

County Zoning Agency
MINUTES
September 15, 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, Randy Timms, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. Supervisor Susan Pruessing was absent, excused. A quorum was present.

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

A “sign-in” sheet listing attendees on September 15, 2016, is kept on file as a matter of record.

Details of the September 15, 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

Richard Kuhnke, Sr. motioned to approve the agenda as amended to table items 8.d.1.) Francis McCormack – Owner; and 8.d.2.) Robert J. Wetzel, Kenneth B. Abernathy – Owners, Timothy C. Lynch, P.E. – Applicant. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Dave Weber motioned to approve the August 18, 2016, Minutes. Seconded by Randy Timms. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:40:47 – 4:41:32

Subdivision Items – Old Business – None

Subdivision Items – New Business –

1. Plat of Richmond Cemetery 2015 Addition, Richmond Cemetery Association, Applicant. Located in Section 17, T3N, R15E, Town of Richmond, Tax Parcel # CRC 00001. The applicant has requested that the County Zoning Agency forward this cemetery plat to the County Board for their review and approval as required by State Statutes – Neal Frauenfelder

Discussion by Neal Frauenfelder regarding statute changes affecting County review of cemetery plats. No action is taken on the plat.

Disc Count #4:41:37 – 4:44:24

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –

1. Discussion / Discussion / Possible Action – **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.

Jim Van Dreser motions to DENY based on the recommendation of the Town, the size of the home, the septic system. Second by Dave Weber. Motion carried. 6-favor 0-oppose
Disc Count #4:44:29 – 4:47:47

4:47 p.m. Supervisor Sue Pruessing arrives.

New Business - Ordinance Amendments - None

New Business – Discussion Items –

1. Discussion/ Possible Action – **Notice of Noncompliance**, McIntyre’s Resort Campground (limited to seasonal, specified campsites, tourist court and two special events) as stated in the Walworth County approved conditional use permit, dated June 20th, 2003, Tax Parcel C R 1300003A, Richmond Township. – Matt Weidensee

Amended 9-15-2016 Elimination of special event approval #7.

NAME: PATRICIA, EVELYN I, AND EVELYN L. MCINTYRE

TOWN: RICHMOND

A conditional use permit for the addition of three cabins to an existing tourist court for seasonal camping use as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, on lands zoned B-3 Waterfront Business District, and described as follows:

Tax Parcel #C R 1300003A

Com 145’ W & 30’ N of NW Cor Lot 4 Blk L Crystal Bowl Subd Sec 13 T3N, R15E, W 175’, N to Turtle Lake, Nely alg shr to N ln Sec 13, E 22’, S 232’ to W ln alley, S alg alley to pt 20’ W of NW cor Lot 9 Blk L, W 135’, S 200’, E 10’, S 20’ to POB. Also any interest in sd Sec which lays W of W ln Lot 12 Blk 3, com in W ln Lot 12 & S ln Sec 12 at pt N0D32’ W from SW cor Lot 12 & 232’ therefrom W 22’ to shr ln, Nly 400’ m/l to alley in sd Blk, produced Ely 5’, S19D29’ E 83’, S0D32’E 317.07’ to POB.

has been APPROVED subject to the following conditions:

1. The conditional use is approved for a tourist court 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.
6. All lighting must be shielded and directed on to the property.
7. The project must meet with all County ordinance parking standards ~~with the exception of the specified special event parking areas. A parking attendant must monitor parking lot use during special events. Special events shall be limited to two per year as specified in the project plan of operations. Special event capacity shall be limited to 5 people per available parking stall identified on the plan of operations. Special event parking shall only be used during the events as stated in the plan of operations.~~
8. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

9. Use of the grounds shall be limited to normal recreation use as stated in the plan of operations. All stays at the tourist court other than in the caretaker's residence shall be transient. No outside camping shall be allowed outside of the grandfathered campsites identified on the approved plan. Camping shall be tent camping only.
10. Hours of operation shall be 5:00 a.m. to 9:00 p.m. for rental of fishing boats. Check-in for the cabins and campsites shall be from 7:00 a.m. to 9:00 p.m. Checkout from the campsites and cabins shall be by 11:00 a.m.
11. Sufficient adult supervision must be present at all times when the tourist court and campsites are in use.
12. The applicant must obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
13. The total capacity of the tourist court shall be limited to 4 unrelated people allowed in each of the five existing cabins. Outside camping shall be limited to the grandfathered spaces identified on the approved plan of operations. Only 4 unrelated people shall be allowed per campsite.
14. This conditional use is subject to approval of the plan by the Zoning Office consistent with the zoning code.

Dated this 20th day of June, 2003.

COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN

Jim Van Dreser motions to modify the CU as presented. Second by Randy Timms.
Motion carried. 7-favor 0-oppose
Disc Count #4:47:49 – 4:55:28

Public Hearing: 5:30 p.m.

Ordinance Amendments – None

Rezones with Conditional Uses – None

Rezoning – None

Conditional Uses

THIS MATTER NOT HEARD – NO TOWN DECISION

- ~~1. **Francis McCormack – Owner**, Section 11, LaFayette Township. The property owner is seeking conditional use approval to use an existing residence for transient guests in conjunction with and as part of operating an existing recreational camp. The property of concern is located on the west side of Bowers Road approximately 4000 feet north of the intersection of Bowers Road and Preserve Drive and is identified as Tax Parcel K LF1100010A.~~

THIS MATTER NOT HEARD – NO TOWN DECISION

- ~~2. **Robert J. Wetzel, Kenneth B. Abernathy – Owners, Timothy C. Lynch, P.E. – Applicant**, Section 33, LaFayette Township. The property owner is requesting conditional use approval on land zoned A-1 Prime Agricultural and C-2 Upland Resource Conservation Districts for a driveway crossing and culvert placement improvements in the 100 year floodplain. The property of concern is located on the end of a private drive off of Brookwood Lane approximately 2100 ft. north of the intersection of Brookwood Lane and Bray Road and is identified as part of Tax Parcels KBR-1, 3, 4.~~
- 3. Richmond Cemetery Association – Owner, Sally Rowley (Secretary) – Applicant**, Section 17, Richmond Township. The property owner is requesting conditional use approval on land zoned P-2 Institutional Park District for expansion of an existing cemetery under assumed use in excess of 25% as if establishing the cemetery anew. The property of concern is located on the east side of Hwy 89 approximately 2300 ft. northwest of the intersection of Hwy 89 and Hwy A and is identified as Tax Parcel CRC-1.

General:

1. Approved per plans submitted for a cemetery with expansion greater than 25% of existing use area with all additional conditions.
2. Outdoor lighting shall be shielded and directed on site.
3. Must meet all Federal, State, County and local regulations.
4. The State D.O.T. must approve the access to the facility if different from the existing access locations.
5. The applicant must obtain a Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
6. The applicant must meet all requirements for cemetery expansion under State Statute 157.065.
7. All grave monuments that do not meet the definition of a minor structure will need to meet with the required sideyard, rearyard and streetyard setbacks for structures.
8. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
9. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time

extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

Sally Rowley/Secretary speaks regarding the application.
Dave Weber motioned to approve. Seconded by Randy Timms. Motion carried.
7-favor 0-oppose
Disc Count #5:37:43 – 5:42:56

4. **Steven S. Walter – Owner**, Section 21, Darien Township. The property owner is requesting conditional use approval on land zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District for expansion of a structure for an existing waste hauling business contractor storage yard and office in excess of 25% of approved structure size as if establishing the conditional use anew. The property of concern is located on the east side Hwy 14 approximately 2000 feet north of the intersection of Hwy 14 and the I-43 overpass and is identified as part of Tax Parcel B D-21-5A.

General:

1. Approved as per plan submitted as a contractor storage area for a wastewater hauling and disposal business with all additional conditions.
2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas shall be allowed in the required setback areas.
3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with hours after 6:00 p.m. for off premise work and returning of equipment to the premises seven days a week.
4. Must meet all applicable Federal, State, County and local regulations.
5. Outside lighting shall be shielded and directed on site.
6. The applicant must obtain all required zoning permit approvals including a sign permit.
7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.
8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.
10. The project site must be kept neat, clean, and mowed.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.
14. No equipment storage may occur on the A-1 zoned property by the wastewater storage tank.

Steve Walter speaks regarding the application.

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

Disc Count #5:42:58 – 5:46:14

Adjournment

Randy Timms motioned to adjourn. Seconded by Jim Van Dreser. Motion carried. 7-favor 0-oppose

The meeting was adjourned at 5:46 p.m.

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

DRAFT

Walworth County Board of Supervisors
September 15, 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 Chair Nancy Russell at 10:04 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; Director of IT John Orr; Director of Special Education Tracy Moate; County Treasurer Valerie Etzel; Sheriff's Office Business Manager Amanda Lagle; Central Services Director Eric Nitschke; Health and Human Services Director Elizabeth Aldred; Human Resources Director Dale Wilson; Lakeland Health Care Center Administrator Bernadette Janiszewski; Sheriff Kurt Picknell; Captain Jamie Green, Lt. Todd Neumann; Budget Analyst Stacie Johnson; Comptroller Jessica Conley; County Clerk Kim Bushey; IT Operations Manager Jackie Giller; Undersheriff Kevin Williams; Deputy Director of Land Use and Resource Management Shannon Haydin; Facilities Manager John Miller

Members of the public: Derek D'Auria, WCEDA; Kathleen Seeburg, Walworth County Visitors Bureau

Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to approve the agenda. The motion carried 5-0.

Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve the July 28, 2016 and the September 6, 2016 meeting minutes. The motion carried 5-0.

Public Comment – There was none.

Unfinished Business – There was none.

Special order of business

- Summary presentation of the 2017 county administrator's budget
County Administrator Bretl said the budget process has evolved over the years; the budget was presented at the September 6 Committee of the Whole meeting, and unless the Committee had any requests for more detail, he didn't feel it necessary to go into specifics.
 - Appeals to the 2017 county administrator's budget
 - Human Resources Committee recommendations, September 14, 2016
Appeal A – Clerk of Courts Department – Add a full-time Pretrial Services Coordinator. The position would be funded by the Treatment Alternatives and Diversion (TAD) grant to assist with OWI/Drug Court and the Pretrial Services Program.
 - Public Works Committee recommendations, September 12, 2016
Appeal B – Public Works Department – Eliminate a vacant Maintenance Technician position and restore full funding of the Inventory Specialist position.
Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to approve Appeal A and Appeal B. The motion carried 5-0.
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- All other appeals
 - **Appeal C – sponsored by Supervisor Nancy Russell** – Reduce consultants for the fire/EMS study by \$5,000 due to the new Wisconsin Department of Revenue levy limit calculation. The budget for the study would be reduced to \$36,867. County Administrator Bretl said the appeal is reasonable, and there is a lot of preliminary work to be done prior to hiring a consultant to perform the study.
Supervisor Schaefer made a motion, seconded by Supervisor Ingersoll, to approve Appeal C. The motion carried 5-0.
- Recommendation of the 2017 preliminary budget
Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to approve the 2017 preliminary budget as amended. The motion carried 5-0.

Consent Items

Chair Russell requested that items B1, B2, D2 and D4 be considered separately. **Supervisor Ingersoll made a motion, seconded by Supervisor Yvarra, to approve the remainder of the consent items. The motion carried 5-0.**

9A, Budget Amendments

- 1) County Administration
 - a) CA001 – Reflect 5311 Federal mass transit capital grant award and purchase of accessible rear-loading minivan
 - b) CA002 – Reflect increase in Workforce Innovation and Opportunity Act (WIOA) revenues
- 2) Clerk of Courts
 - a) CT03 – Transfer funds to purchase video conferencing unit
- 3) Health and Human Services
 - a) HS005 – Transfer Sheriff's office vehicles to Health and Human Services
- 4) Lakeland Health Care Center
 - a) LH007 – Increase LPN pool staff wages and fringes
- 5) Land Use and Resource Management
 - a) LU001 – Transfer funds to purchase replacement vehicle in 2016 instead of 2017
- 6) Public Works
 - a) PW009 – Reflect loss on sale of assets
- 7) Sheriff's Office
 - a) SH006 – Transfer funds to complete indoor range target system.

9B, Bids/Contracts

- 1) Award sale(s) of tax foreclosure properties
County Treasurer Val Etzel said the bid list is from the sealed bids received. She recommends accepting all of the bids, with the exception of Parcel JLCB 01433, which will be repurchased by the former owner. **Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to reject the bid for Parcel JLCB 01433, and to accept the remainder of the bids per the Treasurer's recommendation. The motion carried 5-0.**
- 2) Discussion and possible action regarding establishment of minimum bids for unsold tax foreclosure properties
Etzel drew attention to the proposed minimum bids for listing on Wisconsin Surplus. Chair Russell asked about item 17 on the list of sealed bids received, stating that it should be relisted for sale at the same

bid amount, as it was rejected only because the bidder submitted a personal check. **Supervisor Ingersoll made a motion, seconded by Vice Chair Kilkenny, to accept the Treasurer's proposed minimum bids for future sale, and to add Parcel ZMIL 00012 in the City of Lake Geneva for sale at the original bid amount. The motion carried 5-0.**

9C, Declaration of Surplus

- 1) Recommendation to declare Public Works vehicles and attached equipment as surplus and to sell said items in a manner advantageous to the county

9D, Reports

- 1) OPEB trust report for period ending June 30, 2016
Vice Chair Kilkenny asked about the status of the health insurance fund, and Deputy County Administrator-Finance Nicki Andersen responded there are normal outflows, but the fund is in a good position and there are no current issues.
- 2) Quarterly investment report – 2nd quarter 2016
Chair Russell complimented the Finance Department on the thorough report and noted investment returns have exceeded expectations. **Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to accept the report. The motion carried 5-0.**
- 3) Quarterly sales tax report – 2nd quarter 2016
- 4) Update on tax incremental financing districts (TIDs)
Comptroller Jessica Conley had no new updates. Vice Chair Kilkenny asked whether the Village of Darien had adjusted their interest rate. Conley responded that they have brought the rate down from 5-6% to approximately 3-4%. Interest paid was \$1,130,000. **Vice Chair Kilkenny made a motion, seconded by Supervisor Schaefer, to accept the report. The motion carried 5-0.**
- 5) Out-of-state travel
 - a) District Attorney's Office
 - 1) Misty Quinn, Grant Writing Workshop, Aurora, IL
 - b) Medical Examiner
 - 1) Dawn Kiernan, International Coroner and Medical Examiner Conference-Basic Death Investigation, Las Vegas, NV
 - c) Sheriff's Office
 - 1) Kurt Picknell, FBI National Academy Annual Training Conference, St. Louis, MO.

New Business

- Discussion and possible action regarding Walworth County Visitors Bureau's fiscal 2015 audit
Finance staff performed a review of the Visitors Bureau's books. Andersen said the Bureau is building a small reserve fund for flexibility, and Finance staff recommended that projected membership dues be lowered in their budget; any excess could be placed in reserve. Vice Chair Kilkenny suggested the new law on room tax should be researched to assess potential ramifications of the law. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to accept the report. The motion carried 5-0.**

- Discussion and possible action regarding Sheriff's Office request to create a new capital project to complete the indoor range target system

Bretl said the shell of the new range was completed this year. The Sheriff requested installation of the indoor range target system in 2016, but funding was not available to complete the indoor target system. During 2017 budget review, the Sheriff's Office was able to locate savings in 2016 from open positions and utilities to fund the \$414,900 range target system. Early funding will eliminate the capital project from the 2017 budget, and allow for the bid process to begin in 2016. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the creation of a new capital project in 2016 to complete the indoor range target system. The motion carried 5-0.** Supervisor Schaefer asked about costs for maintenance and upkeep. Central Services Director Eric Nitschke said Facilities staff will take over general maintenance of the range, and the budget for that will be in the Public Works general operations fund. Nitschke reminded the Committee that the indoor target system installation will have to go out for bids.

- Resolution **-10/16 Accepting a Donation of Protective Equipment to the Sheriff's Office

Bretl said a donor, who wishes to remain anonymous, offered to purchase protective equipment through a local law enforcement supply vendor. The equipment has an approximate value of \$20,000. Anonymous donations have to be reviewed by Corporation Counsel to ensure a conflict of interest would not be created by acceptance of the donation. Bretl reviewed the request and said he is comfortable accepting the donation. Vice Chair Kilkenny suggested the word "purchased" on Line 7 on page 1 of the resolution be changed to "donated." **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the resolution accepting a donation of protective equipment to the Sheriff's Office, with the recommended change on Line 7. The motion carried 5-0.**

- Ordinance **-10/16 Amending Section 30-454 of the Walworth County Code of Ordinances Relating to Authorization of Travel

Sheriff Picknell is requesting a modification to the ordinance on reporting out-of-state travel because of security concerns over publicly reporting prisoner transports. **Vice Chair Kilkenny made a motion, seconded by Supervisor Ingersoll, to approve the amendment to Section 30-454 of the Walworth County Code of Ordinances. The motion carried 5-0.**

- Resolution **-10/16 Authorizing the Public Works 1995 Caterpillar Loader to be Declared Surplus and Authorizing Staff to Dispose of the Asset

Supervisor Schaefer made a motion, seconded by Vice Chair Kilkenny, to approve the resolution to declare the 1995 Caterpillar Loader surplus and to dispose of the asset. The motion carried 5-0.

- Ordinance **-10/16 Adding Section 30-146 of the Walworth County Code of Ordinances Relating to Donations to Public Service Organizations

Bretl said the ordinance amendment adds a section concerning non-tax appropriation donations by county departments to provide guidance for appropriate approvals. Any donations over \$5,000 would require County Board approval, and repeat donations are required to be approved annually. He suggested putting county donations on a future agenda for more discussion. County appropriations to community programs have grown to \$304,000 annually. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to approve adding Section 30-146 of the Walworth County Code of Ordinances relating to donations to public service organizations. The motion carried 5-0.**

- Ordinance **-10/16 Amending Section 30-182 of the Walworth County Code of Ordinances Relating to Insurance Funds Net Position Reserves

Human Resources Director Dale Wilson said the Human Resources Committee approved the amendment at its September 14th meeting. The purpose of the amendment is to increase the health, dental and worker's compensation reserves from 3-4 months to 6 months to allow for a higher balance to better support the volatility of these insurance funds. Wilson said premium rates set during the budget process support the plan. **Supervisor Ingersoll made a motion, seconded by Vice Chair Kilkenny, to approve the ordinance amendment to Section 30-182 of the Code. The motion carried 5-0.**

- Discussion and possible action regarding Fiscal 2015 Audit/Report on Federal and State Awards
Andersen said part of the annual audit is documenting Walworth County's compliance with the federal and state grants it receives. There were no audit findings, and Andersen credited Mary Hinske for diligently researching the new grant requirements and the cooperative efforts by departments and grant managers to incorporate the changes. **Vice Chair Kilkenny made a motion to approve the report, seconded by Supervisor Ingersoll. The motion carried 5-0.**

- Discussion and possible action regarding enhanced Municipal Property Insurance Company (MPIC) property insurance coverage
Andersen reminded the Committee that the County transferred its property insurance coverage from the Local Government Property Insurance Fund (LGPIF) to the Municipal Property Insurance Company (MPIC) January 1, 2016. MPIC was formed as a partnership of three entities which included Wisconsin Municipal Mutual Insurance Company (WMMIC). Walworth County is an equity member of WMMIC, and staff felt transferring the property coverage would result in lower premiums. Andersen reported that MPIC will be providing enhanced coverage effective September 1, 2016, after less than a year in operation. **Vice Chair Kilkenny made a motion, seconded by Supervisor Yvarra, to place the correspondence from MPIC on file. The motion carried 5-0.**

Correspondence – There was none.

Confirmation of next meeting: The next meeting was confirmed for Thursday, October 20, 2016 at 9:30 a.m. in County Board Room 114 at the Government Center

Adjournment

On motion by Supervisor Schaefer, seconded by Vice Chair Kilkenny, Chair Russell adjourned the meeting at 10:55 a.m.

Walworth County Board of Adjustment

MINUTES

September 14, 2016 - Hearing – 9:00 AM

September 15, 2016 – Meeting – 8:30 AM

County Board Room

Government Center – Elkhorn, Wisconsin

A hearing and decision meeting of the Walworth County Board of Adjustment was held on September 14 & 15, 2016, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on September 14, 2016, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Also present was Shannon Haydin, Land Use & Resource Management Deputy Director. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. Those present on September 15, 2016, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Also present was Shannon Haydin, Land Use & Resource Management Deputy Director. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. “Sign-in” sheets listing attendees on September 14, 2016, and September 15, 2016, are kept on file as a matter of record.

The September 14, 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 #5. Andrew Huebner Trust / Geneva Township. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the August 10 & 11, 2016, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Elizabeth Sukala motioned to recess until 8:30 A.M. on Thursday, September 15, 2016. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The September 14, 2016, hearing went into recess at approximately 11:01 A.M.

On September 15, 2016, at 8:30 A.M., Chair John Roth called the decision meeting to order. Wendy Boettcher conducted roll call and verified that there was a quorum. Those present were same as listed above. **Ann Seaver motioned to approve the agenda as amended to postpone hearing #5. Andrew Huebner Trust / Geneva Township. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Elizabeth Sukala motioned to adjourn until the October 12, 2016, hearing at 9:00 A.M. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The September 15, 2016, decision meeting adjourned at approximately 8:57 A.M.

Two variance hearings, one special exception petition and two appeals were scheduled and details of the September 14, 2016, hearings and the September 15, 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 / Special Exception

Hearing – Count #9:05:00 – 9:21:40 / Decision – Count #8:33:30 – 8:45:50

The First Hearing was Andrea G C Krier, owner / R. Lynam & Co., Inc. d/b/a North Lake Fine Custom Homes, applicant – 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 construct a wood deck, walkway / patio and retaining walls to support stairway in the shore yard.

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

VARIANCE REQUEST: The applicants are requesting structures in the shore yard as close as 0' from the Ordinary High Water Mark. 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 wood deck, walkway / patio and retaining walls to support stairway in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of September 14 & 15, 2016, for the petition of Andrea G C Krier, owner / R. Lynam & Co., Inc. d/b/a North Lake Fine Custom Homes, applicant, voted to **MODIFY AND APPROVE** the request for a walkway/patio and retaining walls in the shore yard as close as 0' from the Ordinary High Water Mark. The Board modified and approved the request by reducing the width of the walkway / patio, running parallel to the shore, to the preconstruction footprint and to replace the retaining wall supporting the stairway with a boulder outcrop. The Board voted to **APPROVE** a wood deck in the shore yard as close as 0' from the Ordinary High Water Mark.

A motion was made by Ann Seaver to deny the deck as presented but approve walkway & stairs. Motion dies for lack of a second.

A motion was made by John Roth to modify and approve the walkway / patio and stairway retaining walls to meet criteria of Walworth County Land Conservation Division letter. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

A motion was made by Ann Seaver to approve deck with modifications. Ann Seaver rescinded her motion.

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

BOARD OF ADJUSTMENT FINDINGS:

Walkway/ Patio & Retaining walls: The Board modified and approved the request and found the steep slope to be an exceptional circumstance to the property. The Board found a walkway / patio had existed since the 70's but smaller in size, based on photos. The Board found that the retaining walls were not necessary and that outcroppings would be better. The Board found the applicant received approval from the Township.

Deck: The Board found the deck did exist since at least 1975. The Board found the deck had been unsafe and in need of repair. The Board found the deck had been resurfaced and upgraded to meet current codes. The Board found no harm to public interests since the deck had existed since the 70's. The Board found no increase in impervious surface.

A copy of Minutes documenting approval from the Town of Whitewater was submitted. There were three letters of support from neighboring property owners. There was a letter of comment from the Walworth County Land Conservation Division. There was no opposition.

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

Hearing – Count #9:21:41 – 9:33:02 / Decision – Count #8:45:51 – 8:51:39

The Second (Special Exception) Hearing was Bonnie Jo Sclamberg Trust, owner / Bonnie & Edward Sclamberg, applicants – Section(s) 17 – East Troy Township

Applicants are requesting a special exception in accordance with Section(s) 74-163(7a) / 74-240(7a) of Walworth County's Code of Ordinances – Shoreland Zoning and requirements of the Federal Fair Housing Act, the Wisconsin Fair Housing Act or the American with Disabilities Act for installation of a tram outside the view / access corridor and as a second means of access to the shore.

VARIANCE REQUEST: The applicants are requesting a special exception in accordance with Section(s) 74-163(7a) / 74-240(7a) of Walworth County's Code of Ordinances – Shoreland Zoning and requirements of the Federal Fair Housing Act, the Wisconsin Fair Housing Act or the American With Disabilities Act for installation of a tram outside the view / access corridor and as a second means of access to the shore.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of September 14 & 15, 2016, for the petition of Bonnie Jo Sclamberg Trust, owner / Bonnie & Edward Sclamberg, applicants, voted to **APPROVE with CONDITION (deed restriction)** the special exception request for the installation of a tram outside the view / access corridor and as a second means of access to the shore.

A motion was made by Ann Seaver to approve the special exception request. Seconded by Elizabeth Sukala. Motion carried. 2-favor 1-oppose (John Roth)

BOARD OF ADJUSTMENT FINDINGS: The Board found the request is for a disabled person who resides on the parcel. The Board found the request has shown that the structure would allow the disabled person access to the pier. The Board found the structure shall be temporary and may only continue as long as the disabled person resides on the parcel and shall be removed not more than 30 days after the disabled person vacates the parcel. **The Board found a deed restriction shall be filed in the Register of Deeds Office to assure removal of the structure in accordance with the stipulation of approval.** The Board found the owner will submit a letter to the Zoning Division advising status on an annual basis beginning one year from the filing date of this decision.

There were letters of support from three medical caregivers, East Troy Fire & Rescue Department, the Town of East Troy and two neighboring property owners. There was no opposition.

Hearing – Count #9:33:03 – 9:57:59 / Decision – Count #8:51:40 – 8:55:05

The Third 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 a fire pit and retaining walls and to construct a stairway and landing.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback for structures and permits shore yard landings not to exceed 25 square feet in size.

VARIANCE REQUEST: The applicants are requesting an approximate 35' shore yard setback for a fire pit, an approximate 35' shore yard setback for retaining walls and a landing approximately 40 square feet in size. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a fire pit and retaining walls and to construct a stairway and landing. The request for the landing was withdrawn prior to the hearing as the zoning ordinance was amended to permit a sidewalk.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of September 14 & 15, 2016, for the petition of William P. & Patricia A. Hite, owners, voted to **DENY** the request for an approximate 35' shore yard setback for a fire pit and an approximate 35' shore yard setback for retaining walls.

A motion was made by Elizabeth Sukala to deny the fire pit with the surrounding 4' paving block patio. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found no unique property limitations rather than considerations personal to the property owner. The Board found the request to be a large increment of relief. The Board found the firepit / patio area is not necessary to enable use of the property. The Board found to approve the variance request would allow too much impervious surface in the shore yard. The Board found the request did not meet the criteria necessary for approval.

There was one letter of comment from the Land Conservation Division. The Town of Whitewater had submitted a recommendation for denial.

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

New Business – Appeals

Hearing – Count #9:58:00 – 11:00:39 / Decision – Count #8:55:06 – 8:58:56

The Fourth (Appeal) Hearing was No Free Time LLC / Cassandra Kordecki, owners – Section(s) 28 – Geneva Township

Applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the property is grandfathered as a legal non-conforming use due to renting prior to December, 2014.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on September 14 & 15, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered).

A motion was made by John Roth to uphold the interpretation and decision of the zoning administrator. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: By motion unanimously adopted, the board found that the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning and did not establish a legal non-conforming use. The Board found the applicant presented detailed evidence of a business use including sales tax documents, asset / depreciation reports and, tourist rooming house license and inspections. The Board also found that the owner never stayed in the residence. Such business use was not legally established and is not allowed in the Walworth County Shoreland Zoning Ordinance in the R-2 zoning district.

Shannon Haydin testified on behalf of Walworth County.

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

The Fifth (Appeal) Hearing was Andrew Huebner Trust, owner / Andrew Huebner, applicant – Section(s) 32 – Geneva Township

Applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants’ interpretation is that the property is grandfathered due to renting prior to December, 2014.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on September 14 & 15, 2016, did not vote on the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: This appeal was **postponed** at the owner’s request.

Other

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

Staff Reports

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

Proposed discussion for next agenda

The following items were requested to be put on the October 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 Board of Supervisors
Children with Disabilities Education Board Meeting Minutes
Wednesday, September 14, 2016
Walworth County Government Center
County Board Room 114
100 West Walworth Street, Elkhorn, WI 53121**

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

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

Others in Attendance:

County Board members: County Board Chair Nancy Russell

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

On motion by Supervisors Ingersoll and Schaefer, the agenda was approved by voice vote.

