

JULY 12, 2016 COUNTY BOARD MEETING
COMMITTEE MINUTES PACKET
DRAFT Walworth County Board of Supervisors
June 23, 2016 Finance Committee Meeting Minutes
Walworth County Government Center, County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin

The meeting was called to order by County Chair Nancy Russell at 9:34 a.m.

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

Others in Attendance

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; County Treasurer Valerie Etzel; Comptroller Jessica Conley; Sheriff's Office Business Manager Amanda Lagle; Health and Human Services (HHS) Assistant Director Robert Williams; Senior Accountant Todd Paprocki; Clerk of Courts Sheila Reiff; Jail Administrator John Delaney; Human Resources Director Dale Wilson; HHS Division Manager Lori Muzatko; Central Services Director Eric Nitschke
Members of the public: Marilyn Putz, Workforce Innovation and Opportunity Act (WIOA) Consultant; Carla Gogin, Baker Tilly

Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to move consideration of item 7A after item 9F, and to consider item 9D after Public Comment period, and to approve the agenda as amended. The motion carried 5-0.

Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve the May 19, 2016 meeting minutes. The motion carried 5-0.

Public Comment – There was none.

- Resolution **-07/16 Supporting the Continuation of Walworth County's Operating While Intoxicated (OWI) Treatment Court in 2017

Bretl said the Criminal Justice Coordinating Committee (CJCC) requested the County Board commit to provide funding in 2017 to allow eligible OWI fourth offenders to complete treatment court. Judge Reddy didn't want to admit defendants into the program and have to remove them in 2017 because of a lack of funding, if the requested grant is not awarded. As estimated, \$20,000 from the contingency fund would be needed to permit the 4th offenders to complete treatment. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to support the resolution. The motion carried 5-0.**

Consent Items

Chair Russell requested that items 8A4b, 8B1, 8B2, 8E3a, 8E3b2 and 8E3d2 be considered separately. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to, to approve the remainder of the consent items. The motion carried 5-0.**

8A, Budget Amendments

- 1) Clerk of Courts
 - a) CT02 – Revise budget to reflect Drug Court grant funding modifications
- 2) Human Resources
 - a) HR001 – Offset shortfall in health insurance refund revenues
- 3) Lakeland Health Care Center
 - a) LH003 – Adjust budget for interim staff due to position vacancy
- 4) Public Works
 - a) PW006 – Increase budget for State highway paint/markings

- b) PW007 – Increase budget for construction of White River County Park picnic shelter
Central Services Director Eric Nitschke said that because of the mild winter, utilities are under budget, and he requested additional funds be transferred into the White River County Park picnic shelter project to supplement the project budget. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve budget amendment PW007. The motion carried 5-0.**
- 5) Sheriff's Office
 - a) SH005 – Decrease anticipated revenues for the Home Detention program

8B, Bids/Contracts

- 1) In-home Supportive Care program – Health and Human Services
One of the vendors, Southern Home Care Services, has recently been sold, and staff requested to hold approval on that vendor until July, pending research. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve the bid award to Society's Assets, Your Home Care Services, ADL Corporation and Brighter View, and to defer a decision on Southern Home Care Services, Inc. until the next committee meeting. The motion carried 5-0.**
- 2) Countywide interdepartmental delivery services
The bid recommendation was handed out at the meeting. Don's Courier Service, the current vendor, was the low bidder. Treasurer Val Etzel said the contract covers interoffice mail service and picking up mail at the post office (three trips per day). Deputy County Administrator-Finance Nicki Andersen noted the budgeted amount was less than the bid, but the Treasurer's Office has the additional funds. **Supervisor Schaefer made a motion, seconded by Supervisor Yvarra, to approve the bid award to Don's Courier Service in the amount of \$34,960, contingent upon the Treasurer's office transferring sufficient funds for the contract. The motion carried 5-0.**

8C, Notification of emergency procurement

- 1) Relocate the backbone cabling of the county's fiber/data/phone lines for the public works building

8D, Declaration of Surplus

- 1) Recommendation to declare public works automated fuel system as surplus and to sell said system in a manner advantageous to the county
- 2) Recommendation to declare three (3) Public Works trucks and one (1) front deck mower as surplus and to sell in a manner advantageous to the county

8E, Reports

- 1) Quarterly sales tax report – 1st quarter 2016
- 2) Update on tax incremental financing districts (TIDs)
- 3) Out-of-state travel
 - a) Children With Disabilities Education Board (CDEB)
 - 1) Stephanie Farnham and Peggy Schneider, Building Blocks for Sensory Integration Training
Chair Russell questioned why the employees traveled to the training separately when they arrived and returned home at same time. County Administrator Bretl said he would check with Director CDEB Tracy Moate. **Supervisor Ingersoll made a motion, seconded by Supervisor Schaefer, to accept the report. The motion carried 5-0.**

b) Finance

- 1) Jessica Conley, Government Finance Officers Association (GFOA) Annual conference, Toronto, Ontario
- 2) Linda Gregurich, American Payroll Association (APA) Annual Congress, Nashville, TN
Chair Russell asked why Ms. Gregurich chose to drive to Nashville rather than flying. Andersen said the airline fees were checked and it was actually a little cheaper to drive. The county didn't have to fund the registration fee of \$1,700, as APA waived the fee for Ms. Gregurich, and she didn't request meal reimbursement. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to accept the report. The motion carried 5-0.**

c) Human Resources

- 1) Donna McIntyre, Tyler Connect Conference, Phoenix, AZ

d) Sheriff's Office

- 1) Sam Barrett, Dan McKinney and Yohannes Quiles, Midwest Gang Investigators Association Annual Conference, Dubuque, IA
- 2) Robert Craig and Brenda Thurin, Prisoner Transport, Savannah, GA
Sheriff's Office Business Manager Amanda Lagle said the prisoner transport was a special circumstance. The contracted vendor wasn't able to do the transport. The Sheriff's Office is requesting reimbursement of the travel expenses from the State. **Supervisor Ingersoll made a motion, seconded by Vice Chair Kilkenny, to accept the report. The motion carried 5-0.**

e) UW-Extension

- 1) Deborah Burkman, 4-H Embryology Project Fertilized Egg Pickup, Miles, IA

New Business

- Presentation by Baker Tilly Virchow Krause, LLP related to financial audit for fiscal year ended December 31, 2015

The audit report was mailed separately to Supervisors. Carla Gogin of Baker Tilly summarized the audit findings. She commended the County for also submitting the financial report to the Government Finance Officers Association (GFOA) for review, who technically reviews the report and sends it to a volunteer to provide comment on the report. Baker Tilly gave a clean opinion, the highest level of assurance on the financial statement. Gogin congratulated Finance staff for the excellent documentation in their analysis. This past year, reporting on the county's involvement in the Wisconsin Retirement System was required, and the county is actually overfunded. The county's net position continued to increase, with investing in capital assets in excess of depreciation and a light debt load. The fund results were presented in the report, and the county operated better than budget in all of the funds. The county's fund balance increased \$9 million over 2014. The county's debt outstanding is at \$20 million – 3% of the limit. There has been no borrowing since 2011. No material weaknesses or significant deficiencies were identified in the risk assessment process. The control environment has improved with the centralization of finance functions throughout county departments. Andersen thanked all of the county departments and staff for their cooperative efforts. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to accept the report. The motion carried 5-0.**

- Discussion and possible action regarding WIA State Grant Monitoring Report for the 2014 Program Year

Marilyn Putz, Workforce Innovation and Opportunity Act (WIOA) Consultant, reported on the 2014 onsite monitoring by the Wisconsin Department of Workforce Development. The review includes the Southeast Wisconsin Workforce Development Board (SEWDB), which includes Racine, Kenosha and Walworth Counties. SEWDB's responses to the Department of Workforce Development were included in the packet. Out of 300-400 enrollments in the program, only 20 case files were pulled for review. Walworth County had only one finding, which was actually only a difference of opinion on procedure. Putz said she would periodically update the Committee on the program. **Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to accept the report. The motion carried 5-0.**

- Discussion and possible action regarding inmate calling fees
Jail administrator John Delaney reported that FCC recently implemented changes to lower calling rates and reduce or eliminate fees for inmate phone calling. As a result, guaranteed revenues from the vendor, IC Solutions, will drastically change. The original budget for 2016 was \$110,600, and the new budget amount will only be \$60,000. **Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to accept the report. The motion carried 5-0.**

- Ordinance **-07/16 Amending Section 15-17 of the Walworth County Code of Ordinances Relating to the Creation of a Mobility Coordinator Position in Administration
Bretl reported that the Human Resources Committee recommended approval of the position. **Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to recommend approval of the ordinance amendment relating to the creation of a Mobility Coordinator position. The motion carried 5-0.**

- Discussion and possible action regarding Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award
Andersen said staff requested not to have the Award presentation at the County Board meeting. Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to recognize and appreciate the hard work and commendable efforts by county staff. The motion carried 5-0. Supervisor Ingersoll requested that Supervisors be sent a copy of the press release announcing the award.

Unfinished Business

- Discussion and possible action regarding Tax Incremental Financing (TIF) Districts guidance
Vice Chair Kilkenny asked that this item be kept on future agendas for updates, discussion/action. He furnished Comptroller Jessica Conley and Bretl a copy of his list of items for future consideration, and said it's important to give our representative guidance on what is expected from the Districts.

Correspondence – There was none.

Confirmation of next meeting: The next meeting was confirmed for Thursday, July 28, 2016 at 9:30 a.m., Government Center County Board Room 114.

Adjournment

On motion by Vice Chair Kilkenny, seconded by Supervisor Schaefer, Chair Russell adjourned the meeting at 10:38 a.m.

DRAFT

**Walworth County Board of Supervisors
Health and Human Services Board Meeting Minutes
Wednesday, June 22, 2016
Walworth County Government Center
County Board Room 114
100 West Walworth Street, Elkhorn, WI 53121**

The meeting was called to order at 2:03 p.m. by Chair Monroe.

Roll call was conducted. Members present included Vice Chair Tim Brellenthin, Supervisor Kathy Ingersoll, Chair Kenneth Monroe, Supervisor Joe Schaefer, Supervisor Charlene Staples, Citizen Representatives Dr. James Seegers, Sandra Wagie-Troemel and William Wucherer. Citizen Representative Bernice Solis arrived at 2:12 p.m. A quorum was declared.

Others in Attendance:

County Board Supervisors: Nancy Russell

County staff: David Bretl, County Administrator; Elizabeth Aldred, Director of Health and Human Services (HHS); Robert Williams, Deputy Director of HHS; Lori Muzatko, Aging and Disability Resource Center (ADRC)/Aging and Resource Support Manager; Jennifer Selz, Director of ADRC; Eric Nitschke, Director of Central Services

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

On motion by Supervisor Schaefer, second by Supervisor Ingersoll, the May 18, 2016 Health and Human Services Board meeting minutes were approved.

Public Comment

There was none.

Unfinished Business

New Business

• Overview of the Aging and Disability Resource Center (ADRC) and Aging Units
Lori Muzatko, Aging and Disability Resource Center (ADRC)/Aging and Resource Support Manager, and Jennifer Selz, Director of ADRC, gave a presentation demonstrating the structure within the Division of Aging.

Selz briefly highlighted the primary services offered by the ADRC:

- Older adults and adults with disabilities can contact ADRC to obtain resources and/or services available to them.
- Options counseling is available for resources and services, along with the costs associated with them.
- ADRC determines if an individual is both functionally and financially eligible for one of two long term care programs (Family Care or IRIS), and provides both enrollment and disenrollment counseling.
- The Elder Benefits Specialist works with individuals 60 plus years of age relative to supplemental insurance and Medicare benefits.
- The Disability Benefits Specialist works with individuals 18 to 59 years of age relative to benefits and obtaining Social Security disability.
- Short term services coordination is available for individuals who require assistance for up to 90 days or less.
- Assistance with nursing home relocations.
- Assistance to youths, 17 years 6 months of age, who are in transition from children's long term care to adult long term care.

Muzatko gave a brief overview of the services offered by Aging:

- Meals on Wheels with 12 drop off locations in Walworth County excluding Whitewater, who has its own private program.
- Senior Dining Program with six meal sites throughout Walworth County.
- Provides preventive health services.
- Support Services and Case Management – There is one case manager in Aging Services who works with contracted in home care providers

Muzatko stated The Silver Tsunami is a term used to describe the rapidly growing senior population. She said it is projected that in 2020 one-fourth of the workforce will be age 55 and older and that The Silver Tsunami will ultimately impact Wisconsin, Walworth County, and the ADRC Department. Muzatko gave a brief overview of the State of Wisconsin Population Projection-Percent of the Population Age 65 and Older Maps for the years of 2015, 2025, and 2035 and stated there is an anticipated growth rate of 90%.

Muzatko said the State provides Aging Services with \$4,910 to provide evidence based programming for Walworth County. Aging Services provides the Stepping On Program, Living Well with Diabetes, Powerful Tools for Caregivers, and Living Well with Chronic Disease. Aging Services is partnered with the Aurora Health Care System and the Public Health Division. Muzatko stated \$4,910 is not enough money to increase prevention services in the future.

Muzatko stated the Adult Protective Services is located in the Behavioral Health Division under the Crisis Unit and there is one part time Adult Protective Services Investigator. She said the referral calls increased by 63% between the years of 2011 through 2015.

Muzatko said approximately 5 million Americans are living with Alzheimer and Alzheimer related diseases. It is estimated that 115,000 individuals in Wisconsin have dementia and that the Department of Health Services identifies nearly 30,000 of those individuals are enrolled in the Wisconsin Medicaid program, which is estimated to double by the year 2040. Approximately 2,500 individuals in Walworth County have Alzheimer or a related disease, which is expected to double to approximately 5,000.

Muzatko stated the department has initiated a 5 year strategic work group that will address the training of staff within the department, while looking at the projection of the increased population numbers and how it will affect consumer services.

- Discussion and Possible Action on the Mental Health Reform Act

Elizabeth Aldred, Director of Health and Human Services (HHS) referred to Enclosure 3 of the packet regarding an article on the Mental Health Reform Act. The Mental Health Reform Act will authorize the National Suicide Prevention Lifeline, increase access to psychiatric hospitals, strengthen community crisis response, support telehealth, increase the connection between primary and behavioral health, increase access to medications, invest in early intervention, and child mental health programs. Aldred stated HHS is in support of the Mental Health Reform Act and is requesting the Committee to approve a resolution encouraging the legislatures to support and move forward with a vote on the Bill.

Citizen Representative Wucherer asked the Committee to request Senators Johnson and Baldwin to support Senate Bill 2680.

Supervisor Ingersoll made a motion, second by Supervisor Staples, approving a resolution encouraging passage of the Mental Health Reform Act. Motion carried 9-0.

Reports

- Building Update

Aldred briefly described the current HHS facility and the required renovations. She stated Venture Architects' new facility assessment was presented to the Public Works Committee on Monday, June 20th. Aldred referred to Enclosure 4, Page 9, and stated staff space would decrease in the new facility, while the common space increases due to transferring into an environment with cubicles. Page 10 indicates that the total project cost for a new facility is under \$23 million, which does not include basement storage, a staff parking lot in the rear of the building, or demolition of the existing building.

Eric Nitschke, Director of Central Services, gave a brief overview of the current HHS facility. He explained the studies previously performed and the decision to move forward with a final study through Venture Architects. Nitschke referred to Page 6 and highlighted the three major needs that cannot be met in the current HHS facility. He stated the Public Works Committee has decided to move forward with the plan for a new facility adjacent to the Judicial Center.

County Administrator David Bretl spoke briefly on how the costs for renovations to the existing building and the costs of the new facility would impact the budget and the possibility of having to issue bonds for the program.

Discussion then focused on furnishings, office space, staff, longevity of the new facility, and what should be done with the current facility.

Supervisor Brellenthin made a motion, second by Supervisor Staples, to proceed as the Public Works Committee recommended. Motion carried 9-0.

Correspondence

- Walworth County Aging Unit Self-Assessment

Aldred referred to correspondence from Greater Wisconsin Agency on Aging Resources Inc. and spoke briefly regarding its contents. She said ADRC is in compliance with the various categories. Aldred stated ADRC decided not to apply for the Dementia Care Specialist, as it does not meet the needs for Walworth County at this time and that a decision was made to have all ADRC staff trained in dementia screening tools. Discussion then focused on the self-directed volunteer team mentioned in the correspondence.

Announcements

- Article on the Health Services Department Withdrawing Request for Changes to State Medicaid Programs

Aldred gave a brief overview of an article published in the Wisconsin State Journal entitled Health Services Department Withdrawing Request for Changes to State Medicaid Programs and stated that Walworth County will continue with their current Family Care and IRIS models.

Confirmation of Next Meeting – The next meeting was confirmed for July 27, 2016 at 2:00 p.m.

Adjournment

On motion by Supervisor Ingersoll, seconded by Supervisor Brellenthin, Chair Monroe adjourned the meeting at 3:04 p.m.

DRAFT

**Walworth County Board of Supervisors
Human Resources Committee Meeting Minutes
Wednesday, June 22, 2016
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order at 3:35 p.m. by Chair Tim Brellenthin

Roll call was conducted with the following members present: Chair Tim Brellenthin, Vice Chair Ken Monroe, Supervisors Kathy Ingersoll, Susan Pruessing and Randy Timms. A quorum was declared.

Others in Attendance

County Board members: County Board Chair Nancy Russell and Supervisor Charlene Staples

County staff: County Administrator David Bretl; Human Resources Director Dale Wilson; Deputy County Administrator-Finance Nicki Andersen; Director of Central Services Eric Nitschke; Risk/Benefits Manager Lisa Henke; Undersheriff Kevin Williams; IT Operations Manager Jackie Giller

Members of the Public: Ryan Barbieri, M3 Insurance

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

On motion by Supervisor Pruessing, seconded by Supervisor Ingersoll, the minutes of the May 18, 2016 meeting were approved 5-0.

Public comment – There was none

Old Business

- Discussion concerning options on health insurance plan due to the Health Care Reform Act Excise Tax – Narrow Network

Human Resources Director Dale Wilson said this month's discussion to mitigate the excise tax focuses on implementing a narrow network and the savings associated with this decision. Ryan Barbieri, M3 Insurance, said one of the options is implementing a narrow network, which would have a significant impact on plan costs and the excise tax, and plan savings could range from \$650,000 to \$2.5 million. Certain providers would be excluded from the narrow network and participants would have to pay more for out of network providers. HMOs are the most prevalent versions of narrow networks. The providers in the network would offer a deeper discount. Another option would be a more restricted Preferred Provider network, which is between a broad PPO (which the County has) and a narrow network, which also could significantly reduce plan value. However, these options would create a large level of disruption to employees, particularly if their long-term providers were excluded from the networks. Barbieri provided three alternatives for consideration. Alternate #1, Anthem Blue Priority, would require a change to Anthem from Auxiant and would exclude Mercy and Dean healthcare systems. A 10-20% savings could be realized from this option. Alternate #2, Focus Health, would have no network exclusions and provide a strong incentive to use cost effective providers via transparency. Approximately 5-15% savings could be generated if significant co-pays were assigned to non-Focus Health providers. Alternate #3, the Alliance, would be an exclusive network, which would focus on deep discounts with Dane and surrounding county providers, but exclude Aurora. A 5-10% savings is projected for this alternate.

Barbieri said Focus Health is a blend of narrow network and transparency, whereby providers are rated by a third party on provision of high-quality service at reasonable cost. A certain threshold has to be reached by providers to be included, which gives them incentives to improve their services and lower fees. This alternate would be the least disruptive to employees and steer them toward high quality care and reduced

plan costs. Wilson said many options have been provided to the Committee over the last several months. He will develop a summary of the discussions and options and ask for a directive from the Committee as to where efforts should be focused to reduce plan costs and lower the excise tax threshold.

- Discussion and possible action regarding health insurance plan alterations for 2017

Wilson said last month, the Committee was given some options for changing the current health plan to reduce costs, and requested M3 to provide potential premium calculations on Alternates 1 and 2. Barbieri said with no changes to the current health plan, there would be a 12-15% increase in 2017 for renewal. Included in that estimate is the plan to incrementally reduce reserves by under budgeting by \$1-\$2 million each year. With other known alternatives without plan design changes, Walworth County can mitigate the 12-15% down to a 3.5% increase for 2017. If the County were to increase the deductible and office visit copays in the Tier 1 plan and make no changes to Tier 2, the County would mitigate the 3.5% increase in renewal. This would also provide incentive for employees to switch to Tier 2, which could significantly reduce plan costs. The premium in Tier 1 would remain the same, but there would be a slight decrease in benefits. If Alternate 2 were implemented, the Tier 1 premium equivalent would actually project to go down from current levels. **Supervisor Timms made a motion, seconded by Supervisor Pruessing, to adopt Alternate 2 (changes to Tier 1, no changes to Tier 2) for the 2017 health insurance plan. The motion carried 5-0.** Wilson said the final rate calculations would be brought back to committee for adoption.

New Business

- Approval of employment contract for Nathan Bond to serve as Veterans Service Officer
Bretl said Nathan Bond has been serving as the Deputy Veterans Service Officer and is extremely qualified for the position. The employment contract language is standard, and the salary schedule is equitable. **Supervisor Timms made a motion, seconded by Supervisor Ingersoll, to approve the employment contract for Nathan Bond to serve as Veterans Service Officer. The motion carried 5-0.**
- Discussion and possible action regarding amending sections 15-513 and 15-514 of the Walworth County Code of Ordinances relating to vacation and sick leave schedules for certain CDEB employees
Wilson said the purpose of the ordinance amendment is to clarify vacation and sick leave policy for two management positions. The Director of Curriculum and Instruction and Director of Pupil Services/School Psychologist don't work year-round but have more contract days than the teachers. They are not entitled to paid vacation, but are given a certain amount of sick leave each year, prorated for part-time or any other reduction in contract days, and no limit on accrual. These changes codify the current practice. **Supervisor Ingersoll made a motion to recommend approval of the ordinance amendment, seconded by Supervisor Timms. The motion carried 5-0.**
- Discussion and possible action regarding amending section 15-546 of the Walworth County Code of Ordinances relating to long term disability coverage
Wilson said the purpose of the amendment is to update the maximum covered salaries included in the long term disability plan to comply with policy limits. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to recommend approval of the ordinance amendment relating to long term disability. The motion carried 5-0.**
- Discussion and possible action regarding amending section 15-800 of the Walworth County Code of Ordinances relating to the personal conduct policy
Wilson said the ordinance amendment further defines personal conduct policy for county employees. Bretl added that during an employee discipline process, it helps to clearly identify to employees the meaning of "appropriate conduct." **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to recommend approval of the ordinance amending the personal conduct policy. The motion carried 5-0.**

- Discussion and possible action regarding amending section 15-17 of the Walworth County Code of Ordinances relating to the reorganization of the Public Works Department

Wilson said the Public Works Committee recommended approval of the reorganization at their June 20 meeting, provided the department makes it budget neutral in 2017. Director of Central Services Eric Nitschke has been working on the plan for several months. County Administrator David Bretl said there have been some key personnel retirements over the last six months, and when retirements occur, it presents an opportunity to review the organizational structure and undertake succession planning. Bretl said department heads should be given some leeway to make decisions on their organizational structures to achieve optimal results. The reorganization plan is extensive and involves all of the divisions within Public Works, with the exception of Purchasing. Because of the number of current vacancies within the department, Bretl recommended a committee decision today, or at a special meeting before the July Board meeting so as not to delay implementation. The costs of the reorganization can be accommodated within the 2016 budget; however, it will be a challenge for the department to make it levy neutral in 2017. Nitschke said the goals of the proposed organizational structure are to more accurately define the roles and responsibilities within Central Services and to better position current and future staff for success while working for the County. Open positions currently include the Assistant Superintendent-Fleet, Highway Operations Manager, one Facility maintenance worker and three Highway patrolmen/women. Based on the current age of the department's work force, more retirements in the near future are anticipated. Major components of the proposed reorganization include creating a Parks Division, restructuring the Fleet and Facility Divisions and reassigning the Operations Manager responsibilities to include Highways, Fleet, Facilities and Parks. Details regarding the position adjustments were included in the agenda packet. Nitschke requested that the organizational changes, job description modifications and hiring to fill vacancies commence immediately following the necessary committee and Board approvals. Chair Brellenthin asked if staff was involved in the planning and whether they are supportive of the reorganization. Nitschke replied he has met with everyone involved, with the exception of the Facilities and Highway crews. The only new position requested is an Inventory Specialist. Vacant positions created by promotions from within would be filled. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to recommend approval of the Public Works reorganization contingent upon a budget neutral impact in 2017. During the 2017 budget process, staff can document any hardship this may create. The motion carried 5-0.**

- Discussion and possible action regarding changes to the management (MX) pay plan due to the Department of Labor's changes to FLSA salary threshold

Wilson said the Department of Labor recently enacted changes to the Fair Labor Standards Act (FLSA) pertaining to the salary threshold which certain positions must meet to be considered Salaried Exempt. The threshold was raised from \$23,660 per year to \$47,476. The new threshold takes effect December 1, 2016. Two pay ranges in the MX pay plan would be affected by the change. Jackie Giller, Manager of IT Operations, stated two of her employees are affected by the change, and if they are made hourly, they would lose benefits, and would consider being made hourly as a downgrade of their positions. She added it would be difficult to fill those positions in the future if they are hourly. Wilson said he wants to hold employees as harmless as possible in the transition, while also complying with the law. Some job duties in those ranges may need to be changed. One possible option is to make no changes to the employees' status until they transition into the next step in the pay range. **Supervisor Timms made a motion, second by Supervisor Ingersoll, to adopt the recommendations of the Human Resources Director regarding changes to the management (MX) pay plan. The motion carried 5-0.**

- Discussion and possible action regarding an amendment to section 15-323 of the Walworth County Code of Ordinances relative to time off for salaried employees

Bretl said the purpose of the original ordinance was to encourage salaried employees to take time off in proximity to an event which caused them to work extra hours. Salaried employees are not allowed to accumulate all of their “extra” hours and request a pay out of the time or take several weeks off in the future. Flexing time within a pay period works for most employees; however, on occasion, certain employees don’t have the ability to flex the time within the pay period. A clause in the ordinance allows the department head to grant those employees up to three days off later in the year. The County is in the process of making changes to the payroll system, and after discussion with Deputy County Administrator-Finance Nicki Andersen, Bretl recommends amending the ordinance to clarify that the three days of paid time off is not an annual maximum, and the time should be used as soon as possible after the event that necessitated the overtime. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to recommend approval of an ordinance amendment with the inclusion of language that the extra hours incurred have to be “mission essential” as determined by the employee’s supervisor, and that the flex time days off as a result of the overtime are not to be carried forward more than 180 days. The motion carried 5-0.**

Reports/announcements by Chair – There were none.

Confirmation next meeting: The next meeting was confirmed for **Wednesday, July 27, 2016 at 3:30 p.m.**

Adjournment

On motion by Vice Chair Monroe, seconded by Supervisor Ingersoll, Chair Brellenthin adjourned the meeting at 5:15 p.m.

DRAFT

**Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, June 20, 2016
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

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

Roll call was conducted. Members present included Chair David Weber, Vice Chair Charlene Staples, Supervisors Daniel Kilkenny, Susan Pruessing and Nancy Russell. A quorum was declared.

Others in Attendance

County Board Members: Kathy Ingersoll

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Sheriff Kurt Picknell; County Clerk Kim Bushey; Clerk of Courts Sheila Reiff; UW Extension Agriculture Educator Peg Reedy; Human Resources Director Dale Wilson; Central Services Director Eric Nitschke; Health and Human Services Director Liz Aldred

Members of the public: Elizabeth Sukala, N7834 County Road H, Elkhorn, Wisconsin; Jennifer Gragg, *Lake Geneva Regional News*

Vice Chair Staples made a motion, seconded by Supervisor Russell, to approve the agenda with no withdrawals. The motion carried 5-0.

On motion by Supervisor Russell, seconded by Supervisor Kilkenny, the May 16, 2016 meeting minutes were approved 5-0.

