.m.

Ordinance Amendments – None

Rezones with Conditional Uses –

1. **Lakeland Community Church – Owner, Pastor Josh Amstutz – Applicant**, Section 25, Delavan Township. Rezone approximately 26.17 acres of A-2 Agricultural zone district property to the P-1 Park District with conditional use approval for an existing church. Tax Parcel FA395600002.

General:

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

Specific:

13. The church agrees there will be no expansion or modification of plans submitted, without Town of Delavan approvals as per the Town.
14. The church shall follow the Yerkes Observatory Lighting Standards as per the Town.
15. Execution of a Developer's Agreement between the church and the Town of Delavan prior to construction, including the following as per the Town:
16. A Letter of Credit for all public improvements, as well as private storm water drainage improvements and erosion controls.
 - a) Town approval of storm water drainage plans.
 - b) Town approval of erosion control plans.
 - c) Town approval of landscaping berms and screening required.
 - d) Town approval of lighting, signing, and landscape plans.
 - e) The church is responsible for all outside costs incurred by the Town for engineering review, inspection, and attorney's fees.
 - f) Town approval of dry hydrant system, per Fire Chief.
 - g) Execution of a Municipal Service Agreement between the church and the Town as per the Town.
17. No primary or secondary education facilities allowed on the property as per the Town.
18. The church agrees that it will not expand the building, which appears on the aforementioned plan, past its existing size; unless a municipal sanitary sewer system becomes available, and only after presenting new plans to the Town Plan Commission for approval as per the Town.
19. The church shall be granted approval of the septic system as presented, with the following conditions as per the Town:
 - a) Pre-treatment included, to be as presented
 - b) Full depth of limiting factor to 36", as presented
 - c) Cell size to be no smaller than designed without pre-treatment, as presented
 - d) Dialer system to be installed for alarm notification in case of system failure
 - e) Walworth County Sanitarian to receive copies of 6 month maintenance contract reports, for the life of the system, and reports should include any system failures recorded, all alarm activations and actions taken by owners, and all meter readings within each 6 month period.
20. The church agrees to enter into a Maintenance Agreement for the septic system with a reputable firm, with inspections occurring every 6 months, and more if necessary, and the church further agrees to furnish the Town with a copy of the signed agreement as per the Town.
21. The church agrees that at such time as sanitary sewer, or the ability to hook- up to sanitary sewer becomes available at the intersection of STH 67 & 50, the church at its own expense, will connect and pipe its effluent to that hook-up location as per the Town.
22. The church must obtain sanitation approval for the proposed sanitation system prior to any construction on site. If a Holding Tank is approved, the applicant must provide a copy of the contract between the applicant, waste hauler, and the sanitary treatment facility to insure that all waste is capable of being properly disposed as per the Town.
- ~~23. The conditional use approved the 19th day of January, 2012 for three year temporary use of an office/classroom trailer shall terminate upon completion of the church addition or within the time allotted by the original approval whichever comes first.~~

24. The conditions of this conditional use shall be posted in the Church for future members as per the Town.
25. Construction of an 8' x 12' permanent sign as discussed before the Land Management Committee on 5-17-02 is approved. The sign shall meet with Section 6.3 of the Zoning Ordinance regarding on site premise signs in all business, industrial and park districts.

Jeff Menkel speaks on behalf of Lakeland Community Church. Mark Rhodes speaks in opposition. Jeff Menkel speaks to answer questions.

Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

Disc Count #5:52:09 – 6:20:00

The rezone petition will move forward to the December 8, 2015, Walworth County Board for possible action.

Rezones –

1. **Mark R. Uttech – Owner**, Section 12, Spring Prairie Township. Rezone approximately 20 acres of A-2 Agricultural Zoned property to 14.5 acres of C-2 Upland Resource Conservation District and 4.1 acres of C-1 Lowland Resource Conservation District (non-shoreland wetland) in order to be able to divide the property for a second lot. Tax Parcel O SP1200002E.

Dave Weber motioned to approve. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose.

Disc Count #6:20:00 – 6:23:00

The rezone petition will move forward to the December 8, 2015, Walworth County Board for possible action.

THIS ITEM TABLED DUE TO NO TOWN DECISION

- ~~2. **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.~~

Conditional Uses -

1. **Mary L. Kline Trust – Owner, Mary L. Kline – Applicant**, Section 9, Sharon Township. Conditional use on A-1 Prime Agricultural zoned property for a second dwelling on a farm parcel for the grandson who works on the farm. Part of Tax Parcel A S 900006.

General:

1. Approved per plan submitted as a second residence on a farm parcel for a family member who works on the farm with all additional conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. The applicant must obtain Township approval for access prior to construction on site.
4. No further land divisions of the parcel will be allowed without County approvals.
5. The applicant must obtain the required zoning approval for the construction of the residence prior to plat review and approval. The residence shall be used for the stated agricultural purpose consistent with this approval. The residence must be under construction prior to separation from the farm parcel.

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

Specific:

Rich Brandl motioned approve. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.
Disc Count #6:23:00 -

2. **Kevin Endres – Owner**, Section 36, Whitewater Township. Conditional use on land zoned A-2 for recreational vehicle and boat storage in an existing shed as a Farm Family Business. Part of Tax Parcel D W 3600006B.

Possible Conditions:

1. Approved as per plan submitted for recreational vehicle and boat storage in an existing farm structure as a Farm Family Business with all additional conditions.
2. Any changes in the proposed use of the property will require additional County approvals.
3. The site must meet all applicable Federal, State, County and local regulations.
4. Hours of operation for the recreational vehicle and boat storage activities shall be from 6:00 a.m. to 6:00 p.m.
5. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
6. A rezone and conditional use approval will be required for any proposal to expand the business beyond the use of existing buildings on site.
7. The business is limited to two non-farm family employees.
8. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
9. Outside storage shall be limited to temporary outside storage for spring Pick Up (April – May) and fall drop off (October – November) of boats to be stored in doors.
10. Outside lighting shall be shielded and directed on site.
11. No maintenance of recreational vehicles and boats or acid washing of boats may be conducted at this facility.
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:

**Richard Kuhnke, Sr. motioned approve. Seconded by Rich Brandl. Motion carried.
7-favor 0-oppose.
Disc Count #6:26:02 – 6:28:15**

Adjournment

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

The meeting was adjourned at 6:28 p.m.

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

DRAFT

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

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

Roll call was conducted. Members present included Chair Dan Kilkenny (arrived at 1:10 p.m.), Vice Chair Charlene Staples, Supervisor Nancy Russell, FSA/Ag Representative Matt Polyock, Citizen Members Michael Krejci, Mary Kaye Merwin, Kathleen Papcke and Alternate Stacy Stewart. School Representative Kelly Pickel was excused. A quorum was declared.

Others in Attendance

County board: Supervisors Tim Brellenthin and Kathy Ingersoll

County Staff: Christine Wen, Co-Department Head/Horticulture Educator; Jenny Wehmeier, Co-Department Head/Family Living Educator; Kristine Ely, Agriculture Educator; Peg Reedy, Agriculture Educator/Executive Secretary-2016 Farm Technology Days; County Administrator David Bretl; Chelsea Dertz, 4-H Program Coordinator

Members of the public: Gerry Petersen, John Henderson and David Scurek - The Elkhorn Fund

On motion by Citizen Members Krejci and Papcke, the agenda was approved by voice vote with no withdrawals.

On motion by Supervisor Russell, seconded by Citizen Member Krejci, the September 14, 2015 meeting minutes were approved by voice vote.

Public Comment – There was none.

Correspondence – There was none.

Special Order of Business

- Presentation by Gerry Petersen of the Elkhorn Fund to UW-Extension for Community Grants
Gerry Petersen, Chair of the Elkhorn Fund, introduced members Dave Scurek and John Henderson. Since 2007, The Elkhorn Fund has given many donations to organizations within the Elkhorn area. Messrs. Petersen, Henderson and Scurek presented a check for \$725 to UW-Extension. The two community grants are: the Parenting Newsletter, which is distributed to residents throughout the County; and the Interactive Grocery Store Tour, which gives gift cards to participants to purchase groceries based upon what they learned on the tour. Vice Chair Staples thanked the group for their generosity.

Unfinished Business

- State Budget Impact on UW System/UW-Extension Update
Jenny Wehmeier, Co-Department Head/Family Living Educator said last week staff attended an all-state UW-Extension conference. There were 600 people at the conference, all of whom could be impacted by the proposed changes. Wehmeier said 60-80 positions statewide are projected to be eliminated. Citizen Member Krejci asked what the most effective way would be for the Committee to express opposition to the changes. Christine Wen, Co-Department Head/Horticulture Educator, said that staff would be meeting with their partners in other counties. County Administrator Bretl suggested the Committee also be more proactive. Walworth County funds several positions 100%, and if UW-Extension intends to adopt a regional approach, county funded positions could be required to provide services to other counties. He said the Committee could draft a resolution urging consideration by the State in the planning

process. Supervisor Staples concurred, saying the resolution could include the amount the County invests in Extension. She added we are hosting Farm Technology Days in 2016, and our Fair is one of the best in the state. Chair Kilkenny arrived at 1:11 p.m.

Supervisor Russell expressed a concern that the mission statement is primarily focused on the degree program, which will involve diverting more resources into that area. Citizen Member Merwin concurred with Supervisor Russell, and added those counties with the highest populations would keep most of the positions. Wehmeier said under the State's model sample, two of the current positions would be county-based, and two would be regionalized. Walworth County currently has two Agriculture positions, one Horticulture, one Family Living, and two 4-H positions, and at this time she doesn't know how the positions would be allocated.

Supervisor Ingersoll suggested the Committee consider a personal visit to the state to express the County's concerns. **Citizen Member Krejci made a motion, seconded by Citizen Member Merwin to direct staff to coordinate a meeting with Dean Klemme and/or Chancellor Sandeen for committee members and Administrator Bretl to express concerns about the State's plan to reorganize UW-Extension. The motion carried 7-0.** Bretl directed staff to publicly post a meeting notice/agenda once the date is finalized.

- Walworth County UW-Extension Needs Assessment Discussion - Chrissy Wen
Wen said staff is moving forward with their Discover Extension series, to target community partners – i.e. School Districts, Delavan-Darien Community Alliance, FSA and USDA - and recruit new partners in the community on their healthy living initiative. Discover Extension will consist of two sessions.
- Request to Defer Participation in NELD program to 2017 – Jenny Wehmeier
Wehmeier said although her participation in the 2016 National Extension Leadership Development (NELD) program was approved at the last committee meeting, she reflected on concerns expressed by the Committee and decided to defer participation in the program to 2017. State officials have consented to putting her at the top of the 2017 participant list if this Committee approves her request. **Citizen Member Merwin made a motion, seconded by Vice Chair Staples, to approve Ms. Wehmeier's participation in the 2017 NELD program. The motion carried 8-0.**

New Business

- Agriculture and Extension Education Committee Appointment Recommendations
Wehmeier said one application was received to replace Kathy Papcke, beginning January 1, 2016. **Citizen Member Krejci made a motion, seconded by Supervisor Staples, to recommend approval of the appointment of Rosalie Riewer. The motion carried 8-0.**

Reports

- Agriculture Educators Report – Kristine Ely and Peg Reedy
Peg Reedy, Agriculture Educator, said in addition to the department's countywide needs assessment, she and staff conducted a survey specifically for agriculture to determine program needs within the County. Reedy said they also researched statistics on demographics, land in farms, commodities, farmland sale and rental prices, etc. She noted although there was a decrease in land in farms during 2011-2014, there was an increase in Ag employment and economic impact. She speculated that may be due to the increase in local vegetable production and direct marketing, and the fact that the green industry requires less land.

Also, crop and dairy prices remained high during those years. The average age of farmers in Walworth County is 58; surprisingly, 20% of county farmers are over age 70.

Kristine Ely, Agriculture Educator, said the needs assessment, completed September 11, revealed that the top three educational needs were identified as land use/environmental issues; grains; and farm financial/business management. New technology was top ranked in other categories. One of the highest priorities in the dairy category was facility design and renovation. The services of State Specialist Dr. David Kammel, who specializes in evaluating aged facilities to repurpose dairy facilities for sustainability and efficiency, are in great demand.

Reedy updated the Committee on her 2016 programming, which includes farm succession, Integrated Pest Management, tillage demonstrations/Field Day, farm to school collaboration and Farm Technology Days. Ely will be centering her attention on their programming plan from the Ag Needs Survey and also increasing producer participation. She will continue to assist Reedy with her programs so she can focus on Farm Technology Days; and working on becoming a certified trainer for beef quality assurance. The overview of the survey results and programming plans was included with the agenda packet.

- 2016 Farm Technology Days Update – Peg Reedy, Executive Secretary
Reedy said Dane County’s Farm Technology Days had over 45,000 attendees. Walworth County is marketing the event statewide and in Illinois. Events include a wheat harvest and drone/robot demonstrations. The center area of the site will have an educational tent, with individuals from agriculture education, land conservation, Department of Natural Resources, Extension education groups, etc., providing education. There will be a family living tent, and a youth tent/campus, at which virtual reality tractor driving will be featured. There will be an “innovation square” to showcase new Ag technology. Reedy said there is an all-county meeting of the Farm Technology Board on December 3. She will update the Committee in January.
- UW-Extension’s Public Hearing on the proposed Mission Statement change
Wehmeier said one hearing has been held. She will email the Committee when she learns of the next date and time.
- UW-Extension outreach and educational events - included for informational purposes.
- **Chairperson’s Report** – The Chair had no report.

Announcements – There were none.

Confirmation of Next Meeting. The next committee meeting was confirmed for Monday, January 18, 2016 at 1:00 p.m. – County Board Room 114 in the Government Center

Adjournment

On motion by Citizen Member Merwin, seconded by Citizen Member Krejci, Chair Kilkenny adjourned the meeting at 2:07 p.m.

DRAFT

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

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 Board members: Tim Brellenthin and Kathy Ingersoll

County staff: County Administrator David Bretl, Sheriff Kurt Picknell, Health and Human Services Director Elizabeth Aldred, Undersheriff Kevin Williams

Members of the public: Merilee Holst, Stephen Ohs-Lakeshores Library System, and Brian Rutkowski-General Manager, Alpine Valley Music Theatre

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

On motion by Supervisor Brandl, second by Supervisor Russell, the October 19, 2015 meeting minutes and the November 10, 2015 special joint meeting minutes were approved by voice vote.

Public Comment – There was none.

Appointments

Recommendations regarding County Administrator's nominations:

- Park Committee – appointment of Merilee Holst to fill the unexpired term of Michael Hurlburt
County Administrator Bretl said Ms. Holst has been a regular attendee at the Park and Land Conservation Committee meetings, and is actively involved with the Geneva Lake Conservancy. Michael Hurlburt reluctantly resigned as a Citizen Member on the Park Committee because he will be out of state during the winter months. Ms. Holst said Mr. Hurlburt was conflicted about resigning, but he will continue to be involved with the parks. Holst said she hopes to step into his shoes and make a contribution to our parks and conservation. Supervisor Russell noted with the appointment of Ms. Holst, there will be a representative from both the southern and northern portions of the county on the Park Committee.

Supervisor Russell made a motion, seconded by Supervisor Staples, to approve the appointment of Merilee Holst to fill the unexpired term of Michael Hurlburt on the Park Committee. The motion carried 5-0.

- 9-1-1 Governing Board – appointment of Captain Dana Nigbor, reappointment of Tim O'Neill, Melody Lentz and Jean Froggatt

Supervisor Brandl made a motion, seconded by Supervisor Russell, to recommend appointment of Capt. Nigbor; and to recommend reappointment of Tim O'Neill, Melody Lentz and Jean Froggatt to the 9-1-1 Governing Board. The motion carried 5-0.

- County Surveyor – reappointment of Dr. Kurt Bauer

Bretl said this service has been outsourced to the Southeastern Wisconsin Regional Planning Commission (SEWRPC), who provides services for five of the seven counties in the southeast region. The County has received good service from SEWRPC and Dr. Bauer. Most recently, they surveyed for the White River Park and assisted in straightening out the titles to the Sheriff's range. **Supervisor Russell made a**

motion, seconded by Supervisor Staples, to recommend the reappointment of Dr. Kurt Bauer as County Surveyor. The motion carried 5-0.

Consent item – expense/mileage reimbursement claim submitted by Allan Polyock, county representative on WRRTC, in the amount of \$136.25. **Supervisor Brandl made a motion, seconded by Supervisor Russell, to approve the reimbursement claim of Allan Polyock. The motion carried 5-0.**

Unfinished business

- Review Chapter 2 of the Walworth County Code of Ordinances relating to County Board Supervisor duties/job description

This item was deferred for consideration until before the first closed session.

New business

- Alpine Valley Music Theatre (AVMT) 2016 Business Plan and License Application
 - Review 2016 operations plan

County Administrator Bretl said the operations plan has been circulated to the County's Public Health Department, Land Use and Resource Management (LURM) and the Sheriff. Bretl noted that LURM has responded with no objections to the plan. Brian Rutkowski, AVMT General Manager, said the biggest change since last year is the schedule of dates. There are five total events planned for next year.

Supervisor Russell asked for clarification concerning the last sale of alcohol, and suggested that the language in paragraph 2 on page 2 be changed from "at no time will alcohol be served longer than 30 minutes prior to the last band of the evening" be changed to "no alcohol will be served after 30 minutes prior to the last band of the evening." She also asked if the language in paragraph 4 on page 2 concerning the restriction on the sale of alcoholic beverages could be changed from "should be restricted" to "will be restricted." Russell noted that she is pleased they kept the language in the plan concerning consideration of nearby property owners. Rutkowski said they will send a letter out to all of the neighboring property owners before the beginning of the 2016 season. Sheriff Kurt Picknell said Undersheriff Kevin Williams reviewed the plan carefully this year, and is comfortable with it. One of the Sheriff's Office Division Commanders reached out to all of the neighbors and there were no complaints or concerns.

- Set date and time for public hearing on 2016 Alpine Valley business plan and license application
- Vice Chair Kilkenny made a motion, seconded by Supervisor Brandl, to hold the public hearing date on the 2016 operations plan on December 14, 2015 at 10:00 a.m.**

- Kewaunee County Resolution No. 10-10-15 Resolution Urging Amendment to sec 43.12 – County Payment for Library Services

Bretl introduced Steve Ohs, Director of the Lakeshores Library Systems. Ohs said the proposed amendment to the statute would add an additional subsection to allow counties the option of invoicing out-of-county residents directly for any materials loaned, which is contrary to the universal library service model. Wisconsin is number one nationwide in resource sharing. Ohs also said the direct charge to non-county users would be less efficient and would inhibit tracking library use. **Supervisor Staples made a motion, seconded by Supervisor Russell, to place the Kewaunee County resolution on file. The motion carried 5-0.**

- Winnebago County Resolution No. 214-102015 – Resolution Urging Wisconsin Legislature to Transfer Jurisdiction of 17 Year-Old Delinquent Offenders back into the Juvenile Justice System from the Adult Corrections System

Bretl said this advisory resolution would allow moving 17 year-old offenders back into the juvenile justice system from adult corrections. Sheriff Picknell had no objections to the resolution as long as the ability to waive juveniles to adult court remains. Director of Health and Human Services Elizabeth Aldred supports the resolution, stating 17-year olds are still adolescents developmentally. **Vice Chair Kilkenny made a motion, second by Supervisor Staples, to forward the resolution to the County Board for adoption. The motion carried 5-0.**

- Wood County Resolution 15-10-7 – Resolution to encourage legislature to update Public Records Law by amending sec. 19.36

Bretl said he spent some time reviewing the resolution and isn't certain of Wood County's intent. He said public officials' home addresses are releasable under law, but not Social Security numbers. Also, performance evaluations of department heads of local units of government are not exempt under public records law. The resolution urges the legislature to amend sec. 19.36 of the Public Records Law to include individuals holding public office as "employees" under the statute. Bretl said if the Committee is interested in pursuing changes to the law to protect performance evaluations or pending criminal investigations, he would do additional research and report at the December meeting. **Vice Chair Kilkenny made a motion, seconded by Supervisor Staples, to place the Wood County resolution on the December committee agenda pending further research. The motion carried 4-1. Supervisor Brandl voted no. Supervisor Russell made a motion for reconsideration, seconded by Supervisor Brandl. The motion carried 3-2, with Vice Chair Kilkenny and Supervisor Staples voting no. Vice Chair Kilkenny made a motion to conduct additional research on the issue of department head evaluations and active criminal investigations. The motion died for lack of a second. Supervisor Russell made a motion, seconded by Supervisor Brandl, to place the resolution on file. The motion carried 3-2, with Vice Chair Kilkenny and Supervisor Staples voting no.**

- Outagamie County Resolution No. 62-2015-16 – Resolution to oppose any legislation expanding the subpoena process.

Bretl said this resolution opposes the expansion of the subpoena process as proposed in 2015 AB 90. The resolution argues that expansion could subject victims to uncontrolled access into their private records. Bretl said if the committee wished, he could contact District Attorney Necci for his opinion and research the Attorney General's position. **Vice Chair Kilkenny made a motion, seconded by Supervisor Russell, to table discussion to the December 14, 2015 committee meeting. The motion carried 5-0.**

- Review Chapter 2 of the Walworth County Code of Ordinances relating to County Board Supervisor duties/job description

Bretl said he expanded some of the items in Chapter 2 and incorporated some guidelines similar to Marathon County as requested by the Committee last month. In addition to the legal qualifications, Bretl added some "best practice" information. Supervisor Brandl suggested including the list of standing committees in the job description. **Vice Chair Kilkenny made a motion, seconded by Supervisor Russell, to recommend approval of the County Board Supervisor duties/job description, with the inclusion of a list of the standing committees of the Board. The motion carried 5-0.**

Reports/announcements by Chairperson – There were no reports or announcements.

Next meeting date and time – The next meeting was confirmed for Monday, December 14, 2015 at 10:00 a.m.

Claims and Litigation

The committee convened in closed session at 10:50 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 and County Board Supervisors Brellenthin and Ingersoll.