On motion by Secretary Monroe, seconded by Supervisor Staples, the July 27, 2016 CDEB minutes were approved 5-0.

Public Comment – There was none.

New Business

- Chapter 15 Ordinance revisions related to CDEB
 - Sec. 15-324 – performance based compensation
 - Sec. 15-359 – special pay premiums

The ordinance amendments are to clarify language concerning staff in the performance based plan, and to add Speech Correctionists to the list of staff eligible for the lunchroom stipend. The Human Resources Committee approved the ordinance revisions at their meeting earlier in the day. **Supervisor Ingersoll made a motion, seconded Secretary Monroe, to approve the amendments to Sections 15-324 and 15-359 of the Walworth County Code of Ordinances. The motion carried 5-0.**

- Establish the minimum number of non-resident students who may attend Lakeland School on tuition. Special Education Director Tracy Moate said last year, the Board voted to expand the criteria for determining space availability for non-resident tuition students. She distributed updated information on enrollment history by department; the number of students receiving special services such as speech, language, occupational and physical therapy; the number of students with significant health concerns; the maximum number of students in receiving class and department; the number of transfer enrollment students per department; the number of students with significant behavior concerns/needs; the capacity caseload of students with a behavior intervention or sensory escalation plan; the total number of students in each department, broken down by the number and percentage of students with behavioral needs and a graph representing the same; seclusion and restraint data by department; and a summary of space availability by departments. Moate noted some significant trends: the School is now serving more students with more alternative curriculum needs; the number of middle school and high school students is growing significantly; the number of students with autism is increasing; and overall, students are presenting more unique, specific issues. **Supervisor Ingersoll made a motion, seconded by Secretary Monroe, to approve the total recommended space availability of 43 for non-resident student requests, broken down by department. The motion carried 5-0.**

- Discussion of the 2017 proposed CDEB budget

Moate distributed a handout on the proposed 2017 CDEB budget, which included: statistics on changes in the tax levy; the 2017 appropriation summary; a comparison to 2016; number of full-time equivalents, transfer of service progress and payments; 2017 capital improvement projects; tuition agreements; debt service; and the committed fund balance for future use. Moate said the 2017 tax levy will decrease by 4.2%, for a total of \$7,002,636. Full time employees have decreased by 80 since 2003, which is the result of the district transfers. Staff has been shifted to other departments as needed, particularly from primary to the older age levels. There are five capital projects to be funded through tax levy, and the digital cutout maker will be funded through a grant. The tuition agreement revenues were included through 2015-2016. The 2017 budget includes the calling of all remaining 2007 bonds of \$5,545,000 for the construction of the School, which will save \$1,362,155 in interest payments. Moate added that the goal is to meet the 2008 bond call in 2018. **Secretary Monroe made a motion, seconded by Supervisor Schaefer, to approve the CDEB 2017 proposed budget. Motion carried 5-0.**

Reports and Correspondence

- CDEB Chair - Chair Weber asked about the consideration for a one time merit payment for teachers who have reached their salary limits. County Administrator Bretl said management staff has requested that eight long-term teachers, who are above average and high level performers, receive a one-time stipend for their performance. Bretl said the ordinance amendment would have to be created and approved by the Human Resources Committee. Board Chair Russell asked if the County does that for everyone except top managers, saying she is concerned once we approve the stipend, it could proliferate and would have to be provided to everyone in the same circumstances. Bretl said every salaried employee in the MX pay plan who has hit the top end of the scale is eligible for that consideration except for teachers.

- CDEB Director

- Start of the 2016-17 School Year

There were 200 students enrolled at the beginning of the School year and there have been five transfers in to date.

- Lakeland School Outdoor Education Program

The outdoor education program for students was completed last week at Lutherdale. Day camp went well and was a good experience for the kids.

Confirmation of next meeting – The next meeting was confirmed for Wednesday, October 19, 2016 at 5:00 p.m.

On motion by Supervisors Schaefer and Ingersoll, Chair Weber adjourned the meeting at 5:46 p.m.

DRAFT

**Walworth County Board of Supervisors
Health and Human Services Board Meeting Minutes
Wednesday, September 14, 2016
Walworth County Government Center
County Board Room 114
100 West Walworth Street, Elkhorn, WI 53121**

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

Roll call was conducted. Members present included Vice Chair Tim Brellenthin, Supervisor Kathy Ingersoll, Chair Ken Monroe, Supervisor Joe Schaefer, Supervisor Charlene Staples, Citizen Representatives Dr. James Seegers, Berenice Solis, Sandra Wagie-Troemel, and William Wucherer. 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); Lori Muzatko, Aging and Disability Resource Center (ADRC)/Aging and Resource Support Manager; Ety Wilberding, Children's Division HHS; Sarah Green, Service Coordinator/Mental Health HHS; Stephanie Adrihan, Service Coordinator/Special Education Teacher HHS; District Attorney Daniel Necci; Paula Hocking, Director of the Children's Advocacy Center (CAC); and Janet Kelly, ADRC Governing Board Member

Members of the Public: Thomas Benziger of East Troy.

On motion by Supervisor Ingersoll, second by Supervisor Staples, the agenda was approved with no withdrawals.

On motion by Citizen Representative Wagie-Troemel, second by Supervisor Ingersoll, the July 27, 2016 and September 6, 2016 Health and Human Services Board meeting minutes were approved.

Chair Monroe stated all public comments will be held until the public hearing.

Public Hearing

- The Walworth County Department of Health and Human Services will conduct a public hearing to seek input from consumers of services, consumer family members and the public. Testimonials will be received on the quality of health and human services programs, unmet needs and improvements to the current system of health and human services in Walworth County

Chair Monroe opened the Public Hearing. Elizabeth Aldred, Director of Health and Human Services (HHS), conducted roll call. Those present were the same as listed above. Chair Monroe stated the purpose of the meeting was to seek input regarding the 2017 budget. He explained the rules of conduct and then opened the meeting for public comment.

Thomas Benziger of East Troy, distributed a letter at the meeting and gave a brief overview of its contents through his interpreter. He stated his appreciation for the Aging and Disability Resource Center (ADRC) and offered options for reaching out to others who are deaf and hard of hearing within Walworth County. Benziger expressed his concern regarding ADRC not electing a deaf person to the governing board, as there are many hearing impaired individuals living in the County and he feels they are not receiving proper representation.

Aldred referred to Enclosure 3 of the packet and the many public hearing comments for the Board's review.

There being no further public comment, Chair Monroe closed the public hearing at 2:20 p.m.

Unfinished Business

- Discussion and Possible Action Clarifying County Recognition of the Child Advocacy Center
-

Aldred gave a brief update on information regarding the Children's Advocacy Center (CAC). She said Walworth County has a "Protocol" to provide a coordinated response to sensitive crimes perpetrated against children in our community. She expressed the department's concerns with the confidentiality aspect of the "screen-out" reports being shared with the community based on the "Protocol." She stated District Attorney Dan Necci, Administrator David Bretl, and Paula Hocking, Director of the CAC, were in attendance at the CAC meetings. Ordinance No. ***-11/16 was distributed at the meeting.

Administrator Bretl said the "screen out" reports are confidential and can be intrusive. The Code of Ordinance states these reports need to be confidential unless there is an exception to it. One of the exceptions is for the recognition of a CAC; what the ordinance failed to recognize was the purpose for which the CAC was recognized and the proposed ordinance does that. Bretl stated it is a criminal offense for an employee to release this information without a clear statutory exemption. The second amendment within the proposed ordinance deals with Section 50-7, Multidisciplinary team; the current ordinance authorized HHS to participate in this team and the proposed ordinance recognizes the Multidisciplinary Response Team and authorizes the Department to participate in the team.

Aldred stated that not only are there "screen outs" related to non-caregivers, but there can also be "screen outs" to caregivers, which would be handled in the same manner. The ordinance would be inclusive to all "screen outs."

Supervisor Staples inquired if there were penalties for violating confidentiality. Aldred stated there are statutory requirements and penalties for sharing the information and that the ordinance amendment would eliminate any potential penalty. District Attorney Dan Necci stated Chapter 48 of the Wisconsin Statutes does provide for criminal penalties except for those exceptions; two of which are law enforcement and an employee of the CAC for the purposes for which CAC is recognized.

Paula Hocking, Director of the (CAC), stated the CAC is also employed by the Children's Hospital of Wisconsin and are guided under the confidentiality of the Health Insurance Portability and Accountability Act (HIPAA).

Wagie-Troemel requested that the "Protocol" be explained to the board at a future meeting. Aldred stated she would incorporate this request with the review of the Children's Unit.

Supervisor Ingersoll made a motion, second by Supervisor Staples, to move forward with amending Sections 50-2, 50-6 and 50-7 of the Walworth County Code of Ordinances Pertaining to the Children's Advocacy Center. Motion carried 8-0. Citizen Representative Wagie-Troemel, as President of the Walworth County Alliance for Children (WCAC), abstained from voting.

New Business

- Overview of the Services for Children With Special Needs and Update on the Birth to Three Social Emotional Pilot

Etty Wilberding, Children's Division HHS, gave a brief presentation of the Special Needs Program and updated the Birth to Three Social Emotional Pilot (B3). Staff consists of 2 social workers, 2 speech therapists, 1 teacher, 1 physical therapist, and 1 occupational therapist. She explained the three basic programs:

- Birth to Three
- Children's Long-Term Support Waiver (CLTS)
- Children's Community Option Program (CCOP), which is new this year.

Wilberding stated without working with the families, the children are at risk of being unemployed, underemployed, living in poverty, having a lack of education and housing, and inadequate access to healthcare. Discussion then focused on the increase of children for services, referral submittal, maintenance of the tax levy, and required documentation submittal.

Wilberding gave a recap of the B3. Children's Services reviewed data on children who came through the program and found that children were not consistently identified with social emotional needs. They were specifically looking

at children for abuse or neglect and wanted to find a better way to assess children with social emotional issues. She gave statistics on the number of referrals and their needs.

Wilberding stated they will be presenting the B3 Program at an International Conference in Kentucky known as the Division of Early Childhood of the Council of Exceptional Children. She said they will continue to work with social workers, daycare providers, collaborating with Child Protective Services (CPS) employees, foster families, and bio families. Wilberding asked for the board's commitment to evidence based home visiting programs; support to complete the B3 pilot through data analysis and recommendations in 2017; support expanding the project and to begin assessing all children coming into the B3 program; and a commitment to infant mental health.

Stephanie Adrihan, Service Coordinator/Special Education Teacher HHS, stated they are using the Hawaii Early Learning Protocol and Early Learning Accomplishments Profile, which are vague social emotional assessment tools. Abraham briefly explained the newly added tools, which include:

- Social Emotional Evaluation and Assessment
- Temperament and Atypical Behavior Measurement System (TABS)
- A screener that looks at the environmental components
- Parent Self-Assessment
- Switched from the Ages and Stages Social Emotional tool to the Green Span Developmental Growth Chart
- Quarterly review by the case managers to assess how the families are engaging.

Sarah Green, Service Coordinator/Mental Health HHS, said once a family has been identified, Child Services will continue to work with doctor(s) and may have to turn to the Developmental Clinics in Madison and Milwaukee. Green stated they are working on implementing a family based program to help eliminate long-term out of home placement or termination of parental rights.

Wagie-Troemel requested an update in six months.

Schaefer was excused at 2:57 p.m.

• 2017 Proposed Budget Presentation

Aldred gave a brief presentation on the 2017 proposed budget and stated there is a .63% increase. Revenue is anticipated to increase by \$1 million in a variety of areas, with state and federal revenues being the largest increases.

Aldred highlighted the following areas:

- Grants – Aldred explained the grants that will either be receiving additional funds or eliminated.
- Major Changes in Insurance and Other Revenues – There is an increase in the B3 revenues based on trends and increasing the therapist position.
- Community Recovery Services – It is anticipated services will begin in 2017. The budget reflects revenues that equate to the cost of the staff person. The program provides services to individuals who are in long-term residential placement; approximately 40% would be covered under Title 19. The position would not be filled until the state moves forward with our particular county.
- AODA Reorganization – The Intoxicated Drivers Grant was broken out to better define the program. The Substance Abuse Grant was broken out to better track the initiatives and progress of the grant, which requires 20% to be used for prevention efforts.
- Drug Court – Aldred briefly explained the current and anticipated Drug Court positions.
- Residential vs Inpatient Costs – Aldred stated HHS is in the process of placing an individual, who was placed for an extended stay, to their new facility. The increase in cost should shift once the placement has been completed.
- Children's Reorganization Position – HHS is looking to bring in temporary help; working on safety training with the staff; and providing safety services within the home. Aldred stated the Department of Children &

Families (DCF) put out a directive to not take away child support from families who have children placed in the foster care system. She said HHS has split the unit into four distinct units: Access/Initial Assessment; On-going; Child Welfare Developmental Disability; Juvenile Justice.

- Fleet Vehicles – An evaluation was completed on staff mileage. Five detective squads will be converted to street cars to transport individuals.
- Economic Support Program – Aldred said investigations have begun relative to fraud overpayments; funding is changing from Patient Protection and Affordable Care Act (PPACA) dollars to Medicaid Enhancement dollars; and it is not anticipated the workload is going to change. She said HHS should be able to support the three positions currently in place using the carryforward, the Enhanced Medicaid funding, in addition to the reduction in Affordable Care Act funding.
- Public Health Position – Grant funds have not been obtained to support the full time Emergency Preparedness Coordinator. Aldred stated HHS is looking to combine the half time Public Health Specialist position and Emergency Preparedness Coordinator position; downgrade the Emergency Preparedness Coordinator to a Human Services Specialist II; and to bring the Dental Hygienist on as an employee.
- Change in Staff Changes – HHS is requesting to increase the Speech Therapist in B3 by .25 and reclassifying the Behavioral Analyst position to an Adult Protective Services Worker.
- Capital Improvement Plan – Includes the new Health and Human Services building, with planning in 2017 and building in 2018.

Berenice Solis was excused at 3:34 p.m.

- Discussion and Possible Action of Early Implementation of Comprehensive Community Services (CCS) Treatment Alternatives and Diversion (TAD) Case Manager

Aldred stated she would like to bring the Case Manager in early for the Drug Court Program.

Citizen Representative Wagie-Troemel made a motion, second by Supervisor Ingersoll, for early implementation of the CCS TAD Case Manager. Motion carried 7-0. (Supervisor Schaefer was excused at 2:57 p.m. and Citizen Representative Solis was excused at 3:34 p.m.)

- Discussion and Possible Out of Darkness Walk Sponsorship Donation

Aldred requested permission to have the Out of Darkness Walk sponsored and stated the goal is to address suicide within the community.

Supervisor Staples made a motion, second by Citizen Representative Wagie-Troemel, to allow the department to sponsor the Out of Darkness Walk. Motion carried 7-0.

- Discussion and Possible Action for Change in Scope of Echo Upgrade Project I1501

Aldred stated Echo is the program that maintains and helps perform the health record, revenue, and billing for HHS. Currently in the budget is an upgrade of the Revenue Manager, but the Echo Group is not ready to perform that upgrade. She said when implementing the electronic health record in 2010, HHS has experienced some ongoing issues with reconciling. HHS would like to have Echo review those issues and possibly change the scope of the project. The request for this change was presented to the Public Works Committee on Monday and it was approved.

Supervisor Ingersoll made a motion, second by Supervisor Brellenthin, to approve a change in scope for the Echo Upgrade Project I1501. Motion carried 7-0.

- Discussion and Possible Action Resolution in Support of Increased Funding in the Children's and Family Aids Allocation

Aldred stated HHS was asked by the Wisconsin Counties Association (WCA) to review (Enclosure 10), Resolution In Support of Increased Funding in the Children and Family Aids Allocation. She said last year Secretary

Anderson at the Department of Children and Family Services asked for an increase in allocation to provide additional dollars. Counties have not received additional dollars since before 2009. Secretary Anderson is asking the county's assistance requesting additional dollars for these programs from the Legislature.

Supervisor Ingersoll made a motion, second by Supervisor Staples, to support a resolution of increased funding in the Children and Family Aids allocation. Motion carried 7-0.

- Discussion and Possible Action on Approving Grant Application for the Post-Reunification Support (PS) Program

Aldred stated a grant application has been released for the Post-Reunification Support (PS) Program that would provide case management services for a child reunified in their home for up to a one year period. She said this grant would assist Walworth County with the high rate of re-entry of a child in the welfare system. The first year the state will provide \$1100 per child to receive on-going case management. In the second and out years, the state would pay for the first three children and the County would pay for the fourth child. The grant application is due in early October.

Supervisor Ingersoll made a motion, second by Supervisor Staples, to approve application for grant for the Post-Reunification Support (PS) Program. Motion carried 7-0.

Reports

There were none.

Correspondence

- Correspondence from the State of Wisconsin re: 2016 Management Evaluation (ME) Review
Aldred stated there was a review of the Moraine Lakes FoodShare Program in Washington County in 2015 and in Waukesha County in 2016. A review of Walworth County has not taken place, but the review went well.

Announcements

- Walk to End Alzheimer's
Aldred stated our community is having a Walk to End Alzheimer's on Saturday, September 17, 2016. Chair Russell is the Honorary Chair of the event.

- Halloween Hustle
Aldred stated the 2nd Halloween Hustle will be held on October 29, 2016 at HHS. This event helps support the holiday care program.

Citizen Representative Wagie-Troemel distributed a flier for the Safety Fair presented by the Tree House, which partners with WCAC, HHS and other entities within the county.

Confirmation of Next Meeting – The next meeting was confirmed for October 19, 2016 at 2:00 p.m.

Adjournment

On motion by Supervisor Brellenthin, seconded by Supervisor Staples, Chair Monroe adjourned the meeting at 3:40 p.m.

DRAFT

**Walworth County Board of Supervisors
Human Resources Committee Meeting Minutes
Wednesday, September 14, 2016
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

The meeting was called to order at 3:53 p.m. by Chair Tim Brellenthin.

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

Others in Attendance

County Board members: County Board Chair Nancy Russell

County staff: County Administrator David Bretl; Human Resources Director Dale Wilson; Deputy County Administrator-Finance Nicki Andersen; Budget Manager Stacie Johnson; Director of Central Services Eric Nitschke; Risk/Benefits Manager Lisa Henke; Human Resources Manager Donna McIntyre; Lakeland Health Care Center (LHCC) Administrator Bernadette Janiszewski; Director of Special Education Tracy Moate; County Treasurer Donna Pruess; County Clerk Kim Bushey; IT Operations Manager Jackie Giller; Health and Human Services (HHS) Director Elizabeth Aldred; Clerk of Courts Sheila Reiff; Courts Office Manager Kristy Secord; Comptroller Jessica Conley

On motion by Supervisor Timms, seconded by Vice Chair Monroe, the agenda was approved by voice vote.

On motion by Supervisor Timms, seconded by Supervisor Ingersoll, the minutes of the July 27, July 29 and September 6 meetings were approved 5-0.

Public comment – There was none.

Old Business

- Discussion and possible action regarding the classification/compensation study

Human Resources Director Dale Wilson said staff has worked through the process of establishing rules for implementing the recommendations from the compensation study. Department heads raised some concerns with the study results and alterations were made to some ranges because of compression issues. The pay tables generally will stay the same, with the exception of some lead workers and establishing a higher pay rate for the Certified Nursing Assistant (CNA) Coach positions. At the Sheriff's Office, adjustments were made to certain management positions for equity purposes. Similar adjustments at Lakeland Health Care Center were made for nurse managers. A couple of departmental appeals were incorporated into the Administrator's budget, after working with the Hay Group. The resolution to approve the implementation will be presented in October.

- Discussion and possible action concerning options on health insurance plan due to Health Care Reform Excise Tax – Pre-65 retiree carve out as well as potential mitigation recommendations

Wilson reported the pre-65 retiree carve out is the last option for consideration to mitigate the potential "Cadillac" excise tax. He asked to defer discussion to October to allow time for staff and M3 to gather details and also provide a summary of all the options presented at previous meetings. **Vice Chair Monroe made a motion, seconded by Supervisor Ingersoll, to place the item on the October 19th meeting agenda. Motion carried 5-0.**

New Business

- Personnel appeals to Administrator's Budget

County Administrator David Bretl said two personnel appeals were presented before the meeting for review/approval. The decisions made today will be referred to the Finance Committee for approval. He said budget amendments could still be introduced by staff and Supervisors following the public budget hearing. Chair Brellenthin read the appeals and deferred to Wilson for specifics.

Appeal A – Clerk of Courts Department – sponsored by Supervisor Nancy Russell

Add a full-time Pretrial Services Coordinator position funded by the Treatment Alternatives and Diversion (TAD) grant to assist with OWI/Drug Court and Pretrial Services Program

Wilson said the position would be levy neutral. Chair Brellenthin asked whether the grant might expire in the future. Clerk of Courts Office Manager Kristy Secord said although this grant has to be applied for annually, it will not be competitive for a five-year period, and the County should be eligible for the same amount for the next five years if the grant is funded. Clerk of Courts Sheila Reiff said the judges and the District Attorney's office are using the pretrial services, which are helpful in determining risk of flight and reoffending and bond setting. Bretl said the program is valuable, and the County should be proactive in planning to fund these programs if the grants expire. **Supervisor Ingersoll made a motion, seconded by Supervisor Timms, to approve Appeal A to the 2017 Personnel Budget. Motion carried 5-0.**

Appeal B – Public Works Department – sponsored by Supervisor Randy Timms

Eliminate a Maintenance Technician position that is currently unfilled and restore full funding of the Inventory Specialist

Wilson said the appeal relates to the Public Works reorganization earlier in the year, which was approved contingent upon it being levy neutral in 2017. Central Services Director Eric Nitschke recommended leaving some of the positions vacant to achieve savings during 2017. Supervisor Timms proposed making the reorganization budget neutral in future years also, by eliminating the Maintenance Technician position and fully funding the Inventory Specialist. The elimination of the Maintenance Technician position, plus the anticipated reduction in annual loss on inventory with the hiring of the Inventory Specialist will provide an ongoing operational savings to produce a budget neutral position. Nitschke said Facilities is short-staffed, especially the addition of the new shop space to be maintained. He will review the need for the Maintenance Technician position throughout 2017 and make a recommendation in the 2018 budget process. **Supervisor Timms made a motion, seconded by Supervisor Ingersoll, to approve Appeal B to the 2017 Personnel Budget. Motion carried 5-0.**

- Request for early implementation of the following changes:
 - Lakeland Health Care Center (LHCC) personnel changes

LHCC management staff is asking to eliminate the vacant Staff and Support Services Manager position and create an Assistant Nursing Home Administrator, who will be licensed, able to assist in operation of the facility, oversee the business office and scheduling department, and act as Director in Ms. Janiszewski's absence. Bretl agreed with Janiszewski's recommendation, stating it is a good succession planning move. The upgrade in position will cost an additional \$13,800. Staff has asked for early recruitment and 2016 implementation of the position. **Supervisor Timms made a motion, seconded by Supervisor Pruessing, to approve the elimination of the Staff and Support Services Manager position and the creation of the Assistant Nursing Home Administrator position, and to approve early recruitment and implementation. The motion carried 5-0.**

- Health and Human Services personnel changes

HHS Director Elizabeth Aldred said the Clerk of Courts has applied for a Treatment Alternatives and Diversion (TAD) Grant to fund the Pre-Trial Services Coordinator position, as approved above in Appeal A to the Personnel Budget. HHS can fund the position as the Comprehensive Community (CCS) TAD Case Manager, which would be fully supported from revenue generation. Management requests early implementation of the position. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to approve early implementation of the CCS TAD case manager. Motion carried 5-0.**

- Discussion and possible action regarding amending Section 30-182 of the Walworth County Code of Ordinances relating to insurance funds net position reserves
Wilson met with Finance and Administration to discuss reserves for the health, dental and Worker's compensation funds, and they determined it would be prudent to require a higher level of reserves for each of the funds. The ordinance amendment increases the reserves from 3-4 months to 6 months. Supervisor Timms asked staff to consider spending down the reserve balances. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to recommend approval of amending Section 30-182 of the Code of Ordinances relating to insurance funds net position reserves. The motion carried 5-0.**
- Discussion and possible action regarding amending Sections 15-727, 15-729 and 15-730 of the Walworth County Code of Ordinances relating to types and duration of leave
Wilson said Wisconsin recently passed a law requiring employers to provide up to 6 weeks of leave in a 12 month period to employees who volunteer to be organ donors. The ordinance amendment adds the donor leave. **Supervisor Pruessing made a motion, seconded by Supervisor Timms, to approve amending Sections 15-727, 15-729 and 15-730 of the Code relating to types and duration of leave. Motion carried 5-0.**
- Discussion and possible action regarding amending Sections 15-322, 15-390 and 15-393 of the Walworth County Code of Ordinances relating to updates of Public Works position titles
Wilson said the ordinance amendment is to update titles of certain Public Works employees to agree with the department reorganization. **Supervisor Timms made a motion, seconded by Supervisor Pruessing, to approve the amendments to Sections 15-322, 15-390 and 15-303 of the Code of Ordinances. Motion carried 5-0.**
- Discussion and possible action regarding amending Section 15-333 of the Walworth County Code of Ordinances relating to pay plan administration for casual employees
Wilson said the current ordinance doesn't address what happens when a Casual or Limited Term employee applies for a regular county position. The ordinance change would add language that applicants would be treated as new employees and hired at the minimum pay range, unless allowed per Section 15-333(e), or if a raise to the entire position is approved. **Vice Chair Monroe made a motion, seconded by Supervisor Ingersoll, to approve the amendment to Section 15-333 of the Code. Motion carried 5-0.**
- Discussion and possible action regarding amending Sections 15-324 and 15-359 of the Walworth County Code of Ordinances relating to pay for certain CDEB employees
Wilson said School management staff reviewed the ordinance language specific to their employee base, and determined that clarification was needed relative to performance based pay. Also, management wants to add language allowing other staff to be able to help provide lunchroom duties during their break time and receive a stipend for the extra task. **Supervisor Timms made a motion, seconded by Supervisor Pruessing, to approve the amendment to Sections 15-324 and 15-359 of the Code. Motion carried 5-0.**

Reports/announcements by Chair – None

Confirmation next meeting: The next meeting was confirmed for Wednesday, October 19, 2016 at 3:30 p.m.

Adjournment

On motion by Supervisors Pruessing and Timms, Chair Brellenthin adjourned the meeting at 4:38 p.m.

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

DRAFT

**Walworth County Board of Supervisors
Lakeland Health Care Center Board of Trustees Meeting Minutes
Wednesday, September 14, 2016
Walworth County Government Center
County Board Room 114
100 West Walworth Street, Elkhorn, WI 53121**

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

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

Others in Attendance

County Board Supervisors: County Board Chair Nancy Russell

County staff: County Administrator David Bretl; Lakeland Health Care Center Administrator (LHCC) Bernadette Janiszewski; Human Resources Director Dale Wilson

Members of the public: Mary Price, 209 W. Second Street, Elkhorn, Wisconsin

On motion by Supervisors Schaefer and Ingersoll, the agenda was approved by voice vote with no withdrawals.

On motion by Supervisors Ingersoll and Staples, the minutes of the July 27, 2016 meeting were approved 5-0.

Public Comment – Mary Price, Elkhorn, asked about the results of the State survey and whether there were any sanctions or fines. She questioned the need to hire an Assistant Administrator.

Old Business

- Employee Engagement Survey – Update

LHCC Administrator Bernadette Janiszewski said two of the four Certified Nursing Assistant (CNA) Coaches have been hired. Staff who worked on Labor Day got brownies, and the Quarterly Employee Awards ceremony is next Wednesday.

- Senior Management Positions – Update

Second interviews are being conducted for the Quality Control Manager position, and discussion on the Staff and Support Services Manager position was discussed later in the meeting.

- Overtime/Mandatory Additional Hours Analysis

Janiszewski said mandated overtime hours have been reduced each month.