Public Comment – There was none

Appointments. Recommendations regarding County Administrator's nominations:

- Veterans Service Officer – Appointment of Nathan Bond

County Administrator Bretl said Chris Jordan is retiring in August after 32 years of service. Nathan Bond applied and has complied with state regulations involved in eligibility for the position. The interview panel, composed of Bretl, Chair Russell, and a former Waukesha County Veterans Service Officer, unanimously recommended the appointment of Nathan Bond for the position. **Supervisor Russell made a motion, seconded by Vice Chair Staples, to recommend approval of Nathan Bond as Veterans Service Officer. The motion carried 5-0.**

- Board of Adjustment – reappointment of Elizabeth Sukala (regular member)

Chair Weber asked Elizabeth Sukala a series of questions regarding her eligibility and qualifications to serve on the Board of Adjustment. Ms. Sukala has served on the Board for the past three years, and has no conflict of interest or restrictions on continued service. **Supervisor Russell made a motion, seconded by Supervisor Kilkenny, to recommend approval of reappointment of Elizabeth Sukala to the Board of Adjustment. The motion carried 5-0.**

- Walworth County Housing Authority Board of Commissioners – appointment of Thomas A. Hartz
Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to recommend the appointment of Thomas A. Hartz to the Walworth County Housing Authority Board of Commissioners. The motion carried 5-0.

- **Park Committee – reappointment of Mariette Nowak and Merilee Holst. Supervisor Russell made a motion, seconded by Supervisor Pruessing, to approve the reappointment of Mariette Nowak and Merilee Holst to the Park Committee. The motion carried 5-0.**
- **Local Emergency Planning Committee. Vice Chair Staples made a motion, seconded by Supervisor Kilkenny, to approve the recommended appointments to the Local Emergency Planning Committee. The motion carried 5-0.**

Consent Items – approval of expense/mileage reimbursement claims:

Nancy Russell, County Board Chair, in the amount of \$45.36. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to approve the reimbursement claim of County Board Chair Russell. The motion carried 4-0. Supervisor Russell abstained.**

- **Richard Kuhnke, Sr., county representative on WRRTC, in the amount of \$120.20. Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to approve the reimbursement request of Richard Kuhnke, Sr. The motion carried 5-0 .**

Unfinished business

- **Countywide Fire/EMS study request**

Chair Weber said letters and resolutions supporting a countywide fire/EMS study were received from the Villages of Williams Bay, East Troy and Sharon, and the Towns of Richmond, Troy and Sharon. County Administrator Bretl said if the committee recommends going forward with the study, preparing a scope of study will be critical in order to gather information useful to local entities. The Committee could agendaize it for one more month to encourage citizen input, or direct staff to include funding for the study in the Administrator's 2017 budget. Supervisor Kilkenny suggested the study include problems experienced within the local departments, recommend optimal solutions, and identify impediments to reaching solutions. Chair Weber said local municipalities are at a point now where it's difficult to recruit personnel who are able to devote time in achieving required certifications and responding to calls. The situation won't improve with time, and he feels the county could assist by funding a consultant to perform the study. **Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to direct the County Administrator to consider budgeting adequate funds in 2017 to undertake a countywide fire/EMS study. The motion carried 5-0.**

New Business

- **Walworth County Sheriff's Office 2015 Annual Report**

Bretl said the report contains helpful information on the Sheriff's workload and departmental operations. Chair Weber commented that it was interesting to read how much the Sheriff's Office interacts and cooperates with other entities. **Supervisor Kilkenny made a motion, seconded by Supervisor Russell, to accept the Sheriff's Office 2015 Annual Report and to place it on file. The motion carried 5-0.**

- **Correspondence from County Clerk Kim Bushey regarding an update on the voting equipment replacement project**

County Clerk Kim Bushey said her department is in the preliminary stages of planning the replacement of the voting equipment. In 2001, the County fully funded the purchase of voting equipment, which was provided to the municipalities for their polling places. The implementation of one system countywide eliminated having four incompatible voting systems. The current system is 15 years old, and although the equipment has been regularly maintained and inspected, because of its age, critical failure could occur. When the County purchased the existing system, the municipalities signed a Memorandum of

Understanding concerning their responsibility to keep, insure, maintain and add on to the systems. Fortunately, four years after the purchase of the equipment, Bushey received a grant which reimbursed the entire expense. She estimated the new system, which was included in the CIP for purchase in 2017, could cost between \$500,000-\$530,000. Bretl supports the purchase, and said the County Clerk's office has been planning for the new equipment for several years, and has been saving money toward the purchase in non-presidential election years. Bushey said there are two new systems approved by the State and she is waiting to get input from Clerks who are using the new systems. Her plan is to wait until after the April 2017 election to begin the process of training on new equipment, with implementation to occur in February 2018. **Supervisor Russell made a motion, seconded by Vice Chair Staples, to approve funding of the countywide voting system, with the same stipulations to the municipalities as the initial Memorandum of Understanding. The motion carried 5-0.**

- County Board recognition of the service of Christine Jordan, Veterans Service Officer
Supervisor Kilkenny made a motion, seconded by Supervisor Russell, to recognize the service of Christine Jordan as Veterans Service Officer at the July 12, 2016 County Board meeting. The motion carried 5-0.
- Discussion and possible action regarding per diem for committee citizen members
Bretl said Board of Adjustment Chair John Roth asked him if the County Board would consider increasing per diems for committee citizen members. In 2013-2014, an additional per diem was added for meetings exceeding four hours. Meeting per diems are \$50. If the Board wished to offer an increase in per diem for citizen members on certain committees, statutes require that all other citizen members would have to receive the same per diem. Supervisor Russell said committees she serves on outside the county also pay a \$50 per diem per meeting (she does not accept payment), which seems fair, as some meetings are shorter than others. Board of Adjustment (BOA) member Beth Sukala was asked for her input and she stated she sits on the BOA as a public service and didn't even realize she would be reimbursed when she initially applied. No action was taken on this item.
- Discussion and possible action regarding amending the bylaws and section 2-131 of the Walworth County code of Ordinances relating to the Criminal Justice Coordinating Committee (CJCC)
Bretl said the Criminal Justice Coordinating Committee (CJCC) held elections for Chair and Vice Chair at its June 10, 2016 meeting. Treatment Court Coordinator Katie Behl was nominated for Vice Chair; however, per the current bylaws, she is not a member of the CJCC. The Committee is requests amending the bylaws to include the Treatment Court Coordinator as a voting member. County ordinance would need to be amended to include the change, and the committee procedure to effect the change will take a few months. In the meantime, Ms. Behl would serve as interim Vice Chair. Clerk of Courts Sheila Reiff said Ms. Behl's knowledge and experience as Treatment Court Coordinator is valuable to the CJCC. **Supervisor Russell made a motion, seconded by Supervisor Pruessing, to approve changing the CJCC bylaws and amending county ordinance to include the Treatment Court Coordinator as a voting member of the committee. The motion carried 5-0.**
- Resolution Supporting the Continuation of Walworth County's OWI Court in 2017
The Clerk of Circuit Court applied for a grant for OWI Court in 2017. If the grant is not awarded, acceptance of fourth offenders into the program may have to be deferred. Approximately \$20,000 is needed to cover the funding. Supervisor Kilkenny said in the future, if grant funding is eliminated, the County should be proactive in continuing support for the treatment courts. He suggested documenting county savings realized from the program. **Supervisor Kilkenny made a motion, seconded by Vice**

Chair Staples, to recommend approval of the resolution supporting the continuation of Walworth County's OWI Court in 2017. The motion carried 5-0.

- County Board recognition of the Honorable David Reddy for his leadership in serving as Chair of the Criminal Justice Coordinating Committee

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to recognize Judge Reddy for his leadership in serving as Chair of the Criminal Justice Coordinating Committee at the July 12, 2016 County Board meeting. The motion carried unanimously.

- Plaque presentation by Farm Technology Days at the July 12, 2016 County Board meeting
Peg Reedy, Executive Secretary of 2016 Farm Technology Days, said the event's Executive Committee will present a plaque to the county in honor of their sponsorship and level of support for Farm Technology Days. **Supervisor Russell made a motion, seconded by Supervisor Kilkenny, to place the plaque presentation on the July 12, 2016 County Board meeting agenda. The motion carried 5-0.** Bretl asked Reedy to invite specific individuals who deserve special recognition for their efforts.

- Discussion and possible action regarding property tax claims against estates
Supervisor Kilkenny requested discussion of this item. He expressed concern over estates receiving claims notices from the Treasurer's office before taxes are delinquent and before an estate is settled. This necessitates extra attorney fees for the time spent in paperwork to release a claim when the property taxes are paid. If there is an outstanding claim, probate cannot be closed, and often taxes cannot be paid until the estate is closed. Kilkenny asked if consideration could be given to filing delinquent claims against estates after they're closed. He suggested sending courtesy notices to people handling probate cases to alert them to the potential claims. **Supervisor Russell made a motion, seconded by Supervisor Kilkenny, to place this item on the next meeting agenda and invite the Treasurer and Deputy Corporation Counsel to the meeting to provide their input. The motion carried 5-0.**

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

Next meeting date and time – The next meeting was confirmed for Monday, July 25, 2016 at 10:00 a.m.

Claims and Litigation

The committee convened in closed session at 11:15 a.m. on motion and second by Supervisor Kilkenny and Vice Chair 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 below. A roll call vote was conducted and all members voted "aye." Remaining in closed session were County Administrator David Bretl, Deputy County Administrator-Finance Nicki Andersen, Central Services Director Eric Nitschke and Director of HHS Liz Aldred.

- a. Thomas Jones v. Walworth County Highway Department, Walworth County Public Works, Walworth County and Dennis Jacobs
- b. Claim of Julia Lampinen, Meals on Wheels Volunteer
- c. Claim for Property Damage – Robert Kester

The committee reconvened in open session at approximately 11:51 a.m. on motion and second by Supervisor Kilkenny and Vice Chair Staples.

Supervisor Kilkenny made a motion, seconded by Vice Chair Staples, to proceed as discussed as closed session on items a. and c.; and to approve the claim of Julia Lampinen, subject to the limitations in county ordinance, and authorize staff to pay bills as incurred. The motion carried 5-0.

Adjournment

On motion and second by Supervisor Kilkenny and Vice Chair Staples, Chair Weber adjourned the meeting at 11:52 a.m.

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

DRAFT

**Walworth County Board of Supervisors
Land Conservation Committee Meeting Minutes
Monday, June 20, 2016 at 2:00 p.m.
Walworth County Government Center
County Board Room 114
100 W. Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order by Chair Charlene Staples at 2:15 p.m.

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

Others in Attendance:

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

On motion by Supervisor Russell, second by Citizen Member Badame, the agenda was approved with no withdrawals.

On motion by Supervisor Kilkenny, second by Supervisor Russell, the April 25, 2016 Land Conservation Committee meeting minutes were approved.

Public Comment – There was none.

New Business

- Discussion/Possible Action – Walworth County Lake Districts, 2016, Appointments

Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel, referred to pages 4-10 of the packet and gave a brief overview of the Notices of Interest to serve as a Citizen Representative on the various lake management districts. Citizen Member Rosemary Badame asked to be nominated for the Lake Benedict/Tombeau Management District. Cotter referred to correspondence from David Bitter, Chairman of the Lake Beulah Management District, endorsing Rick Stacey. He said Mr. Bitter was informed that a Land Conservation Committee (LCC) member will be given first opportunity to serve; County Board members have the second opportunity to serve, and then Citizens. Cotter stated Supervisor Randy Timms volunteered to serve on the Lake Beulah Management District. Cotter met with the Lake Beulah Management District to discuss possible issues with appointing Supervisor Timms and that Rick Stacey will continue to serve until a replacement has been appointed.

Cotter stated the following citizen appointments will be recommended to the County Board:

Robert E. McIndoe – Honey Lake
Robert W. Arnold – Pleasant Lake
Rick Callaway – Lauderdale Lakes
Stanley A. Muzatko – Booth Lake
Joyce Reed – Potters Lake (until a replacement has been appointed)
Jerry A. Grant – Whitewater-Rice Lakes
David Bourenske – Pabst Lake
Supervisor Randy Timms – Lake Beulah
Land Conservation Committee Member Rosemary Badame – Lake Benedict/Tombeau
Supervisor Dan Kilkenny – Lake Comus (until a replacement has been appointed)

Citizen Member Badame made a motion, second by Supervisor Russell, to forward the Walworth County Lake Districts, 2016, Appointments to the County Board. Motion carried 4-0.

- Discussion/Possible Action – Southeast Area Land and Water Conservation Association Summer Tour

Shannon Haydin, LURM Deputy Director, stated September 9th has been discussed as the tour date. Supervisor Russell, stated she will be unable to attend the tour due to another meeting that day. LCC approved the September 9th tour date and directed LURM to proceed with preparation of the brochure.

- Discussion/Possible Action – Southeast Area Representatives & Alternates to the Wisconsin Land and Water Board

Haydin stated The Southeast Area Land and Water Conservation Association is looking for someone from a Land Conservation Committee to represent the Southeast Area Executive Board in the role of Vice President or to serve in the position of LCC Representative to the Wisconsin Land and Water Conservation Board. Chair Staples offered to act as Vice President for The Southeast Area Land and Water Conservation Association.

Confirmation of next meeting – The next meeting was confirmed for Monday, July 25, 2016, 2:00 p.m.

Citizen Badame inquired as to who is responsible for issues regarding deep wells and shallow lakes, as the DNR is not moving forward with the issue. Cotter stated the best way for the matter to be discussed is to write a memo asking that it be referred to the County Board and placed on the Agenda.

Adjournment

On motion by Supervisor Kilkenny, second by Citizen Representative Badame, the meeting adjourned at 2:38 p.m. Motion carried 4-0.

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

DRAFT

**Walworth County Board of Supervisors
Park Committee Meeting Minutes
Monday, June 20, 2016
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

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

Roll call was conducted with the following members present: Chair Dan Kilkenny, Vice Chair Nancy Russell, Charlene Staples, and Citizen Members Merilee Holst and Mariette Nowak. A quorum was declared.

County staff: Central Services Director Eric Nitschke; County Administrator David Bretl; Facilities Manager John Miller; Volunteer Coordinator Colleen Lesniak

Members of the public: Maggie Zoellner, Executive Director of the Kettle Moraine Land Trust

On motion by Supervisor Staples, second by Citizen Member Nowak, the agenda was approved 5-0 with no withdrawals.

Vice Chair Russell made a motion, seconded by Citizen Member Nowak, to approve the April 25, 2016 meeting minutes. The motion carried 4-0. Citizen Member Holst abstained.

Public comment – There was none.

New Business

- Report by Kettle Moraine Land Trust on Natureland Park and Price Park Conservancy summer events and Volunteer Work Day at Natureland Park

Maggie Zoellner, Executive Director of Kettle Moraine Land Trust (KMLT), reported on the volunteer workday held at Natureland Park on June 11. Some shoreline buffer restoration was done, but most of the work involved regular park maintenance. There have been three events at the parks, and two more are scheduled this year. Zoellner met with the Tourism Bureau and Lynn Ketterhagen of the Geneva Lake Conservancy to work on improved mapping for the parks to include detailed trail maps and amenities. People are interested in developing a Friends Group for Natureland, and KMLT would help to coordinate that and continuing their stewardship at Price and Natureland Parks. Volunteer Coordinator Colleen Lesniak said they had over 30 volunteers on June 11, including a number of Ice Age Trail volunteers, Master Gardeners, White River Park Friends, and members of the Elkhorn High School Cheer Team. Unfortunately, there weren't enough tools for everyone, which prevented them from accomplishing some tasks. Zoellner commented that the Cheer Team was astounded that the hand pump near the pond actually pumped water, which illustrates the importance of involving youth in education about natural resources. KMLT has had a change in leadership, and their new motto is "Nature Nourishes Body and Soul." KMLT sponsored a spring bird walk at Price Park, and at another event, they identified the various varieties of mushrooms and trees at the park. The next scheduled walk is "natural edibles." Zoellner noted that 44% of elementary schoolchildren in the county are from reduced income families, and participants in the walk at Natureland will be asked to bring a contribution to Walworth County food pantries. Edible plants will be harvested to make a salad for lunch. At Price Park, a butterfly farmer from Illinois is coming to give a hands-on demonstration of the life cycle of a Monarch butterfly. Zoellner said KMLT would like to sponsor more educational activities in the parks for children in the summertime.

Discussion ensued about restoration projects identified in the conceptual plans that need to be undertaken/completed. **Citizen Member Nowak made a motion, seconded by Vice Chair Russell, to place an item on the next meeting agenda to coordinate planning with KMLT, Geneva Lake**

Conservancy and Public Works staff and establish dates to accomplish restoration work in the parks as identified in the conceptual plans. The motion carried 5-0.

- Update on structures at Natureland Park

Public Works crews removed the structures at Natureland Park last week, and Nitschke will follow up to ensure they aren't rebuilt. The size of the structures presented a safety hazard.

- Update on addition to Dog Exercise Area at Price Park for small breed dogs

The plans for the addition to the dog park for small breeds were included in the packet. Bids are due June 23, and Nitschke is hoping to add signage for the area if the bids are favorable. Work should be completed in July. In the future, he would like to add a larger entry area with benches and shade trees. Citizen Member Holst asked if county policy would allow donation of trees, provided the species are acceptable for the park, and whether county staff could plant them. **Consensus was to discuss staff workload and division of labor within the Public Works department as it relates to the parks at the next meeting, and to discuss county policy for accepting three donations.**

- Update on White River County Park improvement projects

The new bridges were dedicated on May 14. Phase I of the prairie restoration has been completed. Fourteen acres of native tall grass was planted, and the seed mix used was included in the master plan. The parking lot asphalt surfacing was finished in May. The access service trail was cleared by Public Works, and some minor clean up and restoration will be done this summer. Bids have been received for the picnic shelter. The site preparation work is done.

Nitschke said the access drive to the canoe/kayak launch is still being reviewed for location and options. Staff discussed potentially paving a driveway to the launch. Discussion ensued about safety concerns regarding runoff of materials, erosion, safety of motorists on the drive, and overall impact on aesthetics at the park. **Consensus was that Public Works' groundskeeper Steve Messick will meet with the Friends of the White River Park group and bring some recommendations on the access drive to the next committee meeting.**

- Discussion and possible action on the Native Planting Area at White River County Park

Vice Chair Russell said Jenny Swanson and one of the county's Master Gardeners wanted to meet with staff; there are 400 plants in pots that need to be planted before winter. Citizen Member Holst said she understood plants from Farm Technology Days were going to be donated for use at the park. Vice Chair Russell said she had a list of plants and a landscape plan; her understanding was the area would be planted in sections. **Citizen Member Nowak made a motion, seconded by Supervisor Staples, to prepare the soil at the planting area now, and approve the types of plants and landscape plan at the next meeting. The motion carried 5-0.**

- Discussion and possible action regarding the role of volunteers and non-profit groups within Walworth County parks

Citizen Member Holst suggested developing protocols on responsibilities, job duties and cooperative efforts. She said it also would be helpful to have the groups meet at least annually to review plans and projects. **Citizen Member Nowak made a motion, seconded by Vice Chair Russell, to discuss developing protocols and establishing roles of volunteers, non-profit groups and county staff in accomplishing planned projects in the parks at the next meeting. The motion carried 5-0.**

Old Business – There was none.

Reports/Announcements by Chair – Chair Kilkenny had no reports or announcements.

Confirmation of next meeting: The next meeting is scheduled for Monday, September 12, 2016 at 1:00 p.m.

On motion by Citizen Member Nowak and second by Supervisor Staples, Chair Kilkenny adjourned the meeting at 2:14 p.m.

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

DRAFT

**Walworth County Board of Supervisors
Monday, June 20, 2016 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 Nancy Russell at 3:31 p.m.

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

Others in Attendance

County staff: County Administrator David Bretl; Director of Central Services Eric Nitschke; County Engineer Joe Kroll; Facilities Manager John Miller; Public Works Finance Manager Penny Bishop; Deputy County Administrator-Finance Nicki Andersen; Courts Manager Evan Wynn; Director of Health and Human Services Elizabeth Aldred; Director of Lakeland Health Care Center Bernadette Janiszewski
Members of the public: John Cain, Venture Architects; Rich Brandl, Town of Sharon Chair

On motion by Supervisor Schaefer, seconded by Supervisor Timms, the agenda was approved by voice vote.

On motion by Vice Chair Monroe, seconded by Supervisor Schaefer, the May 16, 2016 meeting minutes were approved by voice vote.

Public comment – There was none

Unfinished Business – There was none

New Business

- Approval of proposed additional 2016 CIP purchase (Spot Vision Screener) for Lakeland School
Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve the purchase of the Spot Vision Screener for Lakeland School. The motion carried 5-0.

- Approval of Resolution **-07/16 Urging the State of Wisconsin to “Just Fix It” as it Relates to Funding Wisconsin’s Transportation System
Central Services Director Eric Nitschke said the resolution requests the Governor and the Wisconsin legislature to create sustainable solutions to fund maintenance and repairs of our roads and highways. Similar resolutions are being adopted by local governments throughout the state. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to recommend adoption of the resolution urging the State of Wisconsin to “Just Fix It” as it Relates to Funding Wisconsin’s Transportation System. The motion carried 5-0.**

- Approval of contract change orders on CTH NN, 1300 ft. east of Bray Road to east limits of County Campus - Project 15-003
Nitschke thanked Engineer Joe Kroll for tracking the project and working on the closeout. Three change order requests are pending:

- 15-05: additional milling and removals of temporary asphalt ramps that were installed throughout the project. Total amount: \$22,484.10
- 15-06: line items added to the project, all of which individually were under \$5,000, included erosion bales, special traffic control signage, centerline milling, water pumping, landscaping around a sign and transformer bases for street lighting. Total amount: \$10,188.05

- 15-07: Additional quantities of asphalt pavement due to the addition to leveling course of material added at the request of the County. Additional asphalt was also added to the service drive at the Judicial Center and other project limits to better match existing conditions. Total amount: \$78,236.25.

Supervisor Timms made a motion, seconded by Supervisor Yvarra, to approve change orders 15-05, 15-06 and 15-07 in the CTH NN Project (#15-003). The motion carried 5-0.

- Approval of final payment on Project 15-003 – CTH NN, 1300 ft. east of Bray Road to east limits of County Campus

Nitschke requested final payment to Payne & Dolan, Inc., in the amount of \$104,321.62. The project was completed under budget. **Vice Chair Monroe made a motion, seconded by Supervisor Schaefer, to approve final payment to Payne & Dolan for Project 15-003. The motion carried 5-0.**

- Award of bid for concrete floor polishing, Super Pod - Project 16-064

Nitschke said the Sheriff's Office has \$45,000 budgeted for this project. Staff recommends award to Surf Prep, Inc. in the amount of \$25,000. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve the bid award to Surf Prep for the concrete floor polishing at the Sheriff's Office. The motion carried 5-0.**

- Award of bid for base cove coating, County Jail – Project 16-065

Supervisor Schaefer made a motion, seconded by Supervisor Timms, to award the bid for the base cove coating in the Jail corridors to Surf Prep, in the amount of \$27,025. The motion carried 5-0.

- Award of bid for Memory Care corridor connector at Lakeland Health Care Center – Project 16-067
Nitschke reported that four competitive bids were received, and staff recommends awarding the Base Bid plus Alternate Bid A1 to the low bidder. There is \$354,000 in the 2016 budget for the project, which includes design, construction and construction oversight. **Supervisor Schaefer made a motion, seconded by Supervisor Timms, to award the bid to Magill Construction in the amount of \$257,240. The motion carried 5-0.**

- Request for change in scope to Government Center Building Monument Sign – Capital Project W1619

County Administrator David Bretl said funds were included in the 2016 budget to install a new Government Center monument sign to make countywide signage uniform. Given the size of the site and multiple approaches to the building, Public Works developed several sign options and included them in the agenda packet for consideration. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to select Option A, Double Banner, and to include the canopy signage and address signage. The motion carried 5-0.**

- Discussion on the proposed Great Lakes Basin Railroad and the Town of Sharon

Nitschke said the Great Lakes Basin Railroad is being proposed to bypass Chicago. The Wisconsin River Rail Transit Commission (WRRTC) discussed the impact of the proposed railroad at their last meeting. Town of Sharon Chair Rich Brandl expressed his concerns about the 200' wide corridor usurping farmland, increased traffic on local roads, and the type of cargo which would be transported by the railroad. As currently proposed, the southwest corner in the Town of Sharon would be affected, and the Town of Sharon adopted a resolution on the scope of study for the Environmental Impact Statement for

the proposed railroad. Brandl said the railroad would be a public/private partnership, and initial cost estimates are in the billions. Town roads would be crossed by the railroad and dead end, and would significantly increase traffic congestion and present a public safety issue for emergency vehicle response. Brandl added that the Rock County Board adopted a resolution opposing the railroad. Bretl said public comment on the railroad will be received until July 15, so the County has time to provide feedback for the record. **Supervisor Timms made a motion, seconded by Supervisor Yvarra, to draft a similar resolution to the one adopted by the Town of Sharon, and to also include the following in the study request: the environmental impact on agriculture and possible destruction of farmland, safety concerns relative to the materials to be transported by the railroad, the effects on traffic on local roads, and the possible negative effect on tourism. The motion carried 5-0.**

- Discussion and possible action on the HHS remodel Facility Report and Feasibility Study options for Committee recommendations

Nitschke said Plunkett Raysich Architects (PRA) did a space needs and planning study for Health and Human Services (HHS) in 2014, which contained multiple options for remodeling and adding on to the existing facility. From the study, staff developed recommendations for optimal solutions to space and infrastructure concerns. The Venture Architects study focused on the potential of a new facility to meet the department's needs long-term. Venture Architects, Director of HHS Elizabeth Aldred and her staff, and Public Works worked together to develop the space concept.

John Cain, Venture Architects, provided an overview of their Assessment Report. Key concepts of the study are building size, budget and comparison to past recommendations. The existing building cannot meet three major needs of the department: Program Service changes that have occurred over the last ten years, an inefficient building designed for a different use that negatively impacts Program Services, and building upgrades that are on hold pending the study. The Space Program developed as a result of the study's findings recommends a new building of 74,112 square feet. The existing building is 75,000 square feet, and Plunkett Raysich Architects recommended an 81,354 square foot facility comprised of the existing building with an addition. The new building would incorporate more open offices and sharing of support areas, including reception areas, conference rooms, mail/copy rooms and break rooms. Also included is common storage space of 1,500 square feet, an auditorium similar in size to the existing auditorium, and expansion built into the office areas to meet the department's needs to the year 2030. The proposed construction site would be east of the Judicial Center. The total budget projection for a new facility is \$22,862,102, including site development, construction, a 3% increase for inflation, and non-construction costs, based upon a Spring 2018 bid. A connection between the Judicial Center and the new building was considered but is not included in the current cost projections.

Bretl said demolition of the existing building was not included in the budget projection, which could cost at least \$1 million. The building has little value, and he suggested approaching Aurora/Lakeland Medical Center to see if they are interested in the facility. Bretl said \$8.4 million was included as a placeholder in the 2019 budget for the remodeling/add-on to HHS. The new cost projections are better than originally estimated, but the \$22 million is significantly more than planned. Soft costs, including IT upgrades and a phone system, could reach \$2 million. The County has been diligent in spending down on borrowing, and general consensus is not to bond for new capital projects. Consideration needs to be given to when the project could be placed in the capital plan, and what has to be done to repair the existing facility until the new facility is built.

Nitschke said the Committee has time to consider funding; the architectural and engineering component of the project will take at least 12–18 months. Some items in the proposed

project could be postponed, such as the upgrades to storage. **Supervisor Schaefer made a motion, seconded by Supervisor Timms, to move forward with the planning for a new Health and Human Services facility, and to direct staff to work with the County Administrator and the Deputy County Administrator-Finance on funding options. The motion carried 5-0.**

- Approval of DPW reorganization proposal

Nitschke said the reorganization proposal was driven by current and pending retirements, existing staff's level of expertise and experience, and a highly competitive hiring environment. The Highway, Facilities, Fleet and Parks divisions will be impacted by the reorganization. Nitschke summarized the changes to existing positions. The only new position is an Inventory Specialist who would oversee the parts department, be part of the on-call snow plowing crew for Facilities, and would be in the same pay grade as the Highway Lead Workers. The position would be partially funded by the State. Nitschke said he took into consideration current efficiencies and strengths of existing staff and resources in his plan. Part of the reorganization includes designating positions to Parks Division to track and accurately reflect labor involved in maintenance and upkeep of the parks. Currently, the department has a vacant assistant superintendent-fleet position, three open highway patrolman/woman positions, and one of the Assistant Superintendents-Highway is on extended leave. In 2017, more retirements are anticipated. Bretl commented that the county's workforce is aging, and as the economy has rebounded, more individuals are able to retire. The 2016 budget impact of the reorganization is approximately \$30,944, which can be covered by salary and benefit savings due to position vacancies. Beginning in 2017, the annual fiscal impact is anticipated to be \$91,608. Supervisor Yvarra expressed concern over the increase in payroll. Bretl said if the committee wished, part of the reorganization could be eliminated, or the total plan could be addressed as part of the 2017 budget process. Chair Russell said although the county has to stay below the tax levy, it is important to recruit qualified employees. Supervisor Timms said department heads should be given leeway to organize their departments as they feel will best fit operational needs. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to move forward with the proposed Public Works reorganization, and to direct staff to make the cost of the reorganization budget neutral in 2017. Should this be a hardship to the Department, it should be noted in the budget documentation, and the County Board would take that into consideration during the 2017 budget process. The motion carried 5-0.**

Old Business – There was none.