- a. Notice of Receiver’s Motions for Entry of an Order Approving Seventh Extension of Financing Agreement, Order Authorizing Receiver to Borrow Funds or Use of Cash Collateral and to Grant Additional Liens and Security Interests, and Final Order Authorizing Receiver to Borrow Funds or Use Cash Collateral and to Grant Additional Liens and Security Interests and for Entry of an Order Extending Time for the Receiver to File the Settlement of Receiver’s Accounts – In re: B.R. Amon & Sons, Inc., Amon & Sons, Inc., Amon Land Company, LLC, Lake Mills Blacktop, Inc.
- b. Scheduling Questionnaire – LSCG Fund 17, LLC vs. Mann Bros et al.
- c. Notice of Claim and Claim for Damages – Alexei Strelchenko

The committee reconvened in open session at approximately 11:13 a.m. on motion and second by Supervisor Brandl and Vice Chair Kilkenny. Vice Chair Kilkenny made a motion, seconded by Supervisor Russell, to place items a. and b. on file, and to direct staff to send a notice of disallowance of claim on item c. The motion carried. 5-0

Closed Session. The committee convened in closed session at 11:15 a.m. on motion and second by Supervisors Brandl and Staples, pursuant to the exemption contained in Section 19.85(1)(c) of the Wisconsin Statutes, “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility,” relative to the item listed below. **A roll call vote was conducted and all members present voted “aye.”** Remaining in closed session were County Board Supervisors Brellenthin and Ingersoll

- a. Annual evaluation of the County Administrator

The committee reconvened in open session at approximately 11:50 a.m. on motion and second by Supervisors Brandl and Russell. Supervisor Russell made a motion, seconded by Vice Chair Kilkenny, to proceed as discussed in closed session. The motion carried 5-0.

Adjournment

On motion by Supervisor Brandl, seconded by Vice Chair Kilkenny, Chair Weber adjourned the meeting at 11:51 a.m.

DRAFT

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

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

Roll call was conducted. Members present included Chair Rick Stacey, Vice Chair Nancy Russell, and 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/Public Works Kevin Brunner, County Engineer Joe Kroll, Facilities Manager John Miller, Human Resources Director Dale Wilson and Public Works Accountant Penny Bishop
Members of the public: Eric Nitschke

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

On motion by Supervisor Yvarra, second by Supervisor Schaefer, the October 19, 2015 meeting minutes were approved by voice vote.

On motion by Supervisor Yvarra, second by Vice Chair Russell, the November 10, 2015 special joint meeting minutes were approved by voice vote.

Public comment – There was none.

New Business

- Approval of 2016 MOU between Walworth County and Jefferson County for Household Hazardous Waste Clean Sweep Collection Services

Central Services Director Kevin Brunner said this is the annual agreement with Jefferson County for the cooperative use of Whitewater Clean Sweep site by Jefferson County residents. **Supervisor Schaefer made a motion, seconded by Supervisor Yvarra, to recommend approval of the Memorandum of Understanding between Walworth County and Jefferson County for Household Hazardous Waste Clean Sweep Collection Services. The motion carried 5-0.**

- Award of bid for Department of Public Works Vehicle Maintenance Facility project
Brunner reported that 12 competitive bids were received, with a close spread between the lowest and highest bidder. The budget can accommodate all of the bid alternates. Staff recommends approval of the bid to Scherrer Construction Co. Staff eliminated Alternate #6 for the colored concrete admixture, which would not appreciably improve long-term appearance nor reduce floor maintenance costs. Scherrer's bid amount is \$6,327,752, well within the construction budget of \$7,465,000. Brunner noted in addition to the construction costs, there will be owner direct purchases (most of which is for vehicle lifts), construction management services of \$121,500 and surveying, soils testing and review fees and expenses. Brunner said even with these costs, the project will be under budget by approximately \$425,000. **Supervisor Schaefer made a motion, seconded by Vice Chair Russell, to approve the construction bid award to Scherrer Construction for the Public Works Vehicle Maintenance facility. The motion carried 5-0.**

- Award for bid for Government Center Basement Renovation project
Glen Fern Construction was the low bidder, in the amount of \$119,100, which includes the alternate for renovation of the basement corridor. Brunner noted that the County has worked with Glen Fern in the past and experienced some delays; however those projects were completed under budget, and staff couldn't justify disqualifying the low bid. In addition, Venture Architects will be managing the project. Vice Chair Russell said that Glen Fern should be notified that delays won't be tolerated. **Supervisor Monroe made a motion, seconded by Vice Chair Russell, to award the Government Center Basement Renovation project to Glen Fern Construction. The motion carried 5-0.**
- Award of bid for County Roofing Repair project – various County buildings
Two bids were received, and Carlson Racine Roofing & Sheet Metal was the lowest at \$45,969. The contract is for roof repairs at Health and Human Services, Public Works and the Sheriff's Office. Brunner said next year's budget includes funds for a long-range roof replacement study. **Vice Chair Russell made a motion, seconded by Supervisor Monroe, to award the contract for 2016 roof repairs to Carlson Racine Roofing & Sheet Metal in the amount of \$45,969. The motion carried 5-0.**
- Award of bid for Sheriff's Office Exterior Window Painting project
Brunner said three bids were received, and recommended award to the low bidder, contingent upon approval by the Finance Committee of a budget amendment to transfer funds from the antenna tower project. **Vice Chair Russell made a motion, seconded by Supervisor Yvarra, to recommend award of the bid to Service Painting Corporation, in the amount of \$54,500, contingent upon Finance Committee approval of a budget amendment to fund the project. The motion carried 5-0.**
- Award of 2016-2018 Design and Engineering Services for County Road and Bridge Construction, Bridge Inspection Services and Bridge Inspection Program Manager Services
Vice Chair Russell made a motion, seconded by Supervisor Monroe, to hold this item for discussion/action until the December committee meeting, to allow the new Director an opportunity to review the proposal and provide input. The motion carried 5-0.
- Award of Lakeland Health Care Center Air Cooled Chiller
Lee Plumbing Mechanical Contractors was the low bid at \$259,770. **Supervisor Schaefer made a motion, seconded by Supervisor Monroe, to approve the award for the installation of the Lakeland Health Care Center Air Cooled Chiller to Lee Plumbing Mechanical Contractors, Inc. The motion carried 5-0.**
- Review/approval of change order for CTH M
Brunner said he reported to the Committee last month that some additional base material should have been removed during construction. Soft spots appeared in some of the roadway because of the base failure. The total cost to replace will be \$22,000. The contractor repaired some of the holes that they agreed was their responsibility. **Supervisor Monroe made a motion, seconded by Supervisor Yvarra, to approve Change Order 15-01 in the CTH M project in the amount of \$22,000. The motion carried 5-0.**
- Review/approval of change order for Sheriff's Indoor Range Construction Project (winter conditions)
Brunner said a variety of issues delayed the project including delays in procuring the conditional use, septic and raze permits. The driveway also had to be redesigned to meet Town of Lafayette requirements. The project has just begun, and because of the late start an additional \$24,000 change order was received

from Magill Construction for temporary heat and protection and snow removal. The amount will be offset by tax savings from direct purchases. Vice Chair Russell drew attention to the letter in the packet from Magill Construction. She expressed concern over the reference to fixed costs and additional subcontractor costs in addition to the winter expenses. Facilities Manager John Miller said the winter allowance was discussed at the progress meeting, and the costs are projected based upon historical data on winter conditions. The County will only be billed for actual costs. Discussion ensued, and County Administrator Bretl suggested staff get written clarification from Magill Construction on extra costs. **Supervisor Monroe made a motion, seconded by Vice Chair Russell, to approve a maximum of \$24,500 for the change order for winter conditions, and that any other charges from the contractor would have to be presented via change order. The motion carried 5-0. Staff was directed to clarify with Magill Construction what “fixed costs and additional subcontractor costs” consist of in their letter of November 9, 2015 addressed to Kris McGill.**

- Review/approval of change order for Sheriff’s Indoor Range Construction Project (Direct Owner Purchases)

Vice Chair Russell made a motion, seconded by Supervisor Schaefer, to approve the change order for the Sheriff’s Indoor Range Construction project in the amount of \$12,871. The motion carried 5-0.

- Approval of Resolution **-12/15 Authorizing the Closure of the Project Account for the CTH X-Bridge Over WSOR RR Bridgework Project and Transferring Remaining Funds to the Road and Bridge Construction Committed Fund Balance Account (Project #080X2)

Supervisor Schaefer made a motion, seconded by Supervisor Monroe, to recommend approval of the resolution. The motion carried 5-0.

- Review/Approval of a Recommendation to Terminate Bi-Directional Antenna Project (recommendation to Finance Committee)

Brunner said the 2014 CIP included funds to install amplifiers for cell phone service at the Judicial and Government Centers. There have not been significant communication issues in these facilities, so staff recommends terminating the projects and using the funds for county roof repairs. **Vice Chair Russell made a motion, seconded by Supervisor Russell, to approve termination of the bi-directional antenna project. The motion carried 5-0.**

- Review of 2015 Highway PASER Ratings

Brunner said county ordinance requires the county to maintain its highway system at a seven or better rating under the Pavement Surface Evaluation and Rating (PASER) system. The 2015 average is 7.39, and none of our roads is rated below a 4. Brunner said Walworth County is the only county within the State that maintains as high a level, and he credited the efforts of the Public Works Department for maintaining such commendable standards.

- Review County Facility Cleaning contract

Brunner said the County has had a contract with Diversified Building Maintenance (DBM) since 2011, for cleaning of all facilities. The County has extended the contract for three one-year periods, with the same pricing and conditions. During this year’s budget process, Purchasing contacted DBM concerning extending their services for 2016. Subsequently, there was substantial damage to floors at the School and some staffing and key issues at facilities for which the vendor will assume financial responsibility. DBM then informed Purchasing that it would not be willing to extend the contract for the same terms, and has

requested increases for individual buildings ranging from 22 to 55%. Purchasing is soliciting proposals for cleaning services and will provide an award recommendation at the December Finance Committee meeting.

Reports

- Report on CTH H improvement project

Construction on CTH H from Voss Road to CTH A is scheduled for 2017. The County will receive Surface Transportation Program (STP)-Rural funding for the project. There was a public information meeting last month held by Baxter Woodman, the consultants, and intersection improvements are being considered. There is a possibility that Cobble Road will be closed for a period of time, and Schmidt Road may also be affected. Brunner reported staff would be meeting with the Town of Sugar Creek this evening to obtain their official approval of the project. If anyone is interested, Brunner has a complete set of plans for review.

- Report on CTH NN construction project

Brunner said the project is substantially complete. He summarized the unanticipated costs, which included \$61,294 for impacted soils; \$16,419 for removal of an existing concrete roadway, and \$21,174 for fiber optic locations. Much of the soil removed can be used on next year's project. Even with the additional expenses, the project is well within budget. Installation and lighting of the campus signage will be done in the near future.

- Report on proposed CTH ES Jurisdictional Transfer Agreement

Brunner said the Village of East Troy Board met and voted against the Jurisdictional Transfer Agreement, even though the Village President supported it. The Board did not feel the funds they would receive in transportation aids would be sufficient to meet their actual costs. Brunner said the Village is still proceeding to improve the Square and will have to come to this Committee for approval before they work in the County's rights-of-way. Bretl commented if the Village plans on doing streetscaping in County right-of-way, County forces may not be able to continue maintenance on the roadway, especially winter operations, and that it will have to be addressed as the Village's plans proceed.

- Reports/Announcements by Chair. Chair Stacey had no reports or announcements.

Correspondence – There was none.

Confirmation of Next Meeting – The next meeting was confirmed for Monday, December 14, 2015 at 3:30 p.m.

Adjournment

On motion and second by Supervisors Monroe and Yvarra, Chair Stacey concluded the meeting at 4:35 p.m.

Walworth County Board of Adjustment

MINUTES

November 11, 2015 - Hearing – 8:30 AM

November 12, 2015 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on November 11 & 12, 2015, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on November 11, 2015, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Deb Grube, Senior Zoning Officer, Shannon Haydin, LURM Deputy Director and Wendy Boettcher, recording secretary were in attendance. Those present on November 12, 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. Michael Cotter, LURM Director, sat in for a portion of the meeting. “Sign-in” sheets listing attendees on November 11, 2015, and November 12, 2015, are kept on file as a matter of record.

The November 11, 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. **Elizabeth Sukala motioned to approve the agenda as presented. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the October 14 & 15, 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, November 12, 2015. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 11, 2015, hearing went into recess at approximately 10:39 A.M.

On November 12, 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. **Elizabeth Sukala motioned to approve the agenda as amended to add item 7.A.1. Goroff-Goodwin / Richmond Township. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the December 9, 2015, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The November 12, 2015, decision meeting adjourned at approximately 10:01 A.M.

Four variance hearings were scheduled and details of the November 11, 2015, hearings and the November 12, 2015, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business

Hearing – Count #N/A / Decision – Count #8:40:08 – 9:04:30

Patricia A. McGrath Trust, owner / Attorney Robert T. VanScoyoc of Sweet & Maier, S.C., applicant – Section(s) 11 – Linn Township

Applicants are requesting a variance from Section(s) 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a residence.

REQUIRED BY ORDINANCE: The Ordinance requires the lot width to be 150' at the building site.

VARIANCE REQUEST: The applicants are requesting a building site at 135' lot width. The request is a variance from Section(s) 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 12, 2015, for the petition of Patricia A. McGrath Trust, owner / Attorney Robert T. VanScoyoc of Sweet & Maier, S.C., applicant, voted to **APPROVE** the request for a building site at 135' lot width **WITH THE CONDITION** the building is behind the "white line" or "Town line" per the plan submitted November 3, 2015.

A motion was made by Elizabeth Sukala to deny the position of the residence as shown on the site plan presented November 3rd. Seconded by Ann Seaver for discussion.

Ann Seaver rescinded her second. Motion dies for lack of second.

Elizabeth Sukala rescinded her motion.

Ann Seaver made a motion that the lot is buildable at the 135' at the lakeside. Seconded by Elizabeth Sukala.

Elizabeth Sukala made the condition the building site is between the white and the red line; behind the white line or "Town line" at minimum.

Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board conditioned the approval that the building be located behind the "white line" or "Town line" per the plan submitted November 3, 2015. The Board found the unique property limitation to be the unique lot shape and existing development pattern. The Board found it would be an unnecessary hardship to put the residence at the 150 foot lot width on the parcel as it was not in keeping with the development pattern and was not safe for lake use. The Board found approval of the building site at the line of recommendation made by the Town of Linn would cause no harm to public interests. There were three letters of support. There were two letters of opinion. Attorney Steven A. Koch and two neighboring property owners spoke in opposition. There was a letter of opposition.

New Business – Variance Petitions

Hearing – Count #8:38:35 – 9:48:35 / Decision – Count #9:04:31 – 9:21:29

The First Hearing was Michael & Karen Fiedler, owners – Section(s) 21 – Delavan Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-219 of Walworth County's Code of Ordinances – Shoreland Zoning to construct second story additions to a single-family residence, construct stairs and a patio and to change the grade within 75' of the shore.

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.

A motion was made by Ann Seaver to approve grade changes, the minimum necessary for a parking space. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala to deny the patio, stairs to the street and the retaining wall. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala to approve the changes to the home, the stairs to the home and the retaining wall on the street yard face of the residence. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL of grade changes, the minimum necessary for a parking space with pavers: The Board found a unique property limitation in the small lot size. The Board found to approve the minimum grade change necessary for a parking space allows off street parking for the owner which meets the purpose and intent of the zoning ordinance. The Board found the owner has no other options for onsite parking. The Board found to approve the parking space would cause no harm to public interests as similar parking areas exist near the residence. The Board found to deny parking for the residence and require the owner to seek offsite parking would create a hardship. The Board found to deny onsite parking would create a safety issue. The Board found to approve the request would not harm the public's interest in navigable waters as a road exists

between the property and the lake.

DENIAL of patio, stairs to street and retaining wall:

The Board found to deny the patio, stairs to the street and the retaining wall preserve as much green space as possible. The Board found the patio, stairs to the street and the retaining wall are not necessary to create a parking space.

APPROVAL of stairway on the street yard side of residence, window wall on the street yard side of the residence, side yard and rear yard setbacks for additions to the residence:

The Board found a unique property limitation in the small lot size. The Board found the window wall is integral to the residence due to the topography of the lot where the residence sits and the existing exposed foundation. The Board found the residence to be in need of work in order to bring it up to code for occupancy. The Board found to approve the request would allow a change from partial to full walls from the floor to the ceiling in the residence. The Board found to approve the request would allow safe ingress / egress for the residence. The Board found to approve the request would cause no harm to public interests.

There were four letters / e-mails of support from neighboring property owners and the Town of Delavan . Two people spoke in support. There were two letters / e-mails of opposition from neighboring property owners. One person spoke in opposition.

Hearing – Count #9:48:36 – 10:09:48 / Decision – Count #9:21:30 – 9:25:44

The Second Hearing was Michael & Karen Fiedler, owners – Section(s) 21 – Delavan Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction prior to an accessory structure and a 25' rear yard setback, 25' street yard setback and 10' side yard setbacks and limits accessory structures to 10% of the lot area (201 sq.ft.).

VARIANCE REQUEST: The applicants are requesting an accessory structure on a vacant parcel and a 3.01' rear yard setback, a 23.28' street yard setback and a 3.58' and a 2.16' side yard setback for an 865.6 sq. ft. accessory structure on a 2010 sq. ft. lot. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage).

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 **MODIFY AND APPROVE** the request for an accessory structure on a vacant parcel to a 3.01' rear yard setback, a 33.28' street yard setback and a 3.58' and a 2.16' side yard setback for a 24' x 30' structure.

A motion was made by Ann Seaver to approve the request for the building that is existing with the condition that with the proposed addition the total structure size not exceed 24' x 30'. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found to approve the existing structure size and allow a 10' addition to bring the total structure size to 24' x 30'. The Board found a unique property limitation in the small size of the lot. The Board found the building exists in a dilapidated condition and is in need of repair. The Board found to approve the variance request will allow the owner to keep items under roof. The Board found to approve the request would cause no harm to public interests. The Board found existing vegetation on the north lot line will help shield the structure from view. The Board found similar accessory structures exist in the area. The Board found to approve the request will not harm the public's interest in navigable waters.

There were five letters / e-mails of support from neighboring property owners and the Town of Delavan. A neighboring property owner spoke in opposition.

Hearing – Count #10:09:49 – 10:16:41 / Decision – Count #9:25:45 – 9:31:20

The Third Hearing was Mary L. Kline Trust, owner / Brian Turnbull, applicant – Section(s) 9 – Sharon Township

Applicants are requesting a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to convert an existing building into a residence.

REQUIRED BY ORDINANCE: The Ordinance requires a 65' street yard setback.

VARIANCE REQUEST: The applicants are requesting a 46.16' street yard setback. The request is a variance from Section(s) 74-51 of Walworth County's Code of Ordinances – Zoning to convert an existing building into a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 11 & 12, 2015, for the petition of Mary L. Kline Trust, owner / Brian Turnbull, applicant, voted to **APPROVE** the request for a 46.16' street yard setback **SUBJECT to County Zoning Agency approval of the conditional use.**

A motion was made by to Elizabeth Sukala to approve the variance request as presented pending conditional use approval from Walworth County. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the structure to be existing and in good shape. The Board found the structure is located close to the existing main residence to utilize the septic and well. The Board found to approve the variance request will cause no harm to public interests. The Board found the owner did receive Town approval. There was one letter of support from the Town of Sharon. There was no opposition.

Hearing – Count #10:16:42 – 10:38:39 / Decision – Count #9:31:21 – 9:33:00

The Fourth Hearing was Sidney Smith LLC c/o Allison Childers, owner – Section(s) 11 – Linn Township

Applicant is requesting a variance from Section(s) 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to a single-family residence.

REQUIRED BY ORDINANCE: The Ordinance permits a single-family residence with a maximum height of 45’.

VARIANCE REQUEST: The applicant is requesting a height of 50’ 2”. The request is a variance from Section(s) 74-181 of Walworth County’s Code of Ordinances – Shoreland Zoning to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of November 11 & 12, 2015, for the petition of Sidney Smith LLC c/o Allison Childers, owner, voted to **APPROVE** the request for a height of 50’ 2” for a single family residence.

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 went through Board of Adjustment review and approval in September 2014. The Board found the owner was unable to complete the project within the one-year time limit due to circumstances beyond their control. The Board found a unique property limitation in the historical value of the property. The Board found to deny the variance request would cause unnecessary hardship. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would cause no harm to the public’s interest in navigable waters. There were four letters / e-mails of support from neighboring property owners and the Town of Linn. There was a petition of support. There was no opposition.

Other

- A. Discussion / possible action on Township correspondence – none
- B. Discussion / possible regarding Board of Adjustment procedures – meeting start times

A motion was made by Ann Seaver to start at 9 o’clock. Seconded by Elizabeth Sukala. Motion carried. 2-favor 1-oppose (John Roth)

After discussion it was decided the start time for the Board of Adjustment hearing and meeting days will be changed from 8:30 A.M. to 9:00 A.M. beginning January 2016.

Staff Reports

- A. Court cases update
 - 1. Goroff – Goodwin / Richmond Township
Board of Adjustment members received a copy of the Decision on Petition for Certiorari handed down by Circuit Court Judge Phillip A. Koss. The decision of the Walworth County Board of Adjustment filed November 20, 2014, is reversed. The Board of Adjustment decided not to appeal the reversal.

A motion was made by John Roth to not appeal the court's ruling. Seconded by Ann Seaver. Motion carried. 3-favor 0 oppose

B. Distribution of reports, handouts and correspondence – none

Proposed discussion for next agenda

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

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

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

DRAFT

**Walworth County Board of Supervisors
Executive Committee Special Meeting Minutes
Tuesday, November 10, 2015
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order by Chair Weber at 4:49 p.m.

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

Others in Attendance

County Board members: Tim Brellenthin, Ken Monroe, Joe Schaefer, Rick Stacey and Charlene Staples
County staff: County Administrator David Bretl, Deputy County Administrator-Finance Nicki Andersen, Director of Human Resources Dale Wilson, Central Services Director Kevin Brunner and Treasurer Val Etzel

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

Public Comment – There was none

Reports/Announcements by Chairperson - The Chair had no reports or announcements.

Next meeting date and time – The next meeting was confirmed for Monday, November 16, 2015 at 10:00 a.m.