- Changes to the LHCC Chapter of the County Ordinances

The ordinance, including additions to Section 51-12, which include language on background checks prior to admission and a new section on the Corporate Compliance Program, was included with the packet. She asked if the Board wanted to recommend adoption or keep it on the agenda for further review. Supervisor Staples said she discussed adding limits to overtime mandates in the ordinance with County Administrator Bretl, and wants to discuss it at next month's meeting. Bretl encouraged the Board to take time to review the ordinance and be comfortable with their role in exercising direction over the facility. **Supervisor Staples made a motion, seconded by Supervisor Ingersoll, to continue review of the ordinance at subsequent meetings. Motion carried 5-0.**

New Business

- Discussion and possible action – proposed 2017 rate increase

Bretl said a rate increase for private pay residents has been included in the 2017 budget. The increase would increase from \$263 to \$300 per day, a 14% increase. Rates have not been raised since 2014, and Lakeland Nursing Home's rates would remain the lowest in the area. Approximately \$385,000 in revenue would be generated from the increase. County Board Chair Russell said she supports the increase; Walworth County taxpayers are subsidizing over \$3 million a year to support the Health Care Center, and the increase is reasonable. **Vice Chair Brellenthin made a motion, seconded by Supervisor Ingersoll, to approve the proposed 2017 rate increase. Motion carried 5-0.**

- 2017 LHCC budget request – informational only

Janiszewski provided a summary of the 2017 budget requests. LHCC's major focus in 2017 is to improve new employee training programs and competency testing for CNAs, expand the restorative nursing program, and further develop the wound care and infection and control programs. A significant increase in expense is due to the new cleaning contract, new positions and changes as a result of the county classification compensation study. A major capital improvement request for 2018 is a connector between the D East and D West units, to include a therapy room, a classroom and an office. The cost estimate is \$450,000.

Janiszewski requested to reclassify the open Support Services and Staff Manager position to Assistant Nursing Home Administrator. This position will require an administrator license and assist with the operation of the facility, supervise the business office and the scheduling department. Janiszewski said the reclassification is a good succession planning tool, as there isn't anyone at the facility licensed to assume the duties of the Administrator in her absence. The cost for the reclassification from the former position would be \$13,800. She wants to implement the position by the end of this year. Supervisor Ingersoll asked if salary was the problem in recruiting. Human Resources Director Dale Wilson said the classification compensation study found that wages for nursing positions at LHCC were in a competitive range with the market. There is an overall shortage of health care professionals nationwide. Janiszewski said another challenge is the lack of physicians in long-term care and she is investigating the services of a nurse practitioner in 2018. One of the challenges in the 2017 budget is the inability to significantly reduce mandated overtime expense. When there are four or five call-ins in one shift, it is necessary to mandate employees to remain in the building until replacements are called in. Janiszewski is opposed to implementing minimum staffing levels because of the residents' medical needs.

- Discussion and possible action regarding a settlement offer on a resident account

There is a balance remaining of \$38,999 on a deceased resident's account. The family of the decedent has offered a settlement of \$20,000. Bretl said the County's attorney recommended accepting the settlement. **Supervisor Ingersoll made a motion, seconded by Supervisor Staples, to approve the settlement offer of \$20,000, and to write off the remaining balance of \$18,999. Motion carried 5-0.**

- Discussion and possible action on Family Care contracts

Janiszewski said this would be the first time LHCC would have HMO contracts. There would be three provider agreements, and with the new federal codes, more people would be eligible for managed care, which would save money for the State. **Vice Chair Brellenthin made a motion, seconded by Supervisor Ingersoll, to approve the contract with Family Care. The motion carried 5-0.**

- Annual State Survey results – informational only

This year, the survey team came from a different area in the State. The survey was a very thorough process, and the report was 87 pages. LHCC received thirteen clinical citations, principally as a result of not following care plans consistently. Staff has received extensive education regarding the importance of following the care cards. Education and assessing employee skill sets will continue throughout the year. A written plan of correction has been accepted by the State.

- Discussion and possible action regarding changes to the Staff and Support Services Manager position
This item was discussed above. **Supervisor Ingersoll made a motion to approve the reclassification of the position, and to allow early implementation. Vice Chair Brellenthin seconded the motion and it carried 5-0.**

- Change Order submitted to the Public Works Committee – Memory Care Connection Project – informational only

Janiszewski said the \$15,600 change order is for a temporary exit door and sidewalk to be installed during construction, which was required because of potential life safety issues.

Administrator's Report

- Report of Department Head concerning last month's business activities

Both the July and August reports were included with the packet. Aurora Lakeland Medical Center Occupational Health personnel will be providing education to LHCC staff on lifting, stretching, etc., to avoid injuries.

Announcements – There were none.

Upcoming Events – The list of events was included with the packet.

Confirmation of next meeting: The next regular meeting was confirmed for October 19, 2016 at 1:00 p.m.

Adjournment

On motion by Vice Chair Brellenthin, seconded by Supervisor Staples, Chair Monroe adjourned the meeting at 2:05 p.m.

DRAFT

**Walworth County Aging & Disability Resource Center Governing Board
September 12, 2016 Meeting Minutes
Walworth County Health and Human Services Center
W4051 County Road NN, Elkhorn, WI 53121**

The meeting was called to order at 9:02 a.m. by Chair David Jordan

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

Others in attendance:

County staff: Lori Muzatko, Health and Human Services (HHS) Division Manager; Jennifer Selz, ADRC Director; Colleen Lesniak, Walworth County Volunteer Coordinator; Anne Prince, Aging Director and Nutrition Program Supervisor; Trisha Sommers, Administrative Clerk

On motion by Board Member Atkinson, second by Board Member McKay, the agenda was approved by voice vote.

Approval of minutes

Board Member Kelly made a motion, seconded by Vice Chair Scheuerman, to approve the July 11, 2016 meeting minutes. The motion carried 6-0.

Public Comment – There was none.

Unfinished Business

- Wisconsin Farm Technology Days (Selz/Lesniak)

Colleen Lesniak, Walworth County Volunteer Coordinator, stated Wisconsin Farm Technology Days is the largest agricultural show in the State and it travels annually from county to county. Lesniak acted as liaison to the youth area that incorporated educational programs for children; coordinator for the show; and was in charge of recruitment for volunteers along with applications and records management. The show was located on a 70 acre field and it took approximately one month to build the “tent city” from the ground up. Electricity, water, internet, and cell phone service was brought in to facilitate the vendors and food tents. Lesniak stated approximately 30,000 people were in attendance. Admissions are still being calculated by the treasurer, as tickets were also distributed through vendors. Attendance was down due to the heat index.

Vendors stated they were able to establish contacts and possible sales with the majority of visitors who were farmers. They also were able to reach out and educate those who needed it.

Lesniak stated each food tent was run by a not-for-profit group and each volunteer hour is to receive an hourly wage. The volunteer groups in attendance were the Ice Age Trail Alliance, Emanuel United Church in Walworth, The Monroe Kiwanis, Lakeland Health Care Center, Open Arms Clinic, Big Foot FFA, The Vets Roll Group, Walworth County 4-H, a children’s charity out of Janesville, the Knights of Columbus from Lake Geneva and Elkhorn, and a Cattlemen’s Association who put in a collective 5,000 volunteer hours. She said the profits will be shared with those volunteers once the numbers are finalized, as there are outstanding invoices and donations. Lesniak was pleased with the volunteers from VIP, Inc. who installed the snow fences around the outer perimeter of the “tent city,” set up tables and chairs, and were on garbage duty. Jennifer Selz, Aging and Disability Resource Center (ADRC) Director, stated ADRC was on site with two scheduled shifts per day with two people per shift. She said memory screens were offered to those who were interested and multiple marketing and informational tools were distributed.

Lesniak stated Executive Committee President Jim Stowell, UW Extension Ag Agent Peg Reedy, Kathy Baumeister of Burlington, Treasurer Dennis Mohr, Becky Merwin, and Bill Thompson of the Fundraising Committee were instrumental to the show.

Colleen stated there was an appreciation dinner at the fairgrounds for the 1,200 volunteers who worked and approximately 300 attended. Muzatko stated the September ADRC newsletter recognized the two Health and Human Services (HHS) divisions, ADRC and Public Health, and the volunteers hard at work.

New Business

- Volunteer Services 2015 Annual Report (Lesniak)

Lesniak referred to Enclosure II of the packet and gave a brief overview of the Volunteer Services 2015 Annual Report and the return on investment for having a volunteer program. Lesniak administers the application process with the potential volunteers and interns, which includes application, background check, confidentiality statement, and determines if additional education is required. She briefly explained the tabulated volunteer hours, which are broken out by volunteers, interns, and total hours that are used within each department.

- Recommendations regarding duplication of functions between Aging and Disability Resource Center (ADRC) Governing Boards and the Department of Health Services Report

Lori Muzatko, Health and Human Services (HHS) Division Manager, referred to Page 8 relative to a report recently released from the Department of Health Services (DHS) at the state level. She said this is the second report of three the Department was directed to submit at the last Governor's biennial budget. This report is looking at the DHS and ADRC Governing Boards at the County or Tribal levels. Muzatko referred to the Executive Summary on Page 11 and gave a brief overview of the State's recommendations:

- The state indicated there were no changes to the statutory requirements.
- Recommends eliminating the requirement that ADRCs review Manage Care Organization (MCO) related grievances and appeals. Muzatko said the three MCOs in Walworth County are Community Care, Care Wisconsin, and My Choice.
- Recommends no changes to statute to reduce the authority of the governing board to that of an advisory committee. Muzatko stated there are 72 counties, some with multi-county ADRCs. The state does not want to reduce authority to an advisory role. They prefer counties to have the capacity of their own governing structure.
- Recommends deleting obsolete duties of ADRC governing boards regarding the county long-term planning committee. Muzatko stated Walworth County has already deleted this from the Bylaws.
- Recommends eliminating regional long-term care advisory committees. Muzatko said the state is looking to eliminate the one long-term meeting due to lack of structure.

Muzatko referred to Page 20 and spoke briefly about the Proposed Changes to Clarify Statutory Language.

- Preserving the board's role in assessing and making recommendations regarding services for the individuals that ADRC serves.
- Remove board responsibility for reviewing MCO-related grievances and appeals. Muzatko stated this has been eliminated in the Bylaws.
- Eliminate the Regional Long-Term Care Advisory Council Statute. Muzatko stated the structure for input will be changing.
- Muzatko stated they are looking at combining the administrative and operational functions of the governing board listed under §§46.283(6)(b)1 and 8 so that the two are grouped in one subsection.

Muzatko stated she was very pleased with the report as Walworth County had just revised the Bylaws and are in compliance. She stated on Page 24 is a list of ADRCs in Wisconsin and the Counties and Tribes served.

Reports

- Greater Wisconsin Agency on Aging Resources (GWAAR) Annual Board of Directors Meeting Minutes - 06/10/2016

Muzatko stated the June Annual Board of Directors Meeting Minutes are for informational purposes to keep the board updated from our area agency.

- Transportation Coordinating Committee (TCC) Meeting Minutes – 06/06/2016 and 07/11/16

Board Member Atkinson stated she attended the TCC meeting in June and the committee was discussing the outreach program and looking for participants to gather information regarding transportation services.

Muzatko referred to Page 31 of the packet and pointed out comments that were collected from the TCC listening sessions held out in the community. She said at the next TCC meeting the members will be looking at reducing some of the fare schedules and expanding transportation options. TCC has applied for a grant that will open the transportation up to the public. Chair Jordan stated it looks as though TCC is moving forward with the Shared-Ride Taxi Service proposal. Muzatko said the county needed to request and collect shared-ride taxi proposals. She believes the return date for vendors to apply is later in September.

- **GWAAR Advocacy Brief – July/August**

Muzatko stated the Advocacy Brief is another way for the Greater Wisconsin Agency on Aging Resources, Inc. to dispense advocacy information to the ADRCs regarding what is happening at the state level.

Confirmation of next meeting date and time: November 7, 2016 at 9:00 a.m.

Adjournment

On motion by Vice Chair Penny Scheuerman, second by Board Member McKay, Chair Jordan adjourned the meeting at 9:58 a.m.

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

DRAFT

**Walworth County Board of Supervisors
Executive Committee Meeting Minutes
Monday, September 12, 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 Susan Pruessing (arrived at 10:09) and Nancy Russell. Supervisor Dan Kilkenny was excused. A quorum was declared.

Others in Attendance

County Board Members: Supervisor Kathy Ingersoll

County staff: County Administrator David Bretl; Deputy County Administrator-Finance Nicki Andersen; Jail Superintendent Steve Sax; County Treasurer Valerie Etzel; County Clerk Kim Bushey

Members of the public: Brad Huza, WalCoMet Administrator; Dean Logterman, Ron Henriott and Doug Snyder, WalCoMet Commissioners; James DeLuca, Delavan Lakes Sanitary District; Mark Wendorf, City of Delavan; 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 3-0.

On motion by Supervisor Russell, seconded by Vice Chair Staples, the July 25, 2016 meeting minutes were approved 3-0.

Public Comment – There was none.

Consent Items – approval of expense/mileage reimbursement claims:

- Richard Kuhnke, Sr., county representative on WRRTC, in the amount of \$146.12

Vice Chair Staples made a motion, seconded by Supervisor Russell, to approve the reimbursement requests of Richard Kuhnke, Sr. The motion carried 3-0.

Unfinished Business

- Discussion and possible action regarding property tax claims against estates
Supervisor Kilkenny requested consideration of this item. As he was excused from the meeting, it will be postponed to October 17.

New Business

- Walworth County Metropolitan Sewerage District (WalCoMet) 2015 Annual Report
WalCoMet Administrator Brad Huza and Commissioner Dean Logterman presented the 2015 annual report, providing a brief overview of user charges billed, 2015 customer units, total annual wastewater volume, average daily wastewater volume, entity wastewater volume, effluent total suspended solids, effluent biochemical oxygen demand, effluent ammonia nitrogen and effluent phosphorous statistics. Total revenue and expenditures and upcoming issues for 2016 were discussed. To clarify questions on charges, Logterman said customer units are based on meter size for larger installations, such as the county campus. The actual volume of waste is metered. The County gets one bill for the campus, which includes Lakeland Hospital, the largest user; the County then invoices Aurora for their use. Differences occur because of negotiated contracts (Elkhorn) and solids in the billed users' discharge, as an example.

Chair Weber asked if WalCoMet has considered capturing some of the discharge into Turtle Creek for reuse. Logterman said it has been discussed, but the treatment facility is in a lower, wet area not conducive to holding water, and it would have to be transported somewhere else. Huza added the State doesn't view artificial recharging as a resource management option, and encouraged raising awareness statewide to garner support for recharge projects. Overall, WalCoMet is well below waste discharge limits. Huza said they are hoping to be allowed to contribute to an EPA/state fund in lieu of meeting discharge levels for effluent phosphorous. Most of the phosphorous discharge in the region comes from the Rock River, over which WalCoMet has no control.

Supervisor Russell noted 47% of expenditures go to debt service, and asked if WalCoMet has considered raising rates slightly to accelerate paying off bonds. Huza said a number of the bonds will drop off within 3-5 years. Significant debt was encumbered in expanding the system, but no major costs are projected in the near future, with the exception of the eventual update/replacement of collection system lift and pump stations and associated infrastructure. Supervisor Russell asked if salt is measured coming in and out of the system, as she is concerned about winter salt runoff. Huza said chloride/salinity levels are measured on a monthly basis, but there are no current discharge parameters. He added water softeners are major contributors to saline discharges. Chair Weber thanked WalCoMet for their educational presentation, stating residents have the opportunity to view the presentation on the county website. Bretl said if there is Board interest in recharging aquifers, a resolution or letter could be forwarded to Wisconsin Counties Association for consideration at the annual meeting.

- Correspondence from the State of Wisconsin Department of Military Affairs regarding a brief summary of work activities for Walworth County Emergency Management

Bretl said the County's Emergency Operations Center conducted an emergency preparedness exercise in June which was well received. Lt. Ennis has been asked to conduct similar exercises for several municipalities. **Supervisor Russell made a motion, seconded by Vice Chair Staples, to place the correspondence from the State of Wisconsin Department of Military Affairs on file. The motion carried 4-0.**

- Wisconsin Department of Administration (DOA) Preliminary Estimate of January 1, 2016 Population for Walworth County

Bretl said the County's population declined from 2010-2016, averaging only 60 new residents per year. Ten years ago, the population was growing by 1,900 individuals per year. This will be a significant issue if the trend continues, because much of the county's funding is dependent upon growth. **Supervisor Russell made a motion, seconded by Vice Chair Staples, to place the DOA estimate on file. The motion carried 4-0.**

- Correspondence from the Wisconsin Counties Association regarding Resolutions of the Wisconsin Counties Association

Bretl said the resolutions are part of the Wisconsin Counties Association (WCA) legislative platform. Chair Weber will be voting Walworth County's position on the resolutions at the convention. The County forwards resolutions of interest statewide to WCA for inclusion in the platform and WCA makes recommendations on them for vote at the convention. County Clerk Kim Bushey had reported at an earlier meeting on Resolution 9, which supports proposed legislation relating to declarations of domestic partnerships and marriage licenses. Bushey said subsequent to the drafting of the resolution, Wisconsin Act 162 was passed, which adopted the items supported in the Resolution. The committee considered the following resolutions to give Chair Weber direction for WCA.

Resolution #	Resolution Title
1	Supporting amendment to state legislation to eliminate restrictions on transfer of ownership of municipal dams
2	Supporting Wisconsin Senate Bill 340 and Wisconsin Assembly Bill 515, relating to recycling grants for local governments and making an appropriation
3	Opposing proposed changes to Wisconsin Shoreland Zoning Standards as outlined in the State of Wisconsin 2015-2017 Budget Bill
4	Repealing statutory provisions enacted in the State of Wisconsin 2015-2017 Budget concerning shoreland zoning standards (Sections 1922am-1922L of 2015 Wisconsin Act 55)
5	Local control of shoreland zoning by counties
6	Gaining more control from the state legislature to provide authority for counties to safeguard their water resources
7	Requesting the legislature discontinue the practice of putting forth and fast-tracking piecemeal bills regarding planning, zoning and land use
8	Recommendations as to legislation that impacts planning, zoning and land use laws
9	Supporting proposed legislation relating to declarations of domestic partnership and marriage licenses
10	Funding from state legislation to strengthen Bayfield County's broadband system
11	Opposing the UW-Extension reorganization plan
12	Opposing the UW-Cooperative Extension reorganization plan
13	Supporting a change in state law to allow individual counties to make county civilian correctional officers protective status under the Wisconsin Retirement System
14	Urging the state legislature to pass legislation to transfer jurisdiction of 17-year-old delinquent offenders back into the Juvenile Justice System from the Adult Corrections System
15	Opposing the proposed changes to Wisconsin's current long-term care system - Family Care, IRIS, Partnership, and Aging & Disability Resource Centers
16	Requesting a delay in the Joint Finance Committee adoption of Family Care/IRIS 2.0 Concept Paper
17	Opposing legislation which would give community-based residential facilities the ability to administer psychotropic medications
18	Opposing legislation affecting child welfare practice
19	Opposing proposed legislation prohibiting any employer, including state and local governments, from demoting, suspending, discharging, or otherwise discriminating against an employee or contractor, intern, or volunteer, for refusing to be vaccinated against seasonal influenza
20	Requesting the State of Wisconsin fund a study on the impact of industrial wind turbines on human health
21	Urging the state legislature to include fourth time offenders in 2009 Wisconsin Act 100 Funding
22	Opposing expansion to the subpoena process as proposed in Wisconsin Assembly Bill 90
23	Opposing any legislation expanding the subpoena process
24	Legislative funding to assist counties in strengthening their 911 systems
25	Opposing LRB-2148/1 changing the way property is forfeited after being seized in relation to a crime
26	Requesting the Governor and State Legislature provide an exemption in Wis. Stat. 66.0602 from the state-imposed property tax levy limits for the cost of economic development programs for all counties, cities, villages and towns
27	Opposing any attempt by the state legislature to eliminate computer aid payments and the personal property tax

28	Supporting a county option relating to highway committee/commissioner duties and powers
29	Supporting public funding to maintain and improve the Great Lakes Forests Log Car Fleet
30	Requesting state action to provide more transportation funding
31	Urging the Governor and legislature to agree upon a sustainable solution for the State Transportation Fund
32	Supporting the provision of adequate resources to support county land conservation and cost-sharing for farmers and other land users
33	Opposing SB 21 and AB 21 as it relates to repealing Wisconsin Statutes 145.245, Wisconsin Fund Program
34	Urging the state legislature to wait until local governments provide their numbers, ward and district information before redistricting and to use local boundaries to create state districts
35	Urging the State of Wisconsin to support funding for communicable disease control for population health
36	Urging the state legislature to return non-violent 17-year-old offenders to the Juvenile Justice System and provide funding for the same

Supervisor Russell made a motion, seconded by Supervisor Pruessing, to adopt Resolutions 1, 2, 3, 4, 5 and 6. Motion carried 4-0.

Vice Chair Staples made a motion, seconded by Supervisor Russell, to adopt Resolutions 7 and 8. Motion carried 4-0.

Supervisor Russell made a motion, seconded by Vice Chair Staples, to indefinitely postpone Resolution 9. Motion carried 4-0.

Vice Chair Staples made a motion, seconded by Supervisor Russell, to adopt Resolution 10. Motion carried 4-0.

Supervisor Russell made a motion, seconded by Supervisor Pruessing, to indefinitely postpone Resolutions 11 and 12. Motion carried 4-0.

Vice Chair Staples made a motion to adopt Resolution 13, seconded by Supervisor Russell. The motion failed, 3-1. Chair Weber made a motion to reconsider, seconded by Vice Chair Staples. The motion failed, 2-2. Vice Chair Staples said she feels adopting the resolution would give local sheriffs control over the decision on giving civilian corrections officers protective status.

Vice Chair Staples made a motion, seconded by Supervisor Pruessing, to adopt Resolutions 14 and 15. Motion carried 4-0.

Supervisor Pruessing made a motion, seconded by Vice Chair Staples, to postpone Resolutions 16 and 17 indefinitely. Motion carried 4-0.

Supervisor Staples made a motion to consult with HHS Director Aldred on Resolution 18 regarding child welfare practice. Supervisor Russell said the WCA is very thorough and both the steering and resolution committees voted to adopt this resolution. Staples withdrew her original motion, and moved to accept the WCA recommendation to adopt Resolution 18. Supervisor Pruessing seconded the motion and it carried 4-0.

Vice Chair Staples made a motion, seconded by Supervisor Pruessing, to indefinitely postpone Resolution 19. Staples said LHCC doesn't mandate employees to be vaccinated, but those who refuse have to wear protective masks. She said some people aren't vaccinated because of medical or religious reasons. Supervisor Russell said she believes individual employers have the right to make policy on this issue. **Motion carried 3-1, with Supervisor Russell opposed.**

Supervisor Pruessing made a motion, seconded by Supervisor Russell, to adopt Resolutions 20, 21, 22 and 23 as amended by WCA. Motion carried 4-0.

Supervisor Pruessing made a motion, seconded by Vice Chair Staples, to adopt Resolution 24. Motion carried 4-0.

Supervisor Russell made a motion, seconded by Vice Chair Staples, to adopt Resolution 25. Motion carried 4-0.

Supervisor Pruessing made a motion, seconded by Supervisor Russell, to indefinitely postpone Resolution 26. Bretl commented that dealing with levy caps is a continual challenge, and doesn't feel the exemption from state-imposed property tax levy limits for the cost of economic development programs will afford relief. **Motion carried 3-1, with Vice Chair Staples opposed.**

Vice Chair Staples made a motion, seconded by Supervisor Pruessing, to adopt Resolution 27. Motion carried 4-0.

Supervisor Russell made a motion, seconded by Vice Chair Staples, to refer Resolution 28 to the WCA Board of Directors. Motion carried 4-0.

Supervisor Pruessing made a motion, seconded by Supervisor Russell, to refer Resolution 29 to the WCA Board of Directors. Motion carried 4-0.

Supervisor Pruessing made a motion, seconded by Vice Chair Staples, to adopt Resolutions 30, 31, 32, 33, 34 and 35. Motion carried 4-0.

Vice Chair Staples made a motion, seconded by Supervisor Russell, to adopt Resolution 36. Motion carried 4-0.

- Correspondence from Wisconsin Healthy Workplace Advocates regarding adoption of proclamation declaring October 16-22, 2016 as "Freedom from Workplace Bullies Week"

Vice Chair Staples made a motion, seconded by Supervisor Pruessing, to adopt a proclamation declaring October 16-22 "Freedom from Workplace Bullies Week." Supervisor Russell stated she is unaware of the credentials of the Wisconsin Healthy Workplace Advocates and the Workplace Bullying Institute. Supervisor Pruessing said she researched the organizations online and they are legitimate. **Vice Chair Staples rescinded her original motion, and offered a motion, seconded by Supervisor Russell, to direct the County Administrator to draft a Walworth County resolution declaring October 16-22 "Freedom from Workplace Bullies Week," and to omit mention of the organizations. The motion carried 4-0.**

- Discussion and possible action concerning a county-wide fire and EMS study
Bretl said in addition to the resolutions received from county municipalities, the topic was discussed at the recent ICC meeting, and input was received from fire and EMS personnel and local municipal leaders.

The majority of feedback is that something needs to be done; however, no one supports spending money on a study if it isn't useful and key objectives and obstacles aren't identified. Some of the chiefs suggested forming a task force, or sub-committee, to gather input from local departments, and identify what can be done in-house or cooperatively. Bretl said \$40,000 has been put in the 2017 budget to fund a consultant to conduct the study and propose options for achieving objectives identified by the task force. Chair Weber suggested that the county seek input from other areas that have successfully consolidated services to see what they have done to achieve interoperability. Bretl recommended that the task force be comprised of three fire and EMS personnel, three local officials, and one county representative. He said it is important to keep the group small, but to invite public input at the task force meetings. **Vice Chair Staples made a motion, seconded by Supervisor Russell, to direct the County Administrator to draft a resolution to form a study committee (task force) to be comprised of three fire and EMS personnel, three local officials and one county representative, and to send notice to county cities, towns and villages of the intent prior to the October 17 Executive Committee. The motion carried 4-0.** This will be placed on the October meeting agenda, and again in November, if necessary.

Reports/announcements by Chairperson – None.

Next meeting date and time – The next meeting was confirmed for Monday, October 17, 2016 at 10:00 a.m.

Claims and Litigation

The committee convened in closed session at 12:16 p.m. on motion and second by Vice Chair Staples and Supervisor Russell pursuant to the exemption contained in Section 19.85(1) (g) of the Wisconsin Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," relative to the items below. A roll call vote was conducted and all members voted "aye." Remaining in closed session were County Administrator Bretl, Deputy County Administrator-Finance Nicki Andersen and Jail Superintendent Steve Sax.

- a. Claim of William Charles Swan

The committee reconvened in open session at approximately 12:33 p.m. on motion and second by Supervisor Russell and Vice Chair Staples.

Supervisor Russell made a motion, seconded by Vice Chair Staples, to disallow the claim of William Charles Swan. The motion carried 4-0.

Adjournment

On motion and second by Vice Chair Staples and Supervisor Pruessing, Chair Weber adjourned the meeting at 12:34 p.m.

DRAFT

**Walworth County Board of Supervisors
Land Conservation Committee Meeting Minutes
Monday, September 12, 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 2:20 p.m.

Roll call was conducted. Members present included, Chair Charlene Staples, Supervisor Nancy Russell, and Citizen Member Rosemary Badame. Vice Chair Daniel Kilkenny was excused and 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; Fay Amerson, LURM Urban Conservation Specialist; Brian Smetana, LURM Sr. Rural Technician; and Michael Hahn of Southeastern Wisconsin Regional Planning Commission (SEWRPC)

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

On motion by Supervisor Russell, second by Citizen Member Badame, the July 25, 2016 Land Conservation Committee meeting minutes were amended to correct a spelling error of the word aquifer on Page 3, Line 3 in two locations, and to include the words “for municipal wells”. The minutes as amended were approved.

Public Comment – There was none.

New Business

- Discussion/Possible Action – SEWRPC water study report discussion

Michael Cotter, Director of Land Use and Resource Management (LURM)/Deputy Corporation Counsel, introduced Michael Hahn of Southeastern Wisconsin Regional Planning Commission (SEWRPC). Hahn gave a brief presentation entitled “A Review of the Implications of Recent Legal Decisions and Actions Regarding High Capacity Wells”, which highlighted:

- Summary of Legal Concepts and Decisions/Timeline
- Wisconsin Department of Natural Resources (WDNR) Review of High Capacity Well Applications/Review Process
- Groundwater/Surface Water Planning Recommendations in the Southeastern Wisconsin Region
 - 2010 SEWRPC Regional Water Supply Plan (RWSP)
 - 2009 Troy Bedrock Valley Groundwater Modeling Program
 - 2006 Village of Eagle Demonstration Sub-Model
 - In Progress - Cumulative Impacts of Groundwater Withdrawals on Groundwater-Dependent Aquatic Resources in the Mukwonago River Watershed (Nature Conservancy, UW-Extension, Wisconsin Geological & Natural History Survey, and U.S. Geological Survey)

Chair Staples inquired if something should be enacted with the county plan in order to monitor and adjust for current and future water needs. Hahn stated the SEWRPC RWSP reviews individual water supplies and offers recommendations as to what should be done to accommodate the needs going forward through the year 2035. He said the DNR is the regulatory agency and ultimately has the final word.