Reports

- Report on Current Public Works Projects
 - Report on Capacity, Management, Operation and Maintenance (CMOM) Program and WPDES Permit – County Campus

The county campus sanitary sewer lines centrally discharge into the Walcomet sewage treatment facility. The Wisconsin Department of Natural Resources (DNR) defines the county's lines as a "Satellite Sewage Collection System" and enforces a wastewater permit through the Wisconsin Pollution Discharge Elimination System (WPDES) program. Conditions of the permit require the county to develop and maintain a Capacity, Management, Operation and Maintenance (CMOM) Program, submit an annual compliance report including financial detail, perform self-audit activities, provide program documentation and gather and maintain rainfall data, along with other requirements. Because the permit does not apply to "potential" discharges, but actual discharges of pollutants, the owner may voluntarily withdraw from the permit if the system has never experienced a sanitary system overflow and no future overflows are predicted. Over the ten year period the County has been a permittee, there have been no documented issues, and the administrative requirements of the permit continue to increase. Staff recommends

withdrawing from the Permit. **Supervisor Schaefer made a motion, seconded by Vice Chair Monroe, to consider the Permit issue as an action item at the July committee meeting. The motion carried 5-0.**

➤ Report on 2016 CTH ES pedestrian crossing in East Troy.

A permit was recently issued to the Village of East Troy to install a pedestrian crossing on CTH ES in the Village, just south of the middle school. The crossing is part of a sidewalk improvement project, and the Village will operate and maintain the crossing in accordance with the provisions of the Highway Occupancy Permit.

➤ Report on 2016-2017 CHI-D application and grant funding

Nitschke said he included a memo on the 2016-2017 County Highway Improvement Program-Discretionary (CHI-D) application and funding. The application for \$203,072.18 CHI-D funds was never processed and the State denied eligibility to Walworth County because the mandatory application deadline (January 15, 2016) had expired. Nitschke said he investigated what transpired and it appears an internal lack of communication caused the oversight. Nitschke said although he lobbied the State to reconsider, and the Southeast Region of Highway Commissioners voted to allow the County's application, the State would not change its decision. **Supervisor Timms made a motion, seconded by Supervisor Yvarra, to accept the report. The motion carried 5-0.** Bretl said he is continuing to review the circumstances of the failure to submit the application, which resulted in a significant loss of funding for the County.

- Reports/Announcements by Chair. There were none.

Correspondence – There was none.

The next meeting was confirmed for **Monday, July 25, 2016 at 3:30 p.m.**

Adjournment

On motion by Vice Chair Monroe, seconded by Supervisor Timms, Chair Russell adjourned the meeting at 5:56 p.m.

County Zoning Agency

MINUTES

June 16, 2016 – 4:30 p.m.

100 West Walworth Street

Elkhorn, Wisconsin

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

Chairman Tim Brellenthin called the meeting to order at 4:30 p.m.

Roll call – Committee members present were Chair Tim Brellenthin, Vice Chair Dave Weber, Supervisors Paul Yvarra, Susan Pruessing, Randy Timms, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. 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 Debora Grube, Senior Zoning Officer, and Neal Frauenfelder, Senior Planner.

A “sign-in” sheet listing attendees on June 16, 2016, is kept on file as a matter of record.

Details of the June 16, 2016 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: www.co.walworth.wi.us

Dave Weber motioned to approve the agenda as amended to table items 8.c.1.) Charles G. Spooner Trust, Charles and Hesperus Spooner – Owners. Seconded by Sue Pruessing. Motion carried. 7-favor 0-oppose

Dave Weber motioned to approve the May 19, 2016, Minutes. Seconded by Randy Timms. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:34:31 – 4:36:06

Subdivision Items – Old Business – None

Subdivision Items – New Business –

1. Idlehour lots 2 and 3 LLC and Idlehour Cottage LLC, Proposed 2-lot, 1-outlot Certified Survey Map, Section 26, Town 4 North, Range 16 East, Town of LaGrange Parcel #'s HME 00003A and HA118500002. The proposed CSM contains 6.248 acres of land and is zoned R-1 Single Family Residence District and C-2 Upland Resource Conservation District. This CSM requires CZA review and approval due to the creation of an outlot, as defined in Chapter 58, Section 1.1 of the Walworth County Code of Ordinances and the modification of soil test requirements stated in Chapter 58, Section 3.2(2)b and 3.2(2)d. of the Walworth County Code of Ordinances.

Margaret Berda speaks regarding the application.

Dave Weber motioned to approve with the condition Approval is subject to meeting all requirements of state statutes and county ordinances. Seconded by Jim Van

Dreser. Motion carried. 7-favor 0-oppose Original CSM is signed by the Chair.

Disc Count #4:36:12 – 4:41:35

2. James and Jennifer Semrad restriction removal and affidavit of correction request on lot 46 of Sugar Creek Preserve Subdivision also identified as Tax Parcel # KSCP 00046 located in Section 14, Town 3 North, Range 17 East, Town of LaFayette. The applicant is requesting the County Zoning Agency to modify a private driveway access limitation identified on the recorded subdivision plat in order to allow lot 46 to be able to use an adjacent private roadway easement.

James Semrad speaks regarding the application. Bill Jacques speaks in favor of the Affidavit of Correction.

Richard Kuhnke, Sr. motioned to approve with the following conditions: 1) Approval is subject to the applicant recording the Affidavit of Correction with the Register of Deeds Office; 2) Approval is subject to amending the Original Declaration to indicate that lots 46, 47 and 48 may use the private roadway easement and specify the maintenance responsibilities of the three lots; 3) Approval is subject to meeting all applicable State Statutes and County Ordinances. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Disc Count #4:41:42 – 4:51:20

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. Discussion / Possible Action – **Buttons Bay Land Development/Michael Lazeroni – Owner, The Boat House of Lauderdale Lakes – Applicant**, Section 12, Linn Township. Conditional use approval to locate boats for sale in extra parking stalls of an existing restaurant parking lot. Part of Tax Parcel I L 1200003A – “*What is the intent for the property*” – Matt Weidensee

General:

1. Approved as per plan submitted as a Planned Unit Development for vehicle sale (boat displays) and a restaurant in the B-2 District with all additional conditions.
2. There shall be No outside storage of stock or trade other than the boats for sale.
3. All storage areas, materials and equipment shall be located as defined on the plan of operations. Boats shall be displayed in parking stall areas 1-14 as specified on a seasonal basis from May 1st through September 30th of each year.
4. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
5. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by ordinance. The applicant must comply with all established standards of the Land Restoration and Land Disturbance, Erosion Control and Stormwater Management permits.
6. All outside lighting shall be shielded and directed on site. No additional lighting shall be allowed in the street yard setback areas.

7. There shall be no boat service in conjunction with the proposed boat sales (display area).
8. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
9. No burning of waste materials shall occur on site.
10. Hours of operation shall be Monday through Thursday 8:00 a.m. to 8:00 p.m., Friday & Saturday, 8:00 a.m. to 6:00 p.m. and closed on Sunday for the vehicle sale (boat display area).
11. The project must meet all applicable Federal, State, County and local regulations.
12. The applicant must obtain all required zoning permit approvals including a sign permit.
13. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.
14. The project site must be kept neat, clean, and mowed in all areas.
15. No acid washing of boats may be conducted at this facility.
16. 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.
17. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

18. The applicant shall not display more than four boats at any time in six front stalls on the lot and may use up to eight additional stalls for boat display in the back of the restaurant as per the Town.
19. The boat sales office in the upstairs portion of the building shall have a separate entrance and not use the main restaurant entrance as per the Town.

Michael Lazaroni speaks regarding the question of the CZA.

Dave Weber motioned to approve. Seconded by Randy Timms. Jim Van Dreser requests friendly amendment to the motion to return this matter in one year for review. Motion is amended. Motion carried. 7-favor 0-oppose.

Disc Count #4:51:32 – 4:59:05

New Business - Ordinance Amendments -

1. Amendment to Section(s) 74-51, 74-61 and 74-131 of the Zoning Ordinance and Section(s) 74-178, 74-188 and 74-263 of the Shoreland Zoning Ordinance adding a farm family business wedding barn in the A-1 and A-2 zoning district as a conditional use. The format of the text of this amendment does not allow publishing in this legal notice.

Discussion was had by committee members regarding potential changes.

Jim Van Dreser motions to return this matter next month for review with the requested clarifications. Second by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose

Disc Count #4:59:10 – 5:30:20

New Business – Discussion Items – None

Public Hearing: 5:40 p.m.

Ordinance Amendments – None

Rezones with Conditional Uses

1. **Bembenek Trust – Owner, Eugene and Irene Bembenek – Applicants**, Section 26, Whitewater Township. The property owner is requesting to rezone the property from R-1 Single Family Residential District to R-4 Multiple-Family Residence District in order to obtain a conditional use approval for a lodge and be allowed to conduct transient rental of the home. Tax Parcel D W 2600006.

General Conditions:

1. The conditional use is approved for a lodge as per the plan submitted with all additional conditions.
2. The project must meet with all State, Federal and local approvals.
3. The applicant must obtain the required County Zoning permits for construction of structures on site.
4. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from the Land Conservation Department if required by Ordinance.
5. The project site must meet with all County sanitary requirements prior to being used as a lodge.
6. The property owner shall be responsible for removal of all garbage and refuse from the site on the regular scheduled garbage pick-up days.
7. All lighting must be shielded and directed on to the property.
8. All parking shall be as identified on the approved plan of operations. The parking must meet with all County ordinance parking standards. The property owner shall be responsible for monitoring parking during times when the property is used as a lodge.
9. This conditional use for a lodge shall be subject to an annual staff zoning review for compliance subject to an annual \$100 zoning request review fee.
10. 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.
11. 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.
12. Use of the grounds shall be limited to normal recreation use as a Lodge as stated in the plan of operations. All stays at the Lodge other than in the home when used as a residence shall be transient.
13. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
14. The total capacity of the Lodge shall be limited to that specified in the approved plan of operations.

15. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations.
16. All perimeter fencing shall be maintained as identified on the project plan.
17. The property owner shall submit a list of all contact information for parties responsible for management of the use of the Lodge to the County and Town and keep the list current after any transfer of property ownership or management change.
18. The property owner shall keep a log of the registered occupant's names and number of guests and the days on which the guests are staying at the lodge and make the log available to the Town and County upon request.
19. This approval is for use of the existing residence as a lodge. There shall be no conversion of the single family residential unit into a multi-family structure allowed under this approval.
20. All outside burning shall be required to obtain local burn permit approval if required prior to being conducted on site.
21. This conditional use is subject to approval of the on-site rule of operation by the Zoning Office consistent with the zoning code and this conditional use approval.
22. A copy of the on-site rules of operation shall be provided for the conditional use file.
23. A copy of the on-site rules of operation shall be provided to each registered occupant of the lodge. (Add to the on-site rules of operation)
24. No camping shall be allowed outside of the Lodge/residence identified on the approved plan. (Add to the on-site rules of operation)
25. Check-in for the Lodge shall be from 7:00 a.m. to 9:00 p.m. Checkout from the Lodge shall be from 7:00 a.m. to 11:00 a.m. (Add to the on-site rules of operation)
26. Sufficient adult supervision must be present at all times when the residence is used as a Lodge. (Add to the on-site rules of operation)
27. There shall be no special events held on the property involving visitation by day guests outside of the registered occupants of the lodge. (Add to the on-site rules of operation)
28. Use of the lake pier(s) shall be limited to the registered occupants of the lodge. (Add to the on-site rules of operation)
29. There shall be no off shore mooring of boats without proper State and local approvals. (Add to the on-site rules of operation)
30. There shall be no more than four household pets, which shall be required to be owned by the registered occupants of the lodge, allowed on the property. (Add to the on-site rules of operation)
31. Property owner shall be responsible for the enforcement of quiet hours between the hours of 11:00 p.m. and 7:00 a.m. (Add to the on-site rules of operation)
32. There shall be no burning allowed on site outside of an approved fire ring as specified on the approved plan of operations. (Add to the on-site rules of operation)
33. There shall be no burning of garbage or refuse allowed on site. (Add to the on-site rules of operation)

Applicant Eugene Bembenek speaks regarding the application.

Pat Ross speaks in opposition. Eugene Bembenek speaks in rebuttal.

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

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

Disc Count #5:47:08 – 6:18:00

Rezones –

THIS MATTER NOT HEARD – NO TOWN DECISION

- ~~1. **Charles G. Spooner Trust, Charles and Hesperus Spooner – Owners, Town of Darien, Cecil Logterman (Chairman) – Applicants, Section 17, Darien Township.** The property owner is requesting to rezone approximately 2.95 acres of A-1 Prime Agricultural District and C-2 Upland Resource Conservation District lands to P-1 Park District in order to create a Town of Darien Park. In addition the rezone petition requests to rezone approximately 2.83 acres of C-2 zone property that has been historically farmed to the A-1 District to match field conditions. Part of Tax Parcel B D 1700005.~~

2. **Marvin and Debra Lois – Owners, Michael and Maghan Lois – Applicants, Section 35, LaFayette Township.** The property owners are requesting to rezone approximately 1.83 acres of land from A-1 Prime Agricultural District to A-5 the Agricultural-Rural Residential District in order to create a single family residential lot. Part of Tax Parcel K LF3500006.

Applicants Michael and Maghan Lois speak regarding application. Speaking in favor: Marvin Lois, Linnea Schult, Bill Jacques, Jake Hitz and Chuck Sittler Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

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

Disc Count #6:18:02 – 6:27:37

3. **Howard and Maureen Gleason – Owner, Section 15, East Troy Township.** The property owners are requesting to rezone approximately 5.26 acres of A-2 Agricultural District land to C-2 Upland Resource Conservation District in order to create a new single family residential lot. Part of Tax Parcel P ET1500006.

Applicant Howard Gleason speaks regarding application. Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

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

Disc Count #6:27:41 – 6:31:14

4. **George and Sharon Cote – Owners**, Section 32, Delavan Township. The property owners are requesting to rezone approximately .18 acres of B-3 Water Front Business zoned property to the R-2A Single Family Residential District in order to use the existing structures on site as a home. Tax Parcel F D 3200021.

Atty Randall Leece speaks regarding application.

Randy Timms motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

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

Disc Count #6:31:19 – 6:35:16

5. **Northwestern University Settlement Association – Owner, Ron Deschner – Applicant**, Section 31, Delavan Township. The property owner is requesting to rezone two lots from the R-2 and R-2A zone district to the P-1 zone district to use for part of a recreational camp. Tax Parcels F D-31-8A1 and 8B.

Val Wright/Exec Director House in the Woods speaks regarding application.

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

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

Disc Count #6:35:20 – 6:39:21

Conditional Uses

1. **Mary and Larry Puhl – Owners, Stephanie and Scott Guth – Applicants**, Section 12, Troy Township. Conditional use approval for a commercial horse stable on lands zoned A-2 Agricultural District. Tax Parcel L T 1200007P.

General:

1. Approved as per plan submitted for a commercial horse stable with all additional conditions.
2. The capacity of the commercial stable shall be 20 horses.
3. Any changes in the proposed use of the property will require additional County approvals.
4. Business hours shall be from 6:00 a.m. till 8:00 p.m. with extended hours from 6:00 a.m. to 10:00 p.m. during daylight savings time. On site horse care shall be allowed on a 24-hour basis during emergencies.
5. The site must meet all applicable Federal, State, County and local regulations.
6. 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.
7. All lighting must be shielded and directed on to the property.

8. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
9. The project site must meet with all County sanitary requirements.
10. All perimeter fencing shall be maintained as identified on the project plan.
11. The applicant shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
12. The applicant must create a designed management plan including designed rotational grazing areas, animal confinement (paddock locations), and manure stacking, surface water drainage, nutrient management and spreading locations. Once the plan is created the applicant must obtain approval of a plan from the County Land Conservation Office and comply with all recommendations.
13. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
14. Retail sales from the tack room shall be allowed on site to customers of the horse operation only. The tack room will not promote off street traffic sales.
15. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
16. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

17. The manure stacking area location shall receive approval from the County LURM Department and Conservation Office prior to use.

Scott and Stephanie Guth speak regarding the application. Larry Puhl speaks in favor.

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

Disc Count #6:39:25 – 6:47:10

2. **Daniel Pyne Jr. – Owner**, Section 34, Whitewater Township. The property owner is seeking conditional use approval to operate a bed and breakfast from a single family home. Tax Parcels DLS 00031 and 32.

General:

1. Approved per plans submitted for a bed and breakfast establishment with all added conditions.
2. Must meet all applicable Federal, State, County and local regulations.
3. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
4. Hours of operation shall be 24 hours per day.

5. All Signage must be identified on the plan of operations and the applicant must obtain the required sign permit from the County Zoning Office.
6. Access to the site must be as identified on the plan.
7. All lighting shall be shielded and directed onto the property.
8. No outside storage of goods or materials shall be allowed on site.
9. No sales of goods shall occur on site.
10. No more than 4 rooms may be for rent. Rooms must be for rent at least 10 nights per year. The home must be the owner's personal residence and be occupied by the owner at the time of rental and the only meal served to the guests shall be breakfast.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.
13. Any marketing theme shall be limited to the registered guests of the Bed & Breakfast.

Specific:

Dan Pyne speaks regarding the application.

Jim Van Dreser motioned to Table for a decision and/or recommendation from the Town of Whitewater. Seconded by Randy Timms. Motion carried. 7-favor 0-oppose

Disc Count #6:47:15 – 7:00:29

3. **Brian and Nancy Dunn – Owners**, Section 21, Delavan Township. The property owner is seeking conditional use approval to use an existing barn structure as a two unit lodge for transient guest in the R-4 zoned district. Part of Tax Parcel FA182000001.

General Conditions:

1. The conditional use is approved for a lodge as per the plan submitted with all additional conditions.
2. The project must meet with all State, Federal and local approvals.
3. The applicant must obtain the required County Zoning permits for construction of structures on site.
4. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from the Land Conservation Department if required by Ordinance.
5. The project site must meet with all County sanitary requirements prior to being used as a lodge.
6. The property owner shall be responsible for removal of all garbage and refuse from the site on the regular scheduled garbage pick-up days.
7. All lighting must be shielded and directed on to the property.

8. All parking shall be as identified on the approved plan of operations. The parking must meet with all County ordinance parking standards. The property owner shall be responsible for monitoring parking during times when the property is used as a lodge.
9. This conditional use for a lodge shall be subject to an annual staff zoning review for compliance subject to an annual \$100 zoning request review fee.
10. 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.
11. 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.
12. Use of the grounds shall be limited to normal recreation use as a Lodge as stated in the plan of operations. All stays at the Lodge other than in the home when use as a residence shall be transient.
13. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
14. The total capacity of the Lodge shall be limited to that specified in the approved plan of operations.
15. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations.
16. All perimeter fencing shall be maintained as identified on the project plan.
17. The property owner shall submit a list of all contact information for parties responsible for management of the use of the Lodge to the County and Town and keep the list current after any transfer of property ownership or management change.
18. The property owner shall keep a log of the registered occupant's names and number of guests and the days on which the guests are staying at the lodge and make the log available to the Town and County upon request.
19. This approval is for use of the existing residential barn units as a lodge. There shall be no further conversion of the barn into additional residential unit without Town and County review and approval.
20. All outside burning shall be required to obtain local burn permit approval if required prior to being conducted on site.
21. This conditional use is subject to approval of the on-site rule of operation by the Zoning Office consistent with the zoning code and this conditional use approval.
22. A copy of the on-site rules of operation shall be provided for the conditional use file.
23. A copy of the on-site rules of operation shall be provided to each registered occupant of the lodge. (Add to the on-site rules of operation)
24. No camping shall be allowed outside of the Lodge/residence identified on the approved plan. (Add to the on-site rules of operation)
25. Check-in for the Lodge shall be from 7:00 a.m. to 3:00 p.m. Checkout from the Lodge shall be from 7:00 a.m. to 12:00 noon. (Add to the on-site rules of operation)
26. Sufficient adult supervision must be present at all times when the residence is used as a Lodge. (Add to the on-site rules of operation)
27. There shall be no special events held on the property involving visitation by day guests outside of the registered occupants of the lodge. (Add to the on-site rules of operation)

28. There shall be no more than four household pets, which shall be required to be owned by the registered occupants of the lodge, allowed on the property. (Add to the on-site rules of operation)
29. Property owner shall be responsible for the enforcement of quiet hours between the hours of 11:00 p.m. and 7:00 a.m. (Add to the on-site rules of operation)
30. There shall be no burning allowed on site outside of an approved fire ring as specified on the approved plan of operations. (Add to the on-site rules of operation)
31. There shall be no burning of garbage or refuse allowed on site. (Add to the on-site rules of operation)

Brian Dunn speaks regarding the application. Arlene Boysen speaks in opposition. Brian Dunn speaks in rebuttal. Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose
Disc Count #7:00:35 – 7:12:59

4. **Larry Quist – Owner, Section 28, Linn Township.** The property owner is seeking conditional use approval to expand an existing contractor storage yard for a pier manufacturing, maintenance and installation business by construction of a new building in excess of 25 percent of existing structures requiring conditional use approval as if establishing the use anew. Tax Parcel IA 20300003.

General:

1. Approved per plans submitted for a contractor storage facility and office for a pier manufacturing, maintenance and installation business with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No filling shall be allowed in any wetland areas.
6. No filling shall occur on site without proper permit approvals.
7. Access approval must be obtained from the proper Department.
8. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.
9. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
10. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday – Saturday with hours for return of equipment from off site until 9:00 p.m.
11. No burning shall be allowed on site without a State burning facility license and any required local approvals.
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. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.

Larry Quist speaks regarding the application.

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

Disc Count #7:13:02 – 7:16:37

5. **David McComb – Owner, Section 8, Whitewater Township.** The property owner is seeking farm family business conditional use approval to use an existing barn for a mobile wheelchair ramp and components delivery and installation business. Part of Tax Parcel D W 800007.

Possible Conditions:

1. Approved as per plan submitted for a farm family business as a mobile wheelchair ramp and components delivery and installation 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. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site.
5. A rezone and conditional use approval will be required for any proposal to expand the business beyond the use of existing buildings on site.
6. The business is limited to two non-farm family employees.
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:

9. Business hours shall be from 6:00 a.m. to 6:00 p.m. seven days a week

Dave and Barb McComb speak regarding the application.

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

Disc Count #7:16:43 – 7:22:20

Adjournment

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

The meeting was adjourned at 7:22 p.m.

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

DRAFT

DRAFT

**Walworth County Criminal Justice Coordinating Committee
June 10, 2016 Meeting Minutes
Walworth County Judicial Center, Jury Assembly Room
1800 County Road NN, Elkhorn, Wisconsin**

The meeting was called to order by Chair Judge David Reddy at 11:37 a.m.

Roll call was conducted. Members present included: Chair Judge David Reddy, Judge Kristine Drettwan, Captain Jon Anzalone-Elkhorn Police Department, Sheriff Kurt Picknell, Barbara Hanson and Penny Vogt-Department of Corrections, County Board Chair Nancy Russell, Director of Health and Human Services Elizabeth Aldred, County Administrator David Bretl, Kristy Secord-Court Office Manager. A quorum was established.

Others in Attendance:

County staff: Treatment Court Coordinator Katie Behl; Pretrial Services Coordinator Zach Wagner; Intern Angela Nelson

Members of the public: Julie Bonogofsky, Southeastern Monitoring

Agenda Approval

Sheriff Picknell made a motion, seconded by County Board Chair Russell, to approve the agenda. The motion was approved by voice vote.

Approval of March 11, 2016 Committee meeting minutes

Judge Reddy made a motion, seconded by County Board Chair Russell, to approve the March 11, 2016 meeting minutes. The motion was approved by voice vote.

Public Comment – There was none.

Unfinished Business

• **OWI Court Report** – Judge Reddy

Chair Reddy reported that he and Treatment Court Coordinator Katie Behl gave a presentation to the County Board on May 10 regarding the success of OWI Court. Six graduates and one spouse of a graduate from OWI Court presented their sobriety stories, which had a powerful impact on Board members. Chair Russell asked if a presentation on Drug Court could also be given to the Board. Behl suggested it would be beneficial to wait until fall for the presentation when more have graduated from the program.

Currently, third offenders are eligible for OWI Court under Act 100; however, fourth offenses are not covered. There are three entities in the state, including Walworth County, who are involved in a “best practices” project for a federal grant. If awarded to the State, the county will receive funding. This grant is not competitive, and will be awarded by the end of the summer. Reddy said funding is tenuous at this point, which could cause a dilemma if OWI Court accepts new participants and funding isn’t awarded. The average length of stay in OWI Court is 60 weeks; therefore, if funding expired on January 1, there wouldn’t be enough to support some participants to graduation. County Administrator Bretl said he thinks the County Board would support sustaining the program, which could be done in July through a resolution committing funds to the program for 2017. However, he advised standing down on admitting fourth offenders if that is the case. Judge Reddy estimated there are 10-13 OWI Court fourth offenders annually, which is a cost of approximately \$3,000 per participant. Judge Drettwan asked if those offenders who wouldn’t be admitted would receive a continuance for 6-8 months. Bretl said the resolution could be ready for approval by the Board at the July 12 meeting. Barb Hanson, Department of Corrections (DOC), said DOC could assist with the funding under the Sober Link program. Behl said that

would reduce weekly drug testing costs substantially. Health and Human Services will continue to assist participants in obtaining health insurance, which will also save significant county expenditure.

Behl distributed copies of the Evaluation of the Walworth County Operating While Intoxicated (WCOC) Court Program conducted by Dr. Paul Gregory. Chair Reddy summarized the results of the evaluation, based on the ten guiding principles of DWI Courts developed by the National Center for DWI Courts. The WCOC has achieved major goals since its 2011 inception, including: a graduating percentage of 87%; program retention percentage of 90%; only three out of 71 graduates have been convicted of a new crime since graduating from the program; a 4% recidivism rate, compared to the 40% national rate. In addition, a number of jail days have been saved, and 17% of graduates improved their employment status while in WCOC. Dr. Gregory identified areas needing improvement: all team members listed the need for a case manager; lack of transportation assistance for program participants; lack of housing for program participants; the lack of random “round the clock” drug and alcohol testing; and the need to develop a more comprehensive long-term sustainability plan. Judge Reddy said overall, the evaluation was very favorable.

- **Drug Court Report – Judge Reddy**

Judge Reddy reported that Drug Court enrollment is nearly at the maximum of 25 participants. Behl and Court Office Supervisor Kristy Secord attended the National Association of Drug Court Professionals session in Anaheim, California. Behl said there is a new Chief Executive Officer of the organization. Behl and Secord attended several drug testing sessions and received guidance on a phased structure tool for drug court standards.

Drug Court has been operational for nearly two years; there are currently 24 participants. There have been six terminations. Graduations are scheduled for July, mid-August and September.

- **Treatment Court Housing – Liz Aldred**

Director of HHS Liz Aldred reported six people showed interest in the housing pilot, and three people were granted housing. There is only one participant in the housing program. None of the applicants requested housing for their children. Of the \$30,000 allocated for the program, only \$3,022 has been spent. Aldred said participants haven’t been able to maintain the housing after their funding expired. Although there are a few months remaining until the pilot expires in October, Aldred said the results thus far are not what were hoped for. She asked the Committee if they wanted to consider some other options if they continue the program, such as providing temporary housing for a set period of time, rather than having a set amount of money that would go towards their lease. Discussion ensued concerning alternatives, i.e., providing emergency housing contingent upon meeting certain criteria, or providing smaller supplements geared toward reducing overall rent costs for a longer period of time. Also discussed was the need for a case manager to facilitate and monitor progress; and the possibility that if people cannot sustain housing, they may have to return to the Huber facility. Chair Reddy noted federal funding for OWI Court and TAD funds could potentially be used for case management. **Committee consensus was to carry forward the remaining funds for 2017, and to develop other options for the housing program.**

- **Approval of Treatment Alternative Diversion (TAD) Program grant**

Judge Drettwan made a motion, seconded by HHS Director Aldred, to approve the submission of the TAD program grant. The motion carried unanimously. Aldred requested to review the content of the grant application concerning case management, etc., after submission.