Claims and Litigation

The committee convened in closed session at 4:50 p.m. on motion and second by Supervisors Brandl and Russell, 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, County Board Supervisors Brellenthin, Ingersoll, Schaefer, Stacey, Monroe and Yvarra, and Attorney Ryan Braithwaite.

a) Michael and Christine Scholl v. Walworth County and ONE90H90H, LLC

The committee reconvened in open session at approximately 5:25 p.m. on motion and second by Supervisors Brandl and Staples. Supervisor Staples made a motion, seconded by Supervisor Russell, to recommend approval of the resolution authorizing the settlement in the matter of Michael and Christine Scholl v. Walworth County, et al. subject to the direction provided to counsel in closed session. The motion carried 4-0.

Adjournment

On motion by Supervisor Brandl, seconded by Supervisor Staples, Chair Weber adjourned the meeting at 5:26 p.m.

DRAFT

**Walworth County Board of Supervisors
Human Resources and Public Works Committees
Special Joint Meeting Minutes
Tuesday, November 10, 2015
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order by Human Resources Committee Chair Brandl at 4:15 p.m.

Roll call

Human Resources Committee: Roll call was conducted. Members present included Chair Rich Brandl, Vice Chair Tim Brellenthin, Supervisors Kathy Ingersoll, Ken Monroe and Rick Stacey. A quorum was declared.

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

Others in attendance:

County Board Supervisors: Charlene Staples and David Weber

County Staff: County Administrator David Bretl; Central Services Kevin Brunner; Human Resources Director Dale Wilson; Deputy County Administrator-Finance Nicki Andersen; Clerk of Courts Sheila Reiff and Court Office Manager Kristy Secord

Members of the public: Eric Nitschke

Agenda withdrawals/approval

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

Public comment – There was none.

New Business – Public Works Committee

- Recommendation of County Administrator's nomination of Eric Nitschke for appointment to the position of Director of Central Services

County Administrator Bretl said Central Services Director Kevin Brunner has announced his intention to retire. After 35 years in public service, Brunner wants to pursue other opportunities. Bretl said the timing in finding a replacement for Brunner was fortunate; Eric Nitschke was available and Brunner is willing to remain until the end of the calendar year to help with the transition. Bretl said he worked with County Board Chair Russell in recruiting Mr. Nitschke; both are impressed with his qualifications, and recommend approval of his nomination as Director of Central Services.

Eric Nitschke introduced himself. He has worked in the private sector, and in the public sector for the past 13 years, most recently as the Southeast Region Director at the Wisconsin Department of Natural Resources (DNR). Nitschke's experience includes working with utilities, private design and construction, winter operations and disaster response. He entertained questions from the Supervisors. Supervisor Ingersoll asked if his intention was to move to Walworth County. Nitschke said he intends to remain in Butler, which is a 45 minute commute. Bretl noted that one of the Highway management staff is always on call in case of an emergency. Human Resources Chair Brandl asked if Nitschke is familiar with the Wisconsin River Rail

Transit Commission (WRRTC), as Brunner has been working with them on some bridge issues. Nitschke said he and Brunner will be discussing the WRRTC during the transition, and he is willing to take on that role. **Supervisor Russell made a motion, seconded by Supervisor Schaefer, to recommend the County Administrator's nomination of Eric Nitschke for appointment to the position of Director of Central Services. The motion carried 5-0.**

Confirmation of next meeting date and time: The next Public Works Committee meeting was confirmed for Monday, November 16, 2015 at 3:30 p.m.

Adjournment of Public Works Committee

On motion by Supervisor Monroe, seconded by Supervisor Schaefer, Chair Stacey adjourned the Public Works Committee meeting at 4:26 p.m.

New Business – Human Resources Committee

- Discussion and possible action regarding the overfilling of the Director-Central Services position

- Resolution No. XX-11/15 – Approving and Employment Agreement By and Between Walworth County and Eric Nitschke as Director of Central Services

Human Resources Director Dale Wilson said the request is to overfill the Director of Central Services position from November 30, 2015 through January 4, 2016, which complies with Ordinance No. 15-18. During this time frame, Brunner will be taking some accrued vacation, and the overfill will not exceed 45 days. **Supervisor Stacey made a motion, seconded by Supervisor Brellenthin, to approve the overfilling of the Director-Central Services position, and to recommend approval of the Employment Agreement by and between Walworth County and Eric Nitschke as Director of Central Services. The motion carried 5-0.**

- Discussion and possible action regarding resolution Approving Wage Rate for Limited Term Pre-Trial Diversion Coordinator

Wilson said the resolution allows establishing a wage rate for the limited term position of Pre-Trial Diversion Coordinator. Funds for the remainder of 2015 will be covered with existing departmental funds, and funds for next year have been included in the 2016 preliminary budget. The wage rate would be \$20 per hour. Clerk of Courts Court Office Manager Kristy Secord said the position would be a six month maximum term. **Supervisor Monroe made a motion, seconded by Supervisor Ingersoll, to approve a \$20 per hour wage rate for the limited term Pre-Trial Diversion Coordinator. The motion carried 5-0.**

Confirmation of next meeting date and time: The next Human Resources Committee meeting was confirmed for Wednesday, November 18, 2015 at 3:30 p.m.

Adjournment of Human Resources Committee

On motion by Supervisor Stacey, seconded by Supervisor Yvarra, Chair Brandl adjourned the Human Resources Committee meeting at 4:31 p.m.

Draft 11/12/15

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD MEETING

SATURDAY, NOVEMBER 7, 2015, 9:00 AM

LAGRANGE TOWN HALL

MINUTES

Present: Dave Stamm (chair, #1, 2018), Ryan Mertes (treas, #3, 2017), Marcia Sahag (sec, #4, 2016), Peter Schuler (#5, 2016), Phil Holland (#2, 2018) by phone, Bob Arnold (County), Don Sukala (Town)

Absent:

Public Attendance: Rick Callaway, Bernie Slupik (by phone), Tom Slawski, Chief Biologist SEWRPC

1. Approval of Agenda: Motion to approve the Agenda (Peter/Don). Carried unanimously.
2. Aquatic Plant Management Plan Update final report presentation by representative of Southeastern Wisconsin Regional Planning Commission (SEWRPC), and discussion: Tom Slawski, Chief Biologist for SEWRPC presented the Aquatic Plant Management Plan update final draft. Copies were given to the Board members for review. Tom reviewed the organization of the report and the highlights. Overall, Pleasant Lake is in very good condition. Board members need to get their comments to SEWRPC prior to the next Board meeting so they can be incorporated into the Final Report.
3. Approval of prior Board Minutes of 10/1/15: Motion to approve the Minutes of 10/1/15 (Don/Peter). Carried unanimously.
4. Treasurers Report: The tax assessment for 2016 has been filed with the State for the tax levy of \$24,000. The change of bank account signers is completed. The accounting is up to date from the transition of treasurers. The accounting system now in use is Quick Books online. The cost is \$14.00 per month. The account balances as of 11/6/15 is

Checking	\$39,500.59
Money Market	\$37,117.68
Grant	\$ 6,692.70
Total	\$83,310.97

Invoices for the drain system construction has not been received. All invoices for 2015 will be requested by 12/15/15. Motion to approve the Treasurers report (Bob/Peter). Carried unanimously.

5. Adjustments to 2015 budget: Ryan presented the budget expense overages of \$10,532.72 and shortages of \$1,604.31 to date and proposed budget adjustments to cover the shortages and to reduce the overall budget by \$8928.41. Motion to reduce budget expenses by \$10,532.72 and increase budget items for DNR permits by \$70.00, Drain Maintenance by \$1,184.31, and Office Expense by \$350.00 totaling \$1,604.31 with a net budget decrease of \$8,928.41 (Ryan/Dave). Carried unanimously.
6. Discussion of additional bank account signer for emergency situations: District policy requires 2 signers on checks over \$2500.00. With Board member travel plans leaving Ryan as the sole signer, having an additional signer would be beneficial. Motion to approve the Resolution Designating Authorized Account Signers dated 11/7/15, designating as signers Dave Stamm, chairman, Ryan Mertes, treasurer, Peter Schuler and Marcia Sahag, secretary (Dave/Don). Carried unanimously.
7. Discussion of numerical designation for each commissioner position: Assigning each commissioner position a number would clarify the position to be filled at election time. Motion to designate each commissioner position with an identifying number with Dave Stamm's position as #1; Phil Holland's position as #2; Ryan Mertes' position as #3; Marcia Sahag's position as #4; and Peter Schuler's position as #5 (Marcia/Dave). Carried unanimously.
8. Discussion of future meeting dates: The chart of proposed meeting dates was reviewed.

The following dates for 2016 were agreed to: January 16, April 23, May TBD if necessary, June 25 for Annual Meeting, September 17, and November 5.

9. Sign annual meeting Amendment to Resolution Authorizing Project Spending for 2015: Board members present signed the resolution document.
10. POA Report: There was no quorum so no meeting was held. There was informal discussion by those present regarding volunteers for board member positions, committee assignments, website updates and improvements, and fish stocking of northern pike on November 13, 2015.
11. Bay Exploration Committee Report: The first meeting was on October 10, 2015. The draft of the meeting minutes was distributed. It was mainly an introductory and informational meeting. Members' roles on the committee were discussed but not yet established. Committee members have access to relevant materials and information. Members each have different goals. Short term and long term goals will be established. A consensus is the importance of getting into and out of the Bay. The second meeting has been rescheduled to November 14, 2015, due to health reasons. It is important that members share the work and it doesn't all fall on the chairman. Typical operating costs like conference phone calls and office supplies are part of District budget expenses. Funds for other reasons would need Board approval.
12. Drain project report west of Pleasant Lake Rd: Construction started September 22 by GMS Excavators Inc. of Edgerton, WI. Trenching began from the manhole on Hancock Lane going south to the second manhole at the scout camp line, then west to the lake. New manholes were installed at the turns as was new 10" flexible pipe. The outlet structure was installed at the lake shoreline. RA Smith National was on site when the outlet structure was placed and verified that it was set at 880.6 feet above sea level. The project was completed October 7, 2015. Pictures of the construction were reviewed.
After the installation the water level was about 1" below the high water level mark of 880.6.
13. Drain report east of Peasant Lake Rd: The letter of 9/24/15 from Attorney Leese to Attorney Devitt was distributed. The District has heard nothing from the Kessels except this letter prohibiting construction crew access to their property. Access to the property was not needed or made.
14. Goose Control report: The permit will be applied for. Volunteers for egg oiling will be requested. Ryan will volunteer and Tomm Girman will be asked to do it again. The goose population is down.
15. Grant report: SEWRPC will not have the final Aquatic Plant Management Plan update report finalized until 2016. The DNR advised us to request a grant extension until June 30, 2016, to accommodate the SEWRPC schedule. The extension has been requested. RA Smith surveyed and installed the water level gauges. One is on the drop box the second is on Mike Yunker's pier. Mike reported that the installation went very well. Ryan will ask someone from the Bay Exploration Committee to monitor the gauge in the Bay as recommended by SEWRPC in the APM Plan. Dave will monitor the gauge on the drop box.
16. Weed Control Report and treatment proposal for 2016: Lake and Pond Solutions Co. letter of October 22, 2015, was reviewed. Motion to accept the Lake and Pond Solutions Co estimate letter proposal and accept Lake and Pond Solutions Co. as the applicator for aquatic invasive plant treatment for 2016 (Marcia/Bob). Carried unanimously.
17. Schedule of meeting dates: The next scheduled board meeting is Saturday, January 16, 2016.
18. Establishing future agendas: No comments.
19. Adjourn: Motion to adjourn at 10:47 AM (Don/Peter). Carried unanimously.

Respectfully submitted,
Marcia M Sahag, Secretary, PLPRD

R.A. Smith National

*Beyond Surveying
and Engineering*

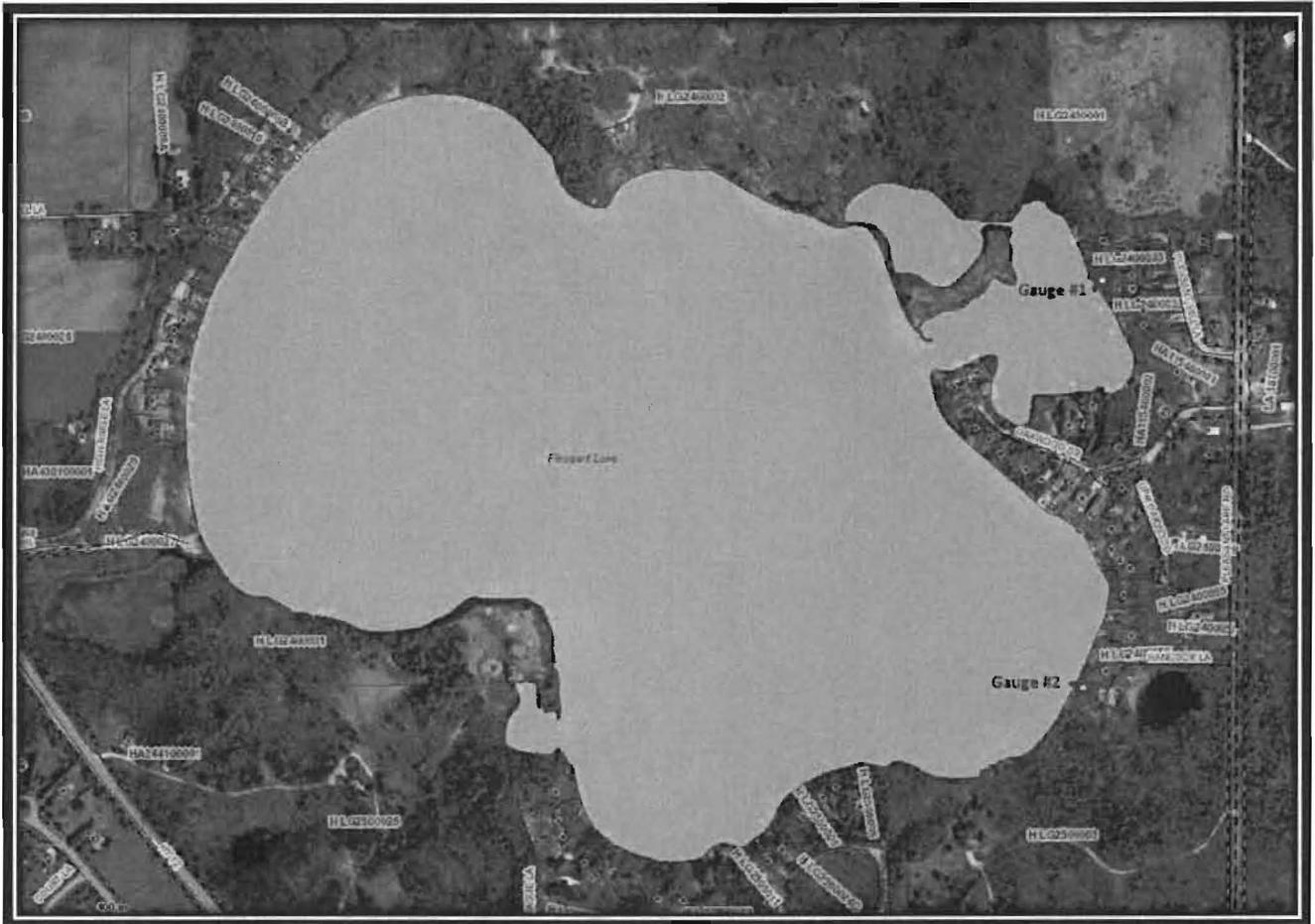
LAKE LEVEL GAUGE DATA

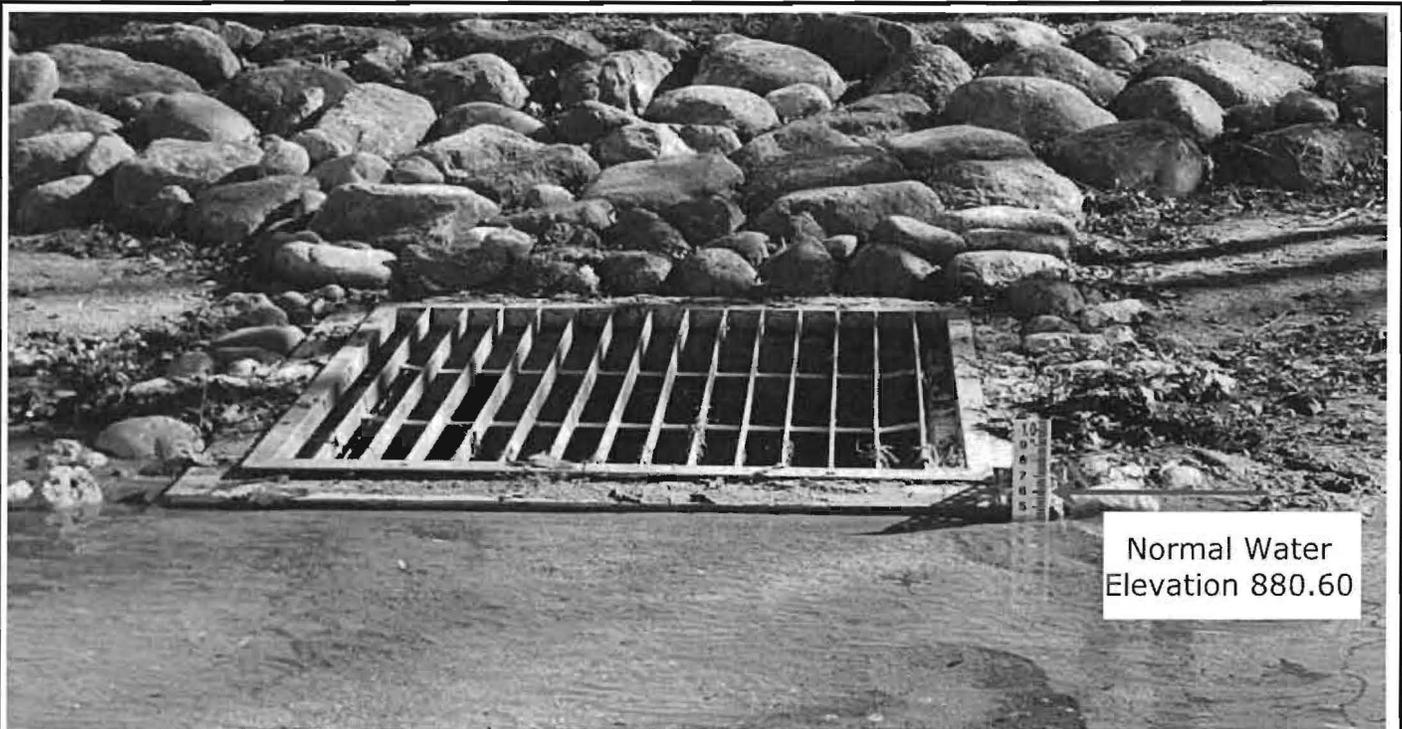
PLEASANT LAKE PROTECTION AND
REHABILITATION DISTRICT
TOWN OF LAGRANGE
WALWORTH COUNTY, WISCONSIN

11/4/2015

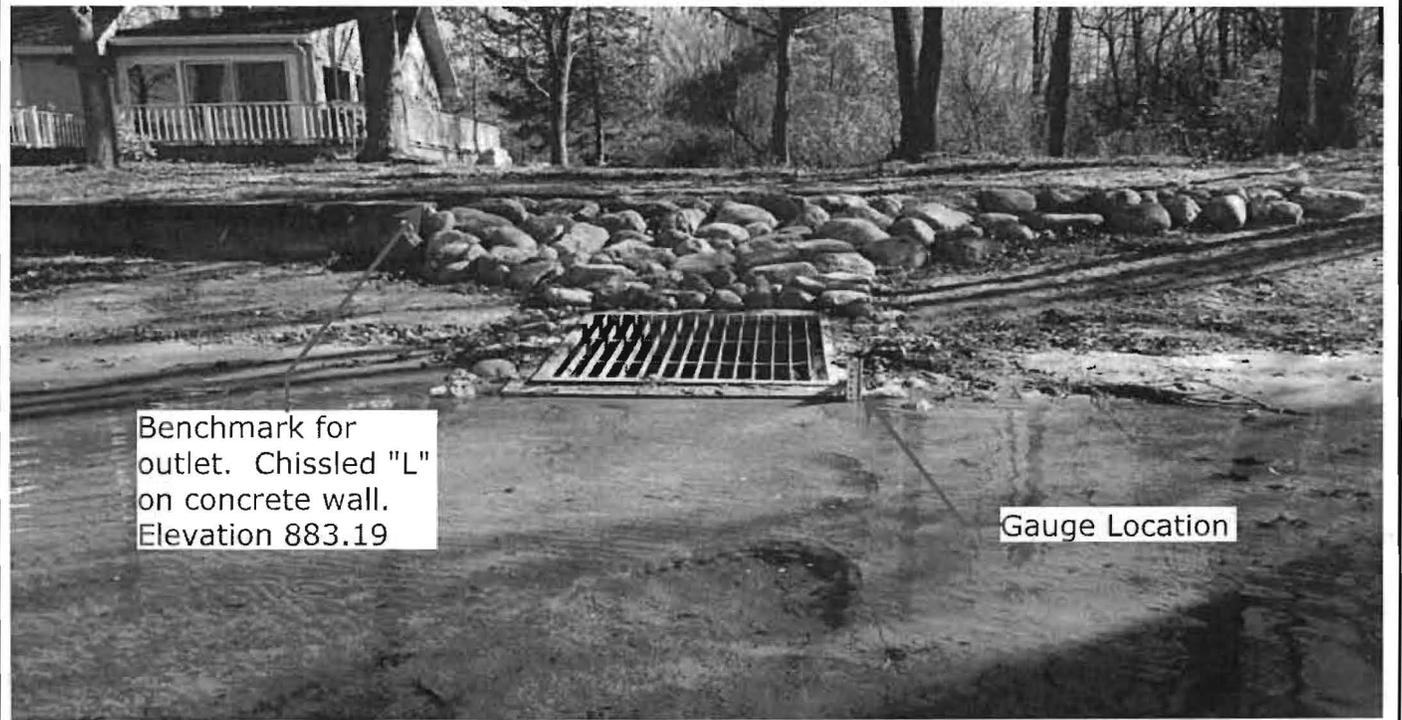
LAKE LEVEL GAUGES LOCATION MAP

PLEASANT LAKE





Normal Water
Elevation 880.60



Benchmark for
outlet. Chissled "L"
on concrete wall.
Elevation 883.19

Gauge Location

RECORD OF U. S. PUBLIC LAND SURVEY CONTROL STATION

U. S. PUBLIC LAND SURVEY CORNER 24/19 T 4 N, R 16/17 E, WALWORTH COUNTY, WISCONSIN
25/30

HORIZONTAL CONTROL SURVEY BY: AYRES ASSOCIATES YEAR: 2003
VERTICAL CONTROL SURVEY BY: AYRES ASSOCIATES YEAR: 2003

STATE PLANE COORDINATES OF: SECTION CORNER
NORTH 289,771.40
EAST 2,390,906.45

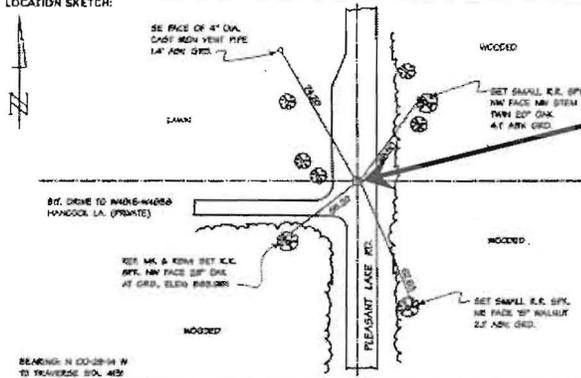
ELEVATION OF STATION: 885.425

HORIZONTAL DATUM: WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE
NORTH AMERICAN DATUM OF 1927

VERTICAL DATUM: NATIONAL GEODETIC VERTICAL DATUM OF 1929 THETA ANGLE: +1-00-02

CONTROL ACCURACY:
HORIZONTAL: THIRD ORDER, CLASS I VERTICAL: SECOND ORDER, CLASS II

LOCATION SKETCH:



Bench mark used to set the lake level.