Supervisor Russell stated there is a need to contact the State legislature, as there is conflicting interest in water needs throughout the state, for example: agricultural farms, dairy farms, tourism involving the lakes and the

economic impact within our particular area. She said Walworth County has no option for water from the Great Lakes and expressed her concerns with the lack of knowledge as to the long term effects of drawing down on water from the aquifers. Hahn recommended that the committee and Supervisors make a continual effort to inform and educate the legislature on Walworth County's behalf. The committee and staff expressed their gratitude and appreciation to Mr. Hahn for his presentation and for developing a comprehensive power point.

- Discussion/Possible Ordinance Amendment Action – Construction Site Erosion & Sediment Control and Storm Water Management update, Section 23, Article I, II, III

Fay Amerson, LURM Urban Conservation Specialist, referred to Pages 4-6 of the packet and gave a brief overview of the proposed amendments to the Code of Ordinances regarding Articles I, II, and III of Chapter 26, relative to erosion control and storm water management. Amerson stated Walworth County was the first to adopt a construction site erosion control ordinance in 1990 and that there have been several changes to State Statutes and administrative rules since 2007. The amendment will include the WDNR Program Guidance, which is used to clarify state statutes and/or procedures used to implement a state statute. Amerson referred to page 6 and stated Walworth County performs the construction site erosion and sediment control plan review and permitting services for 9 townships and non-shoreland areas. She said the Dwelling Code will only be found in Article III of the Code, which will eliminate confusion between shoreland and large project sites.

Amerson stated she is seeking authorization to move forward with the amendments, to bring them before the committee at the next meeting, and to go forward with a public hearing.

Supervisor Russell made a motion, second by Citizen Member Badame, to move forward with the Walworth County Ordinance Amendments, Chapter 26, Environment, Articles I, II and III and to bring it before the committee at the next scheduled meeting. Motion carried 3-0.

- Discussion/Possible Action – 2016 Winter Road Maintenance Workshop co-sponsored with Waukesha County

Amerson referred to Page 7 of the packet and spoke briefly relative to the 2016 Winter Road Maintenance Workshop that will be held at UW Whitewater on October 24th between the hours 9:00 a.m. – 2:00 p.m. This workshop is to assist municipalities through education with winter road maintenance plans. There is a grant to pay for Public Works staff to attend the workshop and for the consultant who is presenting the workshop. The costs are being shared with Waukesha County and it is believed that the Rock River Coalition will be putting money into the workshop.

- Discussion/Possible Action – Nippersink Watershed Planning

Shannon Haydin, LURM Deputy Director, stated the Friends of Nippersink contacted Walworth County to see if there was any interest in participating in the watershed planning around the Nippersink. She said there has already been a significant amount of modeling and planning on the Illinois side of the Nippersink, but not a lot of information or planning has taken place on the Walworth County side. Some figures have been put together and there is an estimated cost of \$25,000 for modeling our side of the Nippersink. Haydin said there is a DNR River Planning Grant is due December 1st that will cover up to 50%. Haydin inquired as to the committee's interest in applying for the grant and whether or not this project should be included in the 2017 budget, which may be an amendment within the budget planning process. Supervisor Russell suggested that since Nippersink is also located in Kenosha County that they be contacted to see if they would be interested in partnering with Walworth County.

Supervisor Russell made a motion, second by Citizen Member Badame, to approve application for the DNR River Planning Grant, to include this project in the 2017 Budget, and to contact Kenosha County to inquire as to their interest in partnering with Walworth County. Motion carried 3-0.

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

Haydin stated the Southeast Area Land and Water Conservation Association Summer Tour went well. She said the hosts shared some amazing information and staff did a phenomenal job coordinating the tour. Supervisor Russell stated the tour was fantastic, the hosts were gracious, and there was a good variety of things that were all related to land conservation. Badame inquired as to ways to get more towns, cities and villages involved with the tour so they have an opportunity to observe what Walworth County has to spotlight. Staples spoke relative to the Assembly Park Reservoir and stated she would like to get that information out to the other municipalities and private homeowners.

- Discussion/Possible Action – Farmland Preservation Non Compliance Recipients: Nettesheim, Lawrence/Triebold, David; **Voluntary Waivers** : Albrecht Trust [John Albrecht] / Grieving, Art

Brian Smetana, LURM Sr. Rural Technician, gave a brief overview on the Farmland Preservation Non Compliance Recipients. He said participants choosing not to continue the program have signed Voluntary Waivers. He said these individuals should be the last of the non-compliant participants.

Supervisor Russell made a motion, second by Citizen Member Badame, to approve the Farmland Preservation Non Compliance Recipients Voluntary Waivers and cancellation for Failure to Certify. Motion carried 3-0.

Confirmation of next meeting – The next meeting was confirmed for Monday, October 17, 2016, 2:00 p.m.

Adjournment

On motion by Citizen Member Badame, second by Supervisor Russell, the meeting adjourned at 3:30 p.m. Motion carried 3-0.

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, September 12, 2016
Walworth County Government Center, County Board Room 114
100 West Walworth Street, Elkhorn, Wisconsin**

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

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

Others in Attendance

County staff: Central Services Director Eric Nitschke; County Administrator David Bretl

On motion by Supervisor Staples, seconded by Citizen Member Nowak, the agenda was Approved by voice vote.

Supervisor Russell requested to change the word “three” to “tree” on page 2 of the June 20, 2016 meeting minutes. **Citizen Member Nowak made a motion, seconded by Supervisor Staples, to approve the June 20, 2016 meeting minutes as amended. The motion carried 4-0.**

Public comment – There was none.

New Business

- Discuss potential donation of approved trees/plantings for the dog park and address work assignments for Public Works staff at Price Park

Central Services Director Eric Nitschke said he is looking for direction from the Committee on tree donations and work assignments for Public Works and volunteers. A tree has been donated for planting by the dog park at Price Park, and after discussion with staff, he recommended the tree be planted near the bench, outside of the fence, for shade for both pets and owners. Human Resources donated a tree for planting at Veterans Park. Groundskeeper Steve Messick has researched donation policies from other counties. Staff recommendation is to develop a pre-approved tree list in accordance with the park plans, and allow donors to select from the list. Nitschke said accommodations on choice and area could be made, as long as staff approves the species and location. Vice Chair Russell said there is already a pre-approved list, and suggested the list could be streamlined to include accepted species and locations. County Administrator Bretl agreed that a written policy should be adopted to include in the Park ordinance. The guidelines should be written broadly on expectations. Discussion ensued regarding plaque and monument donations, and Vice Chair Russell expressed concern over plaques being stolen and deteriorating from damage and wear. Supervisor Staples said signs are often erected to honor organizations for their contributions to the parks, and suggested staff contact the City of Delavan on their signage policy. The signs in their arboretum are relatively small and uniform. Nitschke said some entities contract with a reputable nursery to provide and plant the trees, and staff is researching cost and feasibility.

Discussion focused on division of labor in the parks. Consensus was that volunteer groups could take initiative to do certain tasks without supervision, but that tree planting, landscaping projects and controlled prairie burns require the supervision of Public Works staff. Nitschke said Groundskeeper Steve Messick has made the Sugar Creek fen and picnic grove projects top priority. With the shortage of labor, staff feels it is important to accomplish the tasks that have already started before implementing the additional Price Park upgrades. Nowak asked what the groundskeeper’s specific job duties are, and what

he is expected to accomplish in the parks. Nitschke said with the Public Works reorganization, a better understanding of the capacity of that position will be gained. When Messick was hired as groundskeeper, several other duties were imposed on him, which included snow removal at county facilities during the winter. This prohibited him from completing work plans and setting work priorities during the winter months. Supervisor Russell noted that there has been an “ebb and flow” work history at the parks, depending upon who has managed the parks and how much time was devoted to maintenance. The County now has four parks (including Veterans Park), and she said it seems as though less work is getting done than when there were no personnel specifically dedicated to the parks. Nitschke said the Highway division Assistant Superintendents had been supervising the work at the parks, but at that time there were more staff to do the work. When the groundskeeper position was created, it shifted to Facilities, and there wasn’t sufficient support to accomplish objectives. He was supervised by the Facilities Manager, whose time was stretched between capital projects and staff management. The new Assistant Superintendent position will have the responsibility for overseeing the parks and fleet and will directly supervise staff and be better able to allocate resources as needed. Staples said it is important to encourage formation of Friends groups to assist with workdays and fundraising. Russell concurred, but said it is difficult to form a Friends group, and without a concrete plan and goals for the parks, it may not make a big impact. In the meantime, more volunteers should be solicited. Bretl said in the past, there was nothing allocated for park maintenance; one of our county employees used to maintain Natureland Park on his own time. County acreage increased with the new facilities, and crews had difficulty even keeping up with mowing. There are now budgeted funds for limited term employees to assist with summer maintenance. Hopefully with the reallocation of duties at Public Works, more can be accomplished.

- Discuss Walworth County Parks protocols and roles of volunteers/non-profit groups/county staff Covered above herein.
- Discuss Volunteer Work Days at Price and Natureland Parks on October 8 and 15
Nitschke said he has set aside staff time and equipment for the workdays, and he is working on a general plan for the work to be accomplished. He has asked Maggie Zoellner of Kettle Moraine Land Trust to help coordinate volunteers and work crews, and he will contact Volunteer Coordinator Colleen Lesniak to recruit volunteers. Nowak said Ms. Zoellner has other engagements scheduled on the workday dates, and Nitschke said he could possibly volunteer his time on October 15.
- Discussion and possible action to amend the Walworth County Parks and Open Space Plan to remove sections of both the off-road trail and on-road bicycle trail adjacent to the White River County Park
Russell said she was contacted that the Parks and Open Space Plan designated an off-road trail at the White River and extending eastward, and that there also was an on-road bicycle trail on Sheridan Springs Road. Apparently the trails were identified on an earlier version of the Plan and weren’t discussed during subsequent updates. She requested that the Committee make a recommendation to the County Board to introduce a resolution to eliminate those two trails from the Parks and Open Space Plan and the County’s Comprehensive Plan because of safety concerns. The Town of Lyons has already eliminated the Sheridan Springs on-road bicycle trial from its plan. **Supervisor Staples made a motion, seconded by Citizen Member Holst, to remove the on-road bicycle trail on Sheridan Springs Road, and the off-road trail starting at the White River and extending east from the Walworth County Park and Open Space and Comprehensive Plans when the Plans are reviewed/updated next year. The motion carried 4-0.**

Old Business – There was none.

Reports

- Report on Parks, KMLT and Geneva Lake Conservancy dates established for restoration work at the parks as identified in the conceptual plans at Natureland Park

Nitschke said he will provide more information on tree donations and proposed plantings at the next meeting, as discussed earlier under New Business. Nowak commented that it would be beneficial to schedule more than two workdays per year at each park, adding that November is still a good time for maintenance.

- Report on options for an access drive to the canoe launch to address erosion, potential runoff and safety concerns at White River County Park

Nitschke included three alternates in his memo to the Committee for location of the access drive to the canoe launch. He said if the launch was located on the west side of the White River County Park, it would be in direct line of sight and next to the proposed shelter, and putting in a path may not allow ample room for vehicles. Viable alternatives were developed, including moving the launch site to a location where portage is level to the launch area and vehicles wouldn't interfere with pedestrians on the trail. Alternate 2 bends the access out and the grades aren't as steep, and there is potential for future handicap parking in that location. Alternate 3 provides a turnaround where vehicles could drive in and turn around and exit. Staff prefers Alternate 2. Also, emergency vehicles could access the trail head, and vehicle traffic would be kept to the parking lot and not have two access points, as designed in Alternate 1. Erosion control issues need to be identified and addressed with putting in the access drive, and Nitschke will meet with Land Conservation staff to develop an approved plan. He will bring more detail on the launch and erosion control plans to the November or January meeting.

- Report on types of plants and landscape plan at White River County Park

Nitschke recommended condensing the planting species plan for public access. He will meet with Citizen Member Nowak to review and revise the plan, and will obtain Committee approval before finalization.

- Reports/Announcements by Chair – None.

Confirmation of next meeting: The next meeting is scheduled for Monday, November 14, 2016 at 1:00 p.m.

On motion by Supervisor Staples, seconded by Citizen Member Nowak, Vice Chair Russell adjourned the meeting at 2:16 p.m.

DRAFT

**Walworth County Board of Supervisors
Monday, September 12, 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 3:37 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; Budget Manager Stacie Johnson; County Clerk Kim Bushey; IT Director John Orr; IT Operations Manager Jackie Giller; Sheriff Kurt Picknell; Deputy Director of LURM Shannon Haydin; Human Resources Director Dale Wilson; Director of HHS Elizabeth Aldred; Comptroller Jessica Conley; Director of Special Education Tracy Moate; Lt. Todd Neumann
Members of the Public: Robert Arnold

Supervisor Monroe made a motion, seconded by Supervisor Yvarra, to move items 9 f and 9 g for consideration after Old Business, and to approve the agenda as amended. The motion carried by voice vote.

Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve the July 25, 2016 regular meeting minutes and the September 6, 2016 joint meeting minutes. Motion carried 5-0

Public comment – There was none.

Unfinished Business - There was none.

Appeals/adjustments to the proposed 2017-2021 Capital Improvement Plan (CIP)

County Administrator Bretl said there was one appeal to the Public Works Department budget to remove a maintenance position to make the department reorganization levy neutral. It will be considered this week by the Human Resources Committee. There are no proposed amendments to the Capital Improvement Plan (CIP). As he discussed at last week's budget presentation, the biggest item is the new Health and Human Services building, scheduled to begin in 2018. To avoid borrowing, the indoor sheriff's range and the Judicial Center videoconferencing projects have been moved up to 2016. Bretl entertained any questions and/or appeals, and reminded the Committee that amendments can be proposed later on in the budget process. Chair Russell asked everyone to review the ensuing years' requests as well as the current year. Supervisor Timms asked about Land Use Resource Management's (LURM) request for a Jeep Grand Cherokee. Bretl said it was on the state auction site, and it is important for staff to be able to use the vehicles off road during inspections. Deputy Director of LURM Shannon Haydin said the vehicle was also chosen because it has a larger passenger capacity for taking staff to meetings and larger groups into the field.

- Recommendation of the five-year CIP to the Finance Committee

Supervisor Timms made a motion, seconded by Supervisor Schaefer, to recommend the Administrator's five-year CIP to the Finance Committee for approval. Motion carried 5-0.

Consent Items

- Approval of DPW Vehicle Maintenance Facility Project Change Order Requests under Project #15-125

- CO Request #19 – Scherrer Construction CO #17 to remove alternate #5 for parking lot configuration per owner's request.

This change order is a \$181,890 deduct. The parking lot will be rebid in 2017 and done in conjunction with other site work. **Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve CO Request #19. Motion carried 5-0.**

- CO Request #20 – Scherrer Construction CO #18 to remove stained concrete and add polished concrete.

- CO Request #21 – Scherrer Construction CO #19 to add light fixture housing.

Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve CO Requests #20 and 21. Motion carried 5-0.

- CO Request #22 – Scherrer Construction CO #20 to add soil stabilization at driveways
Public Works Facilities Manager John Miller said because of the soil conditions and water issue, the architect and their civil engineer recommend adding additional fill and changing the depth. Sample testing was performed in the welding bay area and it held up well. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to approve CO Request #22. Motion carried 5-0.**

- CO Request #23 – Scherrer Construction CO #21 to change overhead door skin and springs
This is a deduct change order to reduce the number of door springs, and install 24 gauge steel doors. **Supervisor Timms made a motion to approve, seconded by Vice Chair Monroe. The motion carried 5-0.**

Supervisor Schaefer asked about completion of the shop building, and Central Services Director Eric Nitschke said move-in is scheduled for November 15.

New Business

- Approval of change in scope of the Echo Upgrade Project I1501 for Health and Human Services
Health and Human Services Director Elizabeth Aldred said in 2010 the department bought a new electronic health record system that manages insurance charges. Several areas in the system were updated in 2015 because of new state and federal requirements. One of the system areas, Meaningful Use, will not be implemented, and \$35,000 remains in the project fund. Aldred requested that the project scope be changed to allow Echo Group to perform an analysis of the current month end reconciliation process between Echo's and the County's general ledger and to provide assistance in reconciling cash and receivable balances between the two. In addition, HHS wants Echo to audit the system and make recommendations on improvements that could be implemented. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to approve the change in project scope. Motion carried 5-0.**

- Approval of change in scope of the Fitness Room Treadmill Project C1620 for the Sheriff's Office
Lt. Todd Neumann reported that the new treadmill for the jail fitness center cost less than anticipated, and staff is requesting to purchase additional exercise equipment with the remaining funds. **Supervisor Timms made a motion, seconded by Supervisor Schaefer, to approve the change in scope. Motion carried 5-0.**

- Approval of proposed 2016 capital project to complete the Sheriff's Indoor Range Target System
Bretl said the completion of the Indoor Range Target System was originally included in the 2017 budget, but it couldn't be accommodated without borrowing because of the Health and Human Services building project. The Sheriff was able to find 2016 budget savings through open positions and lower than

anticipated utility charges. Chair Russell complimented staff for their cooperation and flexibility in meeting budget constraints. **Vice Chair Monroe made a motion, seconded by Supervisor Timms, to approve the 2016 capital project to complete the Sheriff's Indoor Range Target System. The motion carried 5-0.** Nitschke advised the Committee that per state statutes, the system will have to go out for bids. The Finance Committee will vote on the proposed budget amendment this week.

- Approval of proposed 2016 capital project to purchase a new vehicle for Land Use and Resource Management (LURM)

Supervisor Schaefer made a motion, seconded by Supervisor Timms, to approve the 2016 capital project to purchase the LURM vehicle. The motion carried 5-0.

- Report on and approval of final payment to Magill Construction on the Sheriff's Indoor Training Range

Supervisor Timms made a motion, seconded by Vice Chair Monroe, to approve the final payment to Magill Construction in the amount of \$15,000. The motion carried 5-0. Supervisor Schaefer reminded the Committee that the former Central Services Director and the Mann family were promised that a plaque recognizing Dick Mann for donating the property to the range would be placed at the site.

Old Business – There was none.

Reports

- Report on Current Public Works Projects
 - Report on Change Order #16-064-CO1 for concrete floor polishing at Sheriff's Office
Supervisors Schaefer and Timms moved to accept the report. Motion carried 5-0.
 - Report on WisDOT special STIP amendment
Enclosed with the packet was a list of Wisconsin Department of Transportation's (WisDOT) projects planned for implementation in calendar years 2017-2019. The information contains the type of project, length, description and anticipated funding for each project. Nitschke summarized the proposed projects within Walworth County.
 - Report on resurfacing of CTH H in Genoa City – North Village limits to USH 12
The next planning meeting with the Village of Genoa City will be held soon, and Nitschke will call Vice Chair Monroe on the date and time. The Village inspected their systems and is moving forward to do its own infrastructure work in conjunction with the county's mill and overlay project sometime in 2017/2018.
- Reports/Announcements by Chair – There were none.

Correspondence – None.

The next meeting was confirmed for Monday, October 17, 2016 at 3:30 p.m.

On motion by Supervisors Timms and Schaefer, Chair Russell adjourned the meeting at 4:25 p.m.

DRAFT

**Walworth County Criminal Justice Coordinating Committee
September 9, 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 Kristine Drettwan at 11:32 a.m. Judge Drettwan introduced herself to members of the Committee, stating she rotated into felony court on August 16, 2016, after several years on the family bench.

Roll call was conducted. Members present included: Chair Judge Kristine Drettwan, Interim Vice Chair Katie Behl-Treatment Court Coordinator, Captain Jon Anzalone-Elkhorn Police Department, Undersheriff Kevin Williams, Michelle Marie Anderson-Public Defender's office, Randy Gasser-Department of Corrections, Professor John Kozlowicz, Director of Health and Human Services (HHS) Elizabeth Aldred, Clerk of Courts Sheila Reiff, County Administrator David Bretl. County Board Chair Nancy Russell was excused. A quorum was established. Judges Phil Koss and Dan Johnson arrived later in the meeting.

Others in Attendance:

County staff: Courts Manager Kristy Secord, Pretrial Services Coordinator Zach Wagner and Treatment Court Assistant Maggie Cash

Members of the public: Julie Bonogofsky, Southeastern Monitoring; Vicki Wedig-*Delavan Enterprise*, Jennifer Gragg-*Lake Geneva Regional News*, Jonah Beleckis-*Janesville Gazette*

Professor Kozlowicz made a motion, seconded by HHS Director Aldred, to approve the agenda. The motion was approved by voice vote.

Clerk of Courts Reiff made a motion, seconded by HHS Director Aldred, to approve the June 10, 2016 meeting minutes. The motion was approved by voice vote.

Public Comment – There was none.

Unfinished Business

• **OWI Court Report – Katie Behl**

Chair Drettwan said that Judge Koss was in court and running late. Treatment Court Coordinator Katie Behl introduced Maggie Cash, Treatment Court Assistant, who will be assuming many of the OWI Court duties. There have been 95 graduations from OWI Court. There are 26 active participants, a good mix of 3rd and 4th offenders. There has been no news from the State on the federal grant award that would be administered through the state, but Walworth County was one of the three eligible applicants. Behl brought copies of an article on the County's OWI Court published in the *Janesville Gazette* on August 29. The article focuses on interviews with one of the OWI Court graduates, and how the program helped him to change his thinking patterns and perspective to stay sober. Judge Reddy will remain Project Director through the end of the year, and then Judge Koss will assume the duties.

• **Drug Court Report – Katie Behl**

Behl said there are 23 active participants in Drug Court. Total participants to date are 34, with two terminations since last session. There have been four graduations. The Drug Court completion rate is averaging 78 weeks. The County has been awarded the Treatment Alternatives and Diversion (TAD) grant, and received the third highest funding recommendation in the State, \$215,000 for calendar year 2017. The grant has to be applied for annually, but is not competitive for five years. The TAD grant was reduced from the requested \$357,000, and as part of the 2017 budget, Health and Human Services (HHS) applied for an HS Specialist I position to serve as the Comprehensive Community Service (CCS) TAD case manager to work with consumers enrolled in Drug Court. This position will be wholly funded

through Medicaid. Aldred said a Masters level clinician would be recruited. She asked the Committee to support early implementation of the position, and hopes it could be filled before the end of 2016. The request is on the upcoming Health and Human Resources Board and Human Resources Committee agendas for recommendation. Clerk of Courts Sheila Reiff said additional funds will be needed for testing, and the request will have to go to the Finance Committee for approval. **Chair Drettwan made a motion, seconded by Interim Vice Chair Behl, to support moving forward to recruit and hire the CCS TAD Case Manager in 2016. The motion carried unanimously.**

- **Treatment Court Housing** – Liz Aldred

Aldred said the pilot program, which began October 1, 2015, will expire on September 30. There have been three individuals who have participated in the program, and she, Judge Reddy and Behl are meeting to develop options for more stable housing. She will provide an update at the December meeting.

- **Pretrial Services** – Zach Wagner

Pretrial Services Coordinator Zach Wagner gave a summary of the program for assessing new defendants for flight risk and re-offending based on the Virginia risk assessment tool. Defendants self-report their information, and Wagner verifies as much as possible and develops a report and provides it to the District Attorney, Public Defender and the court official to use in making decisions regarding bond. Pretrial supervision is offered to eligible defendants, and drug and alcohol screening and regular check-ins with the pretrial supervisor are required. Participation in the program can eliminate or reduce cash bonds. The program began in May 2016; to date there have been 37 participants, and as the program continues it is anticipated that enrollment could reach 150 annually. There has been a 97% appearance rate, and only one participant failed to appear at court. One participant was revoked for program non-compliance. Chair Drettwan said the program has been helpful in making bond decisions and assists the state and defense attorneys to prepare for hearings. Wagner sends updates on participant progress.

County Administrator David Bretl said he recalled a few years ago that assessment tools were considered for law enforcement to use at the point of arrest and asked if that is being implemented. Behl said that is part of TAD also, and could be used to better identify where defendants should be placed. As TAD grows into a system-wide approach, assessment at that level will be valuable. Bretl asked if Behl could provide information on risk assessment tools currently used by law enforcement agencies.

Judges Koss and Johnson arrived at approximately 11:55 a.m.

- **Election of Vice Chair**

Chair Drettwan said at the last meeting, Katie Behl was elected Interim Vice Chair of the Committee. The amendment to the bylaws has been approved by county ordinance, but the amended bylaws have to be posted for two consecutive meetings. The bylaws were posted before this meeting, so the election of Vice Chair can be conducted at the December meeting. There being no objections, Katie Behl will serve as Interim Vice Chair until the election in December.

New Business

Chair Drettwan introduced Michelle Marie Anderson, the head of the Public Defender's office for the area. She also introduced newly elected Judge Dan Johnson, who presides over family court, which involves CHIPS and juvenile cases and families affected by alcohol and drug abuse.

Katie Behl gave an update on investigating the options for family drug court. She will visit Milwaukee County's court at the end of October. There are seven family drug treatment mentor courts nationwide,

and Judge Reddy is planning on visiting a court in Iowa. Behl said there should be funding available through the National Drug Court Institute should the County decide to implement the program. Extra TAD funding from this year will be used to fund they study of potential options. Judge Johnson asked for updates on how the court would be run as far as diverting cases, etc. Behl said she and Judge Reddy will keep him apprised as information becomes available. There will be a report at the December meeting.

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

Adjournment

On motion by Professor Kozlowicz, seconded by Clerk of Courts Reiff, Chair Drettwan adjourned the meeting at 12:04 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 Supervisors

DRAFT

**August 29, 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 James Davis, Catherine Holman Duesterbeck, Jerry Grant, Jeni Hallatt, Susan Leffelman (arrived at 1:34 p.m.) and Cynthia Simonsen. A quorum was declared.

Others in Attendance

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

Members of the public: Eric Russow, 1527 Meadow Lane, Elkhorn, Wisconsin

Citizen Member Grant made a motion, seconded by Supervisor Monroe, to approve the agenda. The motion carried 9-0.

Citizen Member Duesterbeck noted that the acronym “AARP” in the fourth paragraph on page 1 of the July 11, 2016 meeting minutes should to be changed to “ARC.” **Supervisor Monroe made a motion, seconded by Citizen Member Hallatt, to approve the July 11, 2016 meeting minutes as amended. The motion carried 9-0.**

Public Comment – Eric Russow, Elkhorn Wisconsin, distributed a copy of “Find a Ride” from Waukesha County, an online transportation service guide for Waukesha residents. He thought it might be helpful to Walworth County’s new Mobility Coordinator. He also reported on continued progress in training business and organizations to make Elkhorn a dementia-friendly community.

Old Business – There was none.