- **Pretrial Services – Zach Wagner**

Pretrial Services Coordinator Zach Wagner said self-reporting questionnaires were distributed to offenders in April, which included questions on residency, drug use history and previous crimes. From the questionnaire, risk assessments were compiled and distributed to the court, the District Attorney and Public Defender's offices to review proposed levels of pretrial supervision and monitoring. There were nine participants initially, and no new charges were filed during pretrial. There was one instance of Failure to Appear (FTA), but the offender came to court the next day and was kept on pretrial supervision. Thus far, there haven't been any requests from the District Attorney's Office for reassessment. Wagner's services as Coordinator also include requiring participants to check in with him on their status; reminding them of court dates; encouraging AA or NA meeting attendance; and monitoring drug and SEM tests. Wagner's position is funded through the TAD program grant. The pretrial services have significantly improved turnaround time in determining eligibility for OWI or Drug Court participation. This evidence based decision making (EBDM) tool is modeled on Virginia's pre-trial risk assessment. Chair Reddy said without the risk assessment tool, certain offenders would be on cash bond and remain in jail until their cases are heard. Behl said using the risk assessment tool alone statistically has 67% decision accuracy. Behl said the County's pretrial risk assessment is moving in the direction the state is going with EBDM for law enforcement, which will make the transition to the state-mandated tools easier.

New Business

- **Election of Chair and Vice Chair**

Chair Reddy announced that his and Vice Chair Joel Christensen's terms have ended. The Chair should be in the criminal rotation, and Judge Drettwan graciously volunteered to serve as Chair. **Chair Reddy made a motion, seconded by County Board Chair Russell, to nominate Judge Kristine Drettwan for Chair. There being no other nominations, the vote was called and it carried unanimously.**

Judge Reddy said he recommended Treatment Court Coordinator Katie Behl to serve as Vice Chair of the Committee. However, in order for her to be eligible, the committee bylaws would have to be amended to add the Treatment Court Coordinator as a voting member of the Committee. County Administrator Bretl said the bylaw change would need to be taken to the County Board as an ordinance amendment. It would first be referred to the Executive Committee in June, and then recommended for approval by the Board in July. **Judge Reddy made a motion to nominate Katie Behl for Interim Vice Chair of the committee. Upon amendment of the bylaws, she would become Vice Chair. Sheriff Picknell seconded the motion and it passed unanimously.**

- **Family Drug Court – Judge Reddy**

Effective August 1, Judge Koss will preside over OWI Court. Judge Reddy said he wants to start a Family Drug Court based upon the Drug Court model. Recent data shows involvement in Family Drug Court enhances treatment completion by 37%, and results in a 40% increase in family unification. There are federal funds available for Family Courts, and Judge Reddy would like to investigate and apply for grants in 2017 and hopefully begin Family Drug Court in January of 2018. He met with HHS Director Liz Aldred and Assistant HHS Director Robert Williams and they are very supportive of the proposal. Judge Drettwan said many of the CHIPS cases in Family Court are the result of parents who are drug users. Family Drug Court could help with improving parenting skills, establishing stable housing and getting treatment. Development of a Family Drug Court would also enhance the county's eligibility for TAD program funding. **Committee consensus was to support Judge Reddy's plan to explore the possibilities of creating a Family Drug Court. Judge Reddy will also discuss his proposal with Corporation Counsel.**

Confirmation of Next Meeting – The next meeting was confirmed for Friday, September 9, 2016 at 11:30 a.m.

Bretl thanked Judge Reddy for his commitment to the development and expansion of the Drug and OWI Courts.

Adjournment

On motion by Judge Reddy and County Board Chair Russell, Chair Drettwan adjourned the meeting at 1:06 p.m.

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

Walworth County Board of Adjustment

MINUTES

June 8, 2016 - Hearing – 9:00 AM

June 9, 2016 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on June 8 & 9, 2016, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on June 8, 2016, 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 June 9, 2016, were Chair John Roth, Vice-Chair Elizabeth Sukala, Secretary Ann Seaver, 1st Alternate Franklin B. Jones and 2nd Alternate Joseph J. Pappa. Michael Cotter, Director of Land Use & Resource Management and Lee Huempfer and Peter Navis of Walworth County Corporation Counsel sat in for the Board of Adjustment training. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on June 8, 2016, and June 9, 2016, are kept on file as a matter of record.

The June 8, 2016, hearing was called to order by Chair John Roth at 9:00 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 #5. Basso Builders Inc. / Geneva Township. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. Ann Seaver motioned to approve the May 11 & 12, 2016, Minutes and dispense with the reading. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Ann Seaver motioned to recess until 9:00 A.M. on Thursday, June 9, 2016. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The June 8, 2016, hearing went into recess at approximately 11:18 A.M.

On June 9, 2016, at 9:00 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as amended to postpone the Oath of Office and to postpone hearing #5. Basso Builders Inc. / Geneva Township. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the July 13, 2016, hearing at 9:00 A.M. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The June 9, 2016, decision meeting adjourned at approximately 11:11 A.M.

Six variance hearings were scheduled and details of the June 8, 2016, hearings and the June 9, 2016, 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 #9:02:53 – 9:33:31 / Decision – Count #9:01:28 – 9:06:55

The First Hearing was Bembenek Trust, owner / Eugene & Irene Bembenek, applicants – Section(s) 26 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-181 / 74-190 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a building used as a lodge.

REQUIRED BY ORDINANCE: The Ordinance requires a 25' setback from property lines.

VARIANCE REQUEST: The applicants are requesting a 21.2' side yard setback. The request is a variance from Section(s) 74-181 / 74-190 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a building used as a lodge.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, for the petition of Bembenek Trust, owners / Eugene & Irene Bembenek, applicants, voted to **APPROVE** the request for a 21.2' side yard setback **SUBJECT TO** rezone and conditional use approval by the County Zoning Agency and **with the condition** that that portion of the structure that is subject to the variance always remain a garage.

A motion was made by Ann Seaver to approve the variance request subject to rezone and conditional use approval and with the condition this building always remain a garage. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found the structure has existed for some time. The Board found the variance request to be a small increment of relief. The Board found to approve the request would cause no harm to public interests as the property abuts vacant land, a state forest, and the owner lives on an adjoining property. The Board found the variance request did meet the criteria necessary for approval. The Board found to deny the variance request and require a portion of the structure to be moved or removed would cause unnecessary hardship. The Board found to approve the request would not harm the public's interest in navigable waters. The Board found the owner received rezone, conditional use and variance approval from the Town. There was one e-mail of support from the Town of Whitewater and a petition of support from neighboring property owners. There was no opposition.

Hearing – Count #9:33:32 – 9:42:35 / Decision – Count #9:06:56 – 9:08:59

The Second Hearing was John M. & Katherine J. Holland, owners / Engerman Contracting, applicant – Section(s) 10 – Linn Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 15' side yard setback.

VARIANCE REQUEST: The applicants are requesting a 14.7' side yard setback. The request is a variance from Section(s) 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct additions to a single-family residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, for the petition of John M. & Katherine J. Holland, owners / Engerman Contracting, applicant, voted to **APPROVE** the request for a 14.7' side yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the residence was constructed by a previous owner in 1996. The Board found the variance request to be a small increment of relief. The Board found to deny the variance request would cause unnecessary hardship. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would not harm the public's interests in navigable waters. There was one letter of support from the Town of Linn. There was no opposition.

Hearing – Count #9:42:36 – 10:00:38 / Decision – Count #9:09:00 – 9:13:51

The Third Hearing was Walter P. & Maria S. Dzien, owners – 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 (shed).

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and a 10.64' side yard setback.

VARIANCE REQUEST: The applicants are requesting a 43' shore yard setback and a 1' side yard setback. 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 (shed).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, for the petition of Walter P. & Maria S. Dzien, owners, voted to **DENY** the request for a 43' shore yard setback and a 10.64' side yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the owner did not prove exceptional or unique circumstances to the property rather than considerations personal to the property owner. The Board found the request to be a large increment of relief. The Board found approval would place the proposed structure too close to the lot line to allow for maintenance of the proposed structure. The Board found to deny the variance request would not prevent the owner from using the property for an intended purpose. The Board found to deny the variance request would not cause unnecessary hardship. The Board found the owner has structures existing for storage purposes. The Board found to approve the variance request would create more impervious surface in the shore yard. The Board found to grant the request would not

protect the public's interest in navigable waters. There was one letter of support from a neighboring property owner and a letter of comment from a former property owner. There was no opposition.

Hearing – Count #10:00:39 – 11:01:17 / Decision – Count #9:13:52 – 9:21:45

The Fourth Hearing was Walworth Property Inc., owner / Alpine Valley Music Theatre – Live Nation Entertainment, applicants – Section(s) 1 – Lafayette Township

Applicants are requesting a variance from Section(s) 74-55 of Walworth County's Code of Ordinances – Zoning for special event camping.

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

VARIANCE REQUEST: The applicants are requesting a 50' exterior boundary setback for special event camping and a 3' side yard setback for temporary facilities such as restrooms, garbage / recycling, lighting and potable water. The request is a variance from Section(s) 74-55 of Walworth County's Code of Ordinances – Zoning for special event camping.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, for the petition of Walworth Property Inc., owner / Alpine Valley Music Theatre – Live Nation Entertainment, applicants, voted to **APPROVE** the request for a 50' exterior boundary setback for special event camping and a 3' side yard setback for temporary facilities such as restrooms, garbage / recycling, lighting and potable water, subject to rezone and conditional use (Plan A) approval.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found a unique property limitation in the parcel being located in a remote area of the business operation. The Board found to approve the request would not cause harm to public interests. The Board found placement of the temporary facilities on the sides rather than the center of the property would benefit public interests. The Board found security will be provided on-site to regulate traffic of special event campers. The Board found the County Zoning Agency does place conditions of approval on the special event camping. The Board found an annual review is conducted by a County agency of the Alpine Valley business operation. There was one letter of support from the Town of Lafayette. There was no opposition.

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

The Fifth Hearing was Basso Builders Inc., owner – Section(s) 27 – Geneva Township

Applicant is requesting a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to make a parcel a buildable parcel.

REQUIRED BY ORDINANCE: The Ordinance requires a lot or parcel to be of record in the County Register of Deeds Office before the effective date or amendment of the zoning ordinance to be a legally created lot or parcel in accordance with Section 74-92.

VARIANCE REQUEST: The applicant is requesting a parcel that was not legally created to be buildable. The request is a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to make a parcel a buildable parcel.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, did not vote on the petition of Basso Builders Inc., owner.

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

Hearing – Count #11:01:18 – 11:17:47 / Decision – Count #9:21:46 – 9:24:59

The Sixth Hearing was Gale & Dawn M. Shelbourn, owners – Section(s) 34 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-165 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a boathouse on a vacant parcel.

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction before the location of an accessory structure.

VARIANCE REQUEST: The applicants are requesting an accessory structure (boathouse) on a vacant parcel. The request is a variance from Section(s) 74-165 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a boathouse on a vacant parcel.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of June 8 & 9, 2016, for the petition of Gale & Dawn M. Shelbourn, owners, voted to **APPROVE** the request for an accessory structure (boathouse) on a vacant parcel.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found unique property limitations in the size and shape of the parcel. The Board found the vacant parcel lies outside of the subdivision where the residence lies. The Board found the vacant parcel is not buildable and has no road frontage. The Board found to deny the variance request would cause unnecessary hardship as the usable area of the parcel is so limited. The Board found the boathouse has existed since the 1960's and does not cause harm to public interests. The Board found the accessory structure boathouse will be reconstructed in the same footprint. The Board found to approve the variance request will not increase impervious surface in the shore yard. The Board found the owner did go before the Town for approval. There was one e-mail of support from the Town of Whitewater. There were 4 letters of support from neighboring property owners. There was no opposition.

Other

A. Discussion / possible action on Township correspondence – none

Staff Reports

- A. Court cases update - none
- B. Distribution of reports, handouts and correspondence - none
- C. Board of Adjustment Training
Quorum issues and appropriateness of discussions and where they occur were discussed. Guidelines for the hearing process, and interaction between the Board of Adjustment and the County Zoning Agency were also discussed. Board members were informed of changes in state legislation that could affect Board of Adjustment decisions. Board members were also informed of some proposed changes in state legislation.

Proposed discussion for next agenda

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

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

ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

DRAFT

Walworth County Aging & Disability Resource Center Governing Board

June 6, 2016 Meeting Minutes

Walworth County Health and Human Services Center

W4051 County Road NN, Elkhorn, WI 53121

The meeting was called to order at 9:03 a.m. by Chair LaVerne Duncan.

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

Others in attendance:

County staff: Lori Muzatko, Health and Human Services (HHS) Division Manager; Jennifer Selz, ADRC Director; County Board Chair Nancy Russell; County Administrator David Bretl; Elizabeth Aldred, Director of HHS; Becky Bechtel, Administrative Clerk

On motion by Governing Board Member Kelly, seconded by Vice Chair Jordan, the agenda was approved by voice vote.

Approval of minutes

Vice Chair Jordan made a motion, seconded by Governing Board member Atkinson, to approve the April 4, 2016 meeting minutes. The motion carried by voice vote.

Public Comment – There was none.

Recognition of Chair Duncan

HHS Division Manager Lori Muzatko announced that it is LaVerne Duncan's last meeting as ADRC Governing Board Chair. She has served nearly two full terms on the Board. Duncan has been active with the Aging Network since its inception. She was recruited for service on the ADRC Board when it was organized, and her support has been invaluable as the ADRC developed during the last seven years. Duncan will continue as a member of the State of Wisconsin Advisory Council. Muzatko presented a certificate of recognition to Ms. Duncan for her service from October 2010 through June 2016. Chair Duncan said she was excited to be involved in the crucial years of the development of ADRC and expansion of services. Walworth County has made significant advances in service provision to seniors and the disabled, including the transportation program. She said as the Baby Boomer generation retires, their skills will be valuable, and it is important to get input from diverse groups through their participation or as acting as advocates for them. She encouraged everyone to stay informed and active.

County Administrator Bretl thanked Chair Duncan for her years of service and leadership. He noted that she also served on the Lakeland Health Care Board of Trustees as a citizen member. County Board Chair Nancy Russell thanked Ms. Duncan and her husband for their years of service at George Williams College. They were instrumental in initiating and supporting most of the activities held at the college over the years. Director of HHS Elizabeth Aldred said Ms. Duncan's leadership has made the ADRC Board strong as it evolved with the growth of the ADRC. Cake and coffee was served in Chair Duncan's honor.

Unfinished Business

- Letter of Approval – Walworth County Aging Unit Self-Assessment
Chair Duncan reported the letter of approval on the self-assessment has been received from GWAAR, the group that oversees the Aging Unit.

- **ADRC Governing Board Bylaw Review**

Chair Duncan, Vice Chair Jordan and Muzatko met to review the Bylaws and made updates reflecting changes from the State, and revised/added to the duties the Board performs. Chair Duncan asked for comments and input from the Board. Governing Board Member Scheuerman asked about the wording on page 3 of the bylaws. She wondered if “enable” should be replaced with the word “review,” to better reflect that the Board provides input and review. Muzatko said that most of the policy of the ADRC is dictated by the State of Wisconsin. Consensus was to leave the word “enable” in the document.

Governing Board Membership Scheuerman asked if the Board is still responsible for reviewing grievances and appeals concerning long term care system (page 3, paragraph B) and make recommendations for improvement. ADRC Director Jennifer Selz said it is the Board’s responsibility; fortunately, there have been no grievances or appeals filed against Walworth County. **Vice Chair Jordan made a motion, seconded by Governing Board Member Kelly, to approve the draft of the revised ADRC Governing Board Bylaws. The motion passed unanimously.** Muzatko will update the draft and provide Board members with a final copy.

New Business

- **Input for ADRC Governing Board Report**

The State DHS sent a questionnaire to ADRC Governing Boards for input, which included background information and statutory duties. The questions included identifying core duties of the Governing Boards; what challenges the Boards experience in carrying out responsibilities; and what ADRC Board duties duplicate functions of other entities. Discussion continues on the changes to Family Care and IRIS 2.0. Muzatko listened to one of the phone discussion sessions and provided input to the state. She will update the committee when the report is finished.

Reports

- **Family Care Changes Postponed**

Selz reported that the proposed Family Care changes have not passed the Joint Finance Committee, pending further information, and may not be implemented before 2018. Muzatko and HHS Board Chair Ken Monroe attended one of the listening sessions at the State, and the discussions involved many entities. There is concern whether the projected savings will be as worthwhile as projected, and many want to postpone implementation to ensure the transition to protect the safety of vulnerable patients.

- **Senior Farmers Market**

Information on the Senior Farmer’s Market was included in the agenda packet. Vouchers will be distributed this year, worth \$25 for purchasing fresh vegetables, fruits and herbs. Muzatko said people show interest in obtaining the vouchers, but often don’t follow through and use them up. Voucher information is included in the department newsletter and at local churches. Chair Duncan suggested that vendors be asked to advertise their participation. In 2014, 264 vouchers were available to residents and 224 were issued. In 2015, 264 vouchers were available to residents, and 240 vouchers were issued. The redemption rate for both years was 80%.

- **Greater Wisconsin Agency on Aging Resources (GWAAR) Advisory Council Meeting Minutes - 2/19/16**

- **GWAAR Board of Directors Meeting Minutes – 2/12/16**

The GWAAR minutes were included for the Board’s information.

- **Transportation Coordinating Committee Meeting Minutes – 3/7/16 and 4/4/16**
Muzatko said when the ADRC Governing Board surveyed county residents, transportation for seniors and the disabled was one of the predominant needs identified. The Transportation Coordinating Committee (TCC) recently conducted listening sessions, distributed surveys and provided groups countywide with information on transportation services. The results of the surveys haven't been compiled, but discussion on results will be held at the TCC meeting today. The Committee will also review a Request for Proposals (RFP) for a shared ride taxi system. County Board Chair Russell said she was surprised to learn during the listening sessions how many people were unaware of county transportation services. Governing Board Member Polachowski, who uses the service, said she experienced problems in getting to a medical appointment because she was unable to provide two day notice to the service. She asked about volunteer drivers. Chair Russell said when VIP Services contracted with the County, they decided not to use volunteers because of insurance concerns. The County didn't have the resources to take over the volunteer drivers. She said volunteers drivers may be utilized as services expand. County Administrator Bretl said the County will hire a Mobility Coordinator this fall. The TCC has developed priorities and expanded services and has taken it as far as possible without someone to manage operations.

Election of Chair and Vice Chair

Chair Duncan opened nominations for Chair. Governing Board Member Scheuerman nominated Vice Chair Jordan. Chair Duncan asked for nominations three more times. **Governing Board Member Atkinson made a motion, seconded by Governing Board Member Kelly, to close nominations and cast a unanimous ballot for David Jordan. The motion carried.**

Chair Jordan opened nominations for Vice Chair. Chair Jordan nominated Governing Board Member Scheuerman, seconded by Governing Board Member Kelly. Chair Jordan asked for nominations three more times. **Governing Board Member Polachowski made a motion, seconded by Board Member Atkinson, to close nominations and cast a unanimous ballot for Penny Scheuerman. The motion carried.**

Confirmation of next meeting date and time: July 11, 2016 at 9:00 a.m.

Adjournment

On motion by Governing Board Members Polachowski and Kelly, Chair Jordan adjourned the meeting at 10:06 a.m.

Walworth County Board of Supervisors
DRAFT June 6, 2016 Transportation Coordinating 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 Nancy Russell at 1:32 p.m.

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

Others in Attendance

County Staff: County Administrator David Bretl; Senior Accountant Todd Paprocki; Transportation Consultant David Lowe; Deputy County Administrator-Finance Nicki Andersen

Members of the public: Eric Russow, 1527 Meadow Lane, Elkhorn, Wisconsin; Judith Atkinson, W2335 County Road D, Elkhorn, Wisconsin

County Administrator David Bretl asked to move item 8.a., Request for Proposals (RFP) for transportation services, to after item 12 on the agenda. Cynthia Simonsen will excuse herself from the meeting when this item is discussed.

On motion by Citizen Member Grant, seconded by Supervisor Monroe, the May 2, 2016 meeting minutes were approved by voice vote.

Public Comment

Mr. Eric Russow thanked Cindy Simonsen for allowing use of the VIP Services facility for “dementia-friendly” training, which was widely attended. There will be another session for nurses in July at Mercy Health System-Walworth.

Old Business – There was none.

New Business

- Update regarding transportation listening sessions

Bretl said the surveys haven’t been compiled yet, but he asked for comments/feedback from the sessions. Transportation David Lowe said the surveys would be analyzed and ready for the next committee meeting. He noted there was good participation at several of the sessions, and they made a lot of people aware of the available options for transportation. Supervisor Monroe said the senior citizen group who meets at the Lutheran Church near Pell Lake Drive off of USH 12E is interested in hosting a listening session on July 5 between 10:00 a.m. and noon. Monroe said he would call and confirm the time. Vice Chair Kerwin and Lowe tentatively volunteered to attend, dependent upon the time.

Chair Russell brought the surveys collected to date and asked if any members wanted to read them. She said she was surprised that so many people didn’t know about the transportation services. Some commented they preferred volunteer drivers because of their ability to schedule rides without 48 hours’ prior notice. The majority of respondents were in favor of the shared-ride taxi service. The cost per ride was a concern for some. Citizen Member Grant said a third of the City of Whitewater residents are in Jefferson County, and many felt the out-of-county rides were cost prohibitive. Grant asked if exceptions could be made for those who need transport to medical appointments that are scheduled sooner than the 48-hour notice requirement. Bretl said VIP Services tries to accommodate those requests if possible. Citizen Member Simonsen said at the end of January, her schedulers began tracking requests from people calling for rides with less than 48-

hour notice. During that period, 50 people called, and VIP was able to accommodate 44 of those requests. Of the requests, most came from Health and Human Services and the Lakeland Health Care Center.

Bretl said he thought the more effective sessions were those which allowed them to speak and interact with citizens. Handing out surveys only was difficult to engage people and get their attention. Vice Chair Kerwin agreed, stating the Committee's goal to raise awareness and obtain feedback was achieved. Bretl said if any members wanted to provide observations, they could email them to him and his office would compile them for the next meeting.

Discussion regarding any transportation service concerns – There were no current concerns.

Transportation financial summary – There were no questions.

Announcements – There were none.

Set/confirm next meeting dates and times: July 11 at 1:30 p.m. and August 29 at 1:30 p.m. (this will be the September meeting).

- **Request for proposals (RFP) for transportation services**

Citizen Member Simonsen excused herself at 1:50 p.m., prior to discussion on this item. Transportation Consultant David Lowe said HHS Manager Lori Muzatko emailed him to change the ages of children on pages 26 and 27 of the RFP from 3-18 to 7-18, because children ages 3 to 7 have to be accompanied by an adult. Chair Russell noted on the bottom of page 33, section 2.19.2, the word "city" should be changed to "municipality." In addition, the reference to "Workmen's Compensation" on page 30 of the RFP needs to be changed to "Worker's Compensation." Muzatko asked if the contract will be with a single vendor or multiple vendors. Lowe said the intent is to engage one contractor for the entire contract for the shared-ride taxi services. Vice Chair Kerwin asked if there was a possibility that sections of the county could be split among two vendors. Citizen Member Hallatt commented if that were the case, a centralized scheduling system would be needed. Lowe suggested that if the number of rides grows to 115,000-120,000 annually, then it would be time to consider multiple vendors. He reminded the committee that the contract includes in-county services only. He assured the Committee that all federal requirements were included in the RFP. Muzatko asked that on page 27, section 2.8.1, "Lakeland Care Center" needs to be changed to "Lakeland Health Care Center," and anywhere else it appears in the document. Citizen Member Grant noted on page 13, section n.i., the phrase "contract all requirements" should be changed to read "all contract requirements." Grant asked why the proposals wouldn't be opened publicly. Bretl said County policy is to open the proposals publicly, but the pricing is done privately, after the proposals are evaluated. This avoids compromising the objective evaluation process based on the low bid. Discussion ensued on forming a team to evaluate the proposals. Lowe said to avoid a conflict of interest, he would prefer to serve in an advisory capacity only. A mobility manager from another county that provides its own transportation services will be asked to participate, along with Bretl, Citizen Member Hallatt, Vice Chair Kerwin and Senior Accountant Todd Paprocki.

Adjournment - On motion by Vice Chair Kerwin, seconded by Citizen Member Grant, Chair Russell adjourned the meeting at 2:13 p.m.

Walworth County Board of Adjustment

MINUTES

May 11, 2016 - Hearing – 9:00 AM

May 12, 2016 – Meeting – 9:00 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on May 11 & 12, 2016, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on May 11, 2016, 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 May 12, 2016, were Chair John Roth, Vice-Chair Elizabeth Sukala, Secretary Ann Seaver and 2nd Alternate Joseph J. Pappa. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on May 11, 2016, and May 12, 2016, are kept on file as a matter of record.

The May 11, 2016, hearing was called to order by Chair John Roth at 9:00 A.M. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as amended to postpone hearing #6 Raymond Hohe Trust / La Grange Township to the July 2016 agenda and to postpone hearing #7 Basso Builders, Inc. / Geneva Township to the June 2016 agenda. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** Ann Seaver motioned to approve the April 13 & 14, 2016, Minutes and dispense with the reading. **Seconded by Elizabeth Sukala. Motion carried. 2-favor, 1-abstain (John Roth).** After testimony of all cases, Ann Seaver motioned to recess until 9:00 A.M. on Thursday, May 12, 2016. **Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The May 11, 2016, hearing went into recess at approximately 10:59 A.M.

On May 12, 2016, at 9:00 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 #6 Raymond Hohe Trust / La Grange Township to the July 2016 agenda, to postpone hearing #7 Basso Builders, Inc. / Geneva Township to the June 2016 agenda and to withdraw hearing #2 William P. & Patricia A. Hite / Whitewater Township as requested by the applicant. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** After the decisions were completed, Ann Seaver motioned to adjourn until the June 8, 2016, hearing at 9:00 A.M. **Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The May 12, 2016, decision meeting adjourned at approximately 9:48 A.M.

Nine variance hearings were scheduled and details of the May 11, 2016, hearings and the May 12, 2016, decisions are digitally recorded and available to the public upon request / video to view on our website: www.co.walworth.wi.us.

Old Business – Donna O’Neill-Mulvihill Trust, owner / Linn Township

Hearing – Count # N/A / Decision – Count #9:02:04 – 9:06:41

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 a screen porch and accessory structure / carport.

REQUIRED BY ORDINANCE: The Ordinance requires an 8' side yard setback requirement for the screen porch and accessory structure / carport.

VARIANCE REQUEST: The applicants are requesting a 3.2' side yard setback for a screen porch and a 3.5' side yard setback for an accessory structure / carport. 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 a screen porch and accessory structure / carport.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of April 13 & 14, 2016, for the petition of Donna O'Neill-Mulvihill Trust, owner / Donna O'Neill-Mulvihill, applicant, voted to **APPROVE** the request for a 3.2' side yard setback for a screen porch and voted to **POSTPONE** the decision on the request for a 3.5' side yard setback for an accessory structure / carport. (****see amended decision below**)

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL of the 3.2' side yard setback for a screen porch: The Board found the addition of a screen porch to the existing residence will be placed on a portion of an existing deck. The Board found the size of the screen porch addition will not greatly increase water runoff. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would not affect the public's interest in navigable waters. The Board found there was no objection from neighboring property owners. The Board found the owner did receive Town approval.

POSTPONE decision on request for accessory structure / carport: The Board is requesting information to be submitted regarding the roof plan and the runoff plan of the proposed carport. The decision will be given at the May 12, 2016, Board of Adjustment meeting. (**see amended decision below**)

The Town of Linn sent a letter in support of the screen porch and opposing the carport.

****DECISION ON MAY 12, 2016**

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on May 12, 2016, for the petition of Donna O'Neill-Mulvihill Trust, owner, Donna O'Neill-Mulvihill, applicant, voted to APPROVE the variance request for:

a 3.5' side yard setback for an accessory structure / carport.