Chissled "L" on concrete wall near the outlet structure. Elevation 883.19

SURVEYOR'S AFFIDAVIT:

STATE OF WISCONSIN: WALWORTH COUNTY: SS

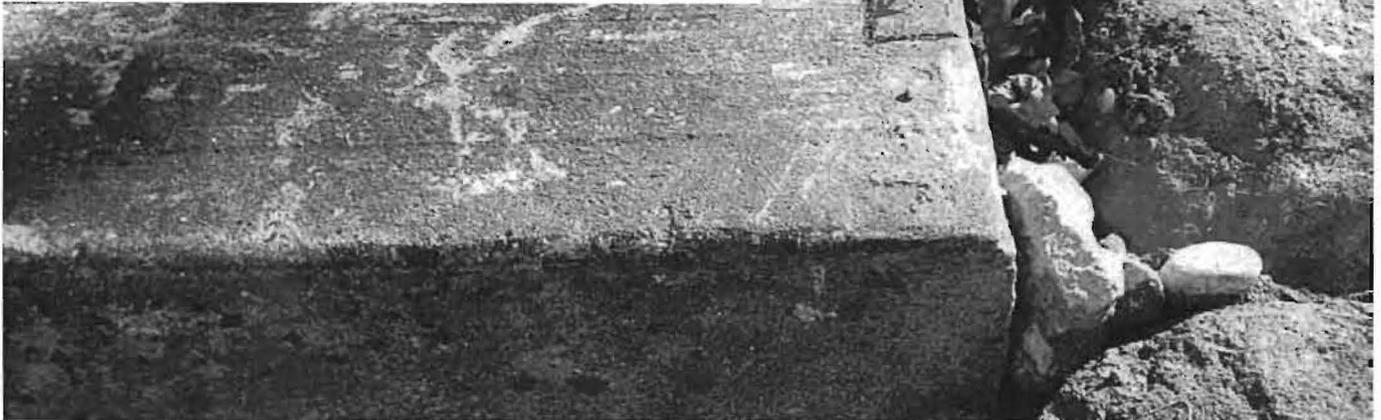
As Walworth County Surveyor, I hereby certify that I found a concrete monument with Walworth County brass cap as set to mark this corner in March 1974 by Lloyd L. Jensen, S-215, Walworth County Surveyor; replacing an old, sub-surface, wood stake in a well of stones then marking this corner; that I re-located the same as shown hereon; and that this record is correct and complete to the best of my knowledge and belief.

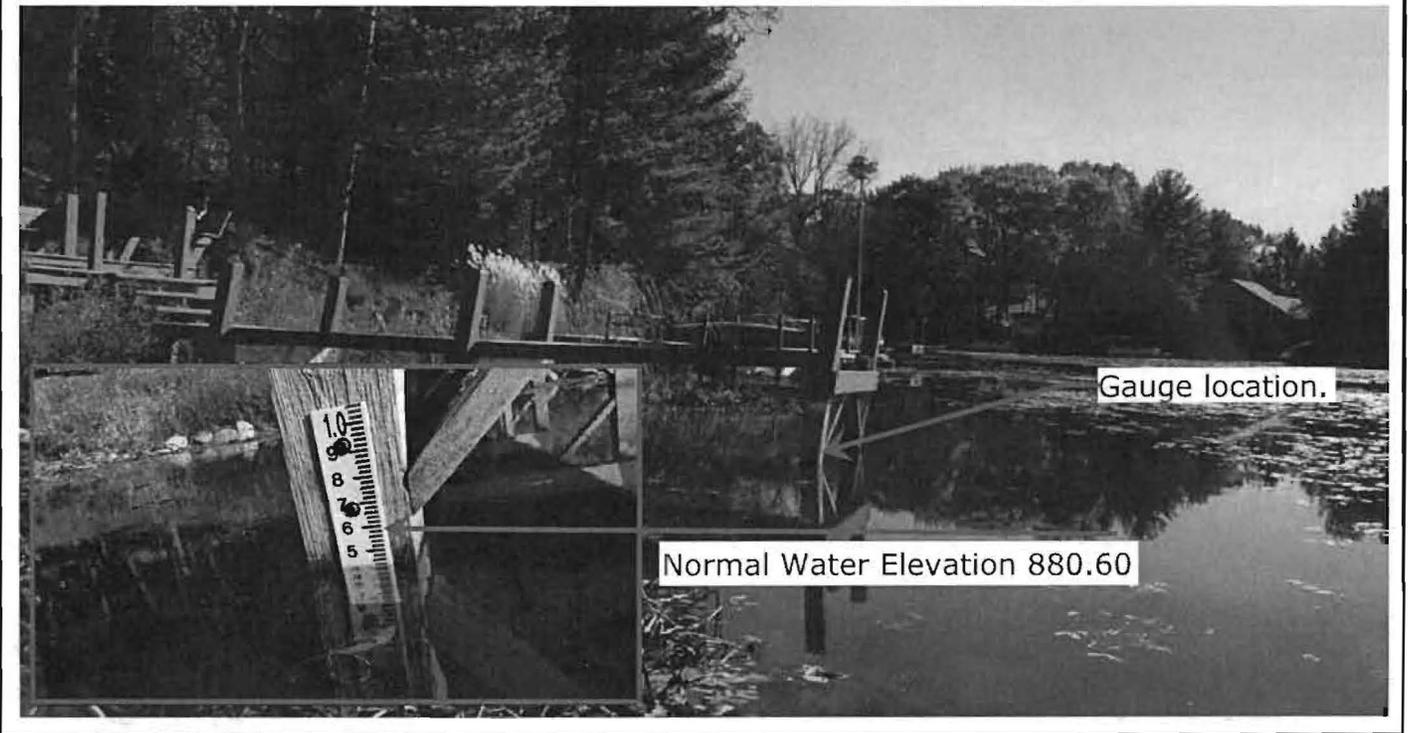
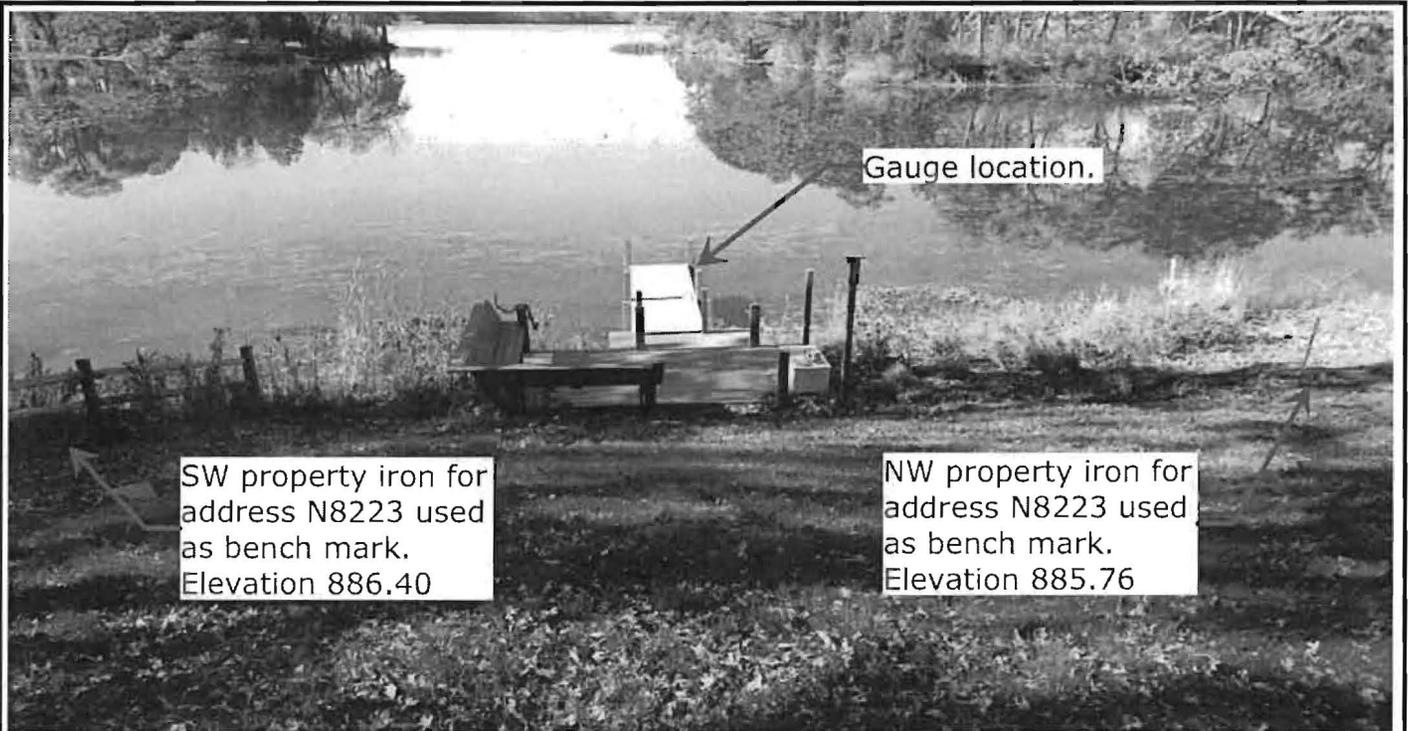


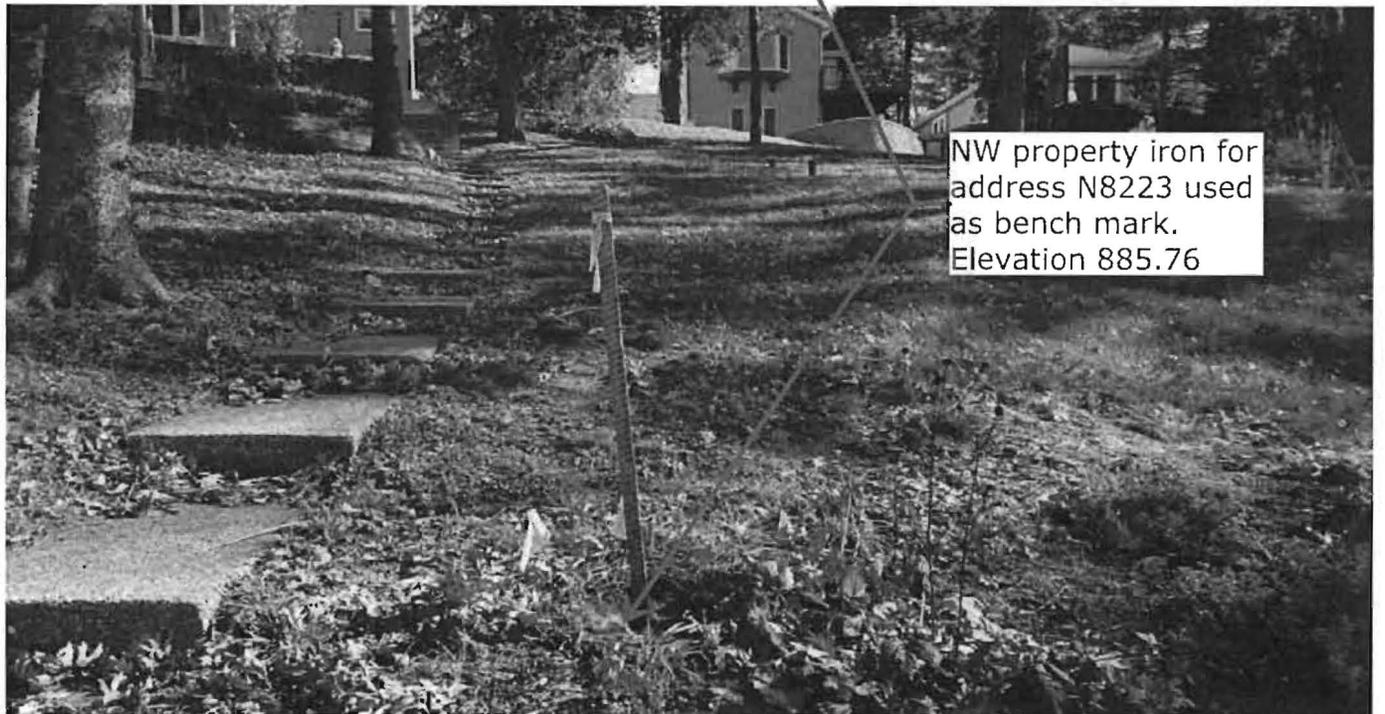
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REVISED: 23 JULY 2004

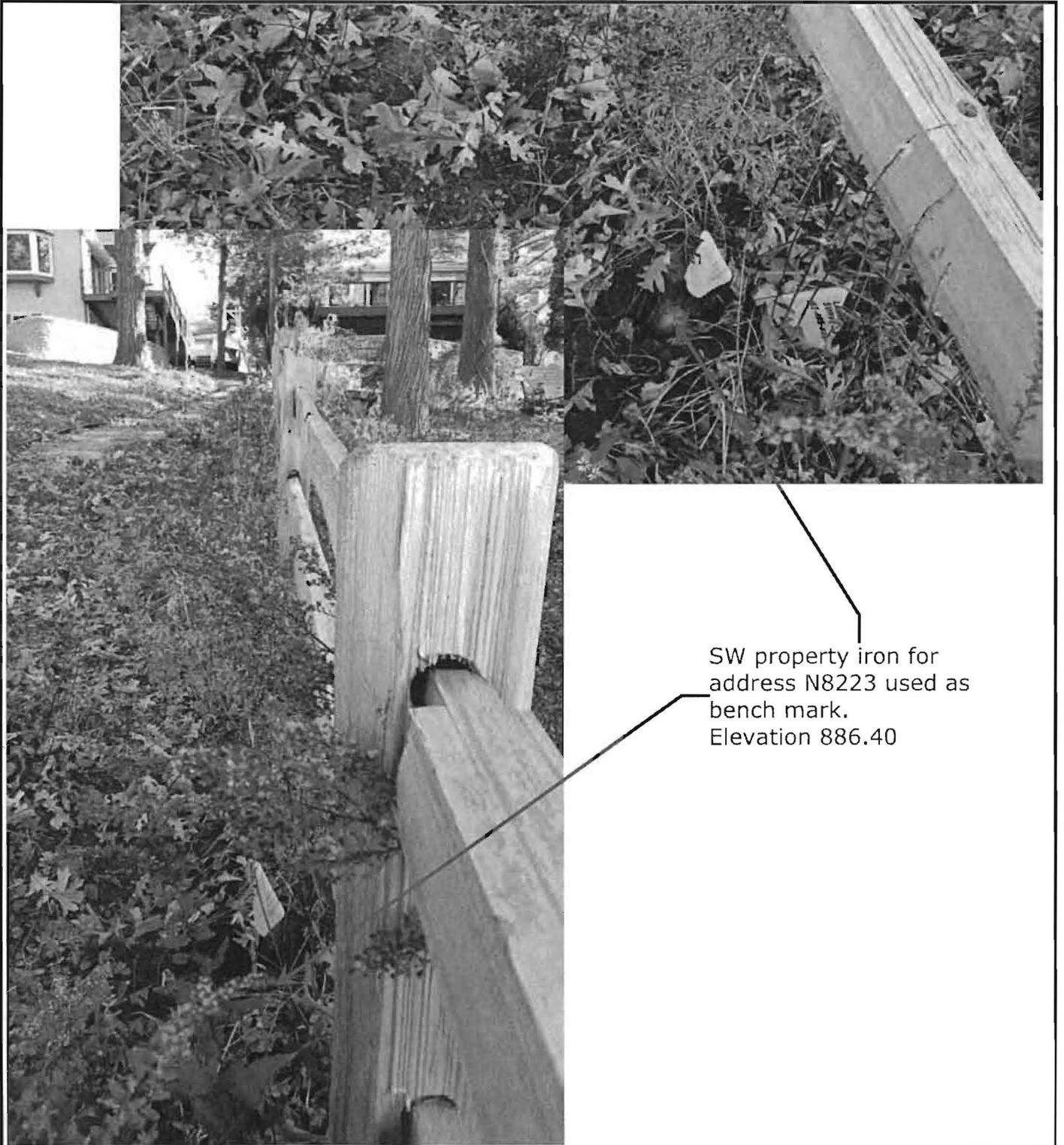
Leland H. Kreblin
REGISTERED LAND SURVEYOR S - 1980

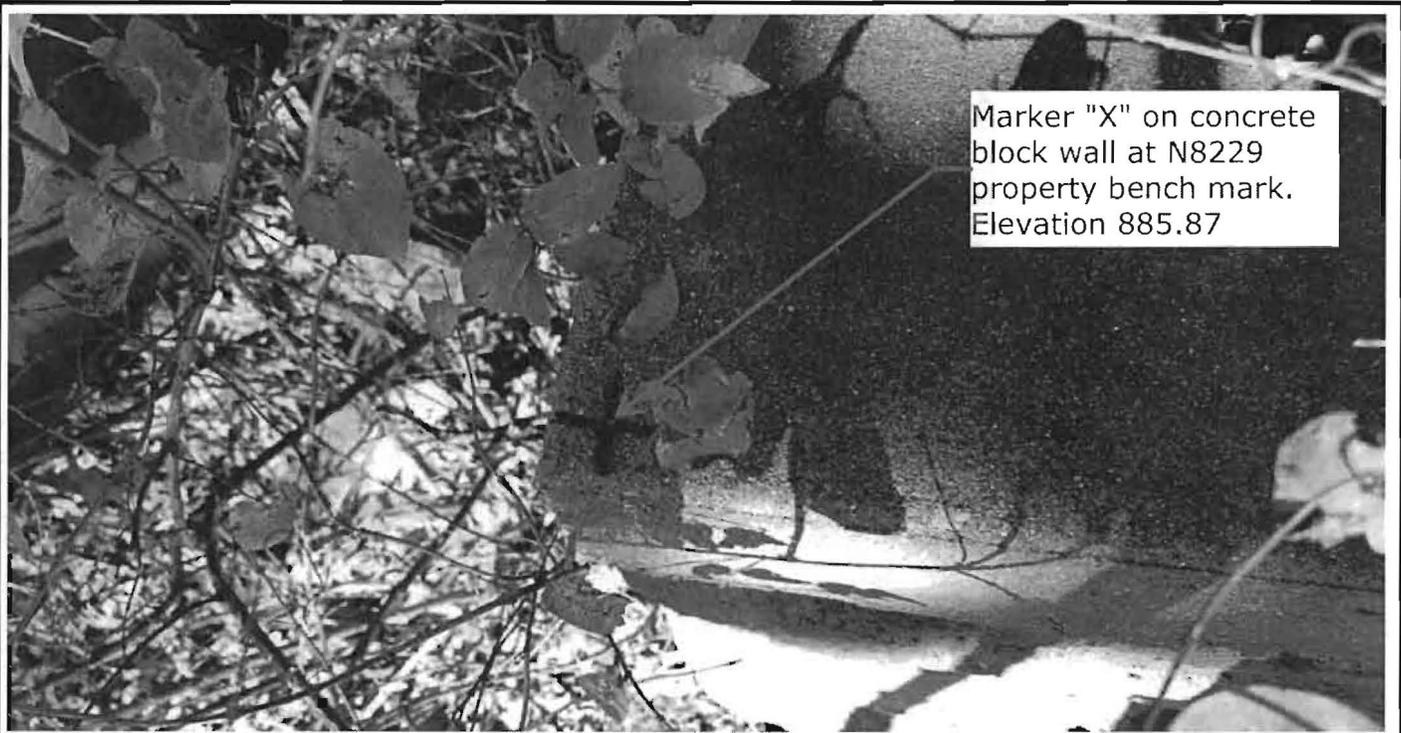
FORM PREPARED BY SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION



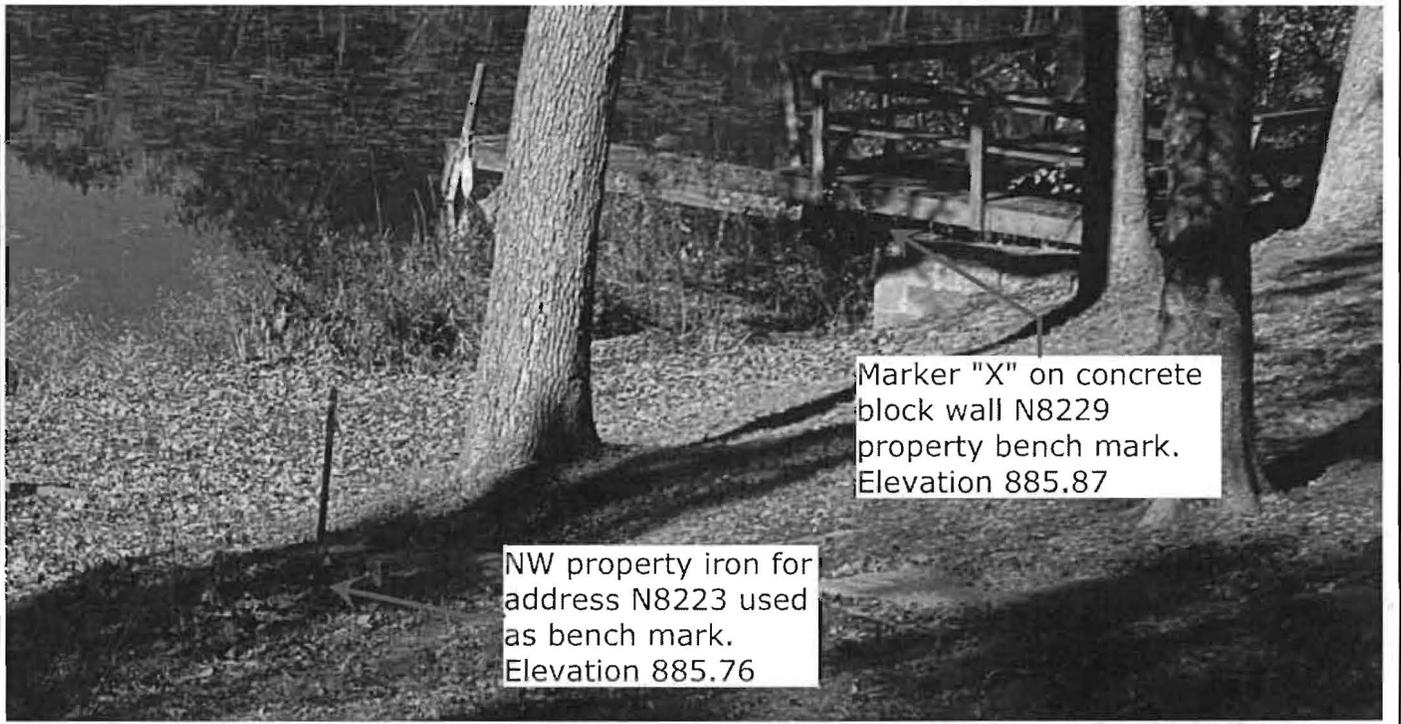








Marker "X" on concrete block wall at N8229 property bench mark. Elevation 885.87



Marker "X" on concrete block wall N8229 property bench mark. Elevation 885.87

NW property iron for address N8223 used as bench mark. Elevation 885.76

DRAFT

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

The meeting was called to order at 9:00 a.m. by Chair LaVerne Duncan.