New Business

- Discussion regarding the fare schedule for the county shared-ride taxi program and status of request for proposals

Transportation Consultant David Lowe prepared a suggested fee schedule for the shared-ride taxi program for Committee review. The proposed schedule includes rates for in town, next community and in-county trips. “Agency” fare means trips arranged for an individual by the provider; the rates are higher because of the administrative costs for ticketing and billed services. Citizen Member Simonsen (Executive Director of VIP) expressed concern about the County’s expense in providing these services, stating group home rates include transportation costs for residents. Discussion ensued on fares and clarification of proposed rates. Chair Russell suggested the term “Agency” be replaced with “Billed Services.” County Administrator Bretl asked if Health and Human Services (HHS) would be considered an “agency” under the suggested fares. HHS Division Manager Lori Muzatko said she would not advocate using a ticket system for fares at HHS. Simonsen said the demand from Family Care recipients and group homes would exceed the County’s ability to provide the rides. The fares charged meet only a small part of the cost of transportation. Vice Chair Kerwin said from his perspective, the care provider would continue to take responsibility for transportation costs; the shared-ride program would become an option for the provider. Lowe said the RFP includes five vehicles for the shared-ride taxi program, which he feels is sufficient to meet anticipated demand. Chair Russell asked for input from the Committee on the fare schedule. Lowe

said the Committee could wait to adopt the schedule until the shared-ride provider is selected and seek the vendor's input. Citizen Member Grant advised moving forward and making needed adjustments when the program gets underway. Supervisor Monroe concurred. Vice Chair Kerwin said because ridership hasn't increased significantly in the past ten months, he favors proceeding with the implementation of the program. Citizen Member Hallatt asked about the fare tiers. Lowe said if the proposals come in as expected, the County's vehicle costs per hour will be between \$13 and \$14, and two billed rides an hour would cover the cost. Senior Accountant Todd Paprocki said there are five vehicles assigned for the shared-ride program only, and he is not worried about the initial cost risk. He said if demand rises, there may be concern about accommodating passengers. Citizen Member Simonsen said VIP currently has more than six vehicles out per day for those types of rides. Given the size of the County and the large lakes to navigate around, she doesn't feel the projected accommodations are sufficient because of the length of the trips. Lowe said at the end of July, there were 4,000 rides, which equates to 275 service hours per week, or less than one person per hour per vehicle. Paprocki added that the shared-ride program is funded by the 5311/85.20 grant funds, which are separate from the 85.21 funds used solely for senior and disabled transportation. Muzatko recommended clarifying the term "agency" and fare structures for consumers. Chair Russell commented that if more than one proposal is received, it is possible that there will be different vendors providing separate services, and emphasized the importance of providing consumers with adequate contact information. Paprocki said the fee schedule, if approved, would be effective January 1, 2017 for the shared rides for all in-county transportation needs. Several more suggestions for incorporation into the fare schedule were discussed. **Citizen Member Hallatt made a motion, seconded by Vice Chair Kerwin, to proceed with the recommended fare schedule, to include the following: the term "Agency" will be changed to "Billed Services;" Mercy Walworth Medical Center should be listed as in Lake Geneva, not Williams Bay; Genoa City/Village of Bloomfield-Twin Lakes should be added; those in unincorporated areas will self-identify their residence as the closest village or city. The motion carried 8-1, with Citizen Member Simonsen abstaining.** Lowe said he would forward the revised document to Committee members within the week.

- Discussion regarding Health and Human Services Transportation Resources brochure
Muzatko said she received an email from an Uber driver, requesting the service be listed in the Department of Health and Human Services (HHS) Transportation Resources brochure. She said HHS originally published the information, but now that the Transportation Coordinating Committee (TCC) is active and there will soon be a Mobility Coordinator, she feels it would be appropriate for the TCC to make decisions about inclusions in the brochure. Lowe said the Mobility Coordinator should assume responsibility for developing and publishing the resources. Committee consensus was to update and make adjustments to the brochure after the Mobility Coordinator is hired and the shared-ride taxi program is in operation. It was agreed that there should be a statement on the brochure that the County does not endorse, license or perform background checks on any of the listed entities, with the exception of county contracted providers, who must meet certain requirements. Citizen Member Davis said Uber drivers have to pass background screens and the internet provides information about the drivers. He urged members to have an open mind concerning alternate modes of transportation.

- Discussion regarding any transportation service concerns – There were none.

- Transportation financial summary

Paprocki noted that ridership typically decreases in the summer. However, this June and July, there was no decline. Chair Russell commented perhaps the listening sessions helped boost the number of riders.

Announcements – There were none.

Set/confirm next meeting date and time: Monday, October 3, 2016 at 1:30 p.m.

Adjournment

On motion by Supervisor Monroe, seconded by HHS Division Manager Muzatko, Chair Russell adjourned the meeting at 2:40 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

August 10, 2016 - Hearing – 9:00 AM

August 11, 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 August 10 & 11, 2016, in the County Board Room of the Government Center in Elkhorn, Wisconsin. Those present on August 10, 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 August 11, 2016, were Chair John Roth, Vice-Chair Elizabeth Sukala and Secretary Ann Seaver. Also present was Attorney Dean B. Richards of Reinhart, Boerner Van Deuren, S.C. Deb Grube, Senior Zoning Officer and Wendy Boettcher, recording secretary were in attendance. "Sign-in" sheets listing attendees on August 10, 2016, and August 11, 2016, are kept on file as a matter of record.

The August 10, 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 #8. William P. & Patricia A. Hite / Whitewater Township and hearing #11. No Free Time LLC – Cassandra Kordecki / Geneva Township and hearing #12. Andrew Huebner Trust / Geneva Township. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. Elizabeth Sukala motioned to approve the July 13 & 14, 2016, Minutes and dispense with the reading. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose. After testimony of all cases, Elizabeth Sukala motioned to recess until 9:00 A.M. on Thursday, August 11, 2016. Seconded by Ann Seaver. Motion carried. 3-favor, 0-oppose.** The August 10, 2016, hearing went into recess at approximately 10:46 A.M.

On August 11, 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 took the Oath of Office. Elizabeth Sukala's term expires June 30, 2019. **Ann Seaver motioned to approve the agenda as amended to postpone hearing #8. William P. & Patricia A. Hite / Whitewater Township and hearing #11. No Free Time LLC – Cassandra Kordecki / Geneva Township and hearing #12. Andrew Huebner Trust / Geneva Township. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose. After the decisions were completed, Ann Seaver motioned to adjourn until the September 14, 2016, hearing at 9:00 A.M. Seconded by Elizabeth Sukala. Motion carried. 3-favor, 0-oppose.** The August 11, 2016, decision meeting adjourned at approximately 10:11 A.M.

Ten variance hearings and two appeals were scheduled and details of the August 10, 2016, hearings and the August 11, 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

Appeal decisions tabled from July 2016 agenda:

Hearing – Count # N/A / Decision – Count #9:05:27 – 9:47:35

Applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – (Shoreland) Zoning. The applicant’s interpretation is that the property is grandfathered as a legal non-conforming use due to renting prior to December, 2014.

A motion was made by Ann Seaver to take all applicants appeals en masse. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

A motion was made by Ann Seaver that the applicants violated the Walworth County Zoning for transient rentals. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

A motion was made by Elizabeth Sukala that the landowners do not have a permitted non-conforming use. Seconded by Ann Seaver. Motion carried. 3-favor 0-oppose

1. Gary R. Kreitlow & Joan M. Welsh, owners – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants’ interpretation is that the property is grandfathered due to renting prior to the decision date.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

2. James A. & Teresa G. Shymansky, owners – East Troy Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the property is grandfathered due to renting prior to December, 2014.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

3. 2504 Northshore LLC, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

4. Neal & Debra A. Siegel Trust, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – La Grange Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 74-181 74-190(3) 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

- 5. Geneva Hillside Resort LLC, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Linn Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants’ interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

- 6. Joseph R. & Lynn M. Procter, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Whitewater Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants’ interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use. The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

7. 814 Inlet Shore Drive, LLC, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but

instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

8. Randall S. Shelden, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Geneva Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered), A-2, Agricultural Land District and C-4, Lowland Resource Conservation District based on Section(s) 74-163 / 74-178 / 74-179 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered), A-2, Agricultural Land District and C-4, Lowland Resource Conservation District.

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

9. Linda Hoff-Hagensick Trust, Linda Hoff-Hagensick, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Linn Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-38 / 74-54 / 74-63(3) / 74-131. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

10. Peter G. & Maureen P. Maloney Trust, owner / Andra L. Murdock, Halloin & Murdock, S.C., applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

11. Dale L. Doepke, Patricia A. Doepke Trust, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – La Grange Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

12. Rittenhouse Family Trust, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Walworth Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

13. Brent W. & Pamela M. Meder, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Linn Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-38 / 74-54 / 74-63(3) / 74-131. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

14. Amy L. Holfeld, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant –
Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but

instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

15. Kevin G. & Maureen T. Gleason, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – La Grange Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 - 74-181 - 74-190(3) - 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

16. Timothy & Patricia J. Fiedler, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Linn Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes

a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

17. Warren Riker Stearns Trust, owner / Andrea L. Murdock, Halloin & Murdock, S.C.,
applicant – East Troy Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner

violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

18. Kathleen Lewis Trust, owner + Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 + 74-181 + 74-190(3) + 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

19. Dennis R. & Jane Royalty, owners / Andrea L. Murdock, Halloin & Murdock, S.C.,
applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use. The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

20. Joseph & Dolores Trattner, owners / Andrea L. Murdock, Halloin & Murdock, S.C.,
applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than

30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

21. Patrick J. & Joy M. Kline, owners ; Andrea L. Murdock, Halloin & Murdock, S.C.,
applicant – East Troy Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 ; 74-181 ; 74-190(3) ; 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The

Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

22. Levin Family Trust, owner / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – Delavan Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2A, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning. By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

23. Douglas J. & Susan C. H. Hood, owners / Andrea L. Murdock, Halloin & Murdock, S.C., applicant – La Grange Township

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) /

74-263. The applicants' interpretation is that the short term rental of this property is a legal non-conforming use due to a history of renting prior to December, 2014 and therefore may continue to rent for any period of time whether one day, one week, one month or longer.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 11, 2016, voted to **UPHOLD** the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: By a motion unanimously adopted, the Board found that by engaging in transient rentals in a single family zoning district, the landowner violated the Walworth County Code of Ordinances – Shoreland Zoning.

By a motion unanimously adopted, the Board found the landowner did not establish transient rentals as a permitted non-conforming use. The Board found the landowner did not meet the burden of proving a legally permitted nonconforming use. The Board found the property owner did not demonstrate that the use of the property or investment for transient rentals was so continuous or substantial as to give vested rights to continue the transient rental activity, but instead found the use to be sporadic and occasional. The Board found the owner did or could use the home for personal use when not used for transient rental and the owner could not prove that purchases or improvements for the home or property were solely for transient rental use. The Board found that most expenditures were generally consistent with the use of a single family dwelling and that the landowner would not suffer substantial damage if transient rental is not permitted as a non-conforming use.

The full findings of the Board are set forth in the record of proceedings of the August 11, 2016 meeting and are incorporated into this decision.

New Business – Variance Petitions / Appeals

Hearing – Count #9:05:20 – 9:18:24 / Decision – Count #9:48:36 – 9:51:43

The First Hearing was Christopher J. & Jenna R. Hauca, owners – Section(s) 34 – La Grange Township

Applicants are requesting a variance from Section(s) 74-163(3) / 74-181 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a walkway / deck and a fence.

REQUIRED BY ORDINANCE: The Ordinance requires a 19' street yard setback for open / uncovered structures and 2' street yard setback for a fence.

VARIANCE REQUEST: The applicants are requesting a 1' street yard setback for a deck / walkway and a 0' street yard setback for a fence. The request is a variance from Section(s) 74-163(3) / 74-181 / 74-232 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a walkway / deck and a fence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Christopher J. & Jenna R. Hauca.

owners, voted to **APPROVE with condition** the request for a 1' street yard setback for a deck / walkway and voted to **APPROVE** a 0' street yard setback for a fence. The condition for the deck / walkway is for the decking to be designed to allow water to flow between the boards.

A motion was made by Ann Seaver to approve the variance request with the condition erosion control measures are in place. Seconded by Elizabeth Sukala. Motion carried. 3-favor 0-oppose

BOARD OF ADJUSTMENT FINDINGS: The Board found exceptional circumstances in the steep slope of the property. The Board found the fence / railing necessary for safety. The Board found the deck / walkway had existed for some time and was being replaced. The Board found the deck / walkway was a safer means of access to the house than a stairway that would cause water runoff problems. The Board did approve the variance request with the condition the owner use decking material that would allow water to flow between the boards. There was one letter of support from the Town of La Grange. There was no opposition.

Hearing – Count #9:18:25 – 9:33:39 / Decision – Count #9:51:44 – 9:55:07

The Second 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 August 10 & 11, 2016, for the petition of Basso Builders Inc., owner, voted to **DENY** the request for a parcel that was not legally created to buildable.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found to approve the variance request would set a precedent. The Board found the parcel was not legally created. The Board found the owner has recourse other than variance approval to create a buildable parcel. 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 variance request did not meet the criteria for approval. There was one letter of support from the Town of Geneva. There was no opposition.

Hearing – Count #9:33:40 – 9:45:00 / Decision – Count #9:55:08 – 9:58:04

The Third Hearing was Edward J. & Celine T. Hughes, owners – Section(s) 26 – 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 fire pit, patio and retaining wall in the shore yard and to do grade changes in the shore yard.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback for a fire pit, patio and retaining wall and the Ordinance prohibits grade changes in the shore yard setback.

VARIANCE REQUEST: The applicants are requesting a 42.5' shore yard setback for a fire pit, patio and retaining wall and to do grade changes 42.5' from the Ordinary High Water Mark. 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 fire pit, patio and retaining wall in the shore yard and to do grade changes in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Edward J. & Celine T. Hughes, owners, voted to **DENY** the request for a 42.5' shore yard setback for a fire pit, patio and retaining wall and to do grade changes 42.5' from the Ordinary High Water Mark.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found no unique property limitation. The Board found no grade changes were allowed when County zoning and erosion control permits were issued. The Board found the hardship to be self-created. The Board found the parcel currently has code compliant outdoor living space on the lake side of the home that allows the owners to use this property for the intended use. The Board did recommend the owner work with the Land Conservation Division to restore the property. There was a letter of comment from the Walworth County Land Conservation Division.

Hearing – Count #9:45:12 – 9:56:01 / Decision – Count #9:58:05 – 9:59:22

The Fourth Hearing was Erich A. Krueger & George W. Buresh, owners – Section(s) 35 – Whitewater Township

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

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

VARIANCE REQUEST: The applicants are requesting a 47.8' 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 construct a deck.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Erich A. Krueger & George W. Buresh, owners, voted to **APPROVE** the request for a 47.8' 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 to approve replacement of the deck that existed at the time of purchase. The Board found the existing structure to be a safety issue and the deck to be in need of repair. The Board found no more than one corner of the structure encroaches into the shore yard. The Board found the variance request to be a small increment of relief. The Board found to approve the variance request would cause no harm to public interests. The Board found no opposition from neighboring property owners or the Town. There was one e-mail of support from the Town of Whitewater. Three neighboring property owners spoke in support. There was no opposition.

Hearing – Count #9:56:02 – 10:02:20 / Decision – Count #9:59:23 – 10:00:50

The Fifth Hearing was Andrea J. Peifer Trust, owner / Randy Peifer, applicant – Section(s) 36 – Delavan Township

Applicants are requesting a variance from Section(s) 74-38 / 74-54 of Walworth County's Code of Ordinances – Zoning to permit the location of an accessory structure (garage).

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

VARIANCE REQUEST: The applicants are requesting a 7.7' side yard setback. The request is a variance from Section(s) 74-38 / 74-54 of Walworth County's Code of Ordinances – Zoning to permit the location of an accessory structure (garage).

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Andrea J. Peifer Trust, owner / Randy Peifer, applicant, voted to **APPROVE** the request for a 7.7' side yard setback.

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 the accessory structure has existed for approximately 35 years without complaint. The Board found to approve the variance request would cause no harm to public interests. The Board found the structure to be in good condition and does serve a useful purpose. The Board found approval allows maintenance and upkeep of the structure. The Board found no objection from the Town or from neighboring property owners. There was one letter of support from the Town of Delavan. There was a petition of support from neighboring property owners. There was no opposition.

Hearing – Count #10:02:21 – 10:13:00 / Decision – Count #10:00:01 – 10:04:14

The Sixth Hearing was David D. & Christine A. Knudsen, owners – Section(s) 13 – Sugar Creek Township

Applicants are requesting a variance from Section(s) 74-55 / 74-62(7) of Walworth County's Code of Ordinances – Zoning to permit the location of enclosures and deck in Willow Run Planned Campground.

REQUIRED BY ORDINANCE: The Ordinance permits enclosures and decks provided the structures do not exceed the size / square footage of the existing camping unit (400 sq ft).

VARIANCE REQUEST: The applicants are requesting a deck and enclosure with a total of approximately 896.8 square feet. The request is a variance from Section(s) 74-55 / 74-62(7) of Walworth County's Code of Ordinances – Zoning to permit the location of enclosures and deck in Willow Run Planned Campground.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of David D. & Christine A. Knudsen, owners, voted to **APPROVE** the request for a deck and enclosures with a total of approximately 896.8 square feet.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found the deck has existed since approximately 1998. The Board found the enclosure to be over existing deck which did not increase water runoff. The Board found to remove the enclosure now was a hardship. The Board found no objection from neighboring property owners or from the Condominium Association. The Board found to approve the request does not cause harm to public interests. There were letters of support from Willow Run Resort and 27 neighboring property owners. There was a letter of comment from the Town of Sugar Creek. There was no opposition.

Hearing – Count #10:13:08 – 10:23:57 · Decision – Count #10:04:15 – 10:05:39

The Seventh Hearing was Wisconsin Power & Light Co., owner / Thomas J. Erstad, Wisconsin Power & Light Co., applicant – Section(s) 16 – Linn Township

Applicants are requesting a variance from Section(s) 74-52 / 74-66(4) / Chapter 64 of Walworth County's Code of Ordinances – Zoning to upgrade an existing electric substation to include a dead end structure, transformers, termination stand, metal clad switchgear, static pole, and a 100' communication pole.

REQUIRED BY ORDINANCE: The Ordinance requires a 50' setback from property lines for a monopole and a 50' setback from all property lines for a utility.

VARIANCE REQUEST: The applicants are requesting an approximate 44' rear yard setback and an approximate 48' side yard setback for a monopole and at the closest point an approximate 2 ½' and 16 ½' rear yard setback, an approximate 36' side yard setback (south) and an approximate 46 ½' street yard setback for a utility. The request is a variance from Section(s) 74-52 / 74-66(4) / Chapter 64 of Walworth County's Code of Ordinances – Zoning to upgrade an existing electric substation to include a dead end structure, transformers, termination stand, metal clad switchgear, static pole, and a 100' communication pole.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Wisconsin Power & Light Co., owner / Thomas J. Erstad, Wisconsin Power and Light Co., applicant, voted to **APPROVE** the request for an approximate 44' rear yard setback and an approximate 48' side yard setback for a monopole and at the closest point an approximate 2 ½' and 16 ½' rear yard setback, an approximate 36' side yard setback (south) and an approximate 46 ½' street yard setback for a utility.

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 the upgrade to the equipment to be necessary for the operation of the utility. The Board found the applicant has been unable to purchase additional land. The Board found the utility equipment has existed in that location for some time without complaint. The Board found to approve the request was for a public good and would benefit public interests. There was one letter of support from the Town of Linn. There was no opposition.

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

The Eighth 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 a fire pit and retaining walls to construct a stairway and landing.

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback for structures and permits shore yard landings not to exceed 25 square feet in size.

VARIANCE REQUEST: The applicants are requesting an approximate 35' shore yard setback for a fire pit, an approximate 35' shore yard setback for retaining walls and a landing approximately 40 square feet in size. The request is a variance from Section(s) 74-167 / 74-181 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to permit the location of a fire pit and retaining walls to construct a stairway and landing.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, did not vote on the petition of William P. & Patricia A. Hite, owners.

BOARD OF ADJUSTMENT FINDINGS: The petition was **POSTPONED** at the owner's request.

Hearing – Count #10:24:07 – 10:34:59 / Decision – Count #10:05:40 – 10:07:55

The Ninth Hearing was Michael & Karen Fiedler, owners / Eric Weishaar, applicant – Section(s) 21 – Delavan Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 75' shore yard setback and prohibits grade changes within 75' shore yard setback.

VARIANCE REQUEST: The applicants are requesting a 4' 8" sidewalk and stairs not necessary to access the shore and grade changes with an approximate 48.83' 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 construct a stairway and walkway in the shore yard and to do grade changes in the shore yard.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Michael & Karen Fiedler, owners / Eric Weishaar, applicant, voted to **APPROVE** the request for a 4' 8" sidewalk, stairs and grade changes with an approximate 48.83' shore yard setback.

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 to approve the variance request would allow for a cutout of the curb smaller in size than the Board of Adjustment approval of December 2015. The Board found the repositioning of the door to the residence necessitates a variance for the walkway to the curb. The Board found to approve the variance request will improve runoff control by using a pervious surface for the walkway. The Board found to approve the variance request will benefit public interests. The Board found no objection from neighboring property owners and found support from Delavan Lake Assembly. There was a letter of support from the Delavan Lake Assembly and the Secretary of the DLA Board of Directors spoke in support. There was no opposition.

Hearing – Count #10:35:00 – 10:45:25 / Decision – Count #10:07:56 – 10:10:18

The Tenth Hearing was Charles & Catherine M. Gries Trust, owner / Charles J. Gries, applicant – Section(s) 21 – Delavan Township

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

REQUIRED BY ORDINANCE: The Ordinance requires a 14.9' rear yard setback (established).

VARIANCE REQUEST: The applicants are requesting a 6.4' rear yard setback. The request is a variance from Section(s) 74-181 / 74-219 / 74-221 of Walworth County's Code of Ordinances – Shoreland Zoning to construct a screened porch addition to a residence.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting of August 10 & 11, 2016, for the petition of Charles & Catherine M. Gries Trust, owner / Charles J. Gries, applicant, voted to **DENY** the request for a 6.4' rear yard setback.

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

BOARD OF ADJUSTMENT FINDINGS: The Board found no unique property limitations rather considerations personal to the owner. The Board found a deck would be permitted without variance approval. The Board found the owner does have outdoor living space without variance

approval. The Board found to approve the variance request will create more impervious surface on a small lot. The Board found most homes in the surrounding area have an open deck. The Board found the variance request did not meet the criteria necessary for approval. There was no support. There was no opposition.

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

The Eleventh (Appeal) Hearing was No Free Time LLC / Cassandra Kordecki, owners – Section(s) 28 – Geneva Township

Applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the property is grandfathered as a legal non-conforming use due to renting prior to December, 2014.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 10 & 11, 2016, did not vote on the interpretation and decision of the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-2, Single-Family Residence District (sewered).

BOARD OF ADJUSTMENT FINDINGS: This appeal was **POSTPONED** at the owner's request.

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

The Twelfth (Appeal) Hearing was Andrew Huebner Trust, owner / Andrew Huebner, applicant – Section(s) 32 – Geneva Township

Applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263.

APPLICANT(S) APPEAL: The applicants are appealing the interpretation and decision of the Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered) based on Section(s) 74-163 / 74-181 / 74-190(3) / 74-263. The applicants' interpretation is that the property is grandfathered due to renting prior to December, 2014.

BOARD OF ADJUSTMENT DECISION: The Walworth County Board of Adjustment, during the meeting on August 10 & 11, 2016, did not vote on the interpretation and decision of

the Walworth County Zoning Administrator that renting to the transient public for stays of less than 30 days constitutes a violation of the Walworth County Code of Ordinances – Shoreland Zoning on lands zoned R-1, Single-Family Residence District (unsewered).

BOARD OF ADJUSTMENT FINDINGS: This appeal was **postponed** at the owner’s request.

Other

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

Staff Reports

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

Proposed discussion for next agenda

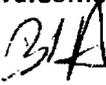
The following items were requested to be put on the September 2016 agenda, if applicable:

- 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.

To: Chairman Logterman and WalCoMet Commission
From: Brad Huza, Administrator 
Date: September 7, 2016
Re: Administrator's Monthly Report – August 2016

Plant Operation

The wastewater treatment facility has met all of its operational and discharge permit requirements for the month of August. The total flow treated in August of 2016 was 109.57 MG with a peak day of 3.84 MG and an average daily flow of 3.53 MG. In comparison, August of 2015 the total flow was 109.29 MG, a peak daily flow of 4.4 MG and an average daily of 3.53 MG.

Financial

The cash receipts through August 2016 show a total of \$4,792,682 which includes the \$650,000 Elkhorn payment. From cash disbursement standpoint, the total disbursements for the same time period were \$4,194,101. When removing the pass through payment of \$650,000 from the City of Elkhorn, expenditures are out pacing revenues by \$51,149.

Training

Due to vacation schedule and staffing levels, no training occurred during the month of August.

Discharge Permit Update

Staff has not received any additional information on this Phosphorus Variance. MEG has indicated that a decision on the approval of the variance from EPA should occur in September. MEG also indicated that EPA may be requesting additional items as a condition of approval. Depending upon the extent of the condition, it is a possibility that the enabling legislation may have to be modified. MEG has indicated that information on the variance will be presented at the MEG meeting on September 21st.

Biosolids Application

Staff began biosolids application on August 15th. Recent rains have slowed the program somewhat but from an overall perspective the phase one should be complete by October 1. The second phase is tentatively scheduled to start in late October. Staff has WDNR approvals on sufficient lands to complete the first phase of the fall application season. The remaining lands have been submitted with an anticipated approval date of September 22nd. To date, Staff has applied approximately 800,000 gallons of biosolids or roughly 40% complete.

Capital Improvement Project Update

County O Lift Station Roof Replacement

The County O lift station roof replacement is substantially complete. No issues were noticed during the construction. The project was completed on time and within budget.

Upcoming Projects

The "Pipe Recoating – Primary Building" was bid on August 31st. No bids were received. I feel one of the primary reasons for lack of interest is the time of year. It is Staff's recommendation to rebid the project in December with an early January bid opening. As this is all inside work, the project should be more appealing than in early fall when outside work is still progressing. The environment for painting will be much friendlier as humidity levels should be less.

WISCONSIN RIVER RAIL TRANSIT COMMISSION
 COMMISSION MEETING - FRIDAY, AUGUST 5TH, 2016 @ 10AM
 BLUE SPOON CAFÉ, 550 WATER STREET, PRAIRIE DU SAC, WI

1. 10:05 AM **Call to Order – Alan Sweeney, Chair**

Alan Sweeney asked Marty Krueger to speak. Krueger welcomed everyone to Sauk County and Prairie du Sac, expressing his appreciation of everyone’s willingness to come. He also thanked the community for hosting. He then introduced Alan Wildman, Village Administrator, who welcomed everyone to the meeting and the community.

2. Roll Call. **Establishment of Quorum – Mary Penn**

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	x	Rock	Ben Coopman, <i>Alternate</i>	-
	Rocky Rocksford	x		Wayne Gustina	excused
	Derek Flansburgh	excused		Alan Sweeney, <i>Chair</i>	x
Dane	Gene Gray, <i>Treasurer</i>	excused	Sauk	Terry Thomas	x
	Jim Flemming	absent		Marty Krueger, <i>Alternate</i>	x
	Chris James, <i>Vice Secretary</i>	x		Chuck Spencer	x
Grant	Gary Ranum	x	Walworth	Carol Held	absent
	Mike Lieurance	excused		Dave Riek, <i>3rd Vice Treasurer</i>	x
	Robert Scallon, <i>1st Vice Chair</i>	x		Eric Nitschke	x
Iowa	Charles Anderson, <i>Secretary</i>	x	Waukesha	Richard Kuhnke, <i>2nd Vice Treasurer</i>	x
	William G Ladewig	excused		Allan Polyock	excused
	Jack Demby	x		Karl Nilson, <i>4th Vice Chair</i>	excused
Jefferson	John David	x		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, Roger Schaalma, WSOR Pete Schierloh, SW Bridge Engineers Jeff Seering, Reedsburg Independent Kim Lamoreaux, Sauk Prairie Eagle Robert Ristow, Baraboo Citizen 	<ul style="list-style-type: none"> Rich Kedzior, Dave Simon, WisDOT Eileen Brownlee, Corp. Counsel Alan Wildman, Village of Prairie du Sac Sam Landes, Assoc. of Wis. Snowmobile Clubs Brian Simmert, Sauk County
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3. Action Item. **Certification of Meeting’s Public Notice – Noticed by Penn**

- Motion to approve posting of meeting – Cornford/Mace, Passed Unanimously

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

- Motion to approve amended August agenda – Kuhnke/Ranum, Passed Unanimously

Sweeney said he would combine items 13 through 17 with Dave Simon’s approval as they were all interrelated.

5. Action Item. **Approval of draft July 2016 Meeting Minutes– Prepared by Penn**

- Motion to approve draft July 2016 meeting minutes with minor corrections – Mace/Tietz, Passed Unanimously

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

There were no public comments

7. Updates. **Announcements by Commissioners – No Discussion Permitted**

There were no announcements by Commissioners.

REPORTS & COMMISSION BUSINESS

8. WRRTC Financial Report – Gene Gray, Treasurer

Dave Riek presented the Treasurer’s Report to the Commission. He noted that the assets equaled liabilities and said there was a negative cash balance as of the Report’s publication date due to the need for reimbursement from WSOR for Illinois taxes. He said accounts receivable showed \$53,751.76, so when WSOR was billed and reimbursed the Commission, that would correct the negative cash showing. He said the property taxes were not due until September so the bill would be reimbursed this month.

- *Motion to approve Treasurer’s Report and payment of bills contingent upon sufficient funds – Anderson/Scallon, Passed Unanimously*

Gary Ranum asked who carried the negative balance. Riek said the checks had not yet been cashed although they were written which was why the Report showed a negative balance. Terry Thomas asked about the McHenry County, IL billing cycle.