A motion was made by Joseph J. Pappa to approve the variance as requested. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

5-12-16 BOARD OF ADJUSTMENT FINDINGS:

The Board found the applicant did submit the information requested by the Board on April 14, 2016. The Board found options for the location of the carport on the parcel are limited. The Board found the structure will have a drainage system. The Board found to deny the variance request for the carport would cause unnecessary hardship. The Board found to approve the request would cause no harm to public interests.

New Business – Variance Petitions

Hearing – Count #9:03:12 – 9:44:22 / Decision – Count #9:06:42 – 9:14:45

The First Hearing was Cheryl B. Wormley Trust, owner – Section(s) 9 – Linn Township

Applicant is requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to replace a deck.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and a 3' side yard setback.

VARIANCE REQUEST: The applicant is requesting an approximate 1 foot shore yard setback and a 0' side yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to replace a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Cheryl B. Wormley Trust, owner, voted to **APPROVE** the request for an approximate 1 foot shore yard setback and voted to **DENY** the request for a 0' side yard setback.

A motion was made by Ann Seaver to deny the variance request as presented.

A motion was made by Ann Seaver to approve the shore yard setback and deny the side yard setback. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found unique property limitations in the narrow and steep parcel. The Board found the deck had existed since approximately 1949 without record of issued County permits and replaced in 1984 and 2011 without permits. The Board found options for placement of a deck on the parcel are limited. The Board found to approve the shore yard setback would not harm the public's interest in navigable waters.

The Board found to deny the side yard variance request would cause no unnecessary hardship and would still provide access to the pier. The Board found to deny the 0' side yard setback would bring the west side of the deck into compliance and allow room for maintenance of the structure without encroachment. The Board found the 3' side yard setback would protect public interests.

There were three letters of support from neighboring property owners and one letter of support from the Town of Linn. One person spoke in support. Two people spoke in opposition.

Hearing – Count #9:44:25 – 10:06:09 / Decision – Count #N/A

The Second Hearing was William P. & Patricia A. Hite, owners – Section(s) 34 – Whitewater Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of patios, fire pit, retaining walls and landing.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and permits a 25 square foot landing in the shore yard and retaining walls where necessary for erosion.

VARIANCE REQUEST: The applicants are requesting a flagstone patio with a 0' shore yard setback, a flagstone patio and fire pit with an approximate 43' shore yard setback, retaining walls not necessary for erosion control and a 40 square foot landing for a shore yard landing. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of patios, fire pit, retaining walls and landing.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of William P. & Patricia A. Hite, owners, did not vote on the request for a flagstone patio with a 0' shore yard setback, a flagstone patio and fire pit with an approximate 43' shore yard setback, retaining walls not necessary for erosion control and a 40 square foot landing for a shore yard landing.

BOARD OF ADJUSTMENT FINDINGS: After the hearing on May 11, 2016, and before the meeting on May 12, 2016, the variance request was **WITHDRAWN** at the applicant's request. There were two letters of support from neighboring property owners. There were letters of opposition from the Town of Whitewater and the Walworth County Land Conservation Division.

Hearing – Count #10:06:15 – 10:14:08 / Decision – Count #9:14:46 – 9:16:34

The Third Hearing was Gale & Dawn M. Shelbourn, owners – Section(s) 34 – 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 reconstruct a deck.

REQUIRED BY ORDINANCE: The Ordinance requires a variance structure (granted 1987) to maintain footprint and envelope if reconstructed.

VARIANCE REQUEST: The applicants are requesting to reconstruct a deck approximately 3.1' higher in elevation with an approximate 22' shore yard setback. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to reconstruct a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Gale & Dawn M. Shelbourn, owners, voted to **APPROVE** the request to reconstruct a deck approximately 3.1' higher in elevation with an approximate 22' 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 current deck is 3.1' lower than the elevation of the house. The Board found to approve the variance request will permit the deck to be reconstructed in the same footprint with an elevation to match the residence. The Board found to approve the variance request will provide safe ingress / egress between the handicapped accessible residence and the deck. The Board found the request to reconstruct the deck had not been included in the variance request and approval of April 2015 to reconstruct the residence. There were four letters of support from neighboring property owners and one letter of support from the Town of Whitewater. There was no opposition.

Hearing – Count #10:14:09 – 10:24:08 / Decision – Count #9:16:35 – 9:18:48

The Fourth Hearing was Virginia R. Jungmann Trust, owner / Dennis Jungmann, applicant – Section(s) 3 – Richmond Township

Applicants are requesting a variance from Section(s) 74-163 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (30' x 40').

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction prior to the location of an accessory structure.

VARIANCE REQUEST: The applicants are requesting to locate an accessory structure on a vacant parcel. The request is a variance from Section(s) 74-163 / 74-181 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (30' x 40').

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Virginia R. Jungmann Trust, owner / Dennis Jungmann, applicant, voted to **APPROVE** the request to locate an accessory structure on a vacant parcel.

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 has a residence across the road. The Board found the owner is not able to have a garage on the parcel with the residence. The Board found the owner has purchased the vacant lot directly behind the residence parcel. The Board found the proposed garage as placed directly behind the residence will not cause harm to public interests. The Board found the owner does not have intent to subdivide the 3-acre +/- parcel. There was one letter of support from the Town of Richmond. There was no opposition.

Hearing – Count #10:24:16 – 10:28:53 / Decision – Count #9:18:49 – 9:22:27

The Fifth Hearing was Vito M. & Rosalie M. Cappiello, owners – Section(s) 32 – Geneva 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 (storage shed 16' x 20').

REQUIRED BY ORDINANCE: The Ordinance requires a principal structure to be present or under construction prior to the location of an accessory structure with a 25' street yard setback and a 25' rear yard setback.

VARIANCE REQUEST: The applicants are requesting an accessory structure on a vacant parcel with a 19.1' street yard setback and a 10' rear yard setback. The request is a variance from Section(s) 74-163 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an accessory structure (storage shed 16' x 20').

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Vito M. & Rosalie M. Cappiello, owners, voted to **APPROVE** the request for an accessory structure on a vacant parcel with a 19.1' street yard setback and a 10' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found a unique property limitation in the parcel being part of the vacated railroad right-of-way. The Board found the owner has no option to place the structure on the parcel where the residence is located. The Board found similar variance requests in the area had been granted. The Board found to approve the variance request would allow the owner to put yard equipment under cover. The Board found to approve the variance request would cause no harm to public interests. The Board found to approve the variance request would not harm the public interests in navigable waters. There was one letter of support from the Town of Linn. There was no opposition.

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

The Sixth Hearing was Raymond Hohe Trust, owner / Michael Raymond Homes LLC, Raymond Shafer, applicant – Section(s) 26 – La Grange Township

Applicants are requesting a variance from Section(s) 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence (approximately 23' 6" height).

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

VARIANCE REQUEST: The applicants are requesting a 3.2' side yard setback. The request is a variance from Section(s) 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct an addition to a single-family residence (approximately 23' 6" height).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, did not vote on the petition of Raymond Hohe Trust, owner / Michael Raymond Homes LLC, Raymond Shafer, applicant.

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

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

The Seventh Hearing was Basso Builders Inc., owner – Section(s) 27 – Geneva Township

Applicants are requesting a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to make a parcel a buildable parcel.

REQUIRED BY ORDINANCE: The Ordinance requires a lot or parcel to be of record in the County Register of Deeds Office before the effective date or amendment of the zoning ordinance to be a legally created lot or parcel in accordance with Section 74-92.

VARIANCE REQUEST: The applicant is requesting a parcel that was not legally created to be buildable. The request is a variance from Section(s) 74-54 / 74-92 of Walworth County's Code of Ordinances – Zoning to make a parcel a buildable parcel.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, did not vote on the petition of Basso Builders Inc., owner.

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

Hearing – Count #10:28:54 – 10:39:31 / Decision – Count #9:22:28 – 9:24:51

The Eighth Hearing was Douglas & Tracy Marconnet, owners – Section(s) 24 – La Grange Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 67.25' shore yard setback (average) for structures and permits a walkway in the shore yard for access to the shore.

VARIANCE REQUEST: The applicants are requesting a 44' shore yard setback for a walkway that does not provide access to the shore. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a walkway in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Douglas & Tracy Marconnet, owners, voted to **APPROVE** the request for a 44' shore yard setback for a walkway that does not provide access to the shore.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found a unique property limitation in water bordering two sides of the narrow property. The Board found a variance had been granted in April 2015 to construct a new single-family residence. The Board found to approve the variance request will enable access to the house from the street and from the house to the patio without going through the residence. The Board found to approve the variance request would allow the owners to designate safe ingress / egress to the residence. The Board found to approve the variance request would cause no harm to public interests. The Board found the owners have worked closely with the Land Use & Resource Management Department to protect the shore by using permeable pavers. The Board found to approve the variance request will protect the public's interest in navigable waters. There was one letter of support from the Town of LaGrange. There was no opposition.

Hearing – Count #10:39:41 – 10:58:22 / Decision – Count #9:24:52 – 9:36:37

The Ninth Hearing was Casvic LLC, owner / Victor Leonhardt, applicant – Section(s) 25 – La Grange Township

Applicants are requesting a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a deck, landing, stairs and an at-grade patio.

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

VARIANCE REQUEST: The applicants are requesting an approximate 40' shore yard setback for deck, landing and stairs, an approximate 45' shore yard setback for an at-grade 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 deck, landing, stairs and an at-grade patio.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of May 11 & 12, 2016, for the petition of Casvic LLC, owner / Victor Leonhardt, applicant, voted to **APPROVE** the request for an approximate 40' shore yard setback for deck, landing and stairs, and voted to **APPROVE** an approximate 45' shore yard setback for an at-grade patio.

A motion was made by Elizabeth Sukala to approve the upper deck, landing and the stairway down. Seconded by Ann Seaver for discussion. Motion carried. 3-favor 0-oppose

A motion was made by Ann Seaver to approve the patio just under the deck and not to exceed that. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS:

APPROVAL OF THE DECK, LANDING and STAIRS: The Board found unique property limitations in the steep lot. The Board found to approve the variance request would give the owner ingress / egress to the lake side and east side of the residence. The Board found the owner did receive approval from the Town of La Grange.

APPROVAL OF THE PATIO: The Board found to approve the variance request for the at-grade patio to be located underneath the deck. The Board found the patio will not extend beyond the deck. The Board found the patio will be constructed of a pervious material. The Board found to approve the variance request will help minimize erosion under the deck. The Board found to approve the variance request will cause no harm to public interests.

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

Other

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

Staff Reports

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

Proposed discussion for next agenda

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

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



ANN SEAVER
WALWORTH COUNTY BOARD OF ADJUSTMENT

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

WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT

975 W. Walworth Ave. • Delavan, WI 53115

www.walcomet.org

REGULAR MEETING

June 14, 2016

1:30 pm

Agenda

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC COMMENTS/CORRESPONDENCE/OTHER BUSINESS**
4. **APPROVAL OF MINUTES OF REGULAR MEETING, May 10, 2016.**
5. **ADMINISTRATOR'S MONTHLY REPORT**
 - a) **Plant Operation**
 - b) **Financial**
 - c) **Training**
 - d) **Capital Improvement Project Update**
6. **RECEIPTS AND DISBURSEMENTS REPORT**
7. **ACCOUNTS PAYABLE LISTING**
8. **OLD BUSINESS**
9. **NEW BUSINESS**
 - a) **Biosolid presentation** – As this is a presentation of a technical report no formal action is required.
 - b) **Wastewater Grinder** – Move to approve the purchase of an exchange grinder unit from JWC Environmental for the Pioneer Estate lift station at a cost of \$7,980.00 including associated shipping costs.
 - c) **SCADA Support Program** – Move to authorize a payment of \$9,590.00 to Wonderware Midwest for the SCADA Technical Support program.
 - d) **Automated Sampler Replacement** – Move to approve the purchase of two replacement samplers from Mulcahy Shaw Water for the cost of \$9,274.00.
 - e) **Generator Repairs** – Move to direct staff to contract with Cummins NPower to complete the radiator repairs at Darien and Walworth County Institutions lift stations for a project cost of \$7,899.07.
 - f) **NR 101 Fees** – Move to authorize a payment of the NR 101 fees to the Wisconsin Department of Natural Resources, which have been invoiced at \$11,428.23.
 - g) **Compliance Maintenance Annual Report (CMAR)** - Move to accept the 2015 CMAR as presented and adopt Resolution 2016-05 and instruct Staff to submit the 2015 CMAR to the DNR.
 - h) **2015 Annual Report** – Move to approve the Annual Report for WalCoMet for calendar year 2015.
 - i) **Walworth County Executive Meeting** – Move to establish a special meeting of the WalCoMet Commission on July 25, 2016 at 10:00 AM at the Government Center in Elkhorn.
10. **CLOSED SESSION: Motion to convene into closed session pursuant to section 19.85 (1)(g) Wis Stat for the purpose of conferring with legal counsel for the District who is rendering oral or written advice concerning strategy to be adopted by the District with respect to litigation concerning faulty equipment in which the District is or is likely to become involved.**
11. **ADJOURN**

To: Chairman Logterman and WalCoMet Commission

From: Brad Huza, Administrator



Date: June 3, 2016

Re: Administrator's Monthly Report – May 2016

Plant Operation

The wastewater treatment facility has met all of its operational and discharge permit requirements for the month of May. The total flows treated in May of 2016 was 127.73 MG with a peak day of 4.85 MG and an average daily flow of 4.12 MG. In comparison, May of 2015 the total flow was 107.59 MG, a peak daily flow of 4.14 MG and an average daily of 3.47 MG.

Financial

The cash receipts through April 2106 shows a total of \$3,314,478 which includes the \$650,000 Elkhorn payment. From cash disbursement standpoint, the total disbursements for the same time period were \$2,591,062. When removing the pass through payment of \$650,000 from the City of Elkhorn, revenues are out pacing expenditures by \$73,416.

Training

The WalCoMet Safety Committee conducted "Confined Space" training. The training included SCBA use, retrieval system use and a practical retrieval scenario. The training was attended by all at the plant and collection system.

Capital Improvement Project Update

Discharge Permit Update

Staff has not received any additional information on this topic. It is still anticipated that the decision on the Phosphorus discharge variance will be finalized by early summer.

County O Lift Station Replacement

Staff has received the executed contracts from Racine Roofing. A "Notice to Proceed" was issued. Staff hopes to have a "Pre Construction" meeting by June 20th and start the construction by July 1.

Electrical Equipment Evaluation

Staff has finalized an RFP for the evaluation of electrical equipment at the plant. Staff anticipates this topic will be discussed at the July meeting.

**WALWORTH COUNTY METROPOLITAN SEWERAGE DISTRICT
BILLINGS TO ENTITIES-2016**

ENTITY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTALS	BUDGET TOTAL	DIFFERENCE BUDGET TO ACTUAL	PERCENT +/-
DELANAN	TOTAL DUE \$ 105,299.33	\$ 117,540.02	\$ 105,450.46	\$ 116,755.91	\$ 122,464.51								\$ 567,500.25	\$ 581,723.33	\$ (14,223.08)	-2.44%
	VOLUME MG	25,350	25,995	24,972	27,224	26,508							130,049	123,678	6,371	5.15%
														296,828	(2016 Study)	
ELKHORN	TOTAL DUE	165,547.45	159,877.49	133,468.92	205,881.29	182,834.10							\$ 827,409.25	\$ 685,532.08	\$ 131,877.17	18.96%
	VOLUME MG	83,121	53,652	47,818	68,757	64,713							318,061	201,829	116,232	57.59%
														484,390	(2016 Study)	
OLSD	TOTAL DUE	51,048.87	53,787.64	50,096.56	53,181.37	57,383.06							\$ 265,477.30	\$ 320,557.08	\$ (55,079.78)	-17.18%
	VOLUME MG	16,076	14,576	13,787	16,012	16,822							77,253	84,646	(7,393)	-8.73%
														203,150	(2016 Study)	
WCI	TOTAL DUE	11,911.58	11,520.04	12,084.32	13,518.53	11,826.40							\$ 60,960.85	\$ 63,089.17	\$ (2,128.32)	-3.41%
	VOLUME MG	3,909	3,022	2,822	3,581	3,556							16,890	13,625	3,265	23.96%
														32,700	(2016 Study)	
WMS. BAY	TOTAL DUE	50,316.72	48,951.12	44,085.44	50,889.45	50,610.15							\$ 244,852.88	\$ 252,546.25	\$ (7,693.37)	-3.05%
	VOLUME MG	19,648	15,908	14,911	18,179	17,824							86,570	606,111	(2016 Study)	
														79,988	6,804	8.26%
														191,978	(2016 Study)	
INSPIRATION MINISTRIES	TOTAL DUE	1,380.84	1,560.73	1,646.73	1,550.61	1,591.08							\$ 7,709.99	\$ 7,364.59	\$ 345.41	4.65%
	VOLUME MG	0.228	0.262	0.279	0.260	0.268							1,297	1,307	(0.010)	-0.74%
														3,138	(2016 Study)	
GNSS & INTERLAKEN	TOTAL DUE	18,962.94	17,266.90	14,439.50	17,572.72	18,328.17							\$ 86,471.23	\$ 86,256.25	\$ 214.98	0.25%
	VOLUME MG	6,625	4,860	4,084	5,087	5,535							26,191	24,168	2,023	8.37%
														58,003	(2016 Study)	
VILLAGE OF DARIEN	TOTAL DUE	18,690.70	20,109.19	17,540.41	21,010.28	19,777.75							\$ 97,126.33	\$ 98,925.42	\$ (1,799.09)	-1.82%
	VOLUME MG	5,873	4,774	4,159	4,879	5,592							24,977	237,421	(2016 Study)	
														17,177	7,800	45.41%
														41,224	(2016 Study)	
TOWN OF DARIEN	TOTAL DUE	3,430.90	3,879.74	3,491.92	3,552.85	3,694.77							\$ 18,040.18	\$ 15,644.17	\$ 2,396.01	15.32%
	VOLUME MG	0.887	0.875	0.816	0.908	0.919							4,405	3,288	1,118	33.99%
														7,890	(2016 Study)	
LAKE COMO SANITARY DISTRICT	TOTAL DUE	19,554.00	19,849.63	18,159.08	20,555.02	20,883.35							\$ 99,001.06	\$ 77,981.25	\$ 21,119.81	27.12%
	VOLUME MG	4,901	4,612	4,132	4,900	5,052							23,697	13,718	9,980	72.02%
														32,922	(2016 Study)	
TOTAL DUE	\$ 445,983.11	\$ 454,322.50	\$ 400,463.34	\$ 504,468.03	\$ 469,314.34	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,274,553.32	\$ 2,189,519.58	\$ 85,033.74	3.88%
TOTAL VOLUME MG	166,318	128,536	117,760	149,787	146,889	-	-	-	-	-	-	-	709,290	563,400	145,890	25.89%
														1,352,161	(2016 Study)	
VEOLIA WASTE	TOTAL DUE	32,787.93	25,946.83	18,908.97	29,674.66	35,257.11							\$ 142,775.60	\$ 84,394.17	\$ 58,381.33	69.16%
	VOLUME MG	0.904	0.658	0.454	0.987	0.966							3,969	202,546.00	(2016 Budget)	

**Wisconsin River Rail Transit Commission
Commission Meeting - Friday, May 6th, 2016 @ 10am
Dane County Hwy Garage, 2302 Fish Hatchery Rd, Madison, WI**

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

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	Excused	Rock	Ben Coopman, <i>Alternate</i>	-
	Rocky Rocksford	x		Wayne Gustina	x
	Derek Flansburgh	Excused		Alan Sweeney, <i>Chair</i>	x
Dane	Gene Gray, <i>Treasurer</i>	x	Sauk	Terry Thomas	x
	Jim Fleming	absent		Marty Krueger, <i>Alternate</i>	x
	Chris James, <i>Vice Secretary</i>	x		Chuck Spencer	x
Grant	Gary Ranum	x	Walworth	Carol Held	Excused
	Mike Lieurance	Excused		Dave Riek, <i>3rd Vice Treasurer</i>	Excused
	Robert Scallon, <i>1st Vice Chair</i>	x		Eric Nitschke	Excused
Iowa	Charles Anderson, <i>Secretary</i>	x	Waukesha	Richard Kuhnke, <i>2nd Vice Treasurer</i>	Excused
	William G Ladewig	x		Allan Polyock	Excused
	Jack Demby	x		Karl Nilson, <i>4th Vice Chair</i>	x
Jefferson	John David	Excused		Dick Mace	x
	Gary Kutz	x		Richard Morris	x
	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, WRRTC Administrator • Ken Lucht, WSOR • Mirjam Melin, Rock Against the Rail • Ed Steiber, Frontier Communications 	<ul style="list-style-type: none"> • Kim Tollers, Rich Kedzior, WisDOT • Rep. Amy Loudenberg • Danielle Zimmerman, Loudenberg staffer
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Alan Sweeney asked for Chuck Spencer, new commissioner from Sauk County to introduce himself, saying they would go around the room for introductions. Gary Kutz, from Jefferson County introduced himself, then the rest of the Commissioner’s introduced themselves, identifying the districts of their respective counties or municipalities they represented. Wisconsin Department of Transportation (WisDOT) staff also introduced themselves and Ken Lucht of WSOR introduced.

3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Penn**
 - *Motion to approve posting of meeting – Thomas/Ladewig, Passed Unanimously*
4. Action Item. **Approval of May Agenda – Prepared by Penn**
 - *Motion to approve May amended agenda – Mace/Gray, Passed Unanimously*

Penn told the Commission she had been contacted by Kyle Pattison who said that the City of Prairie du Chien would not be pursuing used rail as Mr. Pattison had spoken with Roger Schaalma of WSOR who said no rail would be available. Therefore, there was no need for agenda item 14.

5. Action Item. **WRRTC 2016 Election of Officers**
 - *Motion to nominate Alan Sweeney WRRTC Chair – Nilson/Gustina; Motion to Close Nominations – Anderson/Scallon, Passed Unanimously*
 - *Motion to nominate Bob Scallon 1st Vice Chair – Anderson/Ranum; Motion to Close Nominations – Tietz/Ladewig, Passed Unanimously*
 - *Motion to nominate Tom Cornford 2nd Vice Chair – Rocksford/Scallon; Motion to Close Nominations – Mace/Gustina, Passed Unanimously*
 - *Marty Krueger asked if a motion was in order to nominate all who were officers as they currently are.*
 - *Motion to nominate all standing officers to retain their current offices – Krueger/Morris; Motion to Close Nominations – Ladewig/Tietz, Passed Unanimously*
6. Action Item. **Approval of draft April 2016 Meeting Minutes– Prepared by Penn**

- *Motion to approve draft April 2016 meeting minutes with minor corrections – Mace/Anderson, Passed Unanimously*

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

Representative Loudeneck introduced herself, saying she represented eastern Rock and western Walworth counties in the State Legislature. She said she was here to “stay in the loop” on the Great Lakes Basin Transportation (GLBT) project. Danielle Zimmerman introduced herself as staffer for Loudeneck. Mirjam Melin introduced herself, saying she was at the meeting with concerns on the GLBT and asked the Commission if they had taken a position on the project or if they had any response planned and if so, were those being forwarded to Surface Transportation Board (STB). Sweeney said at this time they had not.

Ed Steiber of Frontier Communications said he was at the meeting seeking a utility permit to move a fiber optic line near a bridge replacement project in Rock County. When the location of the bridge was verified, it was discovered that the bridge in question was under the purview of the Pecatonica Rail Transit Commission (PRTC). Ken Lucht advised Steiber to contact Mary Penn, the PRTC administrator for a utility permit. Kim Tollers asked if he had a Trans 29 permit. Steiber said to date he only had a railroad permit and a County permit. Sweeney said if there were permits needed from the PRTC, that meeting was May 20th.

8. Updates. Announcements by Commissioners – No Discussion Permitted

Bob Scallon had two get-well cards for signature for Vern Lewison and Mike Liuerance and passed them around the table for signatures.

REPORTS & COMMISSION BUSINESS

9. WRRTC Financial Report – Jim Matzinger, WRRTC Accountant

- *Motion to approve the all checks except #1311 and revisit the action after gaining estimate on McHenry County taxes from Matzinger – Anderson/Gray, 18 ayes, 1 no (W. Ladewig), Motion passed*
- *Motion approve Treasurer’s Report – Mace/Thomas, Passed Unanimously*

Jim Matzinger presented the Treasurer’s Report to the Commission, noting that all rail projects had been paid out and those accounts were now closed. He said other invoices that had just come in included the general liability insurance from Richgels-Schaefer, as well as the Lake County tax bill to pay that morning. In anticipation of the McHenry County taxes, which he expected to receive before the June meeting, he asked for a blank check to pay McHenry. He reminded the Commission that taxes were reimbursed by WSOR. Sweeney asked for the amount of the 1st installment for McHenry taxes from last year and asked Matzinger for an estimate on this year’s before approving a blank check. Matzinger then listed the checks that needed approval.

Jack Demby asked about the Spring Green Bridge in the Treasurer’s Report. Lucht said all bridge projects listed were on the Fox Lake Sub and had been completed. Karl Nilson reminded the Commission that those bridges belonged to the Commission outright. Gene Gray asked Lucht about the amount of mileage in McHenry County. Lucht said about 20 miles.

Matzinger went through the April balance sheet, including \$68,560 received from Crawford County as part of their paying down their contribution arrears.

Sweeney asked Matzinger if he still had his WRRTC finances presentation from last fall to give to the new members. Matzinger said he could have that by the next meeting.

Charles Anderson asked about \$63,000.00 remaining after today’s checks were approved or was that the where today’s checks would be paid out of. Matzinger clarified that the cash balance would drop to \$17,600.00 after those checks are written. Matzinger reminded the Commission that WSOR would be billed for the taxes, the money reimbursed. Anderson thanked Matzinger for coming to the meeting today on his summer hours.

10. Discussion and Possible Action on 2017 WRRTC Budget – Jim Matzinger, WRRTC Accountant, Gene Gray, WRRTC Treasurer

- *Motion to approve 2017 budget – Nilson/Gray, Passed Unanimously*
- *Motion to approve maximum of \$2500.00 for first installment of McHenry County taxes - Gray/Ranum, Passed Unanimously*

Matzinger presented the draft 2017 budget to the Commission, giving them 5 years of actual, past budgets to give them context. He said the budget assumed all counties made their contribution (including the \$7,000.00 extra from Crawford) and that sign leases and WSOR lease amounts did not change radically. He said the permit revenue was an estimate and \$1800.00 was a total guess. Matzinger said interest was nominal which left them with \$309,000.00 for revenue which was all spent between capital projects and other items as listed. He added that no management contract amounts had changed, although legal expenses had changed somewhat and the amount was somewhat conservative. He said insurance costs had remained steady. As there was a \$1400.00 deficit, he had removed that amount from capital rail projects, leaving the WRRTC at a breakeven point.

Krueger commented he was a bit surprised that no one from Columbia County was at the meeting this morning, as the Columbia County Chair had approached him about the potential for the Merrimac Bridge issue being explored at a WRRTC meeting, and the possibility of the solution being Columbia joining the WRRTC. Sweeney said he did not think Krueger would have brought the point up unless it were a definite possibility. Dick Mace asked if the Commission needed to reach out to the Columbia Chair. Krueger said he believed the County’s interest was piqued by the viability of the line and the Merrimac Bridge issue. He suggested the Chair be invited to speak to the issue at a future meeting. Lucht pointed out Columbia County was a member of the East Wisconsin Counties Railroad Consortium (EWCRC) due to service to Cambria. He said their contribution to that Commission was about the same, adding that he EWCRC was nine counties and made up WSOR’s entire northern district. At this point, Matzinger returned with the estimate on the first installment cost of McHenry County taxes (\$2232.00).

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

Ken Lucht updated the Commission on projects to date saying that on capital projects there were 30,000 ties going in on the Prairie sub as well as bridge work. This work went from Madison to Sun Prairie. Outside the Commission’s area Lucht said there was a continuous welded rail project (CWR) on the Markesan sub from Fairwater to Markesan with about 7 miles of rail to install. Lucht also said the bridge at Woodman had had some emergency repairs by their bridge contractor on one of its piers to fill in a 35’ erosion hole. He said WSOR was progressing with some new projects for 2017, including the Phase 2 Prairie sub tie project, followed by a Phase 1 CWR from Prairie to Wauzeka. He said CWR goes to where there was the most traffic: this project would be about 2½ miles and they were only waiting for grant agreements. Lucht also said there was another CWR project in Waukesha, WSOR was also waiting for the grant agreement. He said WSOR hoped that project would begin in the fall but it was more likely to be in the spring.