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

Others in attendance: Lori Muzatko, Walworth County ADRC Director; Deputy Director of Health and Human Services Robert Williams; Jennifer Selz, ADRC Supervisor; Anne Prince, Aging & Nutrition Program Supervisor; Cheri Stoffel, Disability Benefits Specialist; Becky Bechtel, Recording Secretary

On motion by Vice Chair Jordan, second by Board Member Scheuerman, the agenda was approved by voice vote.

On motion by Vice Chair Jordan, second by Board Member Atkinson, the October 5, 2015 meeting minutes were approved by voice vote.

Lori Muzatko, Walworth County ADRC Director, clarified Chair Duncan's question on the distribution site for next year's Seniors Farmers' Market program.

Public Comment – There was none.

Unfinished Business

- Final Draft of 2016-2018 County Plan on Aging

Muzatko said after feedback from the Greater Wisconsin Agency on Aging, Inc. (GWAAR), staff added three new goals for the three-year plan. Under item 6-A, "Involvement of Older People in Aging-Related Program Development and Planning": Goal 6-A-4 – ADRC will seek feedback regarding current services and future programming needs. Surveys will be conducted with caregivers, evidence based prevention programs and the elder nutrition program within the three-year period. Under item 6-B, "The Elder Nutrition Program": Goal 6-B-4 – In an effort to streamline the daily reporting of meals and monthly programmatic data, the Elderly Nutrition Program will transition from a paper-based reporting system to electronic reporting by December 31, 2016. Under item 6-D, "Services to People with Dementia": Goal 6-D-4 – By November 30, 2016, the ADRC will collaborate with the Department's Behavioral Health and Public Health Divisions to develop a departmental strategic long term plan to prepare for an aging population. Additional goals will be created for 2017 and 2018 based upon the strategic plan objectives. The only other change was the addition of an "x" in a box on the County/Tribal Aging Unit Budget – 2016. **Board Member Scheuerman made a motion, seconded by Vice Chair Jordan, to change the language in Goal 6-D-4 to read "prepare for a projected increased aging population" instead of "prepare for an aging population."** The motion carried 5-0.

Board Member Scheuerman made a motion, seconded by Board Member Polachowski, to approve the changes to the final draft of the 2016-2018 County Plan on Aging for submission to GWAAR. The motion carried 5-0. Muzatko will provide copies to the Board when the document is finalized.

- 5th Annual Walworth County Caregivers Conference Update
Muzatko said the Conference was held at Hawks View golf course on October 6. There were 80 attendees, of whom 10 were care recipients. A speaker from the Alzheimer's Association gave a presentation on Humor in Caregiving; there was a session on caregiving for individuals with Alzheimer's; and a talk on the importance of caregivers keeping themselves healthy.

- Healthy Living with Diabetes Course Update
Anne Prince, Aging & Nutrition Program Supervisor, reported that two people have completed crossover training. Of the 14 registered for the course held during September and October, 12 individuals finished the course. One of the WIC dieticians has been trained as a leader through the partnership with Public Health.

New Business

- Disability Benefit Specialist Program and 2014 Summary Report
Jennifer Selz, ADRC Supervisor, said the 2014 Disability Benefit Specialist Summary Report was included with the agenda packet. Selz invited Disability Benefits (DBS) Specialist Cheri Stoffel to come to the meeting to talk more about the Disability Benefit Specialist Program. Ms. Stoffel gave a brief overview of what her job as DBS entails. The program is open to county residents ages 18 to 59 with physical and developmental disabilities, mental illness and substance abuse disorders. Stoffel provides information and assistance with public and private benefit programs, including application and appeal procedures. As an example, Stoffel recently helped a resident who was receiving benefits from both parents due to an error by Social Security. She assisted him and was able to have the \$15,000 payback waived. Stoffel also does benefits checkups to ensure residents are receiving all the services for which they are eligible. Stoffel said she receives assistance from the Department's income maintenance supervisors, who are extremely knowledgeable in Medicare and Social Security benefits. As a DBS, she refers citizens to community resources and the Department's ADRC specialist. Stoffel also acts as a benefit advocate, and helps people with first level hearings and appeals and requests for reconsideration. The DBS Program is supported by Disability Rights of Wisconsin (DRW), but not under their license. If a case is fee-based, the client is referred to a private attorney, whose fees are reimbursed through Social Security. Selz said Stoffel has weekly consultations with the DRW attorney, who also provides input into Ms. Stoffel's performance. Stoffel said DRW has excellent technical support and provides training almost monthly, from webinars to all-day skills-based training. The Benefit Specialist Programs recently held their annual workshop for Medicare on upcoming changes in the program, as well as Medicaid and the Affordable Care Act. Social workers from Aurora Healthcare, Lakeland Health Care Center and Mercy Healthcare attended.

Stoffel said because an intake session can take up to two hours, her services are by appointment only; however, many questions can be answered by her directly over the phone. Stoffel also goes into the community for appointments, based on individual preference. Selz said the ADRC on-call Specialists assist with calls and referrals. There are approximately 3,100 disabled adults in Walworth County, ages 18-64. Stoffel has served 570 cases in the six years she has in the County, which equates to service provision to 16.4% of the adults with disabilities in the County. Approximately 90% of the program is federally funded, and Stoffel reports 100% of her time.

Reports

- Transportation Coordinating Committee Meeting Minutes - August 31 and October 5, 2015
Muzatko drew attention to page 20 of the agenda packet, which is page 1 of the October 5, 2015 Transportation Coordinating Committee (TCC) meeting minutes. In August, David Lowe, the County's Transportation Consultant, presented a plan for expansion of services to the elderly and

disabled. The guidelines were approved at the October 5 meeting. Muzatko summarized the expanded transportation services, most notably that trips for any purpose will now be accepted Monday through Friday from 9:00 a.m. to 4:00 p.m. Those non-medical services include grocery shopping, personal shopping and business, and social and recreational activities. Medical transport trips will be given priority, and a two-day advance reservation is requested. In addition, transportation is now being made available to those living independently and in nursing homes, group homes and assisted living. Muzatko said VIP Services is adding some additional slots per day for the expanded service and will report to the Committee in December on how much transportation service demand has increased. The County will be eligible to apply for another federal grant to assist with expenses. Board Member Atkinson commented that the Monday-Friday, 9:00 a.m. to 4:00 p.m. schedule unfortunately will not fit for social outings for young adults with disabilities. Muzatko said it is important that the Committee receive feedback on needs within the community. The contact number to request service from VIP is 262-723-4043, Ext. 161. Muzatko distributed the VIP Services transportation brochure, which includes a magnet with the contact number.

- ADRC of St. Croix County Governing Board letter – October 2, 2015

Chair Duncan said the letter was included for information purposes.

- Greater Wisconsin Agency on Aging Resources Board of Directors Annual Meeting – August 14, 2015

The minutes were included for the Board's information. The Board is currently looking for new members.

Chair Duncan reported she attended the State Office on Aging Advisory Council meeting in Madison last week. Part of the day-long meeting was dedicated to livable communities for the aging. Transportation services, life safety and evidence based programs were identified as crucial elements. She said she's pleased that Walworth County is already implementing programs and improving life for its elderly residents. The group is recruiting new members, and meetings are held quarterly. Neal Minogue, who was formerly the county's regional quality specialist for ADRC, is the liaison.

Confirmation of next meeting date and time:

- Monday, December 7, 2015 at 9:00 a.m. There most likely will not be a January, 2016 meeting.

Adjournment

On motion by Board Member Polachowski, second by Board Member Atkinson, Chair Duncan adjourned the meeting at 9:50 a.m.

County Zoning Agency
MINUTES
October 15, 2015 – 4:30 p.m.
100 West Walworth Street
Elkhorn, Wisconsin
* * * **D R A F T** * * *

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

Roll call – Committee members present were Chair Richard Stacey, Vice-Chair Dave Weber, Supervisors Rich Brandl, Tim Brellenthin and Citizen Member Jim Van Dreser. Supervisor and Paul Yvarra was absent, unexcused. Citizen Member Richard Kuhnke, Sr. was absent excused. A quorum was present. Supervisor Paul Yvarra arrives at meeting at 4:44 p.m.

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

A “sign-in” sheet listing attendees on October 15, 2015, is kept on file as a matter of record.

Details of the October 15, 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

Rich Brandl motioned to approve the agenda as amended to table items 8.f.3.) Robert Bern. Seconded by Dave Weber. Motion carried. 5-favor 0-oppose

Rich Brandl motioned to approve the September 17, 2015, Minutes. Seconded by Tim Brellenthin. Motion carried. 5-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Discussion by Michael Cotter regarding court decision regarding short term rental matter.
Disc Count #4:37:11 – 4:40:12

Subdivision Items – Old Business - none

Subdivision Items – New Business – none

Old Business - Ordinance Amendments – none

Old Business – Discussion Items –

1. Discussion/Possible Action - Ronald L. Rhode, Section 25, Troy Township. Review of conditional use request for a bus depot on land zoned B-2 in conjunction with a fuel oil delivery business as a Planned Unit Development (PUD). Tax Parcel L T-25-4A – Matt Weidensee

General:

1. Approved per plans submitted for a conditional use bus depot in conjunction with an oil delivery business as a Planned Unit Development (PUD) with all additional conditions.
2. No business activities other than specified in the plan of operations may be conducted from out of the facility.

3. All equipment shall be located as defined on the approved plan of operations. No outside storage other than the busses and trucks identified on the site plan shall be allowed on site.
4. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. seven days a week.
5. The Town/County/State Highway Department must approve the access to the site.
6. Must meet all applicable Federal, State, County and Local regulations.
7. All cars & busses 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 and busses 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 prior to use of the site as a bus depot.
8. The project plan must identify outside lighting. All lighting must be shielded and directed onto the site.
9. Any proposed signage must be shown on the plan. All new signage will require zoning permit approval.
10. The project site must be kept neat, clean, and mowed in all areas.
11. No burning of waste materials shall occur on site.
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:

14. This approval allows for a maximum of six registered, operable and licensed busses, two registered operable and licensed oil transport trucks and two registered, operable and licensed cars for the existing dwelling.
15. There shall be no outside storage of miscellaneous materials (pipes, tires, batteries, cars for sale, tanks, scales, milk cans, stock cars, dump trucks, boats etc.) allowed on the property. All additional scrap materials should be removed from the property as per the Town.
16. All vehicles on site shall be licensed as per the Town.
17. The maintenance and repair on the building should be complete by September 1, 2015 as per the Town.
18. All vehicles should be parked no closer to the road than the front of the building as indicated on the plan as per the Town.
19. All commercial vehicles should exit the property facing forward onto the highway as per the Town.

Public hearing was held on this matter (May 15, 2015). Matthew Weidensee/Planner reviews recommended conditions. Discussion is had regarding an extra bus on the property over the 6 recommended. Matt Weidensee recommends amending the site plan to move TR1 and TR2 over next to parking space #6 and move the driveway over to the property line to assist in parking busses in parking spaces #1, 2, 3 and 4 to drive busses out to the road in a forward direction.

Jim Van Dreser motions to approve, allowing the 7th bus to remain on the property for nine (9) months, and with the amended site plan. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #4:40:27 – 4:51:47

(Supervisor Paul Yvarra arrives at meeting at 4:44 p.m.)

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. Discussion/Possible Action - Correspondence from Town of Lyons concerning conditional uses in A-4 zoning – Michael Cotter / Deb Grube
Discussion regarding the request of the Town of Lyons and potential ordinance amendments on agricultural properties and uses.
Jim Van Dreser motions to have staff make recommendations for an ordinance amendment as a Farm Family Business in the A-1 zoning district and return matter to the Committee in December, 2015 with recommendations/responses from townships. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #4:51:52 – 5:08:12

Public Hearing: 5:31 p.m.

Ordinance Amendments – None

Amendments to Multi-Jurisdictional Comprehensive Plan Map 2035 –

1. **Robert C. and Gail A. Hanson Trust** – Owner, Robert C. and Gail A. Hanson trustees – Applicant, Section 21, Darien Township. Amend the 2035 Land Use Plan Map to change 5.39 acres of land from the AP Prime Agricultural land use category to the C Commercial land use. Part of Tax Parcel B D-21-3C.
Robert Hanson presents application. Jerry Scott, David Jacobson and Robin Hanson speak in favor of the application.
Rich Brandl motioned to approve as presented. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

The Comprehensive Plan Map Amendment petition will move forward to the November 10, 2015, Walworth County Board for possible action.

Disc Count #5:40:00 – 5:49:14

Vice Chair Dave Weber takes the chair to run the hearing regarding the Comprehensive Land Use Plan Amendment for Richard J. Stacey, Jr. Chair Stacey steps down and vacates the hearing room for this hearing, and abstains from voting.

2. **Richard J. Stacey, Jr.** – Owner, Section 36, Troy Township. Amend the 2035 Land Use Plan Map to change 19.97 acres of land from the AG3 Other Agricultural Rural Residential and

Other Open Lands (20 to 34 acres per dwelling) land use category to the AG2 Other Agricultural Rural Residential and Other Open Lands (5 to 19 acres per dwelling) land use category. Tax Parcel L T-36-6.

Warren Hansen and Lisa Sweet speak on behalf of applicant.

Tim Brellenthin motioned to approve as presented. Seconded by Rich Brandl. Motion carried. 5-favor 0-oppose. (Rick Stacey abstained)

The Comprehensive Plan Map Amendment petition will move forward to the November 10, 2015, Walworth County Board for possible action.

Disc Count #5:49:55 – 5:59:08

Chair Stacey returns to the meeting to conduct remaining hearings.

3. **John P. Bashaw, Corinne G. Lorian** – Owners, Section 26, Troy Township. Amend the 2035 Land Use Plan Map to change 19.35 acres of land from the AG3 Other Agricultural Rural Residential and Other Open Lands (20 to 34 acres per dwelling) and RU Urban Density Residential land use categories to the AG2 Other Agricultural Rural Residential and Other Open Lands (5 to 19 acres per dwelling) land use category. Tax Parcel LA2974-1.

Warren Hanson and John Bashaw speak on behalf of applicant.

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

The Comprehensive Plan Map Amendment petition will move forward to the November 10, 2015, Walworth County Board for possible action.

Disc Count #5:59:50 – 6:05:48

4. **Lakeland Community Church, Inc.** – Owner, Pastor Josh Amstutz – Applicant, Section 25, Delavan Township. Amend the 2035 Land Use Plan Map to change 26.17 acres of land from the AG3 Other Agricultural Rural Residential and Other Open Lands (20 to 34 acres per dwelling) land use category to the G Governmental and Institutional category. Tax Parcel FA3956-2.

Jeff Menkel speaks on behalf of applicant. Sherry Fickau and Louis Soplanda speak in opposition.

Jim Van Dreser motioned to approve as presented, noting the issues in opposition regarding conditions are separate from a rezone request. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

The Comprehensive Plan Map Amendment petition will move forward to the November 10, 2015, Walworth County Board for possible action.

Disc Count #6:05:50 – 6:21:19

5. **Northwestern University Settlement Association** – Owner, Section 31, Delavan Township. Amend the 2035 Land Use Plan Map to change .44 acres and .56 of land from the RU Urban Density Residential land use category to the P Park and Recreational land use category. Tax Parcels F D-31-8A1 and 8B.

Melissa Harris speaks on behalf of applicant. Melissa Harris and Dennis Purgatorio speak against. Ron Deschner speaks in rebuttal.

Jim Van Dreser motioned to approve as presented. Seconded by Dave Weber. Motion carried. 4-favor 2-oppose. (Rich Brandl and Paul Yvarra vote in opposition).

The Comprehensive Plan Map Amendment petition will move forward to the November 10, 2015, Walworth County Board for possible action.

Disc Count #6:21:20 – 6:33:04

Rezones with Conditional Uses – None

Rezones –

1. **Hilltop Securities, LLC**, Steve Waddell WW Trucking - Owner , Warren Hansen – Applicant/Engineer, Section 33, Darien Township. The property owner is requesting to rezone 10.36 acres of A-4 Agricultural Related Manufacturing Warehousing and Marketing District to M-2 Heavy Industrial District for a non-agricultural related trucking depot. The property of concern is located on the southeast corner of the intersection of Hwy X and Hwy C and is identified as Tax Parcel B D-33-1B.

Warren Hanson speaks on behalf of applicant. Steve Waddell speaks in favor.

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

Disc Count #6:33:06 – 6:50:33

2. **Eric and Keri Schmidt** – Owners, Section 1, Sugar Creek Township. Rezone approximately .5 acres of the A-2 Agricultural, C-4 and C-1 Lowland Resource Conservation (shoreland and non-shoreland) Districts to the A-2 Agricultural, C-4 and C-1 Lowland Resource Conservation (shoreland and non-shoreland) Districts to correct the wetland boundary to match delineated field conditions as shown by a digital wetland boundary. Parts of Tax Parcel G SC-1-3D

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

Disc Count #6:50:35 – 6:55:04

THIS ITEM Tabled DUE TO NO TOWN DECISION

- ~~3. **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.~~

Conditional Uses -

1. **B & J Tree Service, Inc.** – Owner, Attorney Theodore Johnson – Applicant, Section 24, Geneva Township. Conditional use to add snow plowing operations to an existing contractor storage yard for a landscaping/firewood/tree nursery. In addition, amend the existing conditional use to include an increase in the number of employees from 10 to up to 26 employees, change the closing hours from 6:00 p.m. to 7:00 p.m. for the landscaping/firewood/tree nursery operations and 24 hours per day for snow plowing, relocate the outside parking and access drives, Relocate an approved storage building and obtain

flexibility to expand and contract the designated materials storage areas within the overall outside storage area based on materials demand. Tax Parcel JA390300001.

NAME: ~~Robert Castleman~~ **B & J Tree Service, Inc.**

TOWN: Geneva

A conditional use permit for a contractor storage yard for a landscaping/firewood/tree nursery **and snow plowing business** as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, on lands proposed to be zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:

TAX PARCEL #J G 2400003B

Commencing at the CENTER OF SECTION 24, TOWN 2 NORTH, RANGE 17 EAST, WALWORTH COUNTY, WISCONSIN; thence S 89°16'32" W, a distance of 400.85 feet; thence N 0°24'05" W, a distance of 1267.39 feet; thence S 60°50'08" W, a distance of 606.03 feet to the POINT OF BEGINNING; thence S 29°30'17" E, a distance of 228.05 feet; thence S 61°08'05" W, a distance of 209.61 feet; thence S 0°30'40" E, a distance of 680.01 feet; thence S 89°16'32" W, a distance of 300.00 feet; thence N 0°39'40" W, a distance of 775.69 feet; thence N 60°50'08" E, a distance of 426.38 feet to the POINT OF BEGINNING; said described tract containing 6.67 Acres, 290639.8 square feet more or less.