9. Wisconsin & Southern Railroad’s Report on Operations – WSOR

Roger Schaalma briefed the Commission on maintenance and projects. He said Wisconsin and Southern (WSOR) had just finished geometry testing on the entire system with their geometry car saying there were very few areas identified for repair but of those few, all had been repaired. He said the current rail testing car was out and said that WSOR had identified over 400 defects on the Waukesha line alone. He said most defects were internal which gave WSOR some time to repair, perhaps a couple of months. He also said they were working to spray and control brush a lot better this year. Schaalma said seven grade crossings were being worked on, with five already completed. He said annual bridge inspections were also currently underway as required.

On projects, Schaalma said 13 bridge repair contracts had been awarded on the Prairie Sub. Luckily, two of the bridges could be made into culverts. On the Spring Green Bridge, Schaalma said they were close to getting the work bid out with major construction to begin in 2017. He said the tie and surface project on the Prairie Sub had mobilized last week, and the three bridge projects in Illinois on the Fox Lake Sub were now completed, with three large bridges on the Madison Sub going out to bid. He said the Watertown project was proceeding very well, saying WSOR was replacing five of the grade crossings and in two to three months it would be a class 2 railroad from Madison to Sun Prairie. Next year Sun Prairie to Watertown would be Class 2. Upon request, Schaalma explained the sub names in the Southern Division and where they originated.

Ken Lucht reported that Schaalma and his team had developed a five year capital program and he wanted to present it to the Commission hopefully by next month. He outlined what that program would show, such as the number of ties, crossing rehabs, bridges, etc.

Lucht said WSOR had leased 125 new jumbo (286,000 lb.) covered hoppers for grain, after offloading 125 hoppers with low efficiencies. The new hoppers would be placed between all the main elevators. Lastly, Lucht said WSOR was still working on hosting a tour of the Janesville facility and he would confer with Penn and Sweeney on that.

Richard Kuhnke asked Lucht for an update on bridge removal on the Peters Road Bridge. Lucht said he did not know anything about that situation. The last he knew, the Town Chair had been seeking State funding for replacement.

10. WisDOT Report – Kim Tollers, Rich Kedzior, WisDOT

Rich Kedzior let the Commission know that the Rails and Harbors section had forwarded the FRPP requests to the Secretary of Transportation. Dave Simon talked about recent retirements and hires in the Section and said Frank Huntington had said he would be coming to some future meeting.

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

Penn reported on her administrative tasks since the last meeting after distributing articles submitted by Forrest Van Schwartz in July, including mailing the letter inviting Green County to join the WRRTC. She also shared the email exchanges she had had with a person seeking to use a billboard currently on WRRTC property in Illinois. Penn said she had directed that person to Eileen Brownlee. Sweeney said the sign issue might be on the September agenda, in order to more fully discuss the question of whether the Commission wanted non railroad structures on railroad right-of-way (ROW). Charles Anderson asked if there was a way to get a photograph of the sign in question. Sweeney asked if a WSOR supervisor could take a photo for them. Lucht said that would not be a problem.

12. Discussion and Possible Action on Merrimac Bridge option – Dave Simon, WisDOT, Eileen Brownlee, Corp. Counsel

Dave Simon said WisDOT had initially completed an analysis of the Merrimac Bridge and had identified a “restore” option, costing \$7.6 M. However, it would only allow 268,000 lbs. at 10 mph. When approached, Simon said WSOR had come up with some other options. Simon then introduced Pete Schierloh of SW Bridge Engineers to present those options. Simon recommended giving close

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attention to the “sustainable” option, noting that this had been recommended and endorsed by the engineers and WisDOT, costing between \$15M - \$17M, and would extend the life of the bridge for 40 years at 286,000 lbs. at 25 mph.

Pete Schierloh introduced himself, giving his background and the necessity of having a RR bridge engineer do this type of assessment. He said he had rated all the bridges on the Reedsburg sub, particularly the bridge in question: Bridge 334, aka The Merrimac Bridge. He related the bridge’s history and why it had worn the way it had, noting that 1902 and 1930 had been a major rebuild years.

In terms of capacity, as of 2012, the Federal Railroad Administration (FRA) now mandated bridge capacities be rated. He explained the former rating system, then presented the new rating system, explaining the capacity rating system. Schierloh also explained that although the bridge had been built to lower capacities, by lowering train speed, WSOR had been able to allow trains to continue to move across the bridge. However, they could not lower speed under 10 mph. Based on its current rating, the bridge could not support 286,000 lbs. at any speed. At its maximum loading it could support 268,000 lbs. at 10 mph. If there was no reinforcement, the bridge would drop to 234,000 lbs. at 10 mph after the sunset date of December 31, 2018. He explained the differences between the normal ratings versus the bridge’s maximum rating which was essentially a “regular” load versus a super heavy “maximum” load.

Span by span, Schierloh pointed out the various components of the bridge that were wearing, in particular the flooring beams. He said only a quarter of the bridge components, consisting of 22 spans, were currently rated at 25 mph at 286,000 lbs. He said the 10 mph recommendations put the the bridge only “barely there”, showing the cost comparison based on the bridge’s capacity and condition.

Schierloh said no work was planned below the waterline, assuring the Commission that the engineering report did not show any reduced capacity of the piers. He said the \$15 - \$17 M price tag included the cost for both capacity and condition, including piers. Jack Demby asked if this was due to the bridge’s design or material insufficiencies. Schierloh said the materials were quite old and with the current stresses, the bridge should not be replaced to its original design and materials. In terms of corrosion, Schierloh said the bridge’s corrosion condition was “pretty good”, considering how old it was.

Ranum asked if there was a way to test the metal fatigue on the bridge. Schierloh said it could be done via sampling. Thomas asked for the time frame. Schierloh said it would be a couple of years: in terms of logistics, the project would take about 18 – 24 months from the beginning of signing the contract with about a year of engineering and permitting before that, including a review based on the bridge’s historic significance. He said it would probably take five to six months for drawing up plans alone. Potentially, it could go fairly quickly once begun, with a barge used to move the spans in and out. He estimated span fabrication would take nine to twelve months.

Simon said the Commission could see the amount of effort that had gone into this bridge review and said Schierloh had done a much more in-depth precision assessment, with the “sustainable” option presented resulting in improved capacity and condition for 40 years. He said WisDOT had determined they could spend \$80 M or \$100 M for a new bridge, do nothing, or pay the cost of a restored bridge which would be \$12 M at a minimum. He said the bridge would continue to cost millions more moving into the future. The “sustainable” option, which WisDOT endorsed, was really the lowest cost and reasonable alternative.

Dick Mace asked how long the \$12M - \$14M option would be good for. Schierloh said it was a very short period of time and they would just end up back where they were today. Mace asked if there was a reason to look beyond the 40 year timeline. Simon said in 40 years something would have to happen. Mace asked if there were some way to increase that 40 years. Schierloh said the only thing left that was of concern would be a few trusses and the piers. He explained what would have to be done to make this a 100 year repair versus a 40 year but said the piers should continue to perform for another 40 years, acknowledging the highest level of uncertainty were the piers. If they remained solid and stayed in place, there should not be a problem. Divers had documented the pier condition and Schierloh said underwater reports would need to continue. Simon said 40 years was a lot of time to buy and the State had a lot of other bridges that needed work as well.

Chuck Spencer asked how much time the bridge would be out of service if construction were to commence. Schierloh said the construction work would not impact train service - a span could be replaced in 24 hours.

Sweeney asked Lucht and Simon what action they wanted from the Commission. Lucht said he did not see any need for action. Simon said this was similar to the Spring Green Bridge and asked if the Commission needed approval. Brownlee said she did not know if anything needed to be done now as planning and financing were up in the air. Sweeney asked what were the sources and reliability of the financing. Simon said WisDOT believed they had the financing available and had identified a source of funding from FRPP. He said WisDOT had already approved this funding within the current biennium.

No action was taken.

13. **Discussion and Possible Action on Great Sauk Trail Rails-to-Trails, amending the Operating Agreement between WRRTC and WSOR as it relates to the line segment(s) converting or that have been converted to trail use on designated Great Sauk Trail, amending the Grant Agreement between WRRTC and WisDOT as it relates to the line segment(s) converting or that have been converted to trail use on designated Great Sauk Trail; amending the Land Use Agreement between WRRTC and WisDOT as it relates to the line segment(s) converting or that have been converted to trail use on designated Great Sauk Trail; development of Interim Trail Agreement on Great Sauk Trail –**
Dave Simon, WisDOT, Eileen Brownlee, WRRTC Corp. Counsel

Simon distributed a handout explaining a history of the railroad corridor and discussed the need for increased capacity for Sauk County shippers. He said there were a number of things to be done to do a rails-to-trails conversion. Referring to his handout, he said the area in question was from the Sauk City Bridge to the south gate of the former Badger Plant. The conversion would remove that mileage from the grant/land/operating agreements and put it in Rails to Trails. He said it would be an active, rail banked corridor.

He listed the various stakeholders and said WisDOT had identified their responsibility in several areas of the project. The WisDOT was seeking the Commission's concurrence on those items. He said WisDOT was in favor of doing this and the railroad was in agreement. A trail committee was ready to take on the project. He said WisDOT had identified seven points that had to be "put into place" although they were not necessarily in exact order. He listed filing for discontinuance with the STB while simultaneously filing a trail use request (aka a statement of willingness) with WisDOT and WDNR, developing an interim trail agreement which he said was being worked on now by WisDOT legal counsel, drafting the grant, land use, and operating agreement amendments which would remove the mileage from those agreements, and removing the track. He said there were a lot of questions in regard to the track removal part of this.

Brownlee agreed with Simon and added that the order in which this process was done was important. She said if there was discontinuity, there was a risk of losing a lot of the corridor. She emphasized the need for things to happen in a timely matter. In regard to the trackage, she said the WRRTC owned the track. She asked who was going to do that bid for the work, who would contract the work, and what part did the State bidding laws play. She said the Commission was at the point where they could take action, suggesting the creation of an ad-hoc committee to keep the process moving and to report back to the Commission in September.

Sweeney asked for opinions on an ad-hoc committee. Mace said an ad-hoc committee was in order but asked if Sauk and WDNR meant to start the trail this year. Krueger said they would. Mace asked about the steel salvage. Brownlee said the WRRTC owned the trackage, subject to the land use and grant agreements that went all the way back to the initial financing of the Commission in the 1980s. She said it usually was a question of assessing percentage and that these were things to be worked out in the ad hoc committee. She added she hoped it would be the State. Mace asked if the land would revert to the State. Brownlee clarified all the land belonged to the State and the Commission owned the improvements (tracks, bridges, etc.). Simon questioned if the State owned up to 20 percent of the track as well, based on grant agreements. Brownlee did not agree. She said that was forgiven over the years. She said there had been other sums added in but did not think the State owned 20% of the track.

Sweeney asked Brownlee for her ideas for the ad-hoc committee. She recommended a Sauk County commissioner, adding that she would like to keep it to 5-6 people but recommended the WRRTC Chair be a member.

Simon asked if any of the seven things listed could proceed today. Brownlee said no. Simon said WisDOT did not know the order yet nor what had to happen first. Brownlee said filing with the STB while filing a trail use request were priorities.

Lucht said WSOR would have to verify the mileposts with the State and the Commission. He said WSOR's attorney had not even seen anything relating to amending the agreements, although he said he did not think a lot of language needed to be changed in the agreement. Also, since it was not often the operating agreement was changed, WSOR would like to discuss with the Commission the provisions of Article 2.2 on Property Management. He said the language was different from the Reedsburg Operating Agreement language and WSOR preferred that Article be 2.2 consistent between the two agreements. He said he would bring those agreements to the Commission in the near future. Brownlee said the timing was important due to the land and grant agreements and the Commission must honor its agreement both to the operator, as well as with the State, in order to preserve the Commission's indemnification.

Sweeney asked Simon for ad-hoc committee suggestions. Simon asked if would make sense to have Cathy Chung. Brownlee asked who from the commission who would be helpful. Simon said he did not know if it was WisDOT's place to identify those.

Sweeney volunteered Marty Krueger, Ken Lucht, and himself to the committee. Augie Tietz volunteered, as did Chris James. Sweeney invited whomever the State wanted and asked Brownlee to be on the committee. Simon identified Kim Tollers and Cathy

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Chung. Sweeney suggested Frank Huntington would be good too. Simon said WisDOT's role would be advisory and suggested a representative from the WDNR but did not give a name.

Sweeney asked for concurrence from the Commission on the ad-hoc committee.

- *Motion to approve creation of an ad-hoc Committee with members as presented– Morris/Thomas, Passed Unanimously*

Dick Mace asked for clarification of the stakeholders, asking why the State was not one. Brownlee said she did not think the State had that interest, and typically, the State did not put their people in these type of groups. When asked if there should be a stakeholder from Sauk City or Prairie du Sac, Brownlee said these would be public meetings but a stakeholder was someone whose name was on the agreements or contracts.

Sweeney asked Simon to notify the ad-hoc committee when there was something to discuss on the points presented. Simon offered space for the meeting at WisDOT headquarters. Simon then said there might be a need for special Commission meetings to address committee decisions. Sweeney asked if Simon meant after the September meeting. Simon said before the September meeting, commenting on the timeline but acknowledged the Commission may not wish to. Eric Nitschke asked if the ad-hoc meeting would be meeting sooner rather than later, expressing his reservations at the possible result of meetings going into 2017. Sweeney said they could meet as soon as WisDOT had firm direction on all the issues presented today. Simon agreed. Krueger said this was also his expectation and hope. He said this was a priority as the County was prepared and had the money to build a trail. He said the County was talking to the WDNR and other parties about extending the trail to Devil's Lake and said there were folks attending the meeting today who were interested in getting segment one started. Krueger said the number two segment was the Dane County connection. Number 3 was the Badger to Devil's Lake segment. The County was looking to build a "world class trail" and the entire process was based on completing segment one before proceeding to two or three. He said the County was prepared to start immediately and hoped it would be before the snow was flying. Mace supported having meetings of the Commission as needed rather than meeting on the regular schedule. He also wanted to know if draft copies of the agreement could be made available to the Commissioners via email before meeting again.

Sweeney closed by thanking Sauk County, the Village of Prairie du Sac, and the Blue Spoon Cafe for the nice meeting place.

14. Action Item. **Adjournment**

- *Motion to adjourn at 11:49 AM – Scallon/Cornford, Passed Unanimously*

**WISCONSIN RIVER RAIL TRANSIT COMMISSION
COMMISSION MEETING - FRIDAY, JULY 8TH, 2016 @ 10AM
DANE COUNTY HWY GARAGE, 2302 FISH HATCHERY RD, MADISON, WI**

- 1. 10:00 AM **Call to Order** – *Alan Sweeney, Chair*
- 2. Roll Call. **Establishment of Quorum** – *Mary Penn*

Crawford	Tom Cornford, <i>2nd Vice Chair</i>	x	Rock	Ben Coopman, <i>Alternate</i>	-
	Rocky Rocksford	excused		Wayne Gustina	x
	Derek Flansburgh	x		Alan Sweeney, <i>Chair</i>	x
Dane	Gene Gray, <i>Treasurer</i>	x	Sauk	Terry Thomas	excused
	Jim Flemming	excused		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	x		Dave Riek, <i>3rd Vice Treasurer</i>	x
	Robert Scallon, <i>1st Vice Chair</i>	x		Eric Nitschke	x
Iowa	Charles Anderson, <i>Secretary</i>	x	Waukesha	Richard Kuhnke, <i>2nd Vice Treasurer</i>	x
	William G Ladewig	x		Allan Polyock	x
	Jack Demby	x		Karl Nilson, <i>4th Vice Chair</i>	x
Jefferson	John David	x		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 • Jason Culotta, Wisconsin Manufacturers & Commerce (WMC) • Mirjam Melin, Rock Against the Rail 	<ul style="list-style-type: none"> • Kim Tollers, Rich Kedzior, Dave Simon, WisDOT • Eileen Brownlee, Corp. Counsel • Rep. Amy Loudenberg, WI State Legislature • Danielle Zimmerman • Alan Anderson, Pink Lady
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- 3. Action Item. **Certification of Meeting’s Public Notice** – *Noticed by Penn*
 - *Motion to approve posting of meeting – Ladewig/Scallon, Passed Unanimously*
- 4. Action Item. **Approval of July Agenda** – *Prepared by Penn*
 - *Motion to approve July agenda – Cornford/Gustina, Passed Unanimously*
- 5. Action Item. **Approval of draft June 2016 Meeting Minutes** – *Prepared by Penn*
 - *Motion to approve draft June 2016 meeting minutes with minor corrections – Mace/Tietz, Passed Unanimously*

6. Updates. **Public Comment** – *Time for public comment may be limited by the Chair*
 Jason Culotta from WMC introduced himself and said he was attending as some of the issues presented were of interest to his organization. Mirjam Melin introduced herself and said her organization was not against rail per se but they believed that the Great Lakes Basin Transportation (GLBT) project was not supplying information to them and if Wisconsin needed rail it should not be in response to a paper plan without substance. Rep. Amy Loudenberg introduced herself and invited the Commission to contribute comments to the Surface Transportation Board (STB).

7. Updates. **Announcements by Commissioners** – *No Discussion Permitted*
 Dick Mace said he and some of his family had attended the Horicon Open House and all “had a good time”. He said it was very informative and what he wanted to see. Allan Polyock said that Walworth County was hosting the 2016 Wisconsin Farm Technology Days and invited all to attend.

REPORTS & COMMISSION BUSINESS

- 8. **WRRTC Financial Report** – *Gene Gray, Treasurer*
 Gene Gray presented the Treasurer’s Report saying financially the Commission was where “we needed to be” and the good thing was that income balanced expenses. He said there was one bill for the accounting services.
 - *Motion to approve Treasurer’s Report and approve the payment of bill – Anderson/Mace, Passed Unanimously*

Gary Ranum asked why there were two lines of interest on the income statement. Gray said he would find out.

9. Discussion and Possible Action on Amending 2016 WRRTC Budget – Gene Gray, WRRTC Treasurer

Gray said this was more for clarification of tax process than anything else, giving the background on how taxes from Illinois now came to the Commission. He said the bottom line was that the money was the same and this did not affect dollar values. Mary Penn said this was to provide transparency. Bill Ladewig said the budget needed to reflect this as income from the railroad. Alan Sweeney said basically this is a “pass through”. Ladewig asked if it were ok with the railroad. Ken Lucht said it was much more streamlined and WSOR fully supported it. Charles Anderson asked about the railroad tax in McHenry County. Lucht said that was for the Illinois portion of the Fox Lake sub.

- *Motion to approve amended 2016 budget – Ranum/Ladewig, Passed Unanimously*

10. Discussion and Possible Action on Amending 2017 WRRTC Budget – Gene Gray, Treasurer

Gray said this change was identical to agenda item 8, to show how the taxes were paid. He noted the Dane County contract for Jim Matzinger’s services was slightly higher in 2017. He said it was good they were “holding the line” for the railroad and the counties. Sweeney asked Gray to ask Matzinger about the increase in accounting fees.

- *Motion to amend 2017 budget – Kuhnke/Morris, Passed Unanimously*

Ladewig said the Commission would not be able to put in the numbers for the 2017 tax burden. Gray said this budget did reflect a small increase over last year.

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

Ken Lucht said the weather and heat had been impacting maintenance, resulting in dropping speed. Some of the rail over the past weeks had been 115 degrees F resulting in some slow orders on some subs due to possible rail kink. Also, since summertime, WSOR had rolled out a summer safety program to promote safety in all WSOR departments, including engineers and conductors. He said WSOR had distributed new reflective T-shirts and morale was “really good”.

On projects, Lucht reported that the three bridges in Illinois were completed and he thanked the WRRTC for their support. He said this was a key project and all structures were now up to 286,000 lb. capacity.

Lucht said the Phase 2 tie project on the Prairie sub was beginning Monday (July 11) with ties being distributed today. He said the final design for the Spring Green Bridge was complete and the project would be bid in August. He said those from Iowa County would see work begin.

In Dane and Jefferson, the ties on the Watertown sub were going in. This project would bring the sub up to a Class 2 corridor. He said the next phase would be bid out next year. Lucht also noted that WSOR was waiting on language for the continuous welded rail (CWR) Waukesha sub agreement language.

In Oshkosh, Lucht said WSOR was putting in 9,000 ties with 12,000 put in last year as part of corridor maintenance. Also CWR was going in between Fairwater and Markesan: this project would be completed in August. Lastly, Lucht spoke about the Horicon tour and said WSOR wanted to do the same in Janesville and it was planned to happen within a few months.

Anderson asked if the design for the Spring Green Bridge was available. Lucht said he could make them available. Mace asked about the farmers from IL who came to the meeting in December asking about drainage and was there any update on that. Lucht said he did not have an update. He said he was not aware of any railroad permit related to the issue so the individual needed to go through the proper channels in the state of Illinois: it was not a railroad facility.

Ranum asked about a June derailment and what the rail temperature was. Lucht said the derailment had not been related to heat.

12. WisDOT Report – Kim Tollers, Rich Kedzior, WisDOT

Rich Kedzior reported that WisDOT would be sending the Freight Rail Preservation Program (FRPP) recommendations to the Secretary of Transportation’s office this month. He issued a caveat on the 2017 awards, saying the expected dollars for 2018-2019 would likely impact this year’s priorities as “we are entering a very difficult budget”. Dave Simon said there was enough money for projects for 2017-2018 but they did not know how the 2018-2019 budget would come out. He said they did not know what the transportation department’s budget would look like at this point, noting with a big back load of projects, “we support the Secretary as best we can”. He added that in the last biennium, as well as this biennium, there were some segregated funds. Later this year they could let the Commission know what the budget would look like, noting they would continue to move forward with available funding and try to address railroad needs as best as possible.

Next, Simon spoke about the Merrimac Bridge. He reminded the Commission of the December 2015 meeting and what was discussed. He said WisDOT had approved an alternative “restore bridge” proposal by Ayers & Associates. This project would have reconditioned the Merrimac Bridge to bring it up to 268,000 lbs. loading at 10 mph. In January 2016 WSOR worked with Southwest Engineering who did another analysis on the bridge structure, member by member. As a result there were more options. Simon described the minimal option and a sustainable option. Both options increased the bridge’s capacity to bring it up to 286,000 lbs. at 25 mph. Wisconsin and Southern recommended the sustainable option resulting in 286,000 lb. loading at 25mph for 40 years. Simon WisDOT did their own analysis of this option and determined it was a very good alternative and agreed with WSOR that the sustainable option was the best option moving forward. Therefore with WSOR, WisDOT was developing plans for the project. He said there was funding available and WisDOT was committed to rehabbing the Bridge. He added that as a sideline benefit, it eliminated the low span no. 18, thereby removing a safety hazard. He reiterated that there were many benefits to the sustainable option, including shippers could ship at 286,000 lbs. to lower shipping costs and allow WSOR to market the line as a full service line. Lucht said it was an alternative to complete replacement which cost millions more. For now a “middle ground” replacement option could give them 40 more years of service. He said this option did not address the piers below the surface of the water, however, WSOR had been told by divers that the piers were holding up well. In the

future if variables came up, they would have to come up with solutions but looking at the customer demand and the money available, WSOR felt this was the best option.

Asked about the loading weight on the original option, Simon reiterated that the first option only came up with a 268,000 lb. loading rate. He said what Ayers alternative addressed was only the condition. The sustainable option increased capacity. Lucht said the bridge was down rated to 263,000 lbs. in April, with runs spread out. He said if nothing was done by 2020, it would have to be downgraded to 234,000 lbs. With this alternative, WSOR was hoping to avoid that. He added that there was only a 4-5 year window to address this. Sweeney asked Simon about the timeline and whether this would be a WisDOT or WSOR project. Simon said it would be WSOR with WisDOT working closely with them. When asked if there was spending only on structures above the waterline, what would happen if issues cropped up below the waterline, Lucht explained the piers were still good. Alan Anderson said the Pink Lady RTC shippers were delighted with this proposal. He noted that \$17M was still a big number, and asked what the worst case scenario was if the budget dropped all funding for this. Simon said he believed that it could be funded with fiscal year 2017 dollars. Mace asked if the project was peer reviewed by WisDOT's engineers. Simon confirmed that it was reviewed by their engineers. Gray asked if there had been damage to the Bridge from high water. Simon said wave action and ice pressure had impacted the bridge somewhat but engineers have told them the steel in the piers is the main structural element within the mason and concrete is undamaged. He said there would be some work to do to correct the mason work. Ladewig asked where this Bridge ranked on the State's priority list. Simon said the Spring Green Bridge was first but did not go further. Lucht said WSOR's bridge priorities were the Spring Green Bridge, the Wauzeka Bridge, and the Merrimac Bridge all of which unfortunately were three huge structures coming into a tight budget era. He said WSOR had just never had the resources to address these bridges in the past. Alan Anderson asked about the TIGER grant submitted by WSOR and if awarded, how would that impact the project funding. Simon said that was a great question and if awarded they would have the matching funds. Lucht noted that WSOR was working on their funding strategy at this time and supposedly once completed (if not receiving a TIGER grant) WSOR would apply for a state grant and start looking for the 20% local contribution of \$4M. He said likely a proposal for this would soon be presented to the WRRTC. Simon said related to this was the Great Sauk Trail (GST), suggesting it might be appropriate to have it on the next meeting's agenda.

On the GST, Simon said this was related to the Merrimac Bridge since WisDOT was committed to the project it had been working on a Rails-to-Trails conversion on the line running from the Sauk City Bridge up to the Badger Army Ammunition Plant (BAAP). He said WisDOT was working with WSOR and would have to file an STB petition in regard to the issue. He said WisDOT was also working on an alternative track removal plan and how it would be done. He added that WisDOT was also looking for WRRTC's cooperation and approval on this Rails-to-Trails conversion. He said the details still needed to be fleshed out and assumed it would be an amendment to the current Land Use Agreement. Simon said WisDOT was also working on developing an interim trail agreement with Wisconsin DNR. He suggested getting this on the agenda for the next meeting to present WisDOT's working with the railroad and the folks of the Great Sauk Trail.

Marty Krueger said what was more important was the WisDOT's commitment to this project. He said there were Sauk County jobs dependent on rail so this was an important piece of that. With load downgrading, it cost Sauk County shippers \$300,000 - \$400,000 per year. He said this was a win for all concerned and that this was the sanest solution to the situation. He also said he believed it would be good if the Commissioners visited the County and suggested either holding the August meeting there or have a special meeting at the Village Hall of Merrimac so Commissioners could go out and see the Bridge for themselves. Krueger said this would also allow folks to see the current corridor in Sauk City and Prairie du Sac as well. He said those two communities had been patient and prepared to have the corridor converted under a Rails-to-Trails agreement for some time and would like to expedite the remaining steps to complete this. He said he would like the Commission's attention to this matter as it was important for the railroad and Sauk County.

Eileen Brownlee noted that the Merrimac Bridge was not listed anywhere on the day's agenda but the public was entitled to notice and she noted that the public could not have known the Commission would be discussing this issue at such length today. In respect to WisDOT, she said this was only a report and if bringing up something unusual or requiring action, she suggested an itemized list for the WRRTC's attention for future meetings. This would avoid a conversation that violated the open meeting law. She said maybe some Sauk County folks would have wanted to be here for this conversation. Krueger said there was no action being requested. Brownlee said the open meeting law included information. Sweeney thanked Brownlee for her reminder. Mace asked if they could merge a special meeting with the August meeting. Sweeney said at this point they needed to respond to corporation counsel.

Lastly, Simon reported their division was getting a new engineer. He also said Mark Morrison would be retiring and they were looking to replace him. He added that Frank Huntington had agreed to stay on for the time being and spoke of Huntington's qualifications on railroad issues.

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

Penn listed the correspondence she had received or sent since the last meeting. She let the Commission know she would be out of the office the following week for vacation and then iterated the administrative actions she had taken since the last meeting, including researching the issue of leasing billboards in reference to a June meeting question about the Grunow sign (in Illinois) and leases versus offers-to-use.

Mace asked if there were a proposal about the sign, saying if there was a legitimate offer for the use of the sign, could the Commission get an agreement similar to the Grunow one. Brownlee said that perhaps the Commission needed to talk about billboards in general. Based on her research, despite a lot of these billboards being put up 40-50 years ago, to date the WRRTC had not been in the billboards business. She added that today there were zoning and state law restrictions and advised that this was a discussion worth having in the future about how to deal with these issues. Kim Tollers said the STB had advised the State that they "can only be in the railroad business" and it was a railroad corridor. Brownlee said there was also federal case law that preempted railroad uses but did not preempt non-railroad issues. Sweeney advised Penn to make it an August agenda item. Ladewig recommended a letter be sent for removal. Sweeney said the Commission could discuss the whole issue in August. Brownlee said while centered on billboards, discussion could also involve all non-railroad issues on railroad property.