On positive train control (PTC), Lucht reported that WSOR had some deadlines in the next 3-4 years to meet federal statutes. Lucht gave background on the technology and its purpose. He said PTC would affect about a dozen WSOR engines, noting that usually trains that hauled hazardous materials and passenger trains were most affected and that PTC was now a requirement for all railroads in the country. The technology, installed by WSOR, could be read by Class 1 rail trains. As an additional requirement, PCT required new software, all of which was costing about \$16 – 18 billion across the nation and unfunded by the government. He said mostly the private freight railroads were paying for this. He said WSOR had a roster of their engines, with about a 25% rollout installation for 2017 and the following 75% for the remainder of 2018. They were working under a strict deadline.

Nilson commented that putting a brakeman back on trains would have saved money rather than such a huge outlay as required by PTC. Jack Demby asked again about the Spring Green Bridge and whether work begun. Lucht referred to WisDOT and whether they had a grant agreement. Rich Kedzior said the grant agreement had been sent to Watco and WisDOT was waiting for signature. Once signed, WisDOT would sign. Lucht said preliminary agreements have been signed and WSOR was hoping mobilization would begin this fall.

Charles Anderson asked about traffic near Wauzeka on the Prairie sub. Lucht said it was mostly unit trains from Dane County to Prairie, with grain going west to the river port and sand trains going east from Prairie du Chien, making this sub their most trafficked sub. He said traffic had grown dramatically in the past 10 years with the heaviest traffic between Wauzeka and Prairie du Chien. Lucht said a lot of the destination traffic was in that area. Wisconsin and Southern had a good, stable business in Muscoda, Mazomanie, and Spring Green along this sub, with the core closer to Prairie du Chien. Anderson asked if speeds would increase with the new ties. Lucht clarified where the new ties were going, saying that some slow orders would be lifted once new ties were installed.

Bill Lade wig asked if he were correct that frack sand shipping was down. Lucht said the sand market was depressed but there was a pocket in North Dakota, resulting in a 110 car unit train being loaded in Prairie every 3 days. He said WSOR estimated that sand shipments would drop after about 60-90 days, though grain was moving well.

Dick Mace asked about the grant agreements and whether the Commission had heard if the grant agreement for Waukesha was still delayed. Sweeney said WisDOT would address that in their report.

Gary Ranum asked what areas would have increased speeds on the Prairie sub. Lucht said west of Spring Green and would accommodate 286,000 lbs. Bob Scallon asked about where the used ties went. Lucht said occasionally they had shipped old ties to the Cassville power plant but with that facility closing, now they were stored in the Madison Yard and a contractor came and chipped them.

For the benefit of the meeting’s guests and new members, Nilson said that a load being pulled was a “consist” and explained what a unit train was.

Lucht then spoke about WSOR’s growing concern about crossings. He said the Office of Commissioner of Railroads (OCR) oversaw safety at crossings and had a good process to address safety issues relating to them. With growth, WSOR needed to preserve capacity. He added that railway corridors were about 100’ wide for the most part, and obviously it was very difficult today to get new property for railroads and therefore they tried to preserve the right of way (ROW). He said there had been a flurry of at-grade crossings petitions coming to the OCR which had the potential to affect efficiency, safety and reliable customer service. In the last few years, WSOR had had a number of new at-grade crossings on various subs. When there were new crossings on mainlines, that may prevent the building of sidings. Lucht said WSOR did not promote building sidings in urban settings. Therefore, they tried to preserve corridors in sub-urban areas. He gave an example in Dane County where there had been a 5500’ stretch of track free of at-grade crossings that had been lost about 8 years ago with the installation of a crossing. He gave another location in Madison with an at-grade crossing which had not affected a reduction of capacity but had created a big safety issue. Right now there was another situation with a crossing near an events business that encompassed the single most dangerous area on the system, with pedestrians numbering in the thousands crossing the line. He said this was a huge concern for WSOR. Lucht said years ago a crossing had been ordered on Crescent Street in Mazomanie in an area where trains were staged and due to this crossing, they could not stage there now, with about 11,000’ of railroad infrastructure lost to capacity. He added there are some pending crossings that were quite overwhelming in their potential impact to the rail infrastructure, including new crossings on the Madison/Cottage Grove sub in ears where there was about 6600’ available for staging if needed. He said WisDOT and the City of Madison gave a petition to cross at this area. Lucht said if this was ordered, WSOR would lose their last urban capacity for customers in the Dane County urban area. In addition, there was the City View Subdivision on the Watertown sub with a proposed crossing. The City was promoting a development and if the crossing went in, there would be a loss of 7300’ of capacity. He said if all present petitions were approved, WSOR would lose 18,000’ of capacity. Lucht said the Federal Rail Administration (FRA) was urging states to reduce the number of crossings in the interests of safety. He then clarified that the petitions he had mentioned were in the WRRTC area, not the whole WSOR system. He said WSOR had petitioned

for 2 closures in 2003, revised in 2009 and had received an order to close but the City had objected so now the issue was on hold. Lucht pointed out Arena closed two crossings in the Village by their own effort via the OCR process.

He repeated that crossings impacted capacity and safety across the system, saying that since railroads were built for long term, any decision made today had long lasting impacts. With all the petitions, 6 miles of capacity could be lost. He said he wanted the Commission to make sure they knew about this and proposed updating the Commission on them every other month or so.

Mace asked if the OCR issued the order for closing or opening a crossing. Lucht said it depended on the nature of the petition. He explained the process and Mace then asked if the WRRTC could get involved in the petition process. Lucht explained how to get notice of petitions via the OCR.

Anderson asked about the recreational crossings and if overhead or underground crossings could be done. Lucht said in some cases there were alternatives to an at-grade crossing but they required adequate space and engineering. Overpasses were also possible but every crossing was a case-by-case basis. He said communities could also utilize existing public crossings, adding that there was a cost issue based on land and money and at-grade crossings were the last alternatives as WSOR saw it.

Gene Gray asked if WSOR had explored opening old track. Lucht said they had and there were many areas on the Reedsburg sub where there were places of double track. There was another area near Middleton, another in Darien with an old siding that had been rehabbed easily because the land and the grade already existed.

Lade wig asked if there was any national answer to this issue. Lucht said the FRA issued statements, encouraging states to improve safety but the FRA was not involved in local projects. Lade wig said this must be a big issue on the east coast. Lucht said it all depended on the area. In urban areas there had been a lot of efforts to separate grade crossings.

Kim Tollers said the State administered federal funds to address safety issues and crossing closures was part of that. She said WisDOT had a program that allowed communities to apply for money to address crossing closures. She said WSOR as a smaller railroad perhaps did not have a specific crossing closure office but communities could be incentivized to close crossings. It needed to be coordinated as there was no WisDOT person to coordinate the work: it was up to the community. Nilson asked if a new OCR commissioner got inundated with petitions. Tollers said the OCR had to have a public hearing, and a petition decision could be appealed. Sweeney said it might be a good idea to have a representative of the OCR come to a meeting.

12. WisDOT Report – Rich Kedzior, WisDOT

Rich Kedzior said that WisDOT had lifted the hold on the Waukesha grant agreement, although they were still waiting for other reviews, saying the hold had been put in place to review the project in light of the proposed Great Lakes Basin Transportation (GLBT) project.

Kedzior said that he had been on the Watertown sub to see work, also stopping in Marshall and Deansville to check crossings. He said he hoped a lot of work would be done at that sub.

In regard to the GLBT, he said the Surface Transportation Board (STB) had received a proposal from GLBT to build a 278 mile railroad track originating in northwest Indiana, south of Chicago, to Wisconsin, connecting to the Waukesha sub. He said the STB was currently in its scoping phase of their Environmental Impact Statement process and was accepting comments until June 15th. Kedzior encouraged any potentially affected community to direct comments to the STB, saying the STB website would accept comments.

He said he had attended a public involvement meeting about the GLBT proposal in Janesville as an observer. He said WisDOT had a process to internally gather issues and information to submit to the STB. Kedzior said the WisDOT was mulling over alternative routes for the STB to consider and that they were working on their comments until mid-June when they would submit them. He said additional comments on this issue could be addressed in item 16. Demby asked if WisDOT would be taking a position. Kedzior said that was up to Secretary of Transportation Gottlieb and the Governor.

13. WRRTC Correspondence/Communications and Administrator’s Report – Mary Penn, WRRTC Admin.

Mary Penn listed the correspondence she had dealt with since the last meeting, including Eileen Brownlee’s Assessment Sharing Agreement and the intention for having an action item for it at the June meeting. Ladewig asked if Green County was going to join the WRRTC. Penn explained how the sharing agreement came out in the first place, from the Pecatonica Rail Transit Commission’s discussions on the subject over the past few years.

Penn then listed the administrative tasks since the last meeting. She asked Sweeney and Anderson to sign one utility permit and two private at-grade crossing licenses approved last month and then distributed the information packet to all the Commissioners, asking them to give her any corrections or ideas for new information for it. She also asked for all new commissioners to get their contact information to her.

14. Discussion and Possible Action on Purchase Request of discarded rail to City of Prairie du Chien from Prairie du Chien sub rehabilitation work – Kyle Pattison, Pattison Sand

15. Discussion and Possible Action on 2017 Staff Services Agreement with SWWRPC – Mary Penn, WRRRTC Admin.

- *Motion to approve 2017 Staff Services Agreement with SWWRPC – Ladewig/Mace, Passed Unanimously*

Penn gave the 2017 Staff Services Agreement to Sweeney saying that the contract amount had not changed since last year and the reason for its approval so early in the year was to accommodate the Southwestern Regional Planning Commission's own budget process. Sweeney thanked Penn for her going "above and beyond" for the Commission.

16. Discussion regarding Great Lakes Basin Railroad Project

Sweeney began by saying at the next Thursday Rock County Board meeting, the Board would be passing a resolution opposing the GLBT project to submit to the STB, a resolution that came out of committee the previous Wednesday unopposed. He said he had had some communication with Boone County, IL and was participating with them in the discussion of alternative routes. He said Boone was requesting the new rail terminate at Mile 187 and submitting that request to the STB.

Nilson said he thought the GLBT project was a solution in search of a problem that did not exist. Sweeney said part of the alternative proposed was an analysis to determine the use of the existing ROW. Nilson suggested the Commission do a resolution to that end and Sweeney said he agreed and wanted it on the agenda for June.

Scallon said they needed more information. Sweeney said it was a Class 5 rail terminating at a Class 1 rail. Ranum said before making judgement on this, they had to see projections and the impact on the connecting lines and what the economic impact might be. Sweeney asked for Lucht for his opinion.

Lucht showed the WSOR railroad map as it currently exists to the Commission and showed the location of the proposed new Class 5 line and its route into Wisconsin: it would enter the WRRTC system on the Waukesha sub east of Milton. He explained where trackage rights would have to be gotten.

Lucht said this proposal would have adverse impacts on WSOR, saying there were daily trains moving north to south with customers between Milton and Waukesha that would be impacted and noted the proposed train numbers were 25 – 35 daily. He said a lot the commodities intended to bypass Chicago would be unit trains of fuels and ethanol. He said WSOR had not looked at the financial impact.

Nilson clarified that GLBT was not a railroad. Kedzior said GLBT had proposed shortline and terminal service, as well as a load up facility in Mantino. Nilson said this was not a grab from the Class 1 railroads going through Rochelle and reminded the Commission that Class 5 trains moved at 75 mph. He said a lot of traffic would move west on class 1 rail in Rochelle. Mace said they showed on the map where there were junctions for Class 1 railroads. Based on that map, there were a lot trains that would not go into Wisconsin. The only one he could see going to Milton would be CN and Canada Pacific (CP).

Anderson asked Sweeney about the use of existing rail. Sweeney said Boone County had suggested as an analysis of alternative routes. Boone County was suggesting the north/south traffic could use existing rail and the GLBT could go west. Anderson said in earlier information, the GLBT was anticipating a wider ROW. Sweeney said the proposal was one rail going north into Wisconsin. Boone County was proposing GLBT use an alternative route since a new single track as proposed would cost \$1 billion. Nilson said the new corridor ROW was 200'.

Ladewig asked who had authority and whether the State had a say, asking if the STB could condemn the land and take it. Tollers said it had been that way since the 19th century.

Loudenbeck said she had read that one of the benefits of the GLBT was enhanced connectivity to the port of Milwaukee: she said she was not seeing that outcome. Lucht said the thing was that CP and CN controlled access to the Port of Milwaukee and GLBT would have to buy out CP and CN rather than buy new ROW although he was not aware of any efforts to allow that sort of access. Loudenbeck said one of the things she had been hearing was that would enhance connectivity. She wanted to know what were the benefits of that and thought that some of them had not been explained. She supported the Port of Milwaukee and she did not think this project would benefit it.

Demby said that he had read this project would remove three days of shipping by avoiding Chicago. He said part of this project was to eliminate hazardous materials from going through the city and that there were some benefits. Danielle Zimmerman believed it was currently 30 hours to move through Chicago. Sweeney said again that this would be on the agenda as a resolution action for June.

17. Action Item. Adjournment

- *Motion to adjourn at 12:04 PM – Gustina/Anderson, Passed Unanimously*

Booth Lake Management District

P. O. Box 778

East Troy, WI 53120

Phone: 262-642-7285 Fax: 262-642-7493 Email: gmbeg@wi.ct.com

NOTICE OF

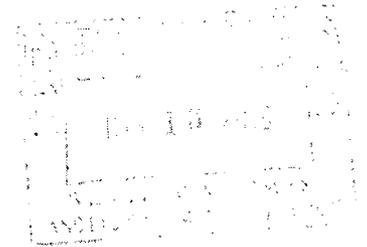
Booth Lake Management District Commissioners Meeting

Saturday, May 14, 2016 at 9:00 AM

Town of Troy Town Hall, N8870 Briggs Street

AGENDA

1. Call meeting to order
2. Approve minutes of the Meeting of November 14, 2015
3. Treasurer's Report
4. Chairperson's Report
5. Old Business
 - a. D & PA: Treatment of Euraisan Water-Milfoil
 - b. D & PA: Lake Habitat Improvement
 - c. D & PA: Establishment of Lake Habitat Ad Hoc Task Force
6. New Business
 - a. D & PA: BLMD Annual Meeting
 - b. D & PA: Budget FY 2017
 - c. D & PA: Election of Commissioners
7. Public/Commissioners Comments
8. Adjourn



Respectfully submitted

G. M. Hegeman

Commissioner/Secretary

April 25, 2016

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 25th day of April, 2016. 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
May 14, 2016

Present:

Hank Hubbell, Gary Hegeman, Barry Loveland, Mike Mette, Bob Ricciardi, Stan Muzatko (County Board Rep.), John Kendall (Town of Troy Rep.). Mike Poliak and another District member were also in attendance.

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

2. APPROVAL OF MINUTES

November 14, 2015 Meeting

Motion for approval of the minutes of the November 14, 2015 meeting by Stan Muzatko, 2nd by Bob Ricciardi. Motion approved.

3. TREASURER'S REPORT

Barry Loveland reviewed the Treasurer's Report (attached). Barry noted there is approximately \$2,000 left in the Water Quality account and \$1,600 left in the Lake Habitat account. These funds are available for any needed action this Spring. If necessary, the Board could reallocate funds between accounts. Barry also provided and briefly discussed a corrected Treasurer's Report for the period ending 10/31/15 (attached). Motion for approval of the Treasurer's Report by Mike Mette, 2nd by Gary Hegeman. Motion approved.

4. CHAIRPERSON'S REPORT

Hank Hubbell reported the Fall water quality sample indicated the water quality remains good. The sampling results have remained consistent for the past several years, with the exception of one sample taken April 2011 showing a one-time nitrogen spike. Hank indicated the consistency in water quality is a positive indicator of lake health. Hank also noted the liability insurance has been renewed with no increase in cost.

5. OLD BUSINESS

a. Treatment of Euraisan Water-Milfoil: Hank Hubbell has contacted Lake and Pond Solutions Co., Elkhorn, WI about treating the Euraisan water-milfoil, and Lake and Pond Solutions has submitted a proposal to the District for the treatment of the invasive species (attached). Particular positives with Lake and Pond Solutions' proposal include 1) GPS survey and mapping of locations of the Euraisan water-milfoil (pre-treatment survey); 2) Marking of weed beds before treatment; and 3) Increase in the strength of the application to make it more effective. Hank noted he would agree to a \$1,000 reduction in the stipend to treat the Euraisan water-milfoil as Lake and Pond Solutions would be assuming some of the duties he has been completing. Hank will still prepare and submit the treatment application and post notices prior to the application of the treatment. It is anticipated the overall cost of the treatment will increase slightly over last year, but a more definitive cost will be

determined once the mapping is completed and the area of application is known. It was also noted Lake and Pond Solutions offers assistance with lake habitat improvements and would be willing to meet with District reps to discuss habitat improvement. Hank recommended approval of a 1-year contract with an evaluation of the effectiveness of the treatment before the contract would be renewed for subsequent year(s). Motion for approval of a 1-year contract with GPS mapping and an initial treatment application by Barry Loveland, 2nd by Bob Ricciardi. Motion approved.

b. Lake Habitat Improvement: Mike Poliak and the Commissioners discussed three lake habitat improvement initiatives:

- Introduction of 10" to 12" Northern Fingerlings: Mike Poliak has contacted Gollon Bait and Fish Farm, Dodgeville, WI about the placement of Northern fingerlings. Based on the size of Booth Lake, approximately 500 fingerlings could be planted. The cost for planting would be \$7.50 for each fingerling plus any additional costs for permits. Mike Poliak recommended planting 100 fingerlings each year over the next five (5) years. Motion for approval for Gollon Bait and Fish Farm to plant 100 Northern fingerlings in September 2016 by Mike Mette, 2nd Bob Ricciardi. Motion approved.

- Placement of Fish Cribs: Mike Poliak indicated he would like to test the design and placement of 3 to 5 fish cribs this Spring. If successful, additional cribs could be placed later this year. Mike Poliak recommended the placement of several fish cribs each year over the next five years. Motion for approval of the placement of 3 to 5 test fish cribs with funds NTE \$500 authorized for materials by Bob Ricciardi, 2nd by Barry Loveland. Motion approved.

- Tree Drops: Hank Hubbell reported the Girl Scouts are open to considering tree drops along the northern shore of Booth Lake to help improve lake habitat.

Mike Poliak also reported that he recently attended a Conservation Congress meeting and, working with Kathy Tober, proposed fishing rule changes for Booth Lake that would help improve fish habitat/fish population. Mike Poliak indicated he has not received any feedback if his proposal was adopted. John Kendall thought the Town Board could issue a local ordinance concerning the fishing rules on Booth Lake and suggested the District might want to consider submitting a proposal to the Town Board.

c. Establishment of Lake Habitat Ad Hoc Task Force: It was decided to table this item pending the results of the placement of test fish cribs.

6. NEW BUSINESS

a. BLMD Annual Meeting: The Commissioners scheduled the Annual Meeting for Sunday, July 24, 2016 beginning at 11:00 am at the Girl Scout Pavilion.

b. Budget FY 2017: The Commissioners briefly discussed the 2017 budget. It was generally agreed to keep the budget total and tax levy the same as FY 2016, although individual account totals may change. The proposed FY 2017 budget will be finalized at the next Board meeting.

c. Election of Commissioners: The terms of Barry Loveland and Mike Mette expire July 2016. Both are interested in running for re-election and their names will be placed on the ballot for the election held at the Annual Meeting.

7. PUBLIC/COMMISSIONERS' COMMENTS

The District member present (Mike Felske) raised concerns about a new pier at Memorial Park and an increase in the number of boat slips. John Kendall, current Chair of the Park Board, stated the new pier replaces an older pier and that the total number of boat slips remains the same as it has been for several years at 16. According to John, the number of authorized boat slips is set by the DNR. It was noted the Park is going to start renting kayaks (4 will be available), and John indicated appropriate boating regulations and safety information will be provided to individuals renting kayaks. John also expects better control over the boat launch this year. Stan Muzatko noted the Walworth County Board has reorganized commissions, and he may no longer be the County Board Representative to the District. Stan said a decision will be made within a few weeks.

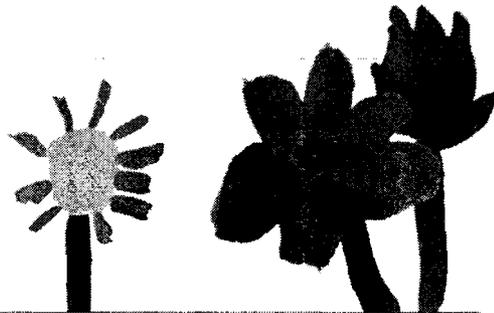
8. Motion to adjourn the meeting by Gary Hegeman, 2nd by Mike Mette. Meeting adjourned at 10:55 am. The next Board meeting will be held Saturday, June 25, 2016.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

Hi Sheril —

I'm including this information along with my report as it provides some past history of our efforts to improve the lake

Stan Mezerko



Gerald Hegeman

From: Roy Carlson <lakeandpond@elknet.net>
Sent: Monday, January 25, 2016 2:14 PM
To: shubbell1@wi.rr.com
Subject: Booth Lake Estimate
Attachments: New 2012 Navigate Label.pdf; Booth Lake District Initial Estimate 1-25-16.pdf

Mr. Hubbell,

Please find the attached treatment estimate. I've also attached a Navigate herbicide label for your review.

Call or email anytime with questions or concerns! Incidentally, I'll be out of the office next week. Garrett is somewhat familiar with your lake and has access to all files. If you need a response in my absence, please don't hesitate to call or email Garrett. garrett@lakeandpondsolutions.com

Thank you!

Roy Carlson
roy@lakeandpondsolutions.com
office 262-742-2600



W4950 County Rd. A
Elkhorn, WI 53121
Office (866) 525-3489
Office (262) 742-2600
Fax (262) 742-3600
www.lakeandpondsolutions.com
roy@lakeandpondsolutions.com

Booth Lake Management District
Attn: Hank Hubbell
P.O. Box 778
East Troy, WI 53120

January 25, 2016

Dear Mr. Hubbell and Members of the Association,

Thank you for your interest in Lake and Pond Solutions Co. We're a total lake and pond management company, dealing in hundreds of products for aquatic use. Our degreed biologists are licensed, certified and fully insured herbicide applicators with years of treatment and management experience.

I have contacted the WIDNR and received treatment information from the last four years. It was alarming to hear you've never been provided detailed treatment information. Our WIDNR and WI Department of Agriculture require treatment records to be completed the day of application and these records must be provided to the customer within 30 days. I have included these rules in detail at the end of the write-up.

Booth Lake Treatment Snapshot

<u>Year</u>	<u>Treatment Acreage</u>	<u>Product Used</u>	<u>Quantity Used (pounds)</u>
2012	0.551	Navigate (2,4-D)	55
2013	2.0	Navigate	220
2014	1.58	Navigate	230
2015	2.38	Navigate	300

Although there is no record of the average depth within the treated areas, using the maps provided in your permitting, it appears the *Eurasian Watermilfoil (EWM)* growth is limited to an average depth of approximately 5'.

Since 2012, the Navigate label allows applicators to use up to 56.8 pounds per acre-foot (4ppm), per application on submersed weeds. How do your prior treatments compare? Using a 5' average depth, you could use as much as 284.2 pounds of Navigate per acre, as illustrated below...

<u>Year</u>	<u>Treatment Acreage</u>	<u>Quantity Used (pounds)</u>	<u>Quantity Allowed by Label</u>
2012	0.551	55	156
2013	2.0	220	568
2014	1.58	230	449
2015	2.38	300	676

An average of 120 pounds per acre (1.6ppm concentration in 5' water depth) was used over the last four years. Not only do we recommend using the higher-end of all treatment rates for this type of EWM application, but if chosen to provide management, we'll insist on using at least 3ppm and have quoted a 3.5ppm concentration for the treatment scenario outlined below.

Why are low rates detrimental to the system? Countless papers have been written pointing to under-application as the cause for herbicide resistance and more recently, there is evidence that hybrid EWM may be a result of under-application in systems containing EWM and Northern Watermilfoil. In my opinion, historically low application rates have allowed EWM to spread throughout the Booth Lake shoreline and I hope it hasn't hybridized.

2016 Recommendations

1. Prepare and submit the 2016 DNR treatment permit application

I have measured the entire shoreline, following the 5' contour and found the total distance is 7,830' with an additional 1,170' around the island for a combined total of 9,000 linear feet. If we use the same 50'-wide treatment swath that was permitted in the past, a 2016 permit application should include 10.33 acres. Unfortunately, without an up-to-date aquatic plant management plan, we're limited to a maximum of 10 acres (technically 9.99). Permit cost: \$270.00

If you wish to have Lake and Pond Solutions Co perform applications this season, our certification numbers for permitting purposes are:

Business Location License # 93-011101-014739

Applicator Certification Numbers: 46548, 65667, 87910, 92331, 47905, 75983

2. Perform a pre-treatment survey in the spring to determine the extent of growth. Mother Nature will dictate when this survey should be performed but we could expect conditions to be optimal in mid-May. This "meandering survey" will require two or three men, sampling rakes, an underwater camera, depth gauge and GPS. All infestations will be recorded in the field; average depth noted and marked using GPS. In our office, those points will be transferred to an aerial photograph and carefully measured to calculate treatment rates and the expected cost of application. Once approved by the District, the DNR will be notified of our intentions and a date set for treatment.

Pre-treatment survey and calculations \$448.00

3. Treatment day: Areas will be marked once again using GPS and marking buoys. During treatment, tracks will be recorded via GPS to illustrate and record all areas receiving application. Those maps are then provided to the DNR and your District as part of our treatment record.

Whenever treatment is within 150' of the shoreline, posting and notification is required. We charge \$5.00 per sign for posting. Your District may provide the signage and labor for posting. We'll provide the necessary verbiage for the signs. We will also assist in the verbiage for notifying the lake members.

Estimate: 9.99 acres of EWM treatment using a 5' average depth and 3.5ppm of liquid 2,4-D herbicide with a polymer to weight the product and prevent drift.
Total treatment cost = \$7,478.00, applied.

If we discover hybrid milfoil during our pre-treatment survey, we are likely to adjust the treatment rate shown above. A higher rate (maximum label rate of 4.0ppm) or a combination of liquid 2,4-D and Aquathol may be recommended.

BASIC SERVICE FEES

Please understand, we do charge a "basic service fee" for all trips to the property that are not included in a previously arranged scheduled site visits. This service fee is based on distance from our Elkhorn location. The basic service fee for your property is \$48.00 and was included in the estimates shown above.

Mr. Hubbell, I'm sure you and your District are surprised by the increased treatment need and overall cost to do this properly. For apples to apples comparison, if we had treated the exact same 2.38 acres, using 300 pounds of Navigate in 2015, we would have charged \$1,878.00.

I've chosen some nearby lake clients as references.

Pleasant Lake:	Marcia Sahag 262-374-2388
Delavan Lake Sanitary District:	Charlie Handel 262-728-4100
Camp Timber Lee (Peters Lake):	LeRoy Carlson (no relation) 262-642-7345
Baywood Association (Lauderdale Lake):	Jim Nerud 262-742-2739
Wandawega Lake Country Club:	Joyce Hayward 815-351-6339

I look forward to working with you and your District this season. Please let me know how you wish to proceed.

Sincerely,



Roy Carlson
roy@lakeandpondsolutions.com
262-742-2600

<http://datcp.wi.gov/uploads/Plants/pdf/AquaticHowToComply.pdf>

POST – APPLICATION INFORMATION TO CUSTOMERS

After making a pesticide application for a customer, either directly or through an employee, the below information shall be provided to the customer in writing, Wis. Adm. Code § ATCP 29.22. If you want to provide this information electronically, the customer must consent to electronic notification prior to the application. The information must be provided within 30 days, or immediately if post application precautions must be provided.

1. A telephone number at which the customer may contact the business (including sole proprietor).
2. The first name, last name and license number of each individual who made or directly supervised the pesticide application.
3. The site to which the pesticide was applied.
4. The specific location of the pesticide application site. Must contain sufficient detail so that the location can be readily determined from the description.
5. The month, day, year and approximate starting and ending time of the pesticide application.
6. The brand, product or common chemical name, and the federal EPA registration number of each pesticide applied.
7. At least one of the following:
The concentration and total quantity of each pesticide applied.
The amount of each pesticide applied per unit area and the total area treated.
8. Post-application precautions which the pesticide label requires of the customer.
9. A free copy of the pesticide label for the applied product, *or* notice to the customer that s/he may request a free copy of that label. The certified and licensed applicator *or* licensed business (including sole proprietor) must provide a free copy to each customer and other interested parties who request it.