Has been approved subject to ~~the related rezoning passing County Board~~ and the following conditions:

1. Approved as per plan submitted **as a contractor storage yard for a landscaping/firewood/tree nursery and snow plowing business** with all additional conditions.
2. Storage limited to **specified** material and goods directly associated with business. Outside storage shall be ~~limited~~ and located as identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.
3. On site hours of operation **for the contractor storage yard for the landscaping/firewood/tree nursery** shall be from 6:00 a.m. to ~~6:00~~ **7:00** p.m. Monday through Saturday with hours after 6:00 p.m. **to 9:00 p.m.** for off ~~premise work and returning of equipment to the premises~~ **(No Sunday operations)** ~~seven days a week.~~ **On site hours of operation for snow plowing shall be seasonally October through April, 24 hours per day, seven day a week.**
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. **Reconfiguration of the west access, and installation of the new east access shall occur within 60 days of this approval. No loading or off-loading of equipment or materials shall occur on the Town road.**
10. The project site must be kept neat, clean, and mowed.
11. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific conditions:

12. No general public sales allowed on premises.
13. The number of employees shall be limited ~~10 plus the owner~~ to 26.
14. No fill encroachment will be allowed into the wetland area or within the 100-year floodplain.
15. The buildings shall be used for storage only. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
16. The Owner must record a deed restriction within 120 days of this approval indicating that the portions of A-2 property on either side of the stream may not be separated from each other. The owner must file for approval of a two lot CSM with the County Land Use and Resource Management Office within 120 days showing the A-4 rezoned area as lot 1 and the remnant A-2 on both sides of the stream as lot 2 with a restriction for no further land division of the A-2 area.
17. The owner shall construct a fence at the south end of the storage area so commercial traffic may not access the shoreland.
18. ~~This conditional use shall be valid until January 1st, 2006 and may be renewed by the County Zoning Agency upon staff verification that all conditions have been complied with and that the existing illegal business on tax parcel JG-23-4D has been discontinued, including removal of the sign painted on the building.~~
19. The fuel tanks will be relocated from the west side of the property to the east side of the property as per the Town.
20. The construction of the salt storage building must be up to code and will follow DOT and DNR requirements as per the Town.
21. The west driveway location will comply with Walworth County requirements as per the Town.
22. B & J Tree Service, Inc. shall be required to come back to the Town Plan Commission in November 2016 and then to the Town Board for a review of their conditional use as per the Town.

Atty Ted Johnson speaks on behalf of applicant. Craig Wahlstedt, Randy Shaff, Terrance O'Neal and Sara Wahlstedt speak in opposition. Atty Johnson speaks in rebuttal.

Jim Van Dreser motioned to table this item to the November meeting for clarification of the original conditional use. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

Disc Count #6:55:19 – 7:37:39

2. **Elkhorn Area School District, Tibbets Elementary School – Owner**, Section 12, Sugar Creek Township. Conditional use for the expansion of the Tibbets Elementary School in excess of 25% of the existing structure size, therefore requiring conditional use approval as if the structure was being established anew. Tax Parcel G SC-12-13.

General:

1. The Conditional Use for the Tibbets Elementary School is approved as per the plan submitted.
2. Use of the grounds shall be limited to Elementary School use as stated in the plan of operations.
3. The project must meet with all State, Federal and local approvals.
4. The applicant must obtain all required County Zoning permit.

5. Hours of operation shall be as stated in the plan of operations.
6. Sufficient adult supervision must be present at all times when the Elementary School is used by children.
7. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
8. The project site must meet with all County sanitary requirements.
9. All perimeter fencing shall be maintained as identified on the project plan.
10. The applicant obtaining adequate liability insurance and keep the insurance current during the life of this conditional use.
11. All lighting must be shielded and directed on to the property.
12. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements within 60 days of this approval.
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 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:

Jason Tadlock speaks on behalf of applicant.

Rich Brandl motioned to approve. Seconded by Dave Weber. Motion carried.

6-favor 0-oppose.

Disc Count #7:37:40 – 7:40:22

3. **Watson Welcome Way Farms, Inc. – Owner, Neil Watson – Applicant/President, Section 35, Sugar Creek Township.** Conditional use to be able to store recreational vehicles and boats in an existing farm building as a Farm Family Business. Part of Tax Parcel G SC-35-3.

General:

1. No permanent outside storage of recreational vehicles, boat trailers or equipment shall be allowed. Recreational vehicles, boats and equipment may be located outside for drop-off and pick-up only. No outside storage of any items not belonging to the owner is allowed except for drop off and pick up as specified. Recreational vehicle and boats for drop off and pick up shall be moved into the building or removed from the site on the same day.
2. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. All parking must be in compliance with County requirements within 60 days of this approval.
3. The property must be kept neat, clean and mowed.
4. Outside Lighting to be shielded and located as identified on the approved plan.
5. Hours of operation shall be from 6:00 a.m to 6:00 p.m.
6. Must meet all applicable Federal, State, County and local regulations.

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

Specific:

Peggy Watson speaks on behalf of applicant.

Jim Van Dreser motioned to approve subject to receiving town approval or return next month for further action. Seconded by Rich Brandl. Motion carried. 6-favor 0-oppose.

Disc Count #7:40:23 – 7:45:41

Adjournment

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

The meeting was adjourned at 7:47 p.m.

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

Walworth County Board of Adjustment

MINUTES

October 14, 2015 - Hearing – 8:30 AM

October 15, 2015 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on October 14 & 15, 2015, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on October 14, 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 October 15, 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 October 14, 2015, and October 15, 2015, are kept on file as a matter of record.

The October 14, 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. **Elizabeth Sukala motioned to approve the agenda as amended to postpone hearing #2. and hearing #3. John & Lori Iwanski, owners / La Grange Township. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the September 9 & 10, 2015, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 8:30 A.M. on Thursday, October 15, 2015. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The October 14, 2015, hearing went into recess at approximately 11:20 A.M.

On October 15, 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. **Elizabeth Sukala motioned to approve the agenda as amended to postpone hearing #2. and hearing #3. John & Lori Iwanski, owners / La Grange Township and to add item #6B. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the November 11, 2015, hearing at 8:30 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The October 15, 2015, decision meeting adjourned at approximately 9:18 A.M.

Eight variance hearings were scheduled and details of the October 14, 2015, hearings and the October 15, 2015, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business - none

New Business – Variance Petitions

Hearing – Count #8:36:29 – 9:53:54 / Decision – Count #8:35:25 – 8:51:11

The First Hearing was Patricia A. McGrath Trust, owner / Attorney Robert T. VanScoyoc of Sweet & Maier, S.C., applicant – Section(s) 11 – Linn Township

Applicants are requesting a variance from Section(s) 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a residence.

REQUIRED BY ORDINANCE: The Ordinance requires the lot width to be 150' at the building site.

VARIANCE REQUEST: The applicants are requesting a building site at 135' lot width. The request is a variance from Section(s) 74-181 / 74-263 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of Patricia A. McGrath Trust, owner / Attorney Robert T. VanScoyoc of Sweet & Maier, S.C., applicant, voted to **POSTPONE** the request for a building site at 135' lot width.

A motion was made by Ann Seaver to postpone the variance decision to the November 2015 agenda. Seconded by Elizabeth Sulkala. Motion carried. 2-favor 1-oppose (John Roth)

BOARD OF ADJUSTMENT FINDINGS: The Board found to **POSTPONE** the decision to the November 12, 2015 meeting. The Board found that additional clarification was needed. The Board requested the owner / applicant to stake the location of the proposed residence 180' back from Geneva Lake as recommended by the Town of Linn and shown on a plan submitted October 14, 2015 so that the Board of Adjustment can view the property and stakes. There were three letters of support. There were two letters of opinion. Attorney Steven A. Koch and two neighboring property owners spoke in opposition. There was a letter of opposition.

Hearing – Count #9:54:29 – 10:02:55 / Decision – Count #8:51:12 – 8:52:31

The Second Hearing was Scott & Lauren Kogen, owners / Charles F. Madden, applicant – Section(s) 35 – La Grange Township

Applicants are requesting a variance from Section(s) 74-164/ 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence (a previous variance was granted September 2014).

REQUIRED BY ORDINANCE: The Ordinance requires all buildable lots to abut upon a public street or other officially approved way for a frontage of at least 50' and a side yard setback of 5.72' (16% of lot width).

VARIANCE REQUEST: The applicants are requesting a parcel with 19.98' of road frontage to be buildable and 5' side yard setbacks. The request is a variance from Section(s) 74-164 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to create a buildable parcel and to construct a single-family residence (a previous variance was granted September 2014).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of Scott & Lauren Kogen, owners / Charles F. Madden, applicant, voted to **APPROVE** the request for a parcel with 19.98' of road frontage to be buildable and 5' side yard setbacks.

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 due to extenuating circumstances the applicant was unable to complete the work as granted by the Board of Adjustment on September 2014. The Board found the steep slope of the property to be a unique property limitation. The Board found the existing residence was very old and too dilapidated to be remodeled. The Board found the Town had no objection. There was a letter of support from the Town of La Grange. There was no opposition.

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

The Third Hearing was John & Lori Iwanski, owners / Randy Becker, Becker Home Improvement Inc., applicant – Section(s) 26 – La Grange Township

Applicants are requesting a variance from Section(s) 74-163 / 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 and to construct a pergola.

REQUIRED BY ORDINANCE: The Ordinance requires a 5' street yard setback (substandard residence addition), a 5' side yard setback (substandard residence addition) and limits a residence within 75' of shore to a height of 35'.

VARIANCE REQUEST: The applicants are requesting a .1' street yard setback and a .5' side yard setback for a second floor addition to a residence and a height of 43'. The applicants are also requesting a 6.7' side yard setback and a 23.2' street yard setback for an accessory structure (pergola). The request is a variance from Section(s) 74-163 / 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 and to construct a pergola.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, did not vote on the petition of John & Lori Iwanski, owners / Randy Becker, Becker Home Improvement Inc., applicant.

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

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

The Fourth Hearing was John & Lori Iwanski, owners / Randy Becker, Becker Home Improvement Inc., applicant – Section(s) 25 – La Grange Township

Applicants are requesting a variance from Section(s) 74-163 / 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage) on a parcel without a residence.

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction prior to an accessory structure and requires a 25' street yard setback, a 10.4' side yard setback (16% of lot width), a 75' shore yard setback and limits height to 17'.

VARIANCE REQUEST: The applicants are requesting an accessory structure on a vacant lot; a 6.6' street yard setback, a 1.5' side yard setback, a 4.9' shore yard setback and a height of 25'. The request is a variance from Section(s) 74-163 / 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (garage) on a parcel without a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, did not vote on the petition of John & Lori Iwanski, owners / Randy Becker, Becker Home Improvement Inc., applicant.

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

Hearing – Count #10:03:04 – 10:16:18 / Decision – Count #8:52:52 – 8:54:18

The Fifth Hearing was Daniels Revocable Trust, owner / Screwheads Decking, applicant – Section(s) 18 – Linn Township

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

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

VARIANCE REQUEST: The applicants are requesting a 66' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of Daniels Revocable Trust, owner / Screwheads Decking, applicant, voted to **APPROVE** the request for a 66' shore yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the creek to be unusual in shape. The Board found the S-curve of the creek at one point is 66' from the proposed deck and is what makes the variance request necessary. The Board found the proposed deck is no closer to the creek than the existing house is. The Board found the creek to be a manmade drainage ditch and not a natural waterway. The Board found to approve the variance request would cause no harm to public interests. The Board found the owner did receive approval from the Town and neighboring property owners. There were two letters of support from neighboring property owners. There was one letter of opposition from the Wisconsin Department of Natural Resources.

Hearing – Count #10:16:25 – 10:36:12 / Decision – Count #8:54:19 – 8:59:14

The Sixth Hearing was Cynthia A. Robinson Trust, owner / Ryan Niegelsen, Complete Piers & Lifts LLC, applicant – Section(s) 18 – East Troy Township

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

REQUIRED BY ORDINANCE: The Ordinance requires one access to the shore and a 75' shore yard setback for all structures.

VARIANCE REQUEST: The applicants are requesting a stairway and a tram to access the shore and an approximate 8' shore yard setback for an 8' x 20' patio. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a second access to the shore and to permit the location of a patio in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of Cynthia A. Robinson Trust, owner / Ryan Niegelsen, Complete Piers & Lifts LLC, applicant, voted to **APPROVE** the request for a second access the shore and an approximate 8' shore yard setback for an 8' x 20' patio.

A motion was made by Elizabeth Sukala to approve both the patio and the stairway request. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the property to be very steeply sloped down to the lake. The Board found the tram and the stairs have existed for some time. The Board found trees, vegetation and weathering over time have deteriorated the existing stairway to the point of being unsafe and beyond repair. The Board found to approve the variance request would cause no harm to the public. The Board found the patio has existed for some time, is small in size, and is of a somewhat permeable brick construction. The Board found the patio was surrounded by vegetation (grass). The Board found to permit the patio would cause no harm to public interests. The Board found the owner / applicant will work with the County Land Conservation Division to protect the lake. There was no support. There were letters of opinion from the Wisconsin Department of Natural Resources and the Walworth County Land Conservation Division. There was no opposition.

Hearing – Count #10:36:19 – 10:53:59 / Decision – Count #8:59:15 – 9:04:50

The Seventh Hearing was James & Nicolette Gazvoda, owners – Section(s) 13 – Troy Township

Applicants are requesting a variance from Section(s) 74-179 / 74-221 / 74-236 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a single-family residence.

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

VARIANCE REQUEST: The applicants are requesting a 16.3' side yard and 13.57' side yard setback. The request is a variance from Section(s) 74-179 / 74-221 / 74-236 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of James & Nicolette Gazvoda, owners, voted to **APPROVE** the request for a 16.3' side yard and 13.57' side yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the owner recently became aware that at the time of the construction of the residence in 1978, the R-1 zoning district requirements were followed rather than the requirements for the C-2 zoning district. The Board found it is the C-2 zoning requirements which make the house out of compliance. The Board found the house has existed for some time. The Board found to approve the variance request will not harm the public's interest in navigable waters. The Board would recommend the parcel be rezoned in the future in order to bring the property more into compliance with the subdivision. There was one letter of support from the Town of Troy Planning Commission. There was no opposition.

Hearing – Count #10:54:15 – 11:20:25 / Decision – Count #9:04:51 – 9:12:16

The Eighth Hearing was Jack Zehner and Roger Fons, owners / Karl Holtermann DB LLC, applicant – 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 construct a deck and to change grades within the shore yard.

REQUIRED BY ORDINANCE: The Ordinance requires a 67.4' shore yard setback requirement (average) for a deck and prohibits grade changes within 75' of the shore.

VARIANCE REQUEST: The applicants are requesting a 55.48' shore yard setback for a deck and to do grade changes 68' from the ordinary high water mark to install new doors on the sides of the residence. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck and to change grades within the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of October 14 & 15, 2015, for the petition of Jack Zehner and Roger Fons, owners / Karl Holtermann DB LLC, applicant, voted to **APPROVE** the request for a 55.48' shore yard setback for a deck and voted to **DENY** the request to do grade changes 68' from the ordinary high water mark to install new doors on the sides of the residence.

A motion was made by Ann Seaver to deny part of the variance request.

Ann Seaver withdrew her motion.

A motion was made by Elizabeth Sukala to approve the deck across the front of the house. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala to deny the grade change at the level proposed. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL of the deck: The Board found the steep slope of the hill down to the shore to be a unique property limitation. The Board found to permit removal of the sunroom and permit construction of the deck would lessen impervious surface in the shore yard. The Board found to approve the request for the deck gives the owner the opportunity to use the outdoor front of the house in a reasonable way.

DENIAL of grade changes: The Board found additional sliding glass doors not to be a necessity. The Board found adequate ingress / egress for safety reasons does exist in the residence. The Board found a single door could be put on either side of house without grade changes. The Board found to approve the request would compound the existing steep slope of the property.

There was no support. There were letters of opinion from the Wisconsin Department of Natural Resources and the Walworth County Land Conservation Division. There was no opposition.

Other

- A. Discussion / possible action on township correspondence - none
- B. Discussion / possible action regarding Board of Adjustment procedures – meeting start times
Board members discussed possibly changing the start time for the hearing / meeting days

Staff Reports

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

Proposed discussion for next agenda

The following items were requested to be put on the November 2015 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.

Wisconsin River Rail Transit Commission
Commission Meeting - Friday, October 9th, 2015 @ 10am
Dane County Hwy Garage, 2302 Fish Hatchery Rd, Madison, WI

1. 10: 00 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
				Alan Sweeney, <i>Chair</i>	x
Dane	Gene Gray, <i>Treasurer</i>	x	Sauk	Terry Thomas	x
	Jim Haefs-Fleming	x		Marty Krueger, <i>Alternate</i>	x
	Chris James, <i>Vice Secretary</i>	x		John Deitrich	
Grant	Gary Ranum	x	Walworth	Scott Alexander	x
	Vern Lewison	x		Dave Riek, <i>3rd Vice Treasurer</i>	x
	Robert Scallon, <i>1st Vice Chair</i>	x		Kevin Brunner	x
Iowa	Charles Anderson, <i>Secretary</i>	x	Waukesha	Richard Kuhnke, <i>2nd Vice Treasurer</i>	x
	William G Ladewig	x		Allen Polyock	x
	Jack Demby	x		Karl Nilson, <i>4th Vice Chair</i>	x
Jefferson	John David	excused	Waukesha	Dick Mace	x
	Laura Payne	x		Carl Pettis	absent
	Augie Tietz, <i>3rd Vice Chair</i>	x			

Commission met quorum.

Others present for all or some of the meeting:

<ul style="list-style-type: none"> • Mary Penn, WRTC Administrator • Ken Lucht, WSOR • Kim Tollers, Rich Kedzior WisDOT • Forrest Van Schwartz 	<ul style="list-style-type: none"> • Alan Anderson, Pink Lady RTC • Mark Geisler, Village of Mazomanie • Chris Long, Village of Mazomanie
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Penn**
 - *Motion to approve posting of meeting – Ladewig/Thomas, Passed Unanimously*

4. Action Item. **Approval of Agenda – Prepared by Penn**
 - *Motion to approve agenda as amended– Gustina/Cornford Passed Unanimously*

Kim Tollers asked to amend the agenda to include an item relating to a bike trail project proposal in Mazomanie following the WisDOT report.

5. Action Item. **Approval of draft September Meeting Minutes– Prepared by Penn**
 - *Motion to approve draft September meeting minutes with corrections – Mace/Lewison, Passed Unanimously*

Karl Nilson asked Commissioners how many had read the minutes.

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

There were no public comments.

7. Updates. **Correspondence & Communications – Discussion may be limited by the Chair**
 Alan Sweeney welcomed Scott Alexander from Sauk County as a returning Commissioner. Mary Penn listed the correspondence she had addressed in the past month. Nilson asked if everyone had gotten a copy of the Charter and said the charter was a contract formed under statute so if all parties agreed, they could change it to suit the needs of the Commission. Sweeney next welcomed Forrest Van Schwartz back to the meetings. Van Schwartz said September rail had been slightly down (2%) on the carload side. He noted he had not been able to send the article to Penn in time to print for distribution.

8. Updates. **Announcements by Commissioners – No Discussion Permitted**
 Nilson reminded Commissioners about the upcoming WisDOT freight rail conference. Sweeney asked Tollers if the conference signup sheet was submitted. She said it had been and that four had signed up at the last meeting. She said people could show up the day of the conference and pay then. Sweeney said the conference was well worth the time and confirmation of the location was noted.

REPORTS & COMMISSION BUSINESS

9. **WRRTC Financial Report** – *Gene Gray, WRRTC Treasurer*

- *Motion to accept county contribution at \$28K for 2016 to develop the budget around those dollars –Krueger/Nilson, Passed Unanimously*

Jim Matzinger distributed a packet of information (Pages A thru E) to explain his process for generating the Treasurer's Report. He went through all the individual line items, explained how they were generated and how that information was formatted to be the usual treasurer report presented to the Commission. He explained how and where the money was put and how assets including cash and checking accounts were entered. He explained the situation with Crawford County under accounts receivable and how that was being addressed. Matzinger said for the budget there were some receivables and alluded to the letter Penn gave him from Melita Grunow. He also talked about deferred income and how that was handled, saying he did not show it until a bill was submitted and that might not happen until next year on certain projects.

On Page B of the handout he explained the expenses of the Commission which included Penn's administration work and his own accounting work. Next he discussed how projects for 2014 were billed.

Sweeney asked if anyone had any questions. Nilson said that Crawford County had been paying down what they owed. Matzinger confirmed that and said it would show up on the treasurer report to show paying off the debt.

On Page C, Matzinger said this was the balance sheet and explained how dollars were listed there. He said he "traced" accounts from the line items to the treasurer report. There was agreement that his explanation way made it much easier for the Commissioners to understand how money was accounted for.

Page D showed the WSOR lease and Matzinger led the group to the first page (A) to see how money was shown in the balance sheet and income statement. Van Schwartz asked what WSOR interest income was. Matzinger said that was interest income in general, not WSOR specifically. Sweeney said it was on Page D, confirming it was not just WSOR interest income, just interest in general. Matzinger said interest rates were very poor currently.

Matzinger then explained how the bottom of the income statement showed net income and that this income was carried to the balance sheet under net income. This was the total of all income and expenses. Everything on a "trial" balance ended up on the balance sheet. Looking at the balance sheet, he pointed out three items which were the net in "earnings". This was money brought in but did not have to spent and was the Commission's reserve which carried them through if need be and allowed them to weather ups and downs.

Gene Gray asked if this amount of reserve was typical. Matzinger said basically the Commission has broken even in the past few years. He said the way it was budgeted, there was an operating cost which reduced the amount of money available to the railroad in low years. Van Schwartz said in the past the Commission lost money on an operations basis. He then asked Matzinger about Page D, item 2014 or 2015 projects, and asked if they were estimates or actual. Matzinger said they were actual. He said the Commission told the railroad what they would pay in any one year and that was why it was good to show WSOR the WRRTC budget. Matzinger said they (the railroad) could have an operating loss. Matzinger said the Commission paid the railroad what was budgeted and the Commission budgeted to break even. He pointed out a surplus from Evansville of \$11,000.00 (from the track acquisition of 2014). He said this was cash in the bank and that it was just a footnote and it was not technically reserved.

Nilson said Evansville was where the active rail ended and said there was still a ROW. Sweeney confirmed the active rail went through Evansville.