14. Discussion and Possible Action on Green County Board Letter of Invitation – *Mary Penn, Admin., Eileen Brownlee, Corp. Counsel*
 Penn gave background on the item, saying she had been instructed at the June meeting to draft a letter to Green County inviting them to join the WRRTC, copies of which she distributed to the Commission.

- *Motion to approve letter– Scallon/Nilson, Passed Unanimously*

Brownlee said she had reviewed the letter and it looked fine. Sweeney said he thought it a good idea for the future and asked if WisDOT had any comments. Kedzior commented on the 3rd sentence of the first paragraph. He said the FRPP program would pay up to 80% for improvements but it could be less, so the local share could be higher. He suggested either eliminating the sentence or amending it. Sweeney asked if Scallon wanted to approve it with Kedzior’s comment. Nilson moved to amend the letter for clarification.

- *Motion to amend motion to read “Preservation by publicly owned rail is frequently paid by up to 80% by the State” - Nilson/Nitschke, Passed Unanimously*

Sweeney said the letter would be amended and sent to Green County.

15. Discussion on Amending WRRTC Charter Article III: Management, Section 3.01 – *Mary Penn, Admin., Eileen Brownlee, Corp Counsel*

Penn presented the item, saying with the number of counties potentially joining the Commission, it could become unwieldy. She said she had discussed with Brownlee the possibility of dropping the number of appointed commissioners from three to two. Nilson said there was no need as the table was big enough. He said dropping to two could lead to increasing the chances of a no show. Mace agreed. He said with lowering the limit, there could often be times when there would be circumstances of a meeting with only one commissioner and he did not like the idea of only one commissioner acting on issues for the County. Ranum said he took the opposite view, saying the Commission was getting very large and reducing the number of commissioners would save the counties money. He noted that the counties did have the prerogative of appointing an alternate. Nilson asked Brownlee to explain and she said that three were appointed commissioners plus one alternate. Chuck Spencer said he found this a functional group and did not see a need to change. Eric Nitschke said with three, the commissioners were conditioning themselves to not make the attending meetings a priority: if there was so much coverage, you could lose some of those individuals who were very busy. Allan Polyock spoke about Walworth’s County’s experience downsizing and said there was a lot of diverse opinions. He suggested leaving it alone. Nilson said he would love it if there were a statistical expert who could look at the possibility of not getting quorum. Given the fact that there was always one available, if the charter is changed to two, there could be issues. Krueger said everyone was focused on Green. He was not sure about Columbia County joining. He did not have a problem with two commissioners and an alternate. Sweeney said the message was clear but that there should be an action item on it for the August meeting.

16. Discussion and Possible Action in regard to the Great Lakes Basin Transportation Rail Project – *Alan Sweeney, Chair*

Penn distributed the memo sent from Brownlee and the letter written by Sweeney. Sweeney congratulated WisDOT’s comments to the STB. Simon said there was a team of people working on them. He said there had been a few errors in the filing on town road names and they would be re-filing to correct those. He said the new filing would supersede the old one but repeated it was only for some minor road name corrections.

Brownlee said this was a process anticipated to take years. Right now the Scope of the Environmental Study was being looked at and there would be at least two additional comment periods. She said she was not advising them to not send the letter. She said she had spoken with Kathy Chung of WisDOT and they had discussed the issue of whether the WRRTC should weigh in. She said that Sweeney’s letter was factual and from that perspective was ok. She did not believe the RTC’s should have a pro or con position at this point but putting a letter on file was fine with her.

Sweeney said he had asked Rep. Loudenbeck’s office to help him with the letter, working with Danielle Zimmerman to make sure the letter was more factual. He said it was a decision by this Commission whether to send or not, but he thought it a good idea to share it with the Commission for discussion and due diligence. Whether to submit or not was up to them. Nilson said he personally had gone on record opposed to the GLBT project but far as the Commission went, he did not think the Commission had a position: the WRRTC should be for whatever supported rail in the state. He did not know that they needed a position at this point and advised waiting to see what WisDOT and WSOR did. Brownlee said she did not fully agree but she said that at this point, the Commission was not deciding whether or not if they would operate. At this point they needed to know what they were looking at over the next three years. She said this letter accomplished the listing of facts. Nilson asked if Brownlee were ok with the letter. She said yes. Ladewig asked if sending the letter made them a party of record. Brownlee said this did not do that, saying you would just have to keep up with the STB. Krueger said he agreed with Brownlee and thought the last sentence summarized the Commission’s position clearly.

- *Motion to approve letter as presented – Krueger/Ladewig, Passed Unanimously*

Mace said he agreed with the motion and he liked the third paragraph very much. He said he did not think the issue addressed was looked at when the project first came up and it lent credibility to be looking at alternative routes. Augie Tietz said in the conference call last week, Jefferson County talked about it and would be doing a resolution at their County Board meeting Tuesday night in support of WisDOT’s position and that the resolution would be sent to the STB by July 15th. Simon said WisDOT could provide a copy of the updated report.

Melin asked Brownlee if there were a negative to sending the letter. Brownlee said anyone could join as a party of record at any time. Looking at the length of the process, her opinion could change as time passed. Sweeney said Rock County was a party of record and Melin could review that file. Melin said it did not allow those who are not party of record to comment. She said the STB would not include a letter by a non-party of records unless it was sent during a comment period. Loudenbeck said the STB wrote to the law firm of the applicant requesting a lot of information by the end of August and due to that, the Commission might want to keep this issue on their agenda. She noted a lot of information was requested.

17. Action Item. Adjournment

- *Motion to adjourn at 11:34 AM – Gustina/Cornford, Passed Unanimously*

2016 2nd Quarter Meeting Minutes
Benedict-Tombeau Lakes Management Meeting
July 16, 2016

Called to order at 9:06 a.m.

Minutes of March 12, 2016 meeting approved as written.

Treasurer reported expenses were in line and under budget. \$27,000 balance Randall bill was not paid. \$4,000 was identified for Nippersink Bowl. A launch is a financial issue. Need a solution for land and relationship with Randall. Treasurer's report was received and filed.

Bob Meyer commented on the DNR requirement to have the path and berm on the channel be mowed and trimmed, from the culvert to the dam. The chairman promised to look into that and see what the requirements are. Later in the meeting we determined that we would go ahead and have that done.

There was significant discussion on lake levels from several residents. It was noted by the board that a vote had been taken the previous year to maintain a single board in the dam for one year to keep the lake at the 828.46 level. Tom Smiles also spoke about his presentation from last year. The argument continued though no action was taken at that time.

Tom Ditello commented that there is a DNR covenant stating that all stop logs be taken out for the winter months. Tom Smiles did not see that covenant in any of the documentation he reviewed.

The chairman asked any resident that wanted to to make a presentation at the annual meeting of their ideas on what water level should be maintained and how we do that.

Jeff Bendix suggested we keep comments from the floor to 5 minutes. No action was taken on that.

Cathy Meyer commented that some buoys were not in the proper location. It was unclear whether the buoys were intentionally placed

or moved to the wrong location, or had they moved due to natural events or lake activities. The chairman said he would contact the water patrol to come out again to relocate them.

Chairman's apologized for the delays in the quarterly meeting. Introduced Rosie Badame as Walworth County Representative. Chairman noted that Jeff Bendix's term was up and will not run again so he asked for interested parties to contact him.

Bob Meyer made a motion to repay Tom Aronson for the boards used to launch several boats at the beginning of the year. It was decided to table that discussion until the annual meeting.

The treasurer commented that water testing has been done but reports were not made to the board.

Chairman called for residents interested in forming a boat launch committee. Billy Bol suggested it would be a good idea to find a permanent solution. Mark Schultz, Rodney Austin, Dave Zmijewsk and Tom Smiles volunteered. The Freeman property was mention and Mr Freeman kindly requested we look elsewhere. The first boat launch committee meeting was set for August 6th at Bill Engelman's house.

Meeting adjourned at 10:34 a.m.

Booth Lake Management District

P. O. Box 778

East Troy, WI 53120

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

Website: www.boothlake.org

NOTICE OF

Booth Lake Management District Commissioners Meeting

Sunday, July 24, 2016

Immediately following the Annual Meeting of Electors

Held at the Alice Chester Center Pavilion

AGENDA

1. Call meeting to order
2. Approve minutes of the Meeting of June 25, 2016
3. Approve and adopt the fiscal 2017 budget and tax levy
4. Election of Officers
5. Any other business for approval as directed by the Electors at the Annual Meeting
6. Public Comments
7. Adjourn

Respectfully submitted

G. M. Hegeman

Commissioner/Secretary

July 5, 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 5th day of July 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
July 24, 2016

Present:

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

1. Meeting called to order at 12:30 pm.
2. **APPROVAL OF MINUTES**
June 25, 2016 Meeting
Motion for approval of the minutes of the June 25, 2016 meeting by Stan Muzatko,
2nd by Barry Loveland. Motion approved.
3. **APPROVAL AND ADOPTION OF BUDGET FISCAL 2017**
Motion to approve and adopt a property tax levy of \$230 and the FY 2017 budget
calling for expenditures of \$24,700, as approved by the Electorate at the 7/24/16
Annual Meeting, by Gary Hegeman, 2nd by Stan Muzatko. Motion approved. The
approved 2017 budget is attached.
4. **ELECTION OF OFFICERS**
Motion to elect/approve Hank Hubbell as Chairperson, Barry Loveland as Treasurer
and Gary Hegeman as Secretary for the next year by Barry Loveland, 2nd by Kathy
Tober. Motion approved.
5. **OTHER BUSINESS**
Hank Hubbell indicated he would keep the Board informed of any developments
concerning the potential meeting with the DNR concerning the treatment of Eurasian
water-milfoil and the status of the Point Intercept Plant Survey. Stan Muzatko
reported that he has been reappointed to the Board by Nancy Russell, Chair
Walworth County Board of Supervisors until May 1, 2018 (see attached appointment
certificate).
6. **PUBLIC COMMENTS**
None.
7. Motion to adjourn the meeting by Stan Muzatko, 2nd by Gary Hegeman. Meeting
adjourned at 12:38 pm.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

**NOTICE OF
Booth Lake Management District Annual Meeting and Budget Hearing
Sunday, July 24, 2016 at 11:00 AM
Held at the Alice Chester Center Pavilion**

(The Alice Chester Center Pavilion is located on the east side of Town Line Road. Those attending should park their vehicles near the pavilion. 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 5th day of July 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.)

AGENDA

1. Call meeting to order
2. Approve minutes of the previous Annual Meeting held on July 19, 2015
3. Treasurer's Report
4. Chairperson's Report: Water Quality Study; Milfoil Treatment; Lake Habitat Improvements
5. Budget Fiscal 2017: Consideration and approval to adopt the proposed budget for Fiscal 2017, calling for Expenditures of \$24,700 and a Property Tax Levy of \$230.

PROPOSED BUDGET SUMMARY FISCAL 2017

<u>EXPENDITURES</u>		<u>SOURCES OF FUNDING</u>	
ADMINISTRATIVE EXPENSE	\$500	INTEREST INCOME	\$120
EDUCATION	\$100	TOWN OF TROY	\$500
INSURANCE	\$2,200	PROPERTY TAX LEVY	\$20,700
LAKE MANAGEMENT	\$9,000		
LAKE HABITAT FUND	\$1,600	2016 BUDGET SURPLUS/DEFICIT	\$9,933
LEGAL & PROFESSIONAL	\$500		
MAINTENANCE AND REPAIR	\$500		
SEPTIC SYSTEM ORDINANCE	\$5,300		
WATER QUALITY STUDY	\$5,000		
TOTAL EXPENDITURES	\$24,700	TOTAL FUNDING	\$31,253

6. Election of Commissioners: Elect two (2) Commissioners for 3 year terms. Nominations: Barry Loveland (3-year term) and Mike Mette (3-year term). Nominations accepted for 3 year terms.
7. Presentation: Boating Safety
8. Public Comment
9. Other Business
10. Adjourn

Respectfully submitted: G. M. Hegeman, Commissioner/Secretary (July 5, 2016)

**Booth Lake Management District
Annual Meeting of the Electorate
July 19, 2015**

1. Meeting called to order by Chairperson Henry Hubbell at 11:16 am.
2. Motion for approval of minutes of the July 20, 2014 Annual Meeting by Bob Biebel, 2nd by Rick Almandi. Motion approved.
3. **TREASURER'S REPORT**
Barry Loveland reviewed the Treasurer's report (attached). Barry noted a small deficit of \$375 for the FY 2015 budget. The District has about \$41,000 in savings. Motion for approval of Treasurer's report by Dave Knoernschild, 2nd by Bob Riccardi. Motion approved.
4. **AUDIT REPORT**
An audit was not completed last year and a volunteer is needed. The volunteer will be provided with the necessary information to do the audit. Dave Knoernschild volunteered to do the audit.
5. **CHAIRPERSON'S REPORT**
Water Quality Study
Water quality sample was taken this spring with very good readings; nitrogen and phosphorous levels are very good and less than in the past. Water clarity is good. No sample was taken this past fall because of early ice.
Weed control:
The Eurasian water-milfoil was treated twice this year. It was noted the milfoil seems to be in a growth cycle the last couple of years and is spreading out this year around at least two-thirds of the lake. A different and hopefully more effective mix of chemicals was used this year to treat the milfoil. Approximately 2.3 acres were treated this year, up from 1.5 acres in 2014. The Board will continue to monitor the milfoil and the effectiveness of the treatment.
Fish Kill
A higher than normal spring fish kill occurred this spring on Booth Lake. This heavy fish kill is attributed to a drastic change in shallow water temperatures due to colder than normal air temperatures for a few days in May after the fish started to spawn. Other area lakes also experienced a heavy spring fish kill.
Fisheries Study
On June 24, 2015, Aquatic Biologists conducted an electroshocking fish survey of Booth Lake (copy of report attached). The results of the study indicate the fishery is not in good condition with many of the fish surveyed showing stunted growth and/or underweight. This is due primarily to poor lake habitat. An extensive study of Booth Lake completed in 2003 also noted a limited fishery and recommended habitat improvements. While the District has taken some steps in the past to improve lake habitat, it appears a more

extensive effort is needed. Mike Poliak, who shadowed the fish surveyors during the conduct of the survey, briefly discussed the survey process and noted the surveyors strongly recommended adding as many habitat structures as possible, such as fish cribs, downed trees, and shoreline and aquatic plants. The Board would like to establish a task force/ad hoc committee to address the habitat situation. Several members of the District indicated an interest in working on this project. The Board will work to identify and designate a chairperson for this ad hoc group.

6. BUDGET FISCAL 2016

Barry Loveland discussed the proposed budget for 2016. Total expenditures for 2016 would be \$24,440 and the tax levy would be \$230, an increase from \$140 in 2015. Significant budget increases for 2016 were noted for Lake Management (\$6,000 FY 15 to \$7,500 FY 16), Lake Habitat (\$100 FY 15 to \$1,600 FY 16) and Water Quality Study (\$500 FY 15 to \$5,000 FY 16). Sources of funding for the FY 2016 budget will include the tax levy, interest income, contribution from the Town of Troy and \$3,495 in retained earnings (savings). Motion by Jim Poliak, 2nd by Kathy Hinrichs to approve the \$230 tax levy for 2016 and the proposed 2016 budget calling for \$24,440 in expenditures. Motion approved by vote of 39 in favor and 0 opposed. (Approved budget attached.)

7. CAMP ALICE CHESTER

Gary Hegeman gave a brief presentation on potential development at Camp Alice Chester. Information was provided at the Girl Scout program "Escape to Swan Lake" held September 6, 2014 that Gary attended. The Camp is considering additional camping/activities development primarily on the Swan Lake side of Townline Road. Developments will be focused on making the camping experience more interesting and relevant to today's girl scouts. This will be a long-term project with a capital funding campaign beginning in 2016 or 2017. A strong Camp Alice Chester is a benefit to Booth Lake.

8. SHORELINE ZONING REGULATIONS

The Governor of Wisconsin has approved new state-wide shoreline zoning regulations as part of the recent state budget bill. The new regulations will be less restrictive than current county regulations. The Booth Lake Management District registered with the Wisconsin Lakes Association as opposing the new regulations. It is not expect there will be any significant impact on Booth Lake.

9. SEPTIC PUMPING CONTRACT

The Septic Pumping Contract has been extended for another three years. Otto Jacobs, however, has sold the septic pumping portion of their business to PATS who will be doing the actual pumping. Pumping on a three year cycle will continue and PATS will provide necessary compliance paperwork to the county. Some members of the District may have received septic pumping notices from the county which were sent out in error.

10. PUBLIC COMMENT

There was some brief discussion about the new chemical mix to treat the Eurasian water-milfoil and effectiveness. It is too soon to tell how well the new chemical mix will work, but the Board will monitor the effectiveness of the treatment.

11. OTHER BUSINESS

None.

12. Motion to adjourn by Santa Consiglio, 2nd by Dave Knoernschild; adjourned 12:26 pm.

Respectfully submitted by
Gary Hegeman – BLMD Secretary

HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

BOARD OF COMMISSIONERS

JOHN LUTZ: CHAIRMAN; (re-elected for 3-year term, 8/28/16)

**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)

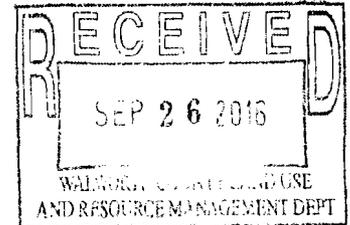
MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR AS OF APRIL 2011

ROBERT E. McINDOE: REP. OF WALWORTH COUNTY CONSERVATION THRU 5/1/18.

SEPTEMBER 20, 2016 MONTHLY MEETING

**Present: Lutz, McIndoe, Kolosso, Hildebrandt, Weinkauf,
Absent: Trimberger**



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

Secretary Hildebrandt read the minutes of the August 16, 2016 meeting which were subsequently approved. Treasurer Kolosso read the August, 2016 Treasurer's Report which was subsequently approved. (Copies of minutes and Treasurer's report attached.)

Old Business:

Chairman Lutz reported that drawings for the drawdown device have been given to Jeff Johnson who is now obtaining quotes. A permit from the DNR will be required for construction.

Nothing new to report on the invasive weed condition.

Maintenance has been well taken care of. The "Jungle Jim" needs some repairs. Must decide whether to repair it or remove it due to liability issues. Have some small pot holes on roads which will be taken care of. The dike will be mowed one more time this year.

There is still a problem with some overnight parking on District roads. Sheriff Deputies will address.

Still one abandoned vehicle on West Lakeshore Drive. an old truck...Will work to have it removed

New Business:

Issue with Bienemann's quote for roadside work's reported in last month's report has been resolved.....S/B \$2,700 per side. Work will be done this Fall.

Motion made and seconded to have Kathy Aron officially handle all matters regarding the invasive weed removal for the District for a charge of \$65.00 per hour. She will request and obtain all necessary permits from the DNR and coordinate with Marine Biochemists for projected application right after "ice out" next Spring.

Motion also made and seconded to give the maintenance worker, Graham Morgan, a 50 cent raise (to \$11.00/hr.) for his excellent work. He has expressed an interest in returning next year.

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 7:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. McIndoe", with a horizontal line underneath.

Robert E. McIndoe 09/21/16

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



COMMISSIONER'S MEETING
ROCHESTER VILLAGE HALL
300 W. SPRING STREET
September 20, 2016

AGENDA

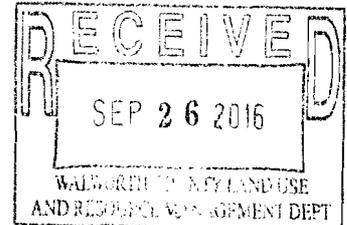
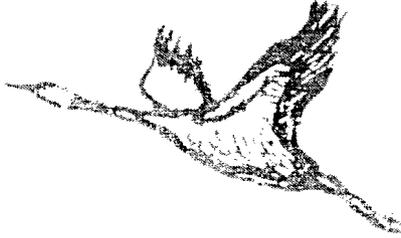
1. CALL MEETING TO ORDER
2. SECRETARY'S REPORT: August 16, 2016
3. TREASURER'S REPORT: August 2016
4. OLD BUSINESS
 - 4.1 Drawdown Structure repairs
 - 4.2 Invasive Weed Removal Project
 - 4.3 Maintenance issues
 - 4.4 Overnight parking on District roads
 - 4.5 Abandoned vehicles and unmaintained properties
5. NEW BUSINESS
 - 5.1 Monthly Bills (September)
 - 5.2 Invasive weed consultant Aron & Assoc. (tentative)
6. ADJOURN

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



Commissioner's Meeting August 16, 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 July 19, 2016 meeting were read. Corrections were made to the 2016-2017 budget from \$57,550 to \$60,900, and the tax levy from \$48,511 to \$48,510. A motion to approve the minutes as corrected was made by Donald Trimberger, seconded by Robert McIndoe, and carried.

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

OLD BUSINESS

- The repairs to County Line Blvd. are scheduled to be completed prior to the annual meeting on August 28th. A swale will be cut in the ROW from the driveway to the next roadway, which will be filled with clean gravel in order to retain water to allow for infiltration instead of runoff. Any additional damage created by the homeowner will not be repaired by the District.
- An estimate was obtained by Bienemann's Tree Service to trim trees and brush and spray weeds within the rights-of-way of Lake District roads. The estimate for East and West Lakeshore Drives was \$3,750 each. This cost is more than double from previous years. Given the increased costs, quotes may need to be obtained from other contractors, as the bid is over \$2500.
- Ken Moser mowed the dike and he will repair the large pothole on Miller Road, and another area of alligating observed on another roadway.
- There are no updates regarding repairs to the drawdown device.
- Kathy Aron, a private lake management consultant, was invited to speak about the weed problem on the lakes at the annual meeting. However, she has not confirmed that she will be able attend.
- The access permissions to the safe deposit box was completed at Chase Bank. The insurance company was also contacted regarding the change of secretaries.

**Commissioner's Meeting
August 16, 2016**

- Overnight parking continues to be a problem at various locations within the District. Chairman Lutz will draft a notice to be presented at the annual meeting explaining that no parking is permitted on or within the right of way of roadways within the Lake District.

NEW BUSINESS

➤ **AUGUST 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
Office Supplies/Mailings	Postmaster PO Box Fee for 1 year	\$58.00
Beaches/Parks/Trees	Cutting Edge Lawn Maint. & Landscaping (7/12/16)	\$145.00
Dams/Dykes/Drawdown Large Bridge Board Repair	Cutting Edge Lawn Maint. & Landscaping (7/12/16)	\$984.00
Office Supplies/Mailings Printing & Mailing for annual meeting	Minuteman Press of Burlington	\$139.83
Office Supplies/Mailings Stamps	Shelley Hildebrandt	\$18.80

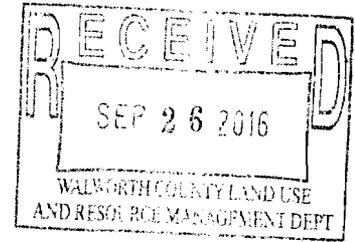
A motion to approve the bills was made by Robert McIndoe, seconded by Mike Weinkauff, and carried.

- A motion to adjourn, subject to recall, was made by Robert McIndoe, seconded by Donald Trimberger, and carried at 7:45 P.M.

Respectfully submitted,



Shelley Hildebrandt, Secretary
HLPRD



Honey Lake Protection & Rehabilitation District

Treasurers Report

August 2016

Joseph Kolosso

Treasurer

Honey Lake Protection and Rehabilitation District

Regular Checking-August 2016-For Fiscal Year 2017-2018

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Category</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
8/1/2016			Starting Balance			\$8,607.89
8/1/2016	4419	Wisconsin Dept. of Revenue	Office Supplies/Mailings Business Tax Registration Renewal	\$10.00		\$8,597.89
8/20/2016	Deposit	Village of Rochester	FY15 Road Fund Reimbursement		\$20,475.00	\$29,072.89
8/13/2016	Deposit	Town of Spring Prairie	FY15 Road Fund Reimbursement		\$16,400.00	\$45,472.89
8/22/2016	Deposit	Racine County	Tax Settlement (2nd payment)		\$6,265.80	\$51,738.69
8/20/2016	Deposit	Walworth County	Tax Settlement (2nd payment)		\$6,717.82	\$58,456.51
8/20/2016	Deposit	State of Wisconsin	Computer Aid		\$10.00	\$58,466.51
8/16/2016	4420	Postmaster	Miscellaneous-PO Box Fee 1 yr	\$58.00		\$58,408.51
8/16/2016	4421	Cutting Edge Lawn & Landscaping	Beaches, Parks & Trees 7-12 \$145	\$145.00		\$58,263.51
8/16/2016	4422	Cutting Edge Lawn & Landscaping	Dam/Dykes/Drawdown Large Bridge Board Repair	\$945.00		\$57,318.51
8/16/2016	4423	John Lutz	Commissioners Compensation	\$200.00		\$57,118.51
8/16/2016	4424	Shelley Hildebrandt	Commissioners Compensation	\$175.00		\$56,943.51
8/16/2016	4425	Joseph Kolosso	Commissioners Compensation	\$175.00		\$56,768.51
8/16/2016	4426	Shelley Hildebrandt	Office Supplies/Mailings US Postage Stamps	\$18.80		\$56,749.71
8/16/2016	4427	Donald Trimberger	Commissioners Compensation	\$25.00		\$56,724.71
8/16/2016	4428	Mike Weinkauf	Commissioners Compensation	\$25.00		\$56,699.71
8/20/2016	4329	Minuteman Press of Burlington	Misc.-Copies Ann.Mtng/Reports	\$139.83		\$56,559.88
8/31/2016	Deposit	Chase Bank-Interest	Interest		\$0.24	\$56,560.12
8/31/2016			Ending Balance			<u><u>\$56,560.12</u></u>

Honey Lake Protection and Rehabilitation District

Payroll Checking-August 2016-For Fiscal Year 2016-2017

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
8/1/2016		Starting Balance			\$8,423.86
8/1/2016	1305	Graham Morgan	\$173.24		\$8,250.62
8/8/2016	1306	Kenneth Moser	\$626.52		\$7,624.10
8/15/2016	1307	Graham Morgan	\$247.51		\$7,376.59
8/29/2016	1308	Graham Morgan	\$193.48		\$7,183.11
8/30/2016	1309	Kenneth Moser	\$110.82		\$7,072.29
8/31/2016	Deposit	Chase Bank-Interest		\$0.07	\$7,072.36
8/31/2016		Ending Balance			<u>\$7,072.36</u>

Honey Lake Protection and Rehabilitation District

Non-Lapsing Fund-August 2016-For Fiscal Year 2016-2017

<u>Date</u>	<u>Number</u>	<u>Transaction</u>	<u>Payment</u>	<u>Deposit</u>	<u>Balance</u>
8/1/2016		Starting Balance			\$75,004.88
8/31/2016	Deposit	Chase Bank-Interest		\$0.67	\$75,005.55
8/31/2016		Ending Balance			<u>\$75,005.55</u>

PREPARED FOR BANK FOR ESTABLISHING NEW "NON-SINKING FUND"

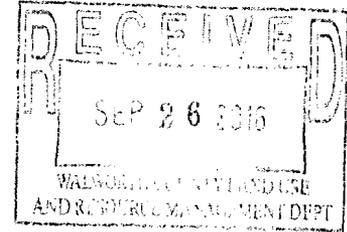
HONEY LAKE PROTECTION AND REHABILITATION DISTRICT

P.O. Box 819

Burlington, WI 53105

9/19/2016

To whom it may concern,



The HONEY LAKE PROTECTION AND REHABILITATION DISTRICT is a Public Inland Lake Protection and Rehabilitation District formed under Wisconsin Stats. 33.01.

The District was formed to rehabilitate and subsequently protect the lakes and the immediate watershed within the district boundaries.

The District is governed by a board of commissioners: one appointed by Walworth County, one appointed by Spring Prairie Township, one appointed by the Village of Rochester, and three elected by the members of the District. The elected commissioners as of this date are John Lutz (Chairman), Joseph Kolosso (Treasurer), and Shelly Hildebrandt (Secretary). The District has taxing powers and funds the administration of the District by a mil rate tax levy as allowed by the statutes. The District board of commissioners oversees the maintenance of all properties owned by the District within the District boundaries.