Who has to keep the records?

The applicator making the application must make the record. If you are a private applicator you have to make record of all Restricted Use Pesticide (RUP) applications. If you are a commercial applicator you have to make record of all pesticide applications.

When do I make the record?

If you are a commercial applicator the record entry has to be made the day of the application. Although ATCP 29.33(2) does not specify when a private applicator makes the record of an RUP application, it is wise to do it the same day of the application. Reason being, if you are applying to a large number of fields it might get lost what was done quickly, especially in the rush of getting it all done.

How long do I have to keep these records?

The records have to be kept for 2 years. Atrazine applications have to be kept for 3 years. Records have to be kept by the Private applicator, but the company employing the commercial applicator can keep the records for the company. The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) can inspect the records and make copies on request.

What do I have to record?

1. Your first and last name (The one making the application)
2. Name and address of customer if there is one.
3. The crop, commodity or site where the pesticide was applied.
4. A specific description of the location of the pesticide application. This has to be good enough to where the specific location can be identified. "In the kitchen." Baaa! "In the kitchen under the sink," that's better.
5. Month, day, year and approximate time of starting and ending the application.
6. The brand name or common chemical name and the EPA registration number.
7. You can record at least one of the following;
 1. The concentration and total quantity of each pesticide applied.
 2. The amount of product applied per unit area and the total area treated.
8. Each location at which the pesticide was mixed or loaded. If it was done at a business location already licensed then this does not need to be entered. You don't have to report the mixing or loading site if:
 1. The pesticide is applied directly from a prepackaged retail container.
 2. It is being applied by equipment that has a 5 gallons or 50 pounds less capacity.

N
W * E

Navigate

A SELECTIVE HERBICIDE
FOR CONTROLLING CERTAIN
UNWANTED AQUATIC PLANTS

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.
READ ENTIRE LABEL BEFORE USING THIS PRODUCT. USE STRICTLY IN ACCORDANCE WITH LABEL PRECAUTIONARY STATEMENTS AND DIRECTIONS.

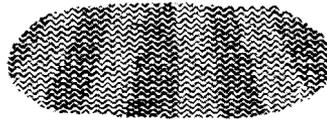
GENERAL PRECAUTIONS AND RESTRICTIONS

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.
Do not enter or allow others to enter the treated area until dusts have settled.
Do not use in or near a greenhouse.

OXYGEN RATIO

Fish breathe oxygen in the water and a water/oxygen ratio must be maintained. Decaying weeds use up oxygen, but during the period when this product should be used, the weed mass is fairly sparse and the weed decomposition rate is slow enough so that the water/oxygen ratio is not disturbed by treating the entire area at one time.

If treatments must be applied later in the season when the weed mass is dense and repeat treatments are needed, spread granules in lanes, leaving buffer strips which can then be treated when vegetation in treated lanes has disintegrated. During the growing season, weeds decompose in a 2 to 3 week period following treatment. Buffer lanes should be 50 to 100 feet wide. Treated lanes should be as wide as the buffer strips. (See illustration to the right.)



WATER pH

Best results are generally obtained if the water to be treated has a pH less than 8. A pH of 8 or higher may reduce weed control. If regrowth occurs within a period of 6 to 8 weeks, a second application may be needed.

PERMIT TO USE CHEMICALS IN WATER

In many states, permits are required to control weeds by chemical means in public water. If permits are required, they may be obtained from the Chief, Fish Division, State Department of Conservation or the State Department of Public Health.

GENERAL INFORMATION

This product is formulated on special heat treated attaclay granules that resist rapid decomposition in water, sink quickly to lake or pond bottoms and release the weed killing chemical into the critical root zone area.

This product is designed to selectively control the weeds listed on the label. While certain other weed may be suppressed, control may be incomplete. Reduced control may occur in lakes where water replacement comes from bottom springs.

WHEN TO APPLY

For best results, spread this product in the spring and early summer, during the time weeds start to grow. If desired, this timing can be checked by sampling the lake bottom in areas heavily infested with weeds the year before.

If treatments are delayed until weeds form a dense mat or reach the surface, two treatments may be necessary. Make the second treatment when weeds show signs of recovery. Treatments made after September may be less effective depending upon water temperature and weed growth. Occasionally, a second application will be necessary if heavy regrowth occurs or weeds reinfest from untreated areas.



EPA REG. NO. 228-378-8959
EPA EST. NO. 42291-GA-1

ACTIVE INGREDIENT:

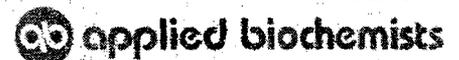
Butoxyethyl Ester of 2,4-Dichlorophenoxyacetic Acid*	27.6%
OTHER INGREDIENTS:	72.4%
TOTAL:	100.0%

*Isomer specific by AOAC Method, Equivalent to 2,4-Dichlorophenoxyacetic Acid..... 19%

**KEEP OUT OF REACH OF
CHILDREN
CAUTION**

*See Inside For
Additional Precautionary Statements*

Manufactured for:



W17513 1163 Stonewood Dr. Ste. 234
German town, WI 53022 • 1-800-558-5106
www.appliedbiochemists.com

HOW TO APPLY

FOR LARGE AREAS: Use a fertilizer spreader or mechanical seeder such as the Gerber or Gandy or other equipment capable of uniformly applying this product. Before spreading any chemical, calibrate your method of application to be sure of spreading the proper amount. When using boats and power equipment, you must determine the proper combination of (1) boat speed, (2) rate of delivery from the spreader, and (3) width of swath covered by the granules.

FOR SMALL AREAS (Around Docks or Isolated Patches of Weeds): Use a portable spreader such as the Cyclone seeder or other equipment capable of uniformly applying this product. Estimate or measure out the area you want to treat. Weigh out the amount of material needed and spread this uniformly over the area. More uniform coverage is obtained by dividing the required amount in two and covering the area twice, applying the second half at right angles to the first.

Use the following formula to calibrate your spreader's delivery in pounds of this product per minute.

$$\frac{\text{Miles per hour} \times \text{spreader width} \times \text{pounds per acre}}{495}$$

Example: To apply 100 pounds of this product per acre using a spreader that covers a 20 foot swath from a boat traveling at 4 miles per hour, set the spreader to deliver 16 pounds of this product per minute.

$$\frac{4 \text{ mph} \times 20 \text{ feet} \times 100 \text{ lbs/A}}{495}$$

AMOUNTS TO USE

Rates of application vary with resistance of weed species to the chemical, density of weed mass at time of treatment, stage of growth, water depth, and rate of water flow through the treated area. Use the higher rate for dense weeds, when water is more than 8 feet deep and where there is a large volume turnover.

SUSCEPTIBLE WEEDS

Water Milfoil (*Myriophyllum* spp.)

Water stargrass (*Heteranthera dubia*)

SLIGHTLY TO MODERATELY RESISTANT WEEDS

Bladderwort (*Utricularia* spp.)

White water lily (*Nymphaea* spp.)

Yellow water lily or spatterdock* (*Nuphar* spp.)

Water shield (*Brasenia* spp.)

Water chestnut (*Trapa natans*)

Coontail* (*Ceratophyllum demersum*)

*Repeat treatments may be needed.

AQUATIC USE PRECAUTIONS AND RESTRICTIONS

FLOATING AND EMERGENT WEEDS

Maximum of 4.0 lbs 2,4-D ae or 21 lbs of this product per surface acre per application. Limited to 2 applications per season. Minimum of 21 days between applications. Spot treatments are permitted.

Apply to emergent aquatic weeds in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, non-irrigation canals, rivers, and streams that are quiescent or slow moving.

Coordination and approval of local and state authorities may be required, either by letter of agreement or issuance of special permits for aquatic applications.

Water Use for Floating and Emergent Weeds

1. Water for irrigation or sprays:

A. If treated water is intended to be used only for crops or non-crop areas that are labeled for direct treatment with 2,4-D such as pastures, turf, or cereal grains, the treated water may be used to irrigate and/or mix sprays for these sites at anytime after the 2,4-D aquatic application.

B. Due to potential phytotoxicity considerations, the following restrictions are applicable:

If treated water is intended to be used to irrigate or mix sprays for plants grown in commercial nurseries and greenhouses; and other plants or crops that are not labeled for direct treatment with 2,4-D, the water must not be used unless one of the following restrictions has been observed:

i. A setback distance from functional water intake(s) of greater than or equal to 600 feet was used for the application, or,

ii. A waiting period of 7 days from the time of application has elapsed, or,

iii. An approved assay indicates that the 2,4-D concentration is 100 ppb (0.1 ppm) or less at the water intake. Wait at least 3 days after application before initial sampling at water intake.

2. Drinking water (potable water):

A. Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The potable water use restrictions on this label are to ensure that consumption of water by the public is allowed only when the concentration of 2,4-D in the water is less than the MCL (Maximum Contaminant Level) of 70 ppb. Applicators should consider the unique characteristics of the treated waters to assure that 2,4-D concentrations in potable water do not exceed 70 ppb at the time of consumption.

B. For floating and emergent weed applications, the drinking water setback distance from functioning potable water intakes is greater than or equal to 600 feet.

C. If no setback distance of greater than or equal to 600 feet is used for application, applicators or the authorizing organization must provide a drinking water notification prior to a 2,4-D application to the party responsible for public water supply or to individual private water users. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting must include the day and time of application. Posting may be removed if analysis of a sample collected at the intake 3 or more days following application shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or after 7 days following application, whichever occurs first.

Text of notification: Wait 7 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation, or sprays, unless water at functioning drinking water intakes is tested at least 3 days after application and is demonstrated by assay to contain not more than 70 ppb 2,4-D (100 ppb for irrigation or sprays). Application Date: _____ Time: _____

D. Following each application of this product, treated water must not be used for drinking water unless one of the following restrictions has been observed:

i. A setback distance from functional water intake(s) of greater than or equal to 600 feet was used for the application, or,

ii. A waiting period of at least 7 days from the time of application has elapsed, or,

iii. An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intake. Sampling for drinking water analysis should occur no sooner than 3 days after 2,4-D application. Analysis of samples must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method Number 515, 555, other methods for 2,4-D as may be listed in Title 40 CFR, Part 141.24, or Method Number 4015 (immunoassay of 2,4-D) from U.S. EPA Test Methods for Evaluating Solid Waste SW-846.

E. Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes.

F. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes.

3. Swimming:

A. Do not swim in treated water for a minimum of 24 hours after application.

B. Users must provide notification prior to performing a 2,4-D BEE application. Notification to the party responsible for the public swimming area or to individual private users must be done in a manner to assure that the party is aware of the water use swimming restrictions when this product is applied to water. The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points.

Text of notification: Do not swim in treated water for a minimum of 24 hours after application. Application Date: _____ Time: _____

4. Except as stated above, there are no restrictions on using water from treated areas for swimming, fishing, watering livestock or domestic purposes.

SUBMERSED WEEDS

Maximum of 10.8 lbs 2,4-D ae or 56.8 lbs of this product per acre-foot per application.

Limited to 2 applications per season.

Apply to aquatic weeds in ponds, lakes, reservoirs, marshes, bayous, drainage ditches, non-irrigation canals, rivers, and streams that are quiescent or slow moving. Do not apply within 21 days of previous application.

When treating moving bodies of water, applications must be made while traveling upstream to prevent concentration of 2,4-D downstream from the application.

Coordination and approval of local and state authorities may be required, either by letter of agreement or issuance of special permits for such use.

Surface Area	Average Depth	For typical conditions 2 ppm 2,4-D ae/acre-foot	For difficult conditions* 4 ppm 2,4-D ae/acre-foot
1 Acre	1 Foot	5.4 pounds (28.4 lbs of this product)	10.8 pounds (56.8 lbs of this product)
	2 Feet	10.8 pounds (56.8 lbs of this product)	21.6 pounds (110.8 lbs of this product)
	3 Feet	16.2 pounds (85.2 lbs of this product)	32.4 pounds (170.5 lbs of this product)
	4 Feet	21.6 pounds (110.8 lbs of this product)	43.2 pounds (227.3 lbs of this product)
	5 Feet	27.0 pounds (142.1 lbs of this product)	54.0 pounds (284.2 lbs of this product)

*Examples include spot treatment of pioneer colonies of Eurasian Water Milfoil and certain difficult to control aquatic species.

Note: The same "Water for Irrigation or Spray" restrictions for Floating and Emergent Weeds apply to Submersed Weeds.

Water Use for Submersed Weeds

1. Water for irrigation or sprays:

A. If treated water is intended to be used only for crops or non-crop areas that are labeled for direct treatment with 2,4-D such as pastures, turf, or cereal grains, the treated water may be used to irrigate and/or mix sprays for these sites anytime after the 2,4-D aquatic application.

B. Due to potential phytotoxicity considerations, the following restrictions are applicable:

If treated water is intended to be used to irrigate or mix sprays for unlabeled crops, non-crop areas or other plants not labeled for direct treatment with 2,4-D, the water must not be used unless one of the following restrictions has been observed:

- A setback distance described in the Drinking Water Setback Table was used for the application, or,
- A waiting period of 21 days from the time of application has elapsed, or,
- An approved assay indicates that the 2,4-D concentration is 100 ppb (0.1 ppm) or less at the water intake. See Table 3 for the waiting period after application but before taking the initial sampling at water intake.

2. Drinking water (potable water):

A. Consult with appropriate state or local water authorities before applying this product to public waters. State or local agencies may require permits. The potable water use restrictions on this label are to ensure that consumption of water by the public is allowed only when the concentration of 2,4-D in the water is less than the MCL (Maximum Contaminant Level) of 70 ppb. Applicators should consider the unique characteristics of the treated waters to assure that 2,4-D concentrations in potable water do not exceed 70 ppb at the time of consumption.

B. For submersed weed applications, the drinking water setback distances from functioning potable water intakes are provided in Table 2. Drinking Water Setback Distance (on next page).

C. If no setback distance from the Drinking Water Setback Table (Table 2) is to be used for the application, applicators or the authorizing organization must provide a drinking water notification and an advisory to shut off all potable water intakes prior to a 2,4-D application. Notification to the party responsible for a public water supply or to individual private water users must be done in a manner to assure that the party is aware of the water use restrictions when this product is applied to potable water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points. Posting should include the day and

time of application. Posting may be removed if analysis of a sample collected at the intake no sooner than stated in Table 3 (below) shows that the concentration in the water is less than 70 ppb (100 ppb for irrigation or sprays), or after 21 days following application, whichever occurs first.

Text of notification: Wait 21 days before diverting functioning surface water intakes from the treated aquatic site to use as drinking water, irrigation, or sprays, unless water at functioning drinking water intakes is tested no sooner than (insert days from Table 3) and is demonstrated by assay to contain not more than 70 ppb 2,4-D (100 ppb for irrigation or sprays).

Application Date: _____ Time: _____

D. Following each application of this product, treated water must not be used for drinking water unless one of the following restrictions has been observed:

- A setback distance described in the Drinking Water Setback Distance Table was used for the application, or,
- A waiting period of at least 21 days from the time of application has elapsed, or,
- An approved assay indicates that the 2,4-D concentration is 70 ppb (0.07 ppm) or less at the water intake. Sampling for drinking water analysis should occur no sooner than stated in Table 3. Analysis of samples must be completed by a laboratory that is certified under the Safe Drinking Water Act to perform drinking water analysis using a currently approved version of analytical Method Number 515, 555, other methods for 2,4-D as may be listed in Title 40 CFR, Part 141.24, or Method Number 4015 (immunoassay of 2,4-D) from U.S. EPA Test Methods for Evaluating Solid Waste SW-846.

E. Note: Existing potable water intakes that are no longer in use, such as those replaced by a connection to a municipal water system or a potable water well, are not considered to be functioning potable water intakes.

F. Drinking water setback distances do not apply to terrestrial applications of 2,4-D adjacent to water bodies with potable water intakes.

Application Rate and Minimum Setback Distance (feet) From Functioning Potable Water Intake			
1 ppm*	2 ppm*	3 ppm*	4 ppm*
600	1200	1800	2400

*ppm acid equivalent target water concentration

Minimum Days After Application Before Initial Water Sampling at the Functioning Potable Water Intake			
1 ppm*	2 ppm*	3 ppm*	4 ppm*
5	10	10	14

*ppm acid equivalent target water concentration

3. Swimming:

A. Do not swim in treated water for a minimum of 24 hours after application.

B. Users must provide the following notification prior to performing a 2,4-D BEE application. Notification to the party responsible for the public swimming area or to individual private users must be done in a manner to assure that the party is aware of the water use swimming restrictions when this product is applied to water.

The following is an example of a notification via posting, but other methods of notification which convey the above restrictions may be used and may be required in some cases under state or local law or as a condition of a permit.

Example: Posting notification should be located every 250 feet including the shoreline of the treated area and up to 250 feet of shoreline past the application site to include immediate public access points.

Text of notification: Do not swim in treated water for a minimum of 24 hours after application. Application Date: _____ Time: _____

4. Except as stated above, there are no restrictions on using water from treated areas for swimming, fishing, watering livestock or domestic purposes.

Use of this product in certain portions of California, Oregon, and Washington is subject to the January 22, 2004 Order for injunctive relief in Washington Toxics Coalition, et al. v. EPA, C01-0132C, (W.D. WA).

For further information, please refer to <http://www.epa.gov/espp/litstatus/wtc/index.htm>.

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION Causes moderate eye irritation. Avoid contact with eyes or clothing.

PERSONAL PROTECTIVE EQUIPMENT (PPE):

All loaders, applicators, and other handlers must wear:

- long-sleeved shirt and long pants,
- shoes plus socks

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

USER SAFETY RECOMMENDATIONS

Users Should:

- Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet.
- Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. If pesticide gets on skin, wash immediately with soap and water.
- Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

FIRST AID

IF IN EYES

- Hold eye open and rinse slowly and gently with water for 15 to 20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.
- Call a poison control center or doctor for treatment advice.

IF SWALLOWED

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to do so by a poison control center or doctor.
- Do not give anything by mouth to an unconscious person.

IF ON SKIN OR CLOTHING

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15 to 20 minutes.
- Call a poison control center or doctor for treatment advice.

IF INHALED

- Move person to fresh air.
- If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.
- Call a poison control center or doctor for further treatment advice.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

IN CASE OF EMERGENCY CALL: 1-800-654-6911

ENVIRONMENTAL HAZARDS

Fish breathe dissolved oxygen in the water and decaying weeds also use oxygen. When treating continuous, dense weed masses, it may be appropriate to treat only part of the infestation at a time. For example, apply the product in lanes separated by untreated strips that can be treated after vegetation in treated lanes has disintegrated. During the growing season, weeds decompose in a 2 to 3 week period following treatment. Begin treatment along the shore and proceed outwards in bands to allow fish to move into untreated areas. Waters having limited and less dense weed infestations may not require partial treatments.

For Chemical Spill, Leak, Fire, or Exposure, Call CHEMTREC (800) 424-9300
For Medical Emergencies Only, call (800)-654-6911

STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

PESTICIDE STORAGE: Always use original container to store pesticides in a secured warehouse or storage building. Do not store near seeds, fertilizers, insecticides or fungicides. Do not stack more than two pallets high. It is recommended that a SARA Title III emergency response plan be created for storage facilities. Do not transport in the passenger compartment of any vehicle.

PESTICIDE DISPOSAL: Pesticide wastes are toxic. If container is damaged or if pesticide has leaked, clean up all spilled material. Improper disposal of excess pesticide, spray mixtures or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

CONTAINER DISPOSAL: Nonrefillable container. Do not reuse or refill this container. Completely empty container into application equipment, then offer for recycling if available, or dispose of empty container in a sanitary landfill or by incineration or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

WARRANTY DISCLAIMER

The directions for use of this product must be followed carefully. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, (1) THE GOODS DELIVERED TO YOU ARE FURNISHED "AS IS" BY MANUFACTURER OR SELLER AND (2) MANUFACTURER AND SELLER MAKE NO WARRANTIES, GUARANTEES, OR REPRESENTATIONS OF ANY KIND TO BUYER OR USER, EITHER EXPRESS OR IMPLIED, OR BY USAGE OF TRADE, STATUTORY OR OTHERWISE, WITH REGARD TO THE PRODUCT SOLD, INCLUDING, BUT NOT LIMITED TO MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, USE, OR ELIGIBILITY OF THE PRODUCT FOR ANY PARTICULAR TRADE USAGE. UNINTENDED CONSEQUENCES, INCLUDING BUT NOT LIMITED TO INEFFECTIVENESS, MAY RESULT BECAUSE OF SUCH FACTORS AS THE PRESENCE OR ABSENCE OF OTHER MATERIALS USED IN COMBINATION WITH THE GOODS, OR THE MANNER OF USE OR APPLICATION, INCLUDING WEATHER, ALL OF WHICH ARE BEYOND THE CONTROL OF MANUFACTURER OR SELLER AND ASSUMED BY BUYER OR USER. THIS WRITING CONTAINS ALL OF THE REPRESENTATIONS AND AGREEMENTS BETWEEN BUYER, MANUFACTURER AND SELLER, AND NO PERSON OR AGENT OF MANUFACTURER OR SELLER HAS ANY AUTHORITY TO MAKE ANY REPRESENTATION OR WARRANTY OR AGREEMENT RELATING IN ANY WAY TO THESE GOODS.

LIMITATION OF LIABILITY

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL MANUFACTURER OR SELLER BE LIABLE FOR SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR DAMAGES IN THEIR NATURE OF PENALTIES RELATING TO THE GOODS SOLD, INCLUDING USE, APPLICATION, HANDLING, AND DISPOSAL. MANUFACTURER OR SELLER SHALL NOT BE LIABLE TO BUYER OR USER BY WAY OF INDEMNIFICATION TO BUYER OR TO CUSTOMERS OF BUYER, IF ANY, OR FOR ANY DAMAGES OR SUMS OF MONEY, CLAIMS OR DEMANDS WHATSOEVER, RESULTING FROM OR BY REASON OF, OR ARISING OUT OF THE MISUSE, OR FAILURE TO FOLLOW LABEL WARNINGS OR INSTRUCTIONS FOR USE, OF THE GOODS SOLD BY MANUFACTURER OR SELLER TO BUYER. ALL SUCH RISKS SHALL BE ASSUMED BY THE BUYER, USER, OR ITS CUSTOMERS. BUYER'S OR USER'S EXCLUSIVE REMEDY, AND MANUFACTURER'S OR SELLER'S TOTAL LIABILITY SHALL BE FOR DAMAGES NOT EXCEEDING THE COST OF THE PRODUCT.

If you do not agree with or do not accept any of directions for use, the warranty disclaimers, or limitations on liability, do not use the product, and return it unopened to the Seller, and the purchase price will be refunded.

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

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

**SHELLEY HILDEBRANDT: SECRETARY; (appointed 12/15/15 for the balance of
Judith Correll's term, expiring 8/17, after Ms. Correll resigned 12/15)**

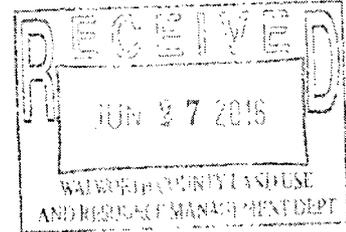
JOE KOLOSSO: TREASURER; (re-elected for 3-year term, 8/24/15)

MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

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

JUNE 21, 2016 MONTHLY MEETING



Present: Lutz, McIndoe, Kolosso, Hildebrandt,

Absent: Weinkauf, Trimberger

**Also in attendance: Racine County Deputy Sheriff, Cindy Milam (for only a brief period)
Kathy Aron; Private consultant, Lake Management**

Meeting was called to order at 7:00 p.m. by Chairman Lutz.

Secretary Hildebrandt read the minutes of the May 17, 2016 meeting which were subsequently approved. Treasurer Kolosso read the May, 2016 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

Old Business:

Deputy Milam reported that she had issued 2 citations for improper usage of ATV's; that there had been an issue with a dog bite; and that she had issued 2 citations relative to the "abandoned vehicles" problems, and that she is still working on others (ref: April, 2016 report)

Chairman Lutz reported that there had been a problem with a vehicle parked on a District roadway for a three-week period. (County Line Blvd) He had spoken to the relatively-new residents who apparently were not aware that such parking was not permitted. Long-time residents are knowledgeable on this issue. Brief discussion on whether or not we now need to erect "no parking" signs on ALL District roads. McIndoe asked Deputy Milam if, as an alternative to putting signs on each road, we could put signs on all roads leading into the District. She indicated that would be a viable alternative. This will be discussed further.

County Line Blvd. repairs: (ref: reports dating back to Dec., 2015) Chairman Lutz reported that asphalt plants are now open and functioning, and that the contractor had contacted him with a meeting set up later this week.

McIndoe asked if there had been any further "news" or contact relative to the proposed Leonard house construction at the end of Del Monte Drive near the "flood plain" area. Chairman Lutz indicated he had heard nothing. (ref: reports dating back to Jan., 2016). He also indicated that there has not been, and will not be, any asphalt millings added to improve Del Monte Drive until further activity on the proposed construction is finalized.

Chairman Lutz distributed a "Curly Pondweed Distribution" report prepared by "Marine Biochemists" indicating the distribution and severity of this weed. (copy attached) (Note: numbers shown on the lake area are GPS indications of readings taken). He then introduced Kathy Aron, and independent Lake Management consultant.

A very extensive conversation followed based upon the weed problem, the report, and the costs involved. Ms. Aron indicated the necessity of obtaining a permit from the DNR, either for partial coverage of the Lake or for the full Lake. She estimated that a permit for the full Lake coverage might be approximately \$1,200, while a partial lake shoreline permit might be about \$425. She recommended filing for a permit by early February. Time of chemical application would be approx.. early May.

Discussion included whether or not to include both Del Monte and Tahoe Lakes as well. Ms. Aron said she would try to find out if the DNR would allow those Lakes to be included under the single permit, or if add'l permits would be required. (Honey Lake is approx.. 41.5 acres; Tahoe Lake is approx.. 7.5 acres; Del Monte Lake is approx. 5.0 acres.) Del Monte Lake also has bad "Curly Leaf" infestation while Tahoe Lake has less.

Before she left the meeting, Chairman Lutz asked Ms, Aron to proceed, as our "representative", with acquiring the necessary permit from the DNR. He also asked if she might be willing, and able, to attend the District's annual meeting on Aug 21st. She said that she would check her schedule.

Discussion continued primarily on the "economics" of the weed removal....full or partial Lake; just Honey Lake or all three Lakes. More extensive discussion to be held at the July meeting. (re: how to "sell" this expenditure at the annual meeting; since a one-year levy of tax dollars to permit this work would then prohibit any "carry over" of unused funds to the next fiscal year, we will likely create a "non-lapsing fund" to permit access in future years for any additional treatment.)

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

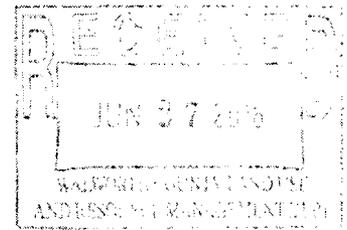
With no further items to address, a motion was made & seconded to adjourn at 8:45 p.m.