Charles Anderson asked about the dollars for projects that had not been billed yet. Matzinger said it would be \$252,000.00. This was under the total liabilities footnote. Anderson asked for more clarification on deferred income. Matzinger explained the difference between cash and receivables. Nilson said this was a good point to mention that the Commission was audited once a year and from time to time auditors asked officers if there was any way to steal and he said it was important to show how unlikely this was.

Matzinger said he could include a full line item balance every month now that most of the correspondence to commissioners was emailed.

Anderson asked another question about debts and about the end of year balance of \$12,000.00. Matzinger said this was income to date. He explained there was a remaining quarter to collect from WSOR for the lease and he would not know until the end of the year what the full year's income was. There was more discussion to explain how income was reported and shown. Matzinger also talked about the Local Government Investment Pool and said there was more than one line item in it to distinguish money between projects year to year. He said this was just a way of segregating money.

Matzinger said he wanted to keep rail projects separated and that was why they were in separate columns. He said the only reason there was a balance of \$7,000.00 was to show Crawford's County's make-up repayments. Van Schwartz explained the encumbrances of the money. Matzinger said until they got a bill from the railroad it would show up on the sheet. Ken Lucht said the Commission had taken action to dedicate their funds to match the TIGER grant if it were awarded this fall. He said there would be carryovers to 2016. If a TIGER grant was not forthcoming, WSOR would return to the Commission to ask for funds for tie and rail projects on the Prairie sub.

Van Schwartz asked if Matzinger had to put excess funds into the state investment fund. Matzinger said he had not and could invest it any way the Commission preferred: it was put in the safest funds possible.

Dick Mace asked about the handwritten numbers and why they were not footnoted. Matzinger explained he was trying to show how dollars went to the balance sheet or the income sheet. He added that this information was sent to the auditors.

On Page C, Matzinger went back to the balance sheet, and talked about interfunds under accounts receivable. He said these were funds to be borrowed out of or transferred to the WRRTC if need be. He said he wanted to identify that it belonged to the rail group. This was a way to help him see how money was moved and where it was dedicated. He said it was a “balancing” account. Sweeney asked if it were better to do it this way or to identify it absolutely in a budget. He said Rock County used encumbrances instead of using a floating reserve. He said this made the budget a little easier to balance rather than having “fudge” money. Matzinger said encumbrances added a layer of complexity and did not think he wanted to do that. Gray said the auditor might have some suggestions about this. Terry Thomas said he saw the advantages to encumbrances and used the insurance payment as an example. An encumbrance would provide advance approval so it would just be a matter of signing checks. Sweeney said Matzinger and Gray could work on this if they wanted to.

Nilson said in an emergency situation the executive committee could pay a bill as that authority was in the charter. He said this could work in the meantime but if money was due immediately, the executive committee could do that and then have it approved at the next meeting. Sweeney said he would leave how to proceed up to Matzinger and Gray on how to handle that. Gray said there were two bills that came to mind: McHenry County taxes and the insurance. Penn explained why the taxes were paid late this year.

At this time, Sweeney made an executive decision for Matzinger to present the budget, rather than wait for Item 15 on the agenda.

Matzinger said there were not a lot of changes in the budget and explained what was new for 2016. He noted there were some changes in lease income, noting there was a loss of about \$1200.00 in revenue. He was not sure what number to put in for permits as it shifted quite a bit from year to year.

Matzinger said operating expenses were not changing much nor had the contract amounts for management, audit, and accounting services changed. He said legal expenses were already at the budgeted amount. He asked about the cost for bridge inspections. For insurance, he said it was very steady. Wayne Gustina said he would assume costs were going up so recommended Matzinger put in a little more. Matzinger said the Commission could contact the insurance agency to see if they could get an estimate. Sweeney asked Penn to look into that.

Van Schwartz asked what happened if there were more leases and permits than budgeted. Matzinger said he thought it good to give the budgeted amount to the railroad so they would not be shorted down the road. Bill Ladewig asked about the WSOR lease amount and whether that changed. Nilson said it was changed in 2013 due to a short and it was changed to reflect exactly what was needed.

Nilson asked about the big legal expenses in 2014. Penn explained those were a result of the legal work for the Reedsburg and Oregon acquisitions. Nilson suggested increasing legal to \$4,000.00. Gary Ranum asked if they should come up with a calculation of miles of operating track in regard to calculating the lease amount. Van Schwartz said he did not know if anyone would lease the track based on that calculation. Ranum felt if there was a possibility of future expansion, there would be a formula that would make sense. Van Schwartz said he had never heard of a lease based strictly on mileage. There was discussion on how the rail lease worked and past conversations on that issue within the Commission. Ranum said they needed to be transparent as this was a public agency.

Lucht said historically the rents charged to WSOR were tied to the Commission’s ability to cover costs. He said the Commission never had any interest in profitability: they wanted to break even. Once the rental term was up it would be reviewed. He said in the past WSOR had asked for relief in years of low profitability. He said in places where mileage was part of lease agreements, low profit years could be a problem. He said with the Oregon and Reedsburg acquisitions there was more trackage. He said the railroad is open to negotiation if need be. Kevin Brunner said it might be appropriate to review the lease language to make sure the Commission was comfortable with it. Nilson said Lucht had summed it up well: if there was extra revenue, it went back to being available for railroad projects. He said a per-car basis was a nightmare and had been done in the past. Ranum said Lucht’s explanation made him feel much better as that would not lead to an increase in county contributions. Van Schwartz said the \$48,150.00 lease could be divided by miles but didn’t see the value of that.

Matzinger recapped the budget and raised legal to \$4000 and then said he would present it again in November once all the numbers were set (insurance, etc.). Mace asked why they could not approve it now. Sweeney said expenses may increase and county contributions were not. Gray noted that this process needed to start in the spring, rather than so late in the year. Nilson said county’s needed to know about this to help them in their budget process.

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

Lucht reported on WSOR’s monthly maintenance activities saying there was not alot to report at this time. He said the Continuous Welded Rail (CWR) project between Janesville and Avalon was moving along well. For next year funding, WSOR was working with WDOT on a number of projects for the priority listing, including a tie project for 36,000 ties on the Prairie Sub between Prairie du Chien and Avoka. He said he hoped they would get a grant agreement this year.

For Phase 1 CWR between Feriole Island and Wauzeka, Lucht said WSOR was rehabbing ten public crossings on the Waukeshah and Milton subs currently. Right now it was 90 or 85 lb. rail and there were a lot of speed restrictions slowing things down.

Lucht said the Spring Green Bridge project had internal approval to move ahead, starting a \$13,000,000.00 complete bridge replacement. He said WSOR hoped for an award in the next few months for this project, noting how important this bridge was to the system.

He said there had been no word yet on the TIGER grant.

Lucht said business development was going strong, with their sales force trying to create new contacts as well as maintain current customers. He said Sheboygan, Winnebago, Crawford, and Sauk counties were leading to many opportunities for new customers and WSOR continued work to grow their business.

Lastly he noted that WSOR was in their budget process too. He said things looked good right now and noted there were some new things coming up including some growth projects, adding that growth projects were usually tied to new business opportunities.

Sweeney asked what River the Spring Green Bridge went over. Lucht said it was the Wisconsin. Lucht was asked about extending the CWR on the Avalon project. He responded that right now WSOR was only doing CWR (Class 3 track) down to the state line. Thomas asked if Lucht had gotten noise complaints in Janesville. Lucht said he had received them but said the benefits of that project far outweighed the costs. Prior to the project was huge congestion and WSOR could not meet trains in Milton and Janesville. He said the benefits were much greater now but acknowledged there were concerns by local residents. He said the majority of pick-ups and drop-offs were later in the day. He conceded there were some done in the early hours of the morning.

Lucht said unit trains continued to run on the Prairie sub which ran at 10 mph. He said WSOR worked to minimize risk as there were rail breaks popping up. He said they did not want it to discourage business. As far as traffic went, WSOR was expecting a 5% increase in carloads into next year.

Tollers asked about cars stored on the Sauk sub that had switched from lumber cars to sand cars. Lucht said most of the cars were owned by leasing companies and there was not a lot of frack sand moving right now. He said some customers owned their cars and that WSOR owned about 300 grain cars of their own but the majority were bank owned. He was not sure who owned the ones she asked about.

11. WisDOT Report—Kim Tollers, Rich Kedzior WisDOT

Tollers deferred to Rich Kedzior who said he was working hard to clear the backlog of agreements with WSOR for next year's construction season.

12. Village of Mazomanie Bike Trail Project Presentation

Tollers said the next item was a property management issue with the Village of Mazomanie. The project proposal was to install a bike trail from Mazomanie to Lake Marion Park and there were Village representatives here to present. She said WDOT had sent a letter of support and said once the proposal was presented the Commission could discuss before making a decision.

Chris Long introduced himself as the project manager working with the Village. Mark Geisler from the Village was also attending.

Long presented the project, saying it was a bike trail adjacent to the corridor. He gave out some handouts showing the situation. Long said the Village was asking both the State and the Commission for support of their request as part of this project.

Long said they proposed an 8' paved trail from Mazomanie to Lake Marion, passing under the Hwy 14 viaduct. He presented the details of the project and noted it was all preliminary at this point as they had not yet gotten permits to begin. He said where the trail entered the corridor there would be a 10' high fence, extending 25' on the entire length of the requested area. He said the Village was committed to placing an impervious fence to prevent pedestrian and bike traffic from accessing the track. He said they had begun talking to WSOR about the fence and its placement.

He noted the overall goal of the project was safety by routing bikes from County Hwy KP under the viaduct to the Village of Mazomanie and eliminate bike's crossing the County road. Long listed bike organizations that had offered support of this project. He said this new project would provide safe pedestrian traffic from the Village to the Park. The proposed plan (from County Hwy KP) would travel to the County Hwy KP right of way (ROW) well away from the rail ROW: only at the viaduct would the trail have to go on the rail ROW and it would then swing away from the ROW corridor after passing under the viaduct. He said there was an existing earth berm barrier past the viaduct.

Long said the other benefit to the project was connectivity as this would give access to other bike trails. Because of the enhanced connectivity, the bike/pedestrian traffic would give downtown Mazomanie businesses economic benefit. He said the project was receiving about \$240,000.00 dollars from the Village. He said Mazomanie had applied for a 35% county share grant from a Dane County program and they hoped to hear by the end of the year it they would be funded.

Long said the timeline was to begin construction in June 2016 to be completed in August 2016. He said there was a portion of trail where the trail fronts a piece of private property and they wanted to seek to acquire that 2900' feet to allow the trail to pass. He said the Village was seeking this accommodation of an extra width parcel of approximately 150' of Kramer Street to the rest of the trail. He said there were two other private landowners in the corridor who had given them easements.

He said maintenance would be provided by the Village's Department of Public Works, with himself and the Department in charge of project management.

Nilson asked how long the trail was. Long said it was about ½ a mile. Lucht said WSOR had been involved and did not object in concept. He said basically the fencing over Crescent Street would need to be worked out in the future. Long said that conversation had begun but finally it would be a

conversation between the Village, WisDOT, and WSOR. Lucht said this was in very close proximity to the Wolf Run Trail so it was extremely important to have a barrier.

Long said 201' would be the trail length on the railroad ROW. Lucht confirmed that the fence would be about 251' long fence. Jack Demby asked about the trail on the other side of the ROW. Long said there was no access to Lake Marion on that side. Long also said the Park was undergoing its own reconstruction at this time and that this request would also facilitate bike safety. Demby asked why the trail could not be bumped out more. Chris James said there was a heavily used trail under the viaduct now and the fence would greatly increase safety and he also asked about the need for the retaining wall. Long explained the purpose for that.

Tollers said part of WisDOT's support was to help solve significant trespass problems and WisDOT believed this trail improvement would address that and they had been looking to address that for years which was part of why WisDOT's supported this project. She said WisDOT's support was contingent upon putting up additional fence to address the trespass problem along other portions of the railroad. As far as the permitting process went, there would be a dual permit. The WRRTC would be part of that as it was within 33' of the track centerline. She said the parcel purchase could be done by WisDOT as it was outside the 50' centerline but she wanted to get the Commission's concurrence on the whole concept. She said they were asking for two things: concurrence of the permit process but also the purchase which was outside the ROW.

Nilson said they could not do this today but they would have it on a future agenda. Ladewig asked for clarification on the agreement between Mazomanie, WSOR and WisDOT. Tollers said that was true for the sale but the trail was within the ROW. Nilson said it should be clear from the agenda item that it was worded based on concurrence of the WRRTC, the WSOR, and the WisDOT; Kim concurred that would be necessary for the trail permit.

James said Long was presenting this for informational purposes only. Van Schwartz said this was the 3rd time this had come up. He said in the past the next phase would be likely to add a new crossing and asked if that were in the future plan. Long said that was not in the plan, the key was to connect at KP where it would connect right on the road. There was more discussion on the future of other trails in Mazomanie. Long said they were just seeking to connect Mazomanie to the Village's Lake Marion Park. He said the intent of this was to move the "volunteer" trail traffic away from the tracks. He said in terms of connectivity at present, a cyclist could move from trail to trail in the Village. Van Schwartz asked if there would be a later request. Long said at this point there was no intention to do so. Tollers said OCR did order a crossing at Crescent on the Wolf Run Trail and the Commission approved the trail permit that was entered into with Mazomanie so that part already did exist. She said these were two separate concepts at play here.

Lucht said there could be a need to install future fencing so the permit would need to include wording to that effect. He said he had been told that fencing would be maintained by the Village. Sweeney asked for Tollers to work with Penn to put this issue on the agenda for the November meeting.

13. WRRTC Administrator's Report -- Mary Penn, WRRTC Admin.

Penn reported she had been in contact with Jim Matzinger in regard to the Grunow lease. She read the letter sent to her by Mrs. Grunow who asked for the lease to be ended. Mr. Grunow died two years ago and the lease should have ended then. Penn said she would add this item to the November agenda for the Commission's consideration. Penn then presented four ideas she had come up with in regard to how the Commission could approach the issue of meeting monthly as stipulated in their Charter. She acknowledged that all these ideas were "from the hip" and said she had included pros and cons as they occurred to her when she developed the list.

- X-Committee meets but takes action only to recommend to the Commission.
 - Pros: "Full" commissioners only meet 4x a year; "Full" Commission still makes the decisions.
 - Cons: Decisions on items, particularly time sensitive ones would be greatly delayed, up to 2 months at most.
- Full Commission meets monthly and x-comm is no more unless heightened workloads required a meeting between monthly meetings (e.g. special meetings).
 - Pros: This is what the charter outlined exactly.
 - Cons: Quorum could be a problem.
- Full Commission drafts bylaws outlining what the x-comm may and may not do. This list of duties would either be created by a sub-committee formed specifically to determine this or the Commission might ask Penn and Corp. Counsel to prepare such a document.
 - Pros: Would document the status quo that existed up until March/April 2015 when Mr. Mace made his initial observations,
 - Cons: Required time and work on the part of those on a subcommittee; There would be the risk that the x-comm would take actions outside those responsibilities outlined in the interest of time and accomplishing things as they came up, not having them delayed for months. Since no such list exists yet, there could be other issues that would arise but not sure what they might be.
- Full Commission decides to amend the charter giving x-comm responsibilities and/or latitude to act with authority of full commission (possibly not allowable).
 - Haven't formulated pros/cons yet
- Full Commission amends the Charter so that it only meets 4 times a year and that's it.
 - Pros: Only four meetings a year.
 - Cons: Many, not the least of which is that those 4 meetings would be very long, exhausting meetings and would create a burden to any project or person with a deadline to meet; A list of roles and responsibilities would still be required with the reservations expressed above

Mace commented on the alternatives Penn presented and suggested the idea of a full commission meeting every two months. Sweeney said Eileen Brownlee could make some suggestions and bring them to the next meeting.

14. Presentation and Discussion on WRRTC Accounting Principles – Jim Matzinger, WRRTC Accountant, Gene Gray, WRRTC Treasurer
Addressed in Item 9.

15. Discussion and Possible Action on 2016 WRRTC Budget – Gene Gray, WRRTC Treasurer
Addressed in Item 9.

16. Discussion and Possible Action on Addressing Prairie Sub Private Crossings (Legal and Illegal) – Ken Lucht, WSOR
Lucht said he did not have anything to present yet and said WSOR was still composing a list of private crossings and once that was compiled he would bring it to the Commission for a future agenda item.

16. Action Item. Adjournment

- *Motion to adjourn at 11:50 AM – Gustina/Cornford, Passed Unanimously*



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES October 8th, 2015

The October 8th, 2015 Whitewater/Rice Lakes Management District board meeting was called to order by chairman Rich Charts at 6:02 PM. Board members present were, Ernie Roy, Brad Corson, Larry Brady, Jerry Grant Walworth County Supervisor,
Absent- Chuck Chamberlain, Norm Prusener, Town Representative

Standing Teams Present – Tom Ganfield

Standing Teams Absent - Tom Potrykus, Dave Clevon

Guest Present: Tom Slawski, Megan Beauchaine and Zofia Noe from the Southeastern Wisconsin Regional Planning Commission (SEWRPC)

Clerk Present: Susie Speerbrecher

ADMINISTRATIVE

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

A motion to approve the September 10th, 2015 minutes as presented was made by Ernie, seconded by Larry. Motion Carried.

Public Input – None

COMMISSIONER REPORTS

Secretary – Correspondence – Great Scapes sent an advertisement on chemical spraying. Ernie introduced our guests Tom Slawski, Megan Beauchaine, and Zofia Noe from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) who provided a working session and collaboration for the Lake Management planning document that will be published in the coming months. The document sets the parameters under which our lake programs can operate for the next 5 years.

Finance – Brad reviewed the September expense handout. Expenses totaled \$54,152.03. Ernie motioned to accept the expenses as presented and seconded by Larry. Motion Carried. Brad then continued on reviewing the P & L handouts

Weed – Larry reported the harvesting report is ready to send into the DNR. Harvesting began 5/20 and ended 9/3. 5,205 cubic yards were harvested. Using GPS units is a possibility for 2016.

Chemical – Ernie reported Amy Kay from Clean Lakes was out to do a survey and did see weed growth. and the water was also tested. Rich made a suggestion that, if asked, Terry Anderson might volunteer to work with Tom Ganfield on the water quality on Rice Lake.

Bog – Brad reported the bog removal was going well until this past week. Equipment broke down one day and the crew didn't show up other days. Brad will put a statement in the next contract regarding management of the crew. Rich is hoping to do some charting of the bog this winter using Ernie's underwater camera.

Equipment – Chuck sent a report to the board members prior to leaving town. His report will be attached to these minutes. A brief discussion was held regarding the cost to haul our new transport back to Aquarius. The approximate cost is \$1000 for Manesis Trucking to haul the machine.. Brad will talk to Jeff and see what he would charge us.

Wildlife Management – Nothing to report

Fish – No report given

Safety – No report given.

Water Quality – Tom Ganfield confirmed with SEWRPC that water data is extensive for Whitewater Lake and is lacking on Rice Lake. Tom will add water quality monitoring for Rice Lake if someone from that lake volunteers their boat and assistance to collect data.

2015 Schedule – The 2016 RFP Service Contract needs to be posted in the 10/15 and 10/22 issues of the Whitewater Register

Audit – No report

OLD BUSINESS – Rich reported two volunteers reported in to monitor the boat landings this year. We will start up the AIS program again in spring.

NEW BUSINESS – One storage bid was received postmarked 10-1-15 from JNT Marina. Brad reviewed the bid with the board members and everyone was in favor that it was a reasonable bid. Larry motioned to accept JNT'S bid of \$5,100 per year for a 3 year contract with the stipulation Jeff would not be paid until all equipment is stored inside his building. Ernie seconded the motion. Motion Carried. Brad will write up a storage contract

OTHER BUSINESS - Ernie reported he was approached if the Lake Management District would take the buoys out in fall. Rich said we would take this under advisement.

Rich led a discussion on Healthy Lakes Initiatives grant program and asked the board their approval of being a sponsor for home owners who want to take part in this program. Jerry motioned the board be a sponsor, seconded by Larry. Discussion followed as long a we have no financial commitment on our part and all we do if hold the grant money until the homeowners project is completed the motion was carried.

Next Meeting: November 12th, 2015 at 6:00 PM

Rich motioned to adjourn the meeting. Seconded by Jerry. Motion Carried. Meeting Adjourned at 8:22 PM.

Respectfully submitted

Susie Speerbrecher, Clerk

Minutes of the 2015 Budget Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 12th, 2015 at Town Hall, East Troy, Wisconsin.

Present: Commissioners Barry Bonneau, Christine Celley, Bob Rice, and Joyce Reed

Also Present: 24 Electors.

Chairman Bonneau called the Budget Meeting to order at 9:30a.m.

Christine had handouts for the group that showed the 2015 approved budget and year to date as of August 31st. Spring is the slowest time for spending and we will have more items that will come in to pay this fall. She doesn't anticipate that we will need to make any withdrawals as we have not had any unexpected expenses. Labor was low this year due to lack of harvesting. We did place an order for some new buoys to replace damaged ones. Looking ahead to 2016 we will have some more planning expenses as we need to do another plant survey. We will be doing water quality monitoring part of which will be funded by a grant of \$2,025 the rest will be funded by the district. Barry commented that the DNR requires plant surveys and water quality monitoring in order to issue us the needed permits for treatment. Barry asked for a motion from the floor to approve the proposed budget for 2016. A motion from the floor was made and approved unanimously. A motion was made to conclude the budget meeting was adjourned at 9:43am.

POTTER'S LAKE PROTECTION AND REHABILITATION DISTRICT

<u>DESCRIPTION</u>	<u>2015 Proposed Budget</u>	<u>2015 Actual Budget ytd 8/31/15</u>	<u>2016 Proposed Budget</u>
Receipts:			
District Tax	11,250.00	11,136.66	11,250.00
Special Tax	40,000.00	38,386.48	39,000.00
Interest on Savings	2,000.00	1,140.70	2,400.00
Grant	0.00	0.00	2,025.00
Flare Sales	1,000.00	800.00	1,000.00
Transfer from Savings	58,800.00	0.00	60,825.00
TOTAL	61,800.00	51,463.84	116,500.00

Expenditures:

Office, Advertising, Mtgs	1,500.00	507.67	1,500.00
Dues and Subscriptions	500.00	275.00	500.00
Legal	1,500.00	0.00	1,500.00
Equipment, Tools & Vehicles	10,000.00	74.25	10,000.00
Computer & Web Expenses	2,000.00	70.00	4,000.00
Lake Functions (flares/Blake Party)	1,000.00	1,534.03	2,000.00
Utilities	500.00	427.61	500.00
Reserve for Special Projects	10,000.00	0.00	10,000.00
Lake Projects (plant eradication)	30,000.00	15,543.40	30,000.00
Insurance	4,000.00	4,292.00	4,500.00
Fuel	3,000.00	36.85	3,000.00
Maintenance	2,000.00	1,252.00	2,000.00
Payroll Expenses	45,000.00	10,174.90	45,000.00
		5440.00 Harvesting	
		4734.90 CBCW	
Misc Expenses	2,000.00	0.00	2,000.00
TOTAL EXPENDITURES	113,000.00	34,187.71	116,500.00

ASSETS: 8/31/15**Citizens Bank of Mukwanago**

Checking Account	34,913.05
Money Market	1,055.31
Certificates of Deposit	178,578.47

Landmark Credit Union

Certificates of Deposit	105,058.48
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Minutes of the 2015 Annual Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, September 12th, 2015 at Town Hall, East Troy, Wisconsin.

Barry called the annual meeting to order at 10:00am. Copies of the minutes from the 2014 annual meeting were made available as well as emailed before the meeting. Barry asked if there were any questions pertaining to the minutes. A motion was made from the floor to approve the minutes as presented. The motion was seconded and approved. Christine asked if anyone had questions from the prior budget meeting. No one had questions and a motion was made to approve the Treasurer's report. The motion was seconded and approved unanimously. Barry introduced Kathy Aron to the group and she reported on lake conditions. This year has been a good year for keeping weeds under control. She thinks a big part of it was due to the ice cover the past two years and the late season start in the spring. Kathy stated that this year has been a challenging year for her due to Starry Stonewort and trying to prevent the spread to other lakes. This plant is native in Europe but invasive here. It is currently in the Muskego lakes which are close to us. The DNR has been managing this since this spring. This plant spreads by fragmentation and does not float. It can transfer by ropes, ducks feet, anchors, and very easily by boats and trailers. DNR is taking the position that herbicides won't work. This plant will also fill a water column 6 feet or less. This will choke out all other plants and prevent fish from spawning in those areas. Herbicides will only remove the top parts of the plant 2 feet down or less. It is very important to treat this fast and often in order to prevent and control the spread. Other states will treat every boat launch on a infected lake 1 to 3 times per season. DNR is expressing the importance of the Clean Boats Clean Waters program to help prevent the spread of invasives. The program is good but you can't get what is on the bunks under the boat or in the intakes of the motor. These stars by which it spreads can be in both places and you can't see them. The DNR has taken the position that hand pulling and suction harvesting is the best way to remove it. Kathy does not have confidence that it will not spread into other surrounding lakes. Little Muskego spent \$20,000 in one week to suction dredge and it cleared less than ½ acre. Christine asked what treatments they were using in Indiana that was successful. Hydrothal and Clipper have been used in other states with success. Bob asked if it was possible to treat the bay at our boat launch 2 or 3 times a year as a preventative measure from things that may be brought into our lake. The DNR may allow a small portion to be treated but if Starry Stonewort gets into a lake they will not allow chemical treatments to continue. Long Lake put together a complex plan to treat their lake and had many industry resources donate their time to come up with a multi year plan. They submitted it to the DNR and a month later they still have not heard back. Barry asked what the disconnect was with finding the problem and treating it effectively. Kathy doesn't know why as the DNR is looking at the same data that the lake biologists are looking at from the other states that have treated it. Christine asked who in the DNR the information go's to. Kathy said that Bob Wakeman is the one who is making the decisions. Joyce asked why it is not a problem in Europe. Kathy said that when you take something from its natural environment it can thrive in other areas because there is no competition for it. Kathy said there has been some progress with whole lake treatments for Milfoil and there have been 3 whole lake treatments have been approved in Southern WI recently. Bob asked if there was a chemical that would take out Milfoil and Starry Stonewort and if so would it be possible to treat the boat launch bay with this chemical to control our current problem but would also be a preventative measure from allowing Starry Stonewort into our lake. Kathy is not sure if there is a cross over chemical. Bob also stated that from

the informational seminar he attended that you could not harvest Starry Stonewort. Kathy said that was correct as the paddle wheels from the harvester just spread this plant. Joyce asked if Clipper was legal. A homeowner asked how long the plants would last out of water. Kathy said it depends on where it is at. On an area with no water 3 days; if it is on the carpeted bunk that stays damp it could be a week or more. Another resident said that someone who was fishing was told to clean his fishing lines and lures as they can be contaminated as well. Kathy was asked what we are doing for next year. She said that we needed to get the water quality monitoring and plant surveys done in order to get a permit for a whole lake treatment. Sonar was brought up and that it seemed to work for a number of years as opposed to treating each spring and fall. Our past Sonar treatment was deemed a failure because it took out native plants as well and the water clarity stayed about the same (even though it controlled the Milfoil problem for several years) Christine asked what steps Little Muskego was doing to control the problem. Kathy said that the community is very divided some think the launches should stay open and that they are doing a good job and the other side says that what is being done is not working because the problem is continuing to get bigger. Looking forward for planning on our lake, we want to apply for a grant for a whole lake treatment. In order to do this we will need to do some of the planning this winter and a survey next summer. Next summer we will maintain our current treatment plan of chemical treatment and harvesting to control the Milfoil. Winter of 2016 2017 we would get the grant application, project planning, and 5 yr plant management into the DNR. The cost of a whole lake treatment was \$20,000 in 2006 when we did the Sonar treatment. The difference in Sonar and 24D is that Sonar stays in the lake at a very low dose for 30 days with the 24D the chemical dissipates in 7 days. There is monitoring that needs to be done to make sure that appropriate levels of Sonar stay in the lake for the recommended period of time. Julie Anderson is from Racine County Public Works and Planning Department and is going to be appointed to the Natural Resource Board. She has been active with lake issues and has been asking a lot about Starry Stonewort. It seems like she may be a good ally.

Barry moved onto the Commissioners Report. No new news was reported. Joyce commented about the large group in attendance and asked if anyone who hasn't been at prior meetings wanted to comment on why they came. One resident stated that they were getting closer to retirement and wanted to take a more active roll in the community as they were planning on making this their full time residence.

Lorene Hirsch reported to the group about this years block party and plans for next year. This year we had a turn out of about 125 and raised \$668 that will go towards next years fireworks. She is planning on doing the event next year as well and is open for suggestions. Lorene asked about inviting the land owners in Miramar to attend next year's event, sign up sheets for volunteers to work the raffles and games, more raffle donations from the property owners. Maybe consider selling beer at next year's event or bring your own?? Also a bags tournament may be in the works. Joyce asked if we obtained a state license for the raffle. Because there were no items over \$500 a license was not needed. A home owner asked what the resistance to beer sales is and noted the past carp outs that sold beer and the money that was raised for the lake. Bob stated that he was ok with the beer sales as long as the appropriate licenses, permits, and insurance were taken out. Next year the date may be moved closer towards the middle of summer so that it would give people a chance who met to still get together in the summer. Lake trivia and old photos were also suggestions for future add-ons.

Barry updated the group on fish stocking. He has been in contact with Luke from the DNR. Historically we have stocked Northern Pike to help control the population of small panfish. We have had stocking in 1999, 2001, 2005 and 2013. We are scheduled this fall for another stocking of Northern Pike according to Luke. The DNR website has information on the fishery for our lake. A constituent asked when the last fish survey had been done. Shocking surveys were done in 2008 and 2011.

A small discussion was had on the website and the importance of keeping it up to date. It was suggested that a link to the site be on our email. Bob commented that the email signature would be updated with a link to our site.

Paul Celley reported on this years harvesting. As of today we have taken out 45 loads with most of it being done in the last 2 weeks. The loads are taken to a local farmer who uses the weeds as fertilizer for his fields. A homeowner asked if the harvester was out enough this year. Paul stated that they went out in July for 8hrs around the whole lake and only got 3 loads. The past couple of weeks they have been out twice and have removed 20 loads each day.

Barry updated the group on the water shed coming across Stone School Rd. The board had worked with Walworth County and the farmer leasing the land to agree to plant that field in hay to help control the runoff into the lake. The hay helps to filter out some of the nutrients and top soil that has entered in the past. The farmer has not billed the lake to date for planting hay in that field. The estimated cost was about \$1,000. He is also supposed to seed the field in wheat this winter as well.

Christine commented on commissioner compensation. Currently the commissioners get \$200 a year for their positions. With the work involved as a board member and the time commitment the board suggested that we look at other lakes to determine a fair compensation level for what we do and bring that information back at the spring meeting. Other lakes that Christine had inquired with paid part salary and part hourly depending on their function. Christine also questioned if the time commitment and compensation were preventing other people from stepping up when a position was open. Bob read the bylaws and compensation would need to be voted on at the annual meeting prior to any change. Joyce proposed maybe making a small change today so that it would be in effect for next year. A constituent proposed to increase the commissioner pay to \$2,000 each. That was rejected by those in attendance who said that the board should do some research and present it at the spring meeting when we may have a higher attendance.

A constituent asked about the assessment and if it would ever be removed. Barry stated that the need for funds for the lake is ongoing and each year there are different needs. This year our harvesting expense was down but we are looking at doing another whole lake treatment in 2017 and we may or may not get grant money. We don't want to put ourselves in a situation where we will need to special assess homeowners. Barry commented about the cost of treatment that Little Muskego has with their current problem.

Barry's term will expire January 1, 2016. He asked for nominations from the floor as he will be stepping down after many years of service. MaryJo Jones stepped forward and has finance and accounting background. MaryJo was unanimously elected as a new

commissioner for 2016—2018. Barry thanked the group for their support and involvement with the lake.

Walworth County Clean Sweep will take place on October 2nd & 3rd this year. This program gives people the opportunity to dispose of things that cannot be placed in landfills. There were flyers available as well as the email that was sent out to the district members.

Resolutions were presented to the group. A total of six resolutions were reviewed for the year 2016 and approved as presented. The annual meeting for 2016 was set for Saturday September 10th at 9:30am. The spring meeting will be May 7th 2016

Respectfully submitted,

Bob Rice
Secretary

**Booth Lake Management District
Annual Meeting of the Electorate
July 20, 2014**

1. Meeting called to order by Chairperson Henry Hubbell at 11:08 am.
2. Motion for approval of minutes of the July 21, 2013 Annual Meeting by Bob Biebel, 2nd by Donna McElwee. Motion approved.
3. **TREASURER'S REPORT**
Barry Loveland reviewed the Treasurer's report (attached). Barry noted the surplus is anticipated to be \$2,045, which is less than the initial projection of \$3,220. The \$2,045 projection reflects updated budget and accounting figures. Motion for approval of Treasurer's report by Marlene Bialek, 2nd by Kathy Jens. Motion approved.
4. **AUDIT REPORT**
An audit was not completed last year. Audrey Potter had volunteered at the last Annual Meeting to do an audit but was inadvertently never given the information to conduct an audit. Audrey will be asked to do an audit and audit report this year. She will be provided with the necessary information to do the audit.
5. **CHAIRPERSON'S REPORT**
Water Quality Study
Water quality sample was taken last fall with good readings. No sample was taken this spring and the next sampling will be done in the fall.
Fisheries Study:
Several years ago the Board discussed the possibility of re-stocking Booth Lake, but it was decided the lake habitat needed improvement before stocking could be considered. Since that time the lake habitat has been improved due to the placement of several fish cribs and a number of downed trees along the north shore. The Board is reconsidering the possibility of re-stocking the lake and, based on recommendations from the DNR and the SE Regional Planning Commission, has asked Aquatic Biologists, LLC to conduct a preliminary study of the lake, habitat, plants and fish population during late summer or fall and provide the Board with preliminary recommendations. Aquatic Biologists, LLC will also have access to the previous lake study completed in 2003. Based on these recommendations, the Board may establish an ad hoc committee of some of the electorate to consider re-stocking options. Some concerns were raised about costs associated with fish re-stocking. It was noted the District would probably be able to secure some supplemental funding from some local organizations, such as local sportsmen clubs.
Weed control:
The Eurasian water-milfoil was treated on June 12, 2014; between 1 and 2 acres were treated. This year's treatment is considered to be a successful treatment and, overall, the invasive species continues to be under control. The DNR Inspector commented on how well we are controlling the invasive Eurasian water-milfoil.
6. **BUDGET FISCAL 2014**
Barry Loveland discussed the proposed budget for 2015 and presented a revised proposed budget for 2015 due to the change in the projected surplus from \$3,220 to \$2,045. The revised projected 2015 budget changes Administrative Expenses from \$500 to \$325; Insurance from \$2,700 to \$2,200; Lake Management from \$5,000 to

\$6,000; and Legal and Professional from \$2,000 to \$500. Total expenditures for 2015 would be \$15,265 and the tax levy would be \$140, the same tax levy as the 2014 budget. Motion by Bill Sullivan, 2nd by Delores VanderBeke to approve the \$140 tax levy for 2015 and the proposed 2015 budget calling for \$15,265 in expenditures. Motion approved. (Approved budget attached.)

7. ELECTION OF COMMISSIONERS

Election Results

The membership needed to elect three individuals to 3-year terms as BLMD Commissioners. In addition, the Board was seeking to appoint an individual as BLMD Commissioner to fill Greg McElwee's unexpired term (2-years). Jim Poliak had indicated an interest in being appointed to the Board but would defer if someone else was interested. Mike Mette mentioned he was interested in being appointed as BLMD Commissioner to fill Greg McElwee's unexpired term. Gary Hegeman, Hank Hubbell and Bob Ricciardi were elected to 3-year terms as BLMD Commissioners; the results of the secret balloting were Gary Hegeman – 32; Hank Hubbell – 32; Bob Ricciardi – 30; and Mike Mette – 2. It is anticipated the Board will appoint Mike Mette as a BLMD Commissioner to fill Greg McElwee's unexpired term at the Board meeting following the Annual Meeting.

Proposed Bylaw Changes to Reduce Board to 5 Commissioners

The proposal to amend the Bylaws to reduce the size of the Board to 5 persons was withdrawn as it is anticipated all 7 Board positions will be filled.

8. WATERWAY MARKERS AND TOWN ORDINANCE NO. 2014-3

The Town of Troy has passed Ordinance No. 2014-3 calling for the GPS placement of 23 waterway markers in Booth Lake. The membership discussed the Ordinance and raised concerns about the total number of markers and their placement. Kathy Tober, Town of Troy Rep, was asked to see if the Town Board would adjust the Ordinance to 33 markers and address placement concerns. It was also suggested a group of interested members may want to get together to develop a proposal for additional markers and placement options to present to the Town of Troy Board.

9. PUBLIC COMMENT

Joan Wolf recognized Gary Hegeman for completing the Ice Age National Scenic Trail and for his work on editing the 2014 Ice Age Trail Guidebook. Several members raised significant concerns about the current adversarial relationship that exists with the current water patrol. Several instances of unreasonable ticketing were discussed. Kathy Tober indicated she would provide feedback to the Town Board. Hank Hubbell recognized Greg McElwee for all his work and many years of service as a BLMD Commissioner and Chairperson. The members owe Greg a great deal of gratitude for all he has done for the District.

10. OTHER BUSINESS

None.

11. Motion to adjourn by Shawn McQue, 2nd by Kathy Jens; adjourned 12:19 pm..

Respectfully submitted by
Gary Hegeman – BLMD Secretary

Booth Lake Management District

Treasurer's Report
07/19/15

Opening Balances:

Checking - First Citizens State Bank	\$12,300.30	
CD's - First Citizens State Bank	<u>\$29,302.62</u>	
		\$41,602.92

Revenue

Interest Income	\$89.42	
Tax Levy	\$13,569.60	
Town of Troy	<u>\$500.00</u>	
		\$14,159.02

Expenses

Administrative Expenses	\$255.04	
Insurance	\$2,157.00	
Lake Management	\$5,860.00	
Lake Studies	\$320.00	
Legal & Professional	\$0.00	
Maintenance & Repair	\$476.00	
Septic System Ordinance	<u>\$5,305.75</u>	
		\$14,373.79

Closing Balances

Checking - First Citizens State Bank	\$12,011.23	
CD's - First Citizens State Bank	<u>\$29,376.92</u>	
		\$41,388.15

Three Year Budget Summary

	Proposed 2016	2015 Actual	2014 Actual
Revenue	\$ 21,320.00	\$ 14,159.02	\$ 13,632.74
Expenditures	\$ 24,440.00	\$ 14,533.79	\$ 14,087.45
Surplus (Deficit)	\$ (3,120.00)	\$ (374.77)	\$ (454.71)
Individual Tax Levy	\$ 230.00	\$ 140.00	\$ 140.00

Note: Budgeted deficit represents a reduction of existing retained earnings.

Submitted by: Barry Loveland, Treasurer



BOOTH LAKE MANAGEMENT DISTRICT
P.O. BOX 778
EAST TROY, WISCONSIN 53120-0778
REGULAR MEETING OF THE BLMD COMMISSIONERS
July 20, 2014

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Stan Muzatko (County Board Rep.), Kathy Tober (Town of Troy Rep). Mike Mette was also in attendance.

1. Meeting called to order at 12:24 pm.
2. APPROVAL OF MINUTES
June 28, 2014 Meeting
Motion for approval of the minutes of the June 28, 2014 meeting by Barry Loveland, 2nd by Stan Muzatko. Motion approved.
3. APPROVAL AND ADOPTION OF BUDGET FISCAL 2015
Motion to approve and adopt a property tax levy of \$140 as approved by the Electorate at the 7/20/14 Annual Meeting by Gary Hegeman, 2nd by Barry Loveland. Motion approved. This results in a budget/total expenditure of \$15,265. The approved 2015 budget is attached.
4. APPOINTMENT OF COMMISSIONER
Greg McElwee recently resigned his position as a BLMD Commissioner and a replacement needs to be appointed to fill the remainder of Greg's term (expires July 2016). Mike Mette indicated an interest during the Annual Meeting in being appointed to this position. Motion to approve the appointment of Mike Mette to fill the remainder of Greg McElwee's term as a BLMD Commissioner by Barry Loveland, 2nd by Gary Hegeman. Motion approved. The Commissioners noted with the re-election of Hank Hubbell and Gary Hegeman and the election of Bob Ricciardi to 3-year terms, all positions on the BLMD Board are filled for the first time in several years.
5. ELECTION OF OFFICERS
Motion to elect/approve Hank Hubbell as Chairperson, Barry Loveland as Treasurer, and Gary Hegeman as Secretary for the next year by Stan Muzatko, 2nd by Kathy Tober. Motion approved.
6. OTHER BUSINESS
None.
7. PUBLIC/COMMISSIONER'S COMMENTS
Kathy Tober noted the Booth Lake Park Board was interested in extending the Park piers to allow for more boats in order to increase revenues. Kathy indicated this proposal was not approved.
8. Motion to adjourn the meeting by Gary Hegeman, 2nd by Hank Hubbell. Meeting adjourned at 12:36 pm.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

Booth Lake Management District

P. O. Box 778

East Troy, WI 53120

Phone: 262-642-7285 Fax: 262-642-7493 Email: gmheg@wi.rr.com

Website: www.boothlake.org

NOTICE OF

Booth Lake Management District Commissioners Meeting

Sunday, July 19, 2015

Immediately following the Annual Meeting of Electors

Held at the Alice Chester Center Pavilion

AGENDA

The Agenda for this meeting shall include, but be not limited to the following:

1. Call meeting to order
2. Approve minutes of the Meeting of June 27, 2015
3. Approve and adopt the fiscal 2016 budget and tax levy
4. Election of Officers
5. Any other business for approval as directed by the Electors at the Annual Meeting
6. Public/Commissioner's comments
7. Adjourn

Respectfully submitted

G. M. Hegeman

Commissioner/Secretary

July 1, 2015

Persons with disabilities who need accommodations to attend meetings should contact the Town Clerk/Treasurer's office by calling 262-642-5292 as soon as possible so that needs can be reasonably met. Dated this 1st day of July 2015. Meetings posted at three locations in the Town of Troy: Troy Town Hall F/D, N8870 Briggs St.; Little Prairie Cemetery, N9502 Palmyra Rd., Little Prairie; Booth Lake Memorial Park, N8465 Townline Rd. It is possible that members of and possibly a quorum of members of other governmental bodies may be in attendance. Agenda is subject to change 24 hours prior to meeting.

BOOTH LAKE MANAGEMENT DISTRICT
P.O. BOX 778
EAST TROY, WISCONSIN 53120-0778
REGULAR MEETING OF THE BLMD COMMISSIONERS
July 19, 2015

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Mike Mette, Bob Ricciardi, Stan Muzatko (County Board Rep.), Kathy Tober (Town of Troy Board Rep.).

1. Meeting called to order at 1:05 pm.
2. APPROVAL OF MINUTES
June 27, 2015 Meeting
Motion for approval of the minutes of the June 27, 2015 meeting by Barry Loveland, 2nd by Bob Ricciardi. Motion approved.
3. APPROVAL AND ADOPTION OF BUDGET FISCAL 2016
Motion to approve and adopt a property tax levy of \$230 and the FY 2016 budget calling for expenditures of \$24,440, as approved by the Electorate at the 7/19/15 Annual Meeting, by Barry Loveland, 2nd by Gary Hegeman. Motion approved. The approved 2016 budget is attached.
4. ELECTION OF OFFICERS
Motion to elect/approve Hank Hubbell as Chairperson, Barry Loveland as Treasurer and Gary Hegeman as Secretary for the next year by Bob Ricciardi, 2nd by Mike Mette. Motion approved.
5. OTHER BUSINESS
The Board discussed the establishment of the ad hoc task force to work on lake habitat improvements. It is hoped the group will start to meet early fall. It was suggested Mike Poliak be asked to coordinate the task force. Hank will discuss this with Mike Poliak and provide him with the list of members who volunteered to work on the task force.
6. PUBLIC/COMMISSIONER'S COMMENTS
None.
7. Motion to adjourn the meeting by Gary Hegeman, 2nd by Bob Ricciardi. Meeting adjourned at 1:14 pm.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