Respectfully submitted,



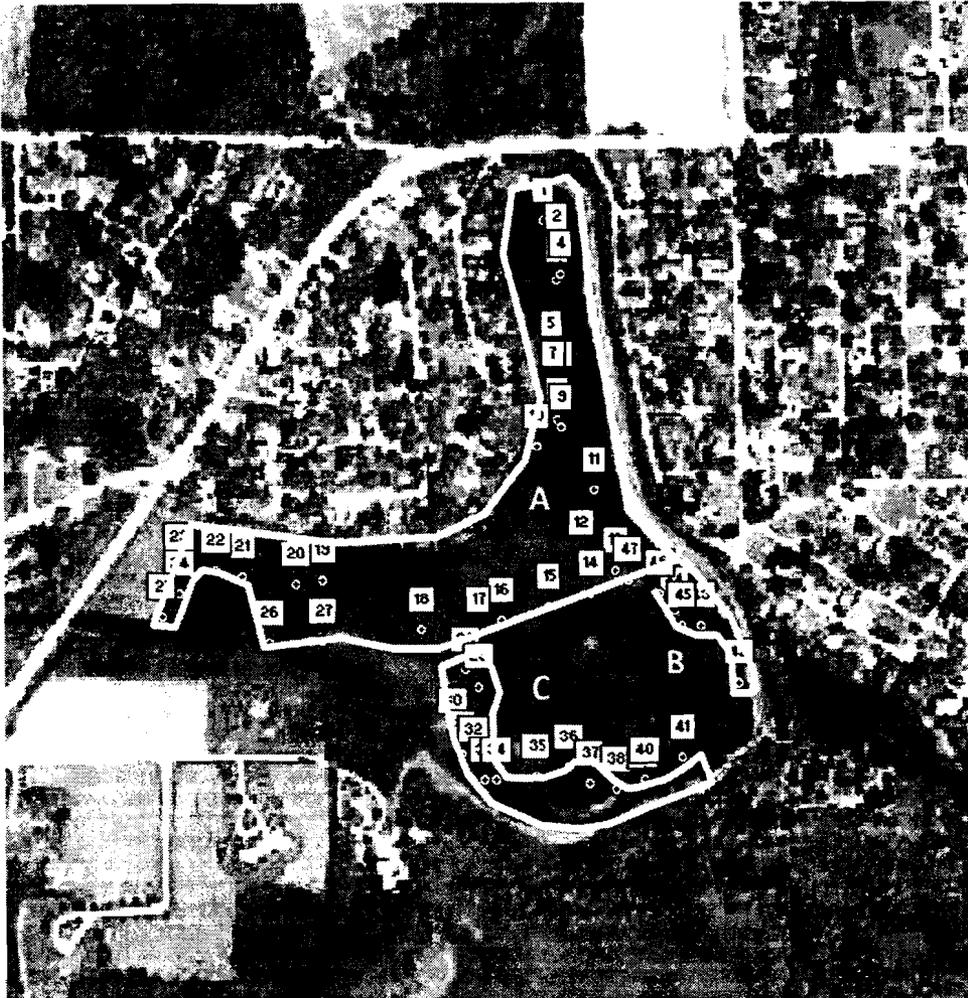
Robert E. McIndoe 6/22/16

Honey Lake—Walworth County Curlyleaf Pondweed Distribution Survey Date: June 10, 2016



Treatment Options & Costs provided for:

- 1) Whole Lake Entire Volume Treatment
- 2) Treatment of Entire Developed Shoreline ou to a distance of 150 feet from shore (7.9 acres)



Area	Acres	Avg. Depth (ft.)	Est. Vol. (acre-ft.)
1	19.4	3	58.2
2	1.0	3	6
3	3.4	3	30.6
23.8			94.8

Lake Data*

Lake Size: 41.5 Acres
 Avg. Depth: 3.5 ft.
 Est. Volume: 145.25 acre-ft

In event that Whole Lake Low Concentration is prescribed (0.5-0.75 ppm), the quantity of Aquathol-K required will be approximately:
 0.5 ppm: 43.6 gallons
 0.75 ppm: 65.4 gallons

Cost for a Whole Lake Volume Treatment will be dependent upon the treatment concentration (parts per million/ppm) that is used. Estimated cost for a 0.5 ppm Whole Lake Volume Treatment is \$6,931.00, for 0.75 ppm, \$9,263.00. Potential for heavy rainfall events (dilution) must be considered, as well as normal discharge of water.

In the event that the cost is prohibitive, or WI DNR requirements too great for a Whole Lake Treatment, the treatment can be confined to within 150 feet of the developed shore (length of 2300 ft.). This represents an area approximately 7.9 acres in size. Cost for a 1.0 ppm treatment will be \$2,814.00, for a 1.5 ppm treatment, \$3,825.00.

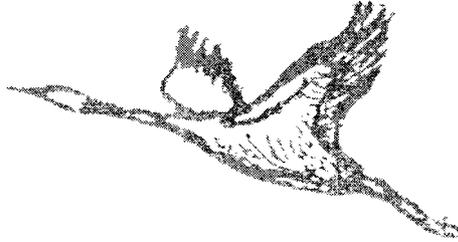
Marine Biochemists
 N173 W21440 Northwest Passage
 Jackson, WI 53037
 (888) 558-5106
www.marinebiochemists.com

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

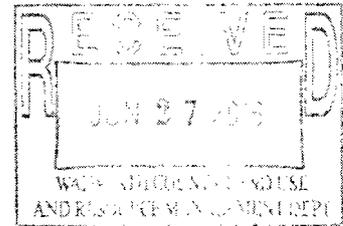
Burlington, WI 53105



COMMISSIONER'S MEETING
ROCHESTER VILLAGE HALL
300 W. SPRING STREET
June 21, 2016

AGENDA

1. CALL MEETING TO ORDER
2. SECRETARY'S REPORT: May 17, 2016
3. TREASURER'S REPORT: May 2016
4. OLD BUSINESS
 - 4.1 Drawdown Device repairs
 - 4.2 Invasive Weed Removal Project
 - 4.3 Maintenance issues: repairs to County Line Blvd. and DelMonte Blvd.;
Kenmore Avenue dead tree; Miscellaneous maintenance of District lands
 - 4.4 Abandoned vehicles and unmaintained properties
5. NEW BUSINESS
 - 5.1 Monthly Bills (June)
6. ADJOURN



HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



Commissioner's Meeting May 17, 2016

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

The minutes of the April 19, 2016 meeting were read. A correction was indicated by Mr. Weinkauf that Deputy Milam was from Racine County, not the Village of Rochester. A correction to the spelling of Bienemann's was indicated by Mr. Kolosso. A motion to approve the minutes as corrected was made by Mike Weinkauf, seconded by Donald Trimberger, and carried.

The treasurer's April 2016 report was read. A motion to approve the treasurer's report was made by Mike Weinkauf, seconded by Robert McIndoe, and carried.

OLD BUSINESS

- Chairman Lutz met with Jeff Johnson of Custom Grading regarding changes to the boards of the drawdown device. Mr. Johnson is researching contractors for the project, and he indicated that aluminum can be used. A cofferdam will be needed to divert the water in order to perform the repairs to the drawdown device.
- The asphalt plants are not yet open so the repairs to County Line Blvd. have not been made. Adding asphalt millings to DelMonte Blvd. beyond the dike will be on hold until further information regarding the Leonard property is obtained.
- A contractor will need to be hired to perform the needed weed survey before the main invasive weed, Curly Leaf Pondweed, dies back for the year. The dieback typically occurs when the water gets warmer, in June or early July.
- The telephone numbers for the DNR's Walworth County and Racine County water specialists are attached, as requested by Mr. McIndoe.
- The sand on the beaches was not moved before the water was raised so that project will be postponed until next year. If necessary, sand can be added.
- No update related to the removal of disabled and abandoned vehicles was reported.

**Commissioner's Meeting
May 17, 2016**

- The dead tree and brush on the north beach were removed. No action was taken regarding the tree within the right-of-way on Kenmore Avenue that is leaning towards a residence.
- The new maintenance person, Graham Morgan, has started and is doing a good job.

NEW BUSINESS

- There is a landlocked parcel along the unimproved portion of Kenmore Avenue. The lot is too small to be developed and the neighbors are interested in purchasing the parcel. However, the owners have been unresponsive to inquiries.
- Smaller garbage cans were purchased and installed, and garbage pick-up will resume next week.
- Two new holes were observed in the bridge by the dam.

➤ **MAY BILLS SUBMITTED AS FOLLOWS:**

Commissioner compensation	John Lutz	\$200.00
Commissioner compensation	Shelley Hildebrandt	\$175.00
Commissioner compensation	Joseph Kolosso	\$175.00
Commissioner compensation	Donald Trimberger	\$25.00
Commissioner compensation	Mike Weinkauff	\$25.00
Beaches/Parks/Trees-North Beach	Bienemann's Tree Service	\$925.00
Beaches/Parks/Trees	John Lutz	\$85.27

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

- A motion to adjourn, subject to recall, was made by John Lutz, seconded by Donald Trimberger, and carried at 8:00 P.M.

Respectfully submitted,



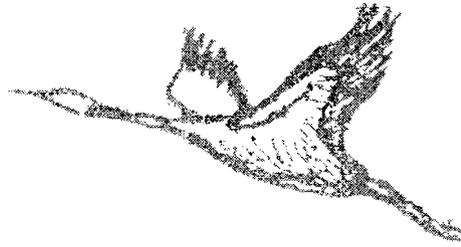
Shelley Hildebrandt, Secretary
HLPRD

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



DNR Water Specialist Contacts

Racine County

Elaine Johnson (262) 574-2136

Elaine.Johnson@wisconsin.gov

Travis Schroeder (262) 574-2172

Travis.Schroeder@wisconsin.gov

Algis Byla (608) 275-3330

Algis.Byla@wisconsin.gov

Walworth County

Algis Byla (608) 275-3330

Algis.Byla@wisconsin.gov

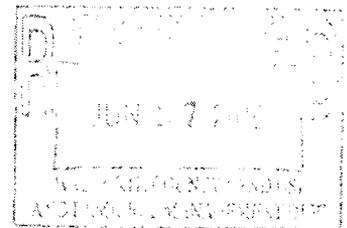
April Marcangeli (262) 574-2132

April.Marcangeli @wisconsin.gov

Honey Lake Protection & Rehabilitation District

Treasurers Report

May 2016



Joseph Koiosso

Treasurer

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

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Category</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
5/1/2016			Starting Balance			\$16,105.01
5/9/2016	4394	Bienemann's Quality Tree Service	Beaches/Parks/Trees	\$925.00		\$15,180.01
5/17/2016	4395	John Lutz	Commissioners Compensation	\$200.00		\$14,980.01
5/17/2016	4396	Shelley Hildebrandt	Commissioners Compensation	\$175.00		\$14,805.01
5/17/2016	4397	Joseph Kolosso	Commissioners Compensation	\$175.00		\$14,630.01
5/17/2016	4398	John Lutz-Reimbursement	Beaches/Parks/Trees Padlocks, Cables, Trash Cans	\$85.27		\$14,544.74
5/17/2016	4400	Donald Trimberger	Commissioners Compensation	\$25.00		\$14,519.74
5/17/2016		Mike Weinkauf	Commissioner Compensation	\$25.00		\$14,494.74
5/31/2016	Deposit	Chase Bank-Interest	Interest		\$0.14	\$14,494.88
5/31/2016			Ending Balance			<u>\$14,494.88</u>

Honey Lake Protection and Rehabilitation District

Payroll Checking-May 2016-For Fiscal Year 2015-2016

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
5/1/2016		Starting Balance			\$8,714.75
5/9/2016	1297	Graham Morgan	\$106.67		\$8,608.08
5/23/2016	1298	Graham Morgan	\$151.00		\$8,457.08
5/31/2016	Deposit	Chase Bank-Interest		\$0.07	\$8,457.15
5/31/2016		Ending Balance			<u><u>\$8,457.15</u></u>

Honey Lake Protection and Rehabilitation District

Non-Lapsing Fund-May 2016-For Fiscal Year 2015-2016

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
5/1/2016		Starting Balance			\$75,003.03
5/31/2016	Deposit	Chase Bank-Interest		\$0.65	\$75,003.68
5/31/2016		Ending Balance			<u><u>\$75,003.68</u></u>

**Minutes of the 2016 Special Meeting of the Potter's Lake Protection and Rehabilitation District held
Saturday June 4th, 2016 at Town Hall, East Troy, Wisconsin.**

Present: Commissioners Christine Celley, Bob Rice, Joyce Reed, and Jerry Kozik.

10 constituents from the district were also in attendance.

Chairman Christine Celley called the meeting to order at 8:30 AM

Commissioners gathered at the town hall to discuss the needed repairs for the harvester and where the funds would come from. Christine informed the group that the harvester was out last weekend and broke down. Upon further inspection it was determined that the engine had failed and needs to be replaced. Elroy has been in contact with 2 companies' who are providing quotes to the district. D&D Marine and Inland Harvester are bidding for the job. The estimated cost is going to be about \$15,000. The Town of East Troy was able to assist us in taking off the old engine with the use of their backhoe. The original engine is about 32yrs old and is a 2 cylinder diesel. Because of emission standards we will need to move up to a larger 3 cyl engine in order to get comparable power to what we have now. It was proposed that we use \$10,000 from special projects and \$10,000 from tools & equipment. A motion was made to authorize the use of funds in the amount of \$15,200 from the 2016 Budget, lines; Reserve for Special Projects \$10,000 and Equipment, Tools & Vehicles \$10,000 toward replacement of the harvester engine, necessary parts and labor. Motion was approved

Meeting was adjourned at 8:45am

Respectfully submitted,

Robert C Rice
Secretary

Minutes of the 2016 Special Meeting of the Potter's Lake Protection and Rehabilitation District held Saturday, May 7, 2016 at Town Hall, East Troy, Wisconsin.

Present: Commissioners Christine Celley (Chairman), Bob Rice (Secretary), MaryJo Jones (Treasurer), Jerry Kozik (Town of East Troy Appointed Representative), and Joyce Reed (Walworth County Appointed Representative)

Also Present: 23 Electors and Kathy Aron

Christine called the meeting to order at 8:30am. The commissioners introduced themselves and their roll on the board.

Kathy Aron reported to the district on the condition of the lake. This year we have to update the plant management plan in order to get the harvesting permit. This is a 5 year permit and that work will start this summer. About 300 sample points will be recorded and that information will be used along with prior surveys to come up with a treatment plan that the DNR will approve as well as be acceptable to the district so that we can all enjoy the lake. Kathy was out on the lake this week and there is a lot of Milfoil in the boat launch bay and on the West end of the lake. The shallower waters have heated up quickly this spring and that is why we are seeing the plant growth in those areas. Currently the water temp is about 55 degrees. We have a treatment planned for Wednesday for the infected areas. It is important that the weeds are growing when the treatment is done otherwise the plants won't take in the herbicide. The long range plan is to have a draft plan back to the board for review sometime at the end of December or beginning of January. Christine asked Kathy to comment on the use of the harvester for this year to help control the problem. Kathy said that we need to focus on herbicide treatments in the areas where we are permitted and in the deeper parts use the harvester to help control the issue. We have a fair amount of Elodea in the lake which is native and will help to control our Milfoil problem. Bob asked if we applied to treat the whole lake or just the shoreline areas. Kathy said that we have asked to treat about 45 acres for the up coming treatment. Bob asked if we were not granted permission to treat the entire 45 acres could we ask that the treatment be split into 2 separate treatments. Kathy thought that we would be able to treat the entire area based on being able to treat larger areas in the past. In the deeper part of the lake we just need to make sure that the plants are growing so the treatment is effective. Weather and water temperatures right now are favorable for treatment. Bob asked about last year when we met with the DNR in the fall a chemical called "Clipper" was mentioned as something that was effective for Starry Stonewart. Is it possible to treat just the bay with this so that if invasives do enter the lake it would be easier to spot them? Kathy replied that Clipper was \$1,000 an acre to use as apposed to \$350 for 24D. She said that in the bay we should maintain natives in order to help prevent invasives from settling in and establishing. Kathy commented about Starry Stonewart that there are 260 plus acres of it in Michigan, 10 acres in Indiana, 1 lake in Minnesota, and 5 lakes in Wisconsin that are impacted by it. You need a balance. If you have a yard with no grass the first thing that establishes are the weeds. Like wise if you can keep the natives in a lake they will help to prevent the invasives from coming in. If it does get into a lake it can become a problem quickly. Bob asked about the results of the Sonar treatments on the experimental lakes. Silver Lake used Sonar and Kathy does not know if the reports are in yet. They did a 24D treatment the prior year and it was not successful. The community was happy with the Sonar treatment but they are still waiting to see what the DNR thought of the treatment. The DNR is getting tighter on their requirements for whole lake treatments; the number of years of water monitoring, plant monitoring, and residual testing. If we can keep it under control by continuing to do what we have been in the past it may be our best option. A constituent asked about the water clarity, Kathy stated that it may be due to the amount of plant growth in the lake as it holds the sediment down on the bottom of the lake as well as using the nutrients that causes algae. We have Kara and Elodea growing in 6 feet of water. Christine asked about the planned treatment and it is planned for this coming Wednesday.

Paul Celley commented about the harvesting. Elroy has returned and is getting the harvester ready and conveyors set up. There is thicker growth on the flat areas off the West end of the lake. They are poised and ready to start if and when conditions warrant. Christine had maps that were passed around that showed the proposed areas for harvesting and treatment.

Bob discussed the goose round up forms that were in the back of the room. He keeps them on file from year to year as the district needs them in order to be able to enter onto a property to remove geese. The geese that are captured are used for food pantrys or animal shelters. Christine explained that if enough geese are present a round up would be conducted. She said that she counted 70 birds one night on the lake. Round ups are done in the spring because the mature geese are not able to fly. A constituent asked who did the round ups and we explained that they were conducted by the USDA.

Bob will be running the Clean Boats Clean Waters program again this year. The same crew from last year is coming back to work again for 2016. This year we received a grant for \$4,000 to help fund the program. There will be a little more work involved as the data from the survey sheets will need to be entered into the SWIMS system. Bob proposed a pay increase for the workers who are coming back as well as funds for new shirts for them. A proposal was made and vote was taken to approve the increase in wages as proposed and the motion was passed. Flares will be sold again at the boat launch for the 4th of July as well as at the home of Karen Winkleman starting Saturday June 18. Paul Celley asked if we could print and hand out lake rules to those who are launching. Bob stated that we did have those available. Also when boats pull in, it is expected that those working the launch inform them of the slow no wake hours and counter clockwise direction.

Christine commented that this will be a big year for us as there is a lot of survey work that needs to be done in order to get our permits for a whole lake treatment. We are counting on Kathy and her team to get that done. Kathy commented that we received a grant to help with the survey work that she is doing. Christine thanked Bob for the work he did to get the Clean Boats Clean Waters Grant as well. She asked if we were going to increase the hours at the launch this year. Bob commented that our current schedule meets the 200hr min requirements but would be willing to schedule a few hours during the week sporadically in the mornings or evenings. Christine suggested maybe the mornings. Bob commented that working the launch he sees a lot of the same people weekend after weekend. A constituent asked when the launch was staffed. Clean Boats Clean Waters currently works Fridays 7-11am & 3-7pm and Saturdays and Sundays from 7am-7pm. Bob explained the balance of the program and the harvesting and treatments. There is definitely a benefit from the program but it is not a silver bullet to the problems.

MaryJo went over the hand outs of the budget. 2015 was on the left hand side and we ended up the year \$9,000 under budget. 2016 we increased the budget by 3% to keep up with inflation. We have 90% of our tax settlements in as well as some of the money from the grants that will help us out this year. Currently we are on schedule with expenses but payroll and lake projects will be starting soon. We currently have CD's at Citizens Bank of Mukwonago and Landmark Credit Union as well as a money market and checking account. We do monitor them as they renew to get the best rates available in the area. Carol Cole asked if the increase in the income came from the money we received in grant this year and MaryJo verified that to be true. She also asked about the increase in cash. Christine went on to explain that the money is there because we get our disbursements prior to us incurring the expenses and our expenses don't come until later in the year. Also with the weed growth that appears to be out there it may not be hard to get to the \$45,000 set aside for payroll depending on the amount of harvesting.

Christine presented to the group the boards findings on commissioner compensation from other lakes in the area. The constituents asked the board at last year's annual meeting to research this and report back. Joyce was able to get a report from the county on what other Walworth County Lakes were paying their commissioners and Christine did some research online as reports are public information. From the

information that was gathered there is no right or wrong way to do this. Some lakes pay their commissioners several thousand per year and other lake districts contract that work out. Some hire accounting services, consultants for presentations, and transcribers for minutes. Honey Lake pays similar to how we are but they hire out their services. We are not able to vote on this at this meeting but we need to talk about it so that a recommendation can be made and voted on at our annual meeting. The change if any would take effect next year unless a motion from the floor was made to start the approved compensation after the annual meeting on a prorated basis. A constituent asked if the bylaws would need to be changed for us to do this. The current bylaws state that we can raise them if there is money left over after actual and necessary expenses. There was discussion of the by laws and questions on if the board would be able to receive a regulated stated salary. The current bylaws would need to be changed. Section 7 article 5 was referenced. Currently the Chairman, Treasurer, and Secretary are receiving \$200 per year. Kathy Aron recommended that we look at state statute 33 as it always takes precedence and our bylaws cannot be in competition. Bob was asked to read article 5 section 7 of our current bylaws which he did. There was further discussion and Christine commented that we are still in the fact finding stage and not voting on this today. Joyce commented that she is compensated \$50 from the county for each meeting that she attends. She commented on several other lakes that do not compensate their commissioners at all. Honey Lake meets every month and receives \$2,600 for the Chairman and \$2,275 for the Secretary and Treasurer. Delavan Lake is managed by the sanitary district and a board. They also meet monthly and receive \$80 per meeting. Kathy Aron commented that when you have a sanitary district that runs the lake you have a staff that prepares all the information for the meeting. There is some prep from the board members but the staff does most of the work. Without that staff, the work is being done by the board members. Christine commented we are doing all the work and some of the other lakes have staff that prepares all the information for their meetings. Christine commented that if we hired out, \$35-\$75 an hour is not uncommon for professional services not including legal services. Christine has been on the board for 8 years now and spends an average of 3-5 hours per week working on lake items. Based on that even at \$2,000 we are being compensated less than \$25 an hour. Christine commented about the amount of work involved with her past treasurer's position and she had to take days off to do some of the work. With a new treasurer coming on board last year she wanted to see how other districts were compensating or farming out the work. A constituent asked what kind of money the board was thinking and Christine replied between \$2,000 and \$3,000 per year per commissioner. This amount was based off of what was brought up at the annual meeting last fall and the special meeting from this spring. There was discussion and the thought was that compensation would be even across the board. Bob went over the handout that was provided with what other lakes paid commissioners as well as what they paid to farm out. He noted that many of the other lakes paid for accounting services. The accounting is over and above the day to day things that all of us are involved in and we would be consistent with other districts if we compensated for this. Bob stated that he looks at this as a volunteer elected position. He stated that in years we harvest we are using more than what we collect. He thinks that if we are going to talk about board increases that we also need to talk about tax increases so that we are not dipping into reserves to pay board members. Bob said that we would need to collect an additional \$6.90 per household for every \$1,000 of additional board salary. A constituent asked if it would be less expensive to farm out the services than it would be to increase the salaries of the board. This would not be the case and others commented that they would prefer to continue to see board members doing the work as they have an interest in the lake. Christine commented about our bylaws and the statute that this is something that would be reviewed on an annual basis at the annual meeting. If we discover that we don't have a lot going on and are able to simplify things through other means then we are going to adjust that. Likewise if we have a lot going on and there is not money left over for compensation then we will have to adjust for that in the budget. Joyce commented that it is time to change the \$200 a year which has been in place for sometime now. Christine will talk to the town attorney about any changes that may need to be made in our current bylaws. Barry comment that he feels that it is time to review and make changes so that it is relevant to our current situation going forward. We have key people who have the best interest of the lake in mind and live here and have skin in the game. As for farming out services, as long as we have qualified people who are willing to do the work he thinks it is in the best interest of the lake that we do the work instead of hiring outside sources. If there are specialized needs beyond what a board member may be qualified for it is then we should seek help for those particular instances.

Carol Cole updated the group on the new website redevelopment. A few years ago we approved funds for redeveloping our website. Our current site has been around since 2006 and needs updating. Three proposals were received and Waterford Design is the one that is recommended. There was one other company that came in similar but with our current working relationship with Waterford Design we feel that would be the best fit for our district. The goal is to make the site more user friendly, add more information about our lake and add pictures of the lake. They are open to suggestions if anyone has anything else they would like to see. The current proposal is \$2500 and hosting would be about \$120 a year. It would take about 2 to 3 months to get the new site up and running. Carol asked for the group's permission to continue moving forward. One of the members asked if we would have administrative right to the new site. The answer to this question is yes. Christine commented that Waterford Design has done our updates in the past and they charge about \$70 hr to update. Christine also commented that the old site was designed with 2006 technology and it is more cost effective to redo the site rather than try to work around the old technology. The new site would be mobile friendly. There could possibly be additional charges if we have to hire them to take photos. The photos do need to be a certain quality and if we can get some one to do it for us that would be great but if not we would have to hire out for that at a cost of \$10 per picture. The \$2500 covers concept development, page layout, formatting and style guidance for the home page the second and third tier pages, navigation, slide shows, contact forms, and mobile friendly form. It will show events, commissioners, calendars, and useful links. A motion was made to proceed to move forward with the new site a vote was taken and the motion was passed.

Lorene Hirsch updated the group on the plans for this years Blake Party. The party will be on Sat July 30th with the fishing contest in the morning and weigh in at 10:00am at the boat launch and then remaining activities will be from 11-3pm at the district property on hwy L (the pole barn where we keep the harvesting equipment). New this year will be a kayak event in the morning for kids and adults. Many fun games will be played including Frisbee kayak, capture the flag, and find your name in floating bottles. Lorene will be accepting donations for prizes for the fishing tournament, kid's games, and raffle. They are also looking for volunteers to help with the set up & clean up, sign in, kid's games, raffle tickets, ect. Sign in sheets were in the back of the room for 2hr shifts and Lorene can be contacted as well. Beer sales were proposed for this year's event. Lorene found from the Town of East Troy that you would need an organization to do the beer sales. She has contacts with the Mukwonago Lions Club and if approved by the constituents she could reach out to them to see if a few of their vendors would be interested if we shared profits with them. The East Troy Fireman would also be a possibility. We would still need a permit if we had beer sales. There was discussion amongst the group. Family environment was a concern but it was noted that some people last year brought their own. The group also mentioned that they wanted to open up the party to the whole Miramar Association. Their motto is the more the merrier. There was discussion about this. Joyce commented that according to our bylaws funding parties is not part of what we do. She personally thought that the alcohol gives mixed messages to a family friendly party. Lorene said that if the group felt strongly against it then they would not pursue it. Bob stated that the commissioners voted for no alcohol during the special meeting based on our liability. A letter of opinion was received from an attorney who was asked to review this and we further found that our liability was very limited. Based on this he felt that this needs to be reconsidered. Christine stated that we are not only obligated to the board but to the constituents as well. We need to make sure that we have the right information when making a decision. She checked with the Town of East Troy and they didn't foresee a problem but said we should check with Attorney Jim Mills. The board did contact Attorney Mills who supplied us with a letter of opinion. Jerry asked if the objective was for camaraderie or to raise money. Lorene said it was about 50/50. The money that was raised last year was used for the fireworks. This originally was going to go back to the Lake District but Bob suggested last year that the profits be given to the folks to help support the fireworks. The group is seeking \$1,000 to help with the cost of the event. Last year this was used for the dumpster, DJ, port-a-potty's, and some raffle prizes. Barry commented that last years effort was worthy and helped to build camaraderie around the lake. The decision point is how to structure this going forward in relation to serving alcohol. Jerry commented that those who want to drink will bring their own and even though it wasn't served last year people still brought their own. A motion was made to stay the way it was last year. Bob commented that he was fine either way with relation to the alcohol but

he would like to keep it limited to the lake residences. He stated that if you wanted to bring your friends or had people at your house it's not meant to exclude them but he is against the more the merrier and sending invites out outside the district. The Winkelmanns were brought up as having not attended last year. Bob stated that they were on the email list that went out and they were definitely not to have been excluded. There was discussion and it was decided that Miramar does contribute to the district and have deeded access so they should be included. A motion was made and a vote was taken to keep the alcohol the same way it was last year and was passed to do so. A vote was taken to include Miramar Association at the event and the motion passed to do so.

Christine went over the July 4th celebration. The boat parade will start by the boat launch at 7:00pm. Ideas were given for this year's theme. Carol Cole suggested the 50 states and to decorate your boat like one of the states. Bob Rice suggested Jimmy Buffett or Parrot Heads theme. A vote was taken and it was a tie so it was decided that we would do both.

A motion was made to have the budget meeting at 9:00am and the annual meeting immediately after. This would help with the lag time in between the meetings. Motion was passed and the budget meeting will start at 9:00 and the annual meeting will follow.

Bob read the results of the 2016 fish survey. The DNR was out on the lake this year and reported that they captured 50 large mouth bass during the survey with the average size of 15.4" and max size of 20" catch rates were in line with what they would expect to see in a lake like Potters. Results were consistent with the 2008 and 2011 results with an improved size structure. The Bluegills were undersized with an average size of 4.9" and a max size of 6.7". This is not uncommon for smaller lakes when people fish and remove the larger pan fish from the population.

The annual meeting is set for September 10, 2016 at 9:00am

There being no further business, on proper Motion, the Special Meeting was adjourned at 10:13am.

Respectfully submitted,
Robert C Rice
Secretary