The HONEY LAKE PROTECTION AND REHABILITATION DISTRICT is owner of record of all roads in the Honey Lake Subdivision and the Honey Lake Subdivision First Addition with the exception of East Lakeshore Drive and West Lakeshore Drive which are owned by the Town of Spring Prairie. The District board of commissioners oversees the maintenance of the roads and contracts repairs as needed. The District maintains its roads using moneys collected as road taxes by the Town of Spring Prairie and the Village of Rochester. The respective Township and Village retain the road tax funds and release the funds to the District for road maintenance costs.

HONEY LAKE PROTECTION AND REHABILITATION

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 the previous Secretary's term, after her retirement, expiring 8/17)

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

MICHAEL WEINKAUF: ROCHESTER VILLAGE TRUSTEE REPRESENTATIVE

DONALD TRIMBERGER: SPRING PRAIRIE TOWN SUPERVISOR, APRIL 2011

ROBERT E. McINDOE: WALWORTH COUNTY CONSERVATION REP. THRU 5/1/18.

AUGUST 28, 2016 ANNUAL MEETING

Present: Lutz, Hildebrandt, Kolosso, Weinkauf, McIndoe

Absent: Trimberger

Also present were ten (10) residents of the Honey Lake District

Meeting was called to order by Chairman Lutz at 1:33 p.m.

Chairman Lutz gave a brief background of the Honey Lake District, where and why it was formed (in 1975 to dredge the Lakes). He explained that as a Lake District, Honey Lake can own roads, and as a "municipality" it can also "tax" accordingly, with the subsequent "road tax funds" then held for the District by the Village of Rochester and the Town of Spring Prairie. He then introduced the three (3) elected Commissioners, plus those other "appointed" ones.

Secretary Hildebrandt read the minutes from the 2015 annual meeting (copy attached) which were subsequently approved by the District attendees.

Treasurer Kolosso read the Treasurer's report from the 2015 annual meeting (copy attached) which was subsequently approved by the District attendees.

REPORTS:

HONEY LAKE ROADS:

Chairman Lutz reported that County Line Blvd. repairs have been completed, and that some of the pot holes have been filled in. There is a "big breakaway" on Casa Loma that will be taken care of. Chairman Lutz commented that some of the District's roads are "getting old" and will obviously need work in the near future.

LAKE STATUS:

Chairman Lutz indicated that there is a serious problem with “Curly-Leaf Pondweed” in Honey Lake and Del-Monte Lake, but not in Tahoe Lake. (See “Old Business” following)

OLD BUSINESS:

DRAWDOWN STRUCTURE:

Chairman Lutz indicated that Jeff Johnson is obtaining estimates for replacing the 12 –year old treated pine boards with more sturdy oak boards, as well as getting more info on constructing a new coffer dam, replacing the slides with larger ones and incorporating bigger boards.

INVASIVE WEED TREATMENT:

Extensive discussion held relative to the amount of “curly-leaf pondweed”. This is an extremely invasive weed which thrives on colder water, even growing extensively under ice. The District has purchased “cutting” and “raking” equipment for its own usage in trying to remove as much of this weed as it can. (only one resident has “signed out” to use the equipment in the past year in front of their own property) However, cutting and raking are NOT preferable ways of removing this weed, as it produces seedlings and continues to re-seed. The only way to totally eradicate it is through a procedure of pulling it out by the roots. (With silty soil, such as in Honey Lake, the weeds pull out fairly easily with gentle pulling.) However, “pulling” throughout the entire Lakes area is impractical, and too costly.

Handouts were distributed indicating an informative description of the “Curly-Leaf” problem, a survey of the distribution of “Curly-Leaf” in Honey Lake done by Marine Biochemists, plus the “Herbicide Treatment” costs. (Marine Biochemists has NOT been hired, as yet, depending upon further discussion and approval of “special funding” to follow at this meeting.)

A very active and informative “Q & A” session followed...treatment will be required over a 3-5 year period, not just once.....herbicide treatment done in very early Spring while the Lake level is still down and the water is at its coldest appears to be preferable, but would leave bare shorelines untreated, and this seems to be an issue the “experts” and Marine Biochemists would be best to determine.

The attendees all seemed to agree that proceeding with this control would be the way to go.

NEW BUSINESS:

ESTABLISH NEW NON-LAPSING FUND FOR AQUATIC WEED CONTROL

Chairman Lutz indicated that this proposed new “non-lapsing” fund would be similar to the existing one for “replenish dam and drawdown” expenditures. All discussion was positive.

Chairman Lutz then read a motion he had prepared for approval of this fund. (Copy attached) A unanimous “hand count” approved.

BUDGET:

The proposed budget for 2016 – 2017 was read, explained, and discussed. It was then moved to be accepted by a unanimous “hand count” vote of the District residents in attendance, with a subsequent unanimous “hand count” vote to approve the new tax levy.

ELECTION:

John Lutz, running unopposed for a new three (3) year term as Chairman was unanimously re-elected by “secret” ballot (by law)

The meeting was moved and seconded to adjourn at 2:55 p.m.

At 2:59 p.m. a special meeting of the Commissions was called to order with a motion then made, and seconded, that all three (3) elected Commissioners retain the same positions for the upcoming year as they held previously. At 3:00 p.m. that special meeting was then adjourned.

Respectfully submitted,



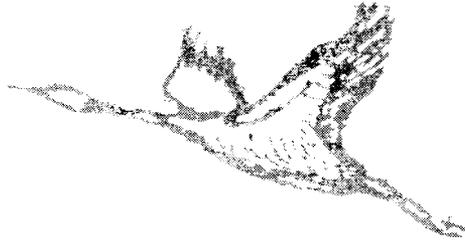
Robert E. McIndoe 8/29/16

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



ANNUAL MEETING & BUDGET HEARING

August 28, 2016 – 1:30 pm

ROCHESTER VILLAGE HALL
300 W. SPRING STREET (next to Rochester Library)

AGENDA

Minutes of 2015 Annual Meeting, August 23, 2015

Treasurers Report

REPORTS

1. Honey Lake Roads
2. Lake Status

OLD BUSINESS

1. Drawdown Structure
2. Invasive Weed Treatment

NEW BUSINESS

1. Establish New Non-Lapsing Fund for Aquatic Weed Control

BUDGET

ELECTION

1. John Lutz filed a nomination paper

IDENTIFICATION IS REQUIRED TO VOTE

ALL property owners and renters who are residents of the Lake District and no more than two Non-resident property owners are eligible to vote. **Proof of residency and non-residency must be shown upon entrance to the meeting** by one of the following: Annual meeting notice mailing label; Real Estate Tax bill; Drivers license; Gas bill, Electric Bill, Telephone Bill

ADJOURN

Immediately following the annual meeting, a special meeting will be held to decide which position each commissioner will hold.

Proposed Honey Lake District Budget 2016-2017

Budget Categories	Last Year Approved Budget 2015 - 2016	Next Year Proposed Budget 2016- 2017	%
			Change
Audit/Attorney	\$ 2,500	2,500	0%
Beaches/Parks/Trees	\$ 10,000	7,250	-28%
Dam/Dikes/Drawdown	\$ 4,000	4,000	0%
Insurance	\$ 5,100	5,200	2%
Maintenance/Equipment	\$ 1,000	1,000	0%
Office Supplies/Mailings	\$ 650	650	0%
Commissioners Compensation	\$ 7,200	7,200	0%
Wages	\$ 5,200	5,200	0%
Weed Control	\$ 19,000	0	-100%
WLP/Conventions/Meetings	\$ 2,200	2,200	0%
Miscellaneous	\$ 700	700	0%
Replenish Dam/Drawdown Non-Lapsing Fund	\$ 0	0	0%
Create Aquatic Weed Control Non-Lapsing Fund	\$ 0	25,000	100%
TOTAL BUDGET PROPOSED	\$ 57,550	60,900	6%
Cash Carryover	\$ 9,039	12,390	
TOTAL APPROVED	\$ 48,511		
TOTAL TAXES LEVIED	\$ 48,511		
TOTAL TAXES PROPOSED	\$ 48,510		0%

HONEY LAKE

Protection and
Rehabilitation District

P.O. Box 565

Burlington, WI 53105



Annual Meeting and Budget Hearing of the Honey Lake Protection and Rehabilitation District August 23, 2015

Chairman Lutz called the meeting to order at 1:30 p.m. at the Rochester Village Hall. Chairman Lutz welcomed the residents in attendance. Chairman Lutz, an elected commissioner, introduced the members of the board. Robert McIndoe is appointed by Walworth County; Donald Trimberger is appointed by the Town of Spring Prairie; Judith Correll, an elected commissioner, is secretary; and Joseph Kolosso, an elected commissioner, is treasurer. Michael Weinkauff, who was not present, is appointed by the Village of Rochester. Chairman Lutz gave a brief explanation of the Honey Lake Protection and Rehabilitation District (Lake District) and its purpose.

REPORTS

Secretary Correll read the minutes of the annual meeting of August 24, 2014. There was one correction noted, under park renovations. The vote results should read one abstention instead of one objection. A motion to approve the minutes as corrected was made by Gene Arbetter, seconded by Ken Moser, and carried.

Usually, the treasurer's report is read at this time. However, we deviated from the agenda as the treasurer was waiting for some reports, so the presentation was delayed.

- The roads are in good shape with the exception of County Line Boulevard, which is in need of repair. In addition, there are potholes at the west end of Lakeshore Drive, near the dike by DelMonte. Blacktop grindings will be added to Lakeshore Drive to repair the potholes.
- The lake has a large infestation of curly leaf pondweed. At the present time it has cleared and the lakes are in good condition. Deb Brown asked how the curly leaf pondweed got into the lakes and how it cleared up. It's not known with certainty how the pondweed entered the lakes. It was likely brought in on boats, or possibly by geese. This problem will be discussed in greater detail later in the meeting.

- Diane Groth asked about roadside trimming on the roads, and potholes. The roadside trimming has been contracted to Bienemann Tree Service, but they have not had the time to do the work. It will be completed before winter.
- There has been vandalism to Lake District signs. Some were removed by unscrewing the bolts and some were painted over.

OLD BUSINESS

- **DAM INSPECTION** - On December 10, 2014, the DNR gave final approval of the dam inspection response, indicating that all items on the inspection have been completed. The next inspection will be in 2021.
- **DRAWDOWN REPAIR** - When repairs were done on the main dam, a drawdown device was installed to allow the lake to be drained completely. This drawdown device is now in need of repair. Contractors from Waukesha were contacted regarding the repairs, but they would not guaranty the repairs to the concrete for more than one year. The Lake District is considering replacing the entire drawdown device, but that would require involvement by the DNR.
- **PARK RENOVATION** - Most of the work on the park is completed. Mulch will be added to the islands, some trees will be trimmed and some dead trees will be removed. The Lake District will attempt to complete this work through our regular budget.

NEW BUSINESS

- **WEEDS** - Honey Lake had an infestation of curly leaf pondweed this year. We met with a DNR representative in Waukesha, who indicated that a permit would be required from the DNR to treat or remove the pondweed. Chairman Lutz explained the related DNR requirements. One major requirement is the need to have a survey conducted to locate the weed beds, which could cost between \$3,000 and \$4,000. The weed eradication process could take as long as five years. Bob Nowak asked why the Lake District needed a permit since it owns the lakebed. Chairman Lutz indicated that the Lake District only owns the lakebeds when there is no water in the lakes. Some residents asked about hand pulling the weeds, and that method is acceptable for lake residents to perform within 150 feet of shore. The Lake District has also purchased a rake and cutter for the use of lake residents to cut weeds, although people would need to sign a waiver in case of injury because volunteers are not covered under the Lake District's insurance. Gene Arbetter asked where the Lake District obtained the estimated costs for the weed project. The cost estimate was provided by Heidi Bunk of the DNR.

- **TREASURERS REPORT** - The treasurers report was read. Commissioner Kolosso read each item on the report. A motion to approve the treasurers report was made by Gene Arbetter, seconded by Laurie Moser, and carried.
- **BUDGET** - Chairman Lutz then presented the budget, explaining each item. A motion to approve the budget of \$48,511.00 was made by Gene Arbetter, and seconded by Connie Lutz. A hand count was taken and the results were 18 yes, 0 no, and no abstentions. The budget was approved.
- **ELECTION** - Joseph Kolosso was the only person to file a nomination paper. A ballot vote was conducted, and Donald Trimberger and Robert McIndoe collected the ballots. The results were 18 yes, 0 no, and no abstentions. Joseph Kolosso was elected to a three year term.
- A motion to adjourn, subject to recall, was made by Gene Arbetter, seconded by Laurie Moser, and carried at 2:50 P.M.

Respectfully submitted,



Shelley Hildebrandt, Secretary
HLPRD

**HONEY LAKE PROTECTION
&
REHABILITATION DISTRICT
ANNUAL MEETING
and
Budget Hearing**

Treasurers Report

Rochester Village Hall

August 28th 2016

1:30 PM

Joseph Kolosso

Treasurer

Honey Lake Protection and Rehabilitation District

Regular Checking-For Fiscal Year 2015-2016

Balance on Hand as of July 1st 2015 \$9,040.08

Deposits

7/31/2015 Chase Bank	Interest	\$0.07
8/6/2015 Town of Spring Prairie	Road Fund	\$11,000.00
8/22/2015 Village of Rochester	Road Fund	\$11,000.00
8/22/2015 Racine County	Tax Settlement for 2014	\$4,396.94
8/22/2015 State of Wisconsin	Computer Aid	\$7.00
8/22/2015 Walworth County	Tax Settlement for 2014	\$4,566.71
8/31/2015 Chase Bank	Interest	\$0.18
9/30/2014 Chase Bank	Interest	\$0.27
10/10/2015 Landmark Co-op	Dividend	\$19.37
10/30/2015 Chase Bank	Interest	\$0.20
11/30/2015 Chase Bank	Interest	\$0.12
12/23/2015 Non-Sinking Fund	Transfer	\$5,013.37
12/31/2015 Chase Bank	Interest	\$0.08
1/16/2016 Town of Spring Prairie	Tax Settlement for December 2015	\$12,117.32
1/16/2016 Village of Rochester	Tax Settlement for December 2015	\$11,308.46
1/31/2016 Chase Bank	Interest	\$0.09
2/22/2016 Town of Spring Prairie	Tax Settlement for December 2015	\$5,168.63
2/22/2016 Village of Rochester	Tax Settlement for December 2015	\$4,487.68
2/29/2016 Chase Bank	Interest	\$0.17
3/31/2016 Chase Bank	Interest	\$0.19
4/14/2016 Walworth County	Lottery Credit	\$379.54
4/19/2016 Racine County	Lottery Credit	\$465.75
4/30/2016 Chase Bank	Interest	\$0.14
5/31/2016 Chase Bank	Interest	\$0.14
6/30/2016 Chase Bank	Interest	\$0.11

\$69,932.53 \$69,932.53

\$78,972.61

Total of Checks

\$66,588.58

Balance on Hand as of June 30th 2016

\$12,384.03

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

<u>Date & Number</u>	<u>Transaction</u>	<u>Description</u>	<u>Payment</u>	
7/13/2015	4307 Kwik Trip Inc.	Gasoline for mower & trimmers	\$33.50	
7/21/2015	4308 Walworth County Lakes Association	Membership Dues	\$50.00	
7/21/2015	4309 Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 6/19	\$145.00	
7/21/2015	4310 John Lutz	Commissioners Compensation	\$200.00	
7/21/2015	4311 Judith Correll	Commissioners Compensation	\$175.00	
7/21/2015	4312 Joseph Kolosso	Commissioners Compensation	\$175.00	
7/21/2015	4313 Donald Trimberger	Commissioners Compensation	\$25.00	
7/21/2015	4314 Mike Weinkauf	Commissioners Compensation	\$25.00	
7/25/2015	4315 John Lutz	Mileage to Waukesha for meeting with Heidi Bunk	\$24.48	
8/18/2015	4316 John Lutz	Commissioners Compensation	\$200.00	
8/18/2015	4317 Judith Correll	Commissioners Compensation	\$175.00	
8/18/2015	4318 Joseph Kolosso	Commissioners Compensation	\$175.00	
8/18/2015	4319 Joseph Kolosso	2-long life ink cartridges	\$63.94	
8/18/2015	4320 John Lutz	Pooper Scooper,Boots,2-Weed Wacker Heads,Pliers	\$82.84	
8/6/2015	4321 John Lutz	Labor to clean Beaches & Parks	\$105.00	
8/18/2015	4322 George Medrow	Cost Share of tree that fell in storm	\$150.00	
8/18/2015	4323 Michael F. Dubis SC	Fee to create volunteer release document	\$95.00	
8/18/2015	4324 Postmaster	Annual P.O. Box fee	\$60.00	
8/18/2015	4325 Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 7-2/7-15/7-31	\$435.00	
8/18/2015	4326 Judith Correll	Stamps/Labels/Printing	\$193.50	
8/18/2015	4327 Mike Weinkauf	Commissioners Compensation	\$25.00	
8/22/2015	4328 Real Estate Desc. Dept. Racine County	Mailing labels for annual meeting notice	\$26.60	
8/22/2015	4329 Minuteman Press of Burlington	Mailing labels for annual meeting notice	\$38.55	
8/22/2015	4330 Mathew Slavin	Work permit fee	\$10.00	
8/22/2015	4331 John Lutz	Labor to clean Beaches & Parks	\$104.25	
9/15/2015	4332 Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 8-17/8-31	\$290.00	
9/15/2015	4333 John Lutz-Reimbursement	4 new Keys from Reineman's True Value	\$8.46	
9/15/2015	4334 Joseph Kolosso-Reimbursement	Ink Cartridge	\$31.97	
9/15/2015	4335 John Lutz	Commissioners Compensation	\$200.00	
9/15/2015	4336 Judith Correll	Commissioners Compensation	\$175.00	
9/15/2015	4337 Joseph Kolosso	Commissioners Compensation	\$175.00	
9/15/2015	4338 Mike Weinkauf	Commissioners Compensation	\$25.00	
9/15/2015	4339 Southern Lakes Newspapers LLC	Annual Meeting Legal Notice	\$96.00	
9/17/2015	4340 Bienemann's Quality Tree Service LLC	Trim Trees and Brush on Roads	\$9,000.00	#
10/16/2015	4341 Bienemann's Quality Tree Service LLC	Trim Trees and Brush on Roads	\$5,400.00	##
10/16/2015	4342 Bienemann's Quality Tree Service LLC	Remove 2 dead pine trees, stumps trim trees up	\$1,975.00	
10/20/2015	4343 Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 9/21	\$145.00	
10/20/2015	4344 John Lutz	Commissioners Compensation	\$200.00	
10/20/2015	4345 Judith Correll	Commissioners Compensation	\$175.00	
10/20/2015	4346 Joseph Kolosso	Commissioners Compensation	\$175.00	
10/20/2015	4347 John Lutz-Reimbursement	2 Keys from Reineman's	\$3.97	
10/20/2015	4348 Mike Weinkauf	Commissioners Compensation	\$25.00	
10/20/2015	4349 Donald Trimberger	Commissioners Compensation	\$50.00	
11/1/2015	4350 Snow Solutions LLC	Payment # 13 of 18 Snow & Ice Control for Roads	\$6,000.00	###
11/17/2015	4351 Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 10-6	\$145.00	
11/17/2015	4352 Custom Grading Inc	Recycled asphalt and application on Nevada Ave	\$325.00	#
11/17/2015	4353 John Lutz	Commissioners Compensation	\$200.00	
11/17/2015	4354 Judith Correll	Commissioners Compensation	\$175.00	
11/17/2015	4355 Joseph Kolosso	Commissioners Compensation	\$175.00	
11/17/2015	4356 Donald Trimberger	Commissioners Compensation	\$25.00	
12/1/2015	4357 Snow Solutions LLC	Payment # 14 of 18 Snow & Ice Control for Roads	\$3,200.00	###
12/15/2015	4358 Cutting Edge Lawn Maintenance & Landscaping	Fall Cleanup	\$900.00	
12/15/2015	4359 John Lutz	Commissioners Compensation	\$200.00	
12/15/2015	4360 Judith Correll	Commissioners Compensation	\$175.00	
12/15/2015	4361 Joseph Kolosso	Commissioners Compensation	\$175.00	
12/15/2015	4362 Donald Trimberger	Commissioners Compensation	\$25.00	
12/15/2015	4263 Mike Weinkauf	Commissioners Compensation	\$25.00	
12/23/2015	4364 The Horton Group Inc.	Annual Liability/Workers Comp Insurance	\$5,120.00	

1/1/2016	4365	Snow Solutions LLC	Payment # 15 of 18 Snow & Ice Control for Roads	\$3,200.00	###
1/19/2016	4366	John Lutz	Commissioners Compensation	\$200.00	
1/19/2016	4367	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
1/19/2016	4368	Joseph Kolosso	Commissioners Compensation	\$175.00	
1/19/2016	4369	VOID		\$0.00	
1/19/2016	4370	Honey Lake Protection & Rehabilitation Dist.	Reimburse Non-Lapsing Fund	\$5,000.00	
1/19/2016	4371	Mike Weinkauf	Commissioners Compensation	\$25.00	
2/1/2016	4372	Shelley Hildebrandt-Reimbursement	Ink Cartridge, Paper, Cassette	\$58.77	
2/16/2016	4373	Snow Solutions LLC	Payment # 16 of 18 Snow & Ice Control for Roads	\$3,200.00	###
2/16/2016	4374	Wisconsin Lakes Partnership	Annual Membership Dues	\$375.00	
2/16/2016	4375	John Lutz	Commissioners Compensation	\$200.00	
2/16/2016	4376	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
2/16/2016	4377	Joseph Kolosso	Commissioners Compensation	\$175.00	
2/16/2016	4378	Mike Weinkauf	Commissioners Compensation	\$25.00	
2/22/2016	4379	Honey Lake Protection & Rehabilitation Dist.	Transfer funds to Payroll Account	\$2,000.00	
3/1/2016	4380	Snow Solutions LLC	Payment # 17 of 18 Snow & Ice Control for Roads	\$3,200.00	###
3/15/2016	4381	John Lutz	Commissioners Compensation	\$200.00	
3/15/2016	4382	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
3/15/2016	4383	Joseph Kolosso	Commissioners Compensation	\$175.00	
3/15/2016	4384	Custom Grading Inc	Repair pipe from Honey to Del-Monte Lakes	\$1,050.00	
3/15/2016	4385	Donald Trimberger	Commissioners Compensation	\$25.00	
3/15/2016	4386	Mike Weinkauf	Commissioners Compensation	\$25.00	
4/1/2016	4387	Snow Solutions LLC	Payment #18 of 18 Snow & Ice Control of Roads	\$3,200.00	###
4/1/2016	4388	Town Web Design LLC	Website Maintenance	\$315.00	
4/19/2016	4389	John Lutz	Commissioners Compensation	\$200.00	
4/19/2016	4390	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
4/19/2016	4391	Joseph Kolosso	Commissioners Compensation	\$175.00	
4/19/2016	4392	Mike Weinkauf	Commissioners Compensation	\$25.00	
4/19/2016	4393	Shelley Hildebrandt-Reimbursement	WLP Convention in Stevens Point, WI 3/30-4/2/16	\$960.52	
5/9/2016	4394	Bienemann's Quality Tree Service LLC	Remove Tree & Brush at North Beach	\$925.00	
5/17/2016	4395	John Lutz	Commissioners Compensation	\$200.00	
5/17/2016	4396	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
5/17/2016	4397	Joseph Kolosso	Commissioners Compensation	\$175.00	
5/17/2016	4398	John Lutz-Reimbursement	Padlocks, Cables & Trash Cans	\$85.27	
5/17/2016	4399	Donald Trimberger	Commissioners Compensation	\$25.00	
5/17/2016	4400	Mike Weinkauf	Commissioners Compensation	\$25.00	
6/21/2016	4401	VOID		\$0.00	
6/21/2016	4402	John Lutz	Commissioners Compensation	\$200.00	
6/21/2016	4403	Shelley Hildebrandt	Commissioners Compensation	\$175.00	
6/21/2016	4404	Joseph Kolosso	Commissioners Compensation	\$175.00	
6/21/2016	4405	Cutting Edge Lawn Maintenance & Landscaping	Mowing & Trimming 5/2 & 5/16/2016	\$290.00	
6/21/2016	4406	Postmaster	400 Forever Stamps	\$188.00	
6/21/2016	4407	Honey Lake Protection & Rehabilitation Dist.	Transfer funds to Payroll Account	\$1,200.00	
6/21/2016	4408	John Lutz-Reimbursement	Garbage Bags	\$12.99	
6/21/2016	4409	Shelley Hildebrandt-Reimbursement	Ink	\$44.97	
Total of Checks				\$66,588.58	

Billed to Village of Rochester

#

Billed to Town of Spring Prairie

##

Billed to BOTH the Village of Rochester and the Town of Spring Prairie

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

	Balance on Hand July 1st 2015		\$8,974.08
Interest	7/1/2015 to 6/30/2016	\$0.77	\$0.77
Deposit	From Regular Checking	\$3,200.00	\$3,200.00
Bank Charges	New Checks	(32.50)	(32.50)
Checks	Wages	(2,743.47)	
	United States Treasury/Payroll Taxes	(410.97)	
	Wisc. Dept of Revenue/Payroll Taxes	(21.70)	
		(3,176.14)	(3,176.14)
	Balance on Hand as of June 30, 2016		\$8,966.21

Honey Lake Protection and Rehabilitation District
 Dam/Drawdown Structure Non-Lapsing Fund-For Fiscal Year 2015-2016

	Balance on Hand July 1st 2015		\$75,010.26
Interest	7/1/2015 to 6/30/2016	\$7.40	\$7.40
Deposit	From Regular Checking/Transfer Funds	\$5,000.00	\$5,000.00
Withdrawal	To Regular Checking/Transfer Funds	(\$5,013.37)	(\$5,013.37)
	Balance of Hand as of June 30, 2015		\$75,004.29

CURLY-LEAF PONDWEED

Potamogeton crispus L.

Curly-leaf pondweed is a non-native aquatic plant that can tolerate low temperature waters like those in its native region of northern Europe and Asia. It has proven to be a strong competitor with native species in Wisconsin lakes and streams, particularly in the spring and early summer when it gets a head start on the local competition. The first confirmed specimen of curly-leaf pondweed in the United States was collected in Delaware in the mid-1800's. By the turn of the century, it had spread along the East Coast from Virginia to Canada, and by the 1930's it was established in the Midwest. Currently, curly-leaf pondweed is found throughout the lower 48 states.

Description: This submersed aquatic plant has spaghetti-like stems that often reach the lake surface by mid-June. The oblong leaves attach directly to the stem in an alternate pattern. Leaf margins are wavy (resembling lasagna noodles) and finely toothed creating an overall leaf-texture that is "crispy." In spring, curly-leaf produces flower spikes that stick up above the water surface. The small flowers are arranged in a dense terminal spike on a curved 1-2 inch (25-50 mm) stalk. By June, nutlets (achenes) are mature on the stalks and may drop to the sediment. These seeds play a relatively small role in reproduction compared to their vegetative winter buds, or turions. Turions look like small brown pinecones and are produced in great numbers by mid-summer on shortened branchlets along the stem. Studies of curly-leaf beds in lakes have shown as many as 1600 turions in a one square yard (.8 m) plot. The germination rate for these turions is high, ranging from 60% to 80%.

Habitat: Curly-leaf is considered a deep-water plant. However, in a lake where it is dominant, a bed of curly-leaf may start in 1-2 feet (30-60 cm) of water and extend out to depths of 10-12 feet (3-4 m) or more. This plant has a competitive advantage over many native species because it can tolerate low light conditions, both in the summer during algal blooms and during winter under ice and snow cover. It has been found growing beneath 20 inches (50 cm) of ice and a heavy blanket of snow. The cool water adaptations of curly-leaf set it apart from other Wisconsin aquatic plants. It is actively growing under the ice while most plants are dormant, but dies back in mid-July when other aquatic plants are just reaching their peak growth for the year. In lakes where curly-leaf is dominant, the summer die-off causes increased nutrient levels that can lead to habitat disturbance and degraded water quality (algal blooms).

Management and Control: Curly-leaf pondweed provides food for ducks and valuable winter and spring habitat for fish and invertebrates. These values are overshadowed when curly-leaf dominates a plant population because summer die-off leaves little habitat for the rest of the season and causes increased nutrient levels leading to algal blooms. Selective control of curly-leaf stands and protection or restoration of native species can lead to a balanced plant population. Protecting water quality will also help keep curly-leaf in check because it has a competitive advantage over native plants when water clarity is reduced.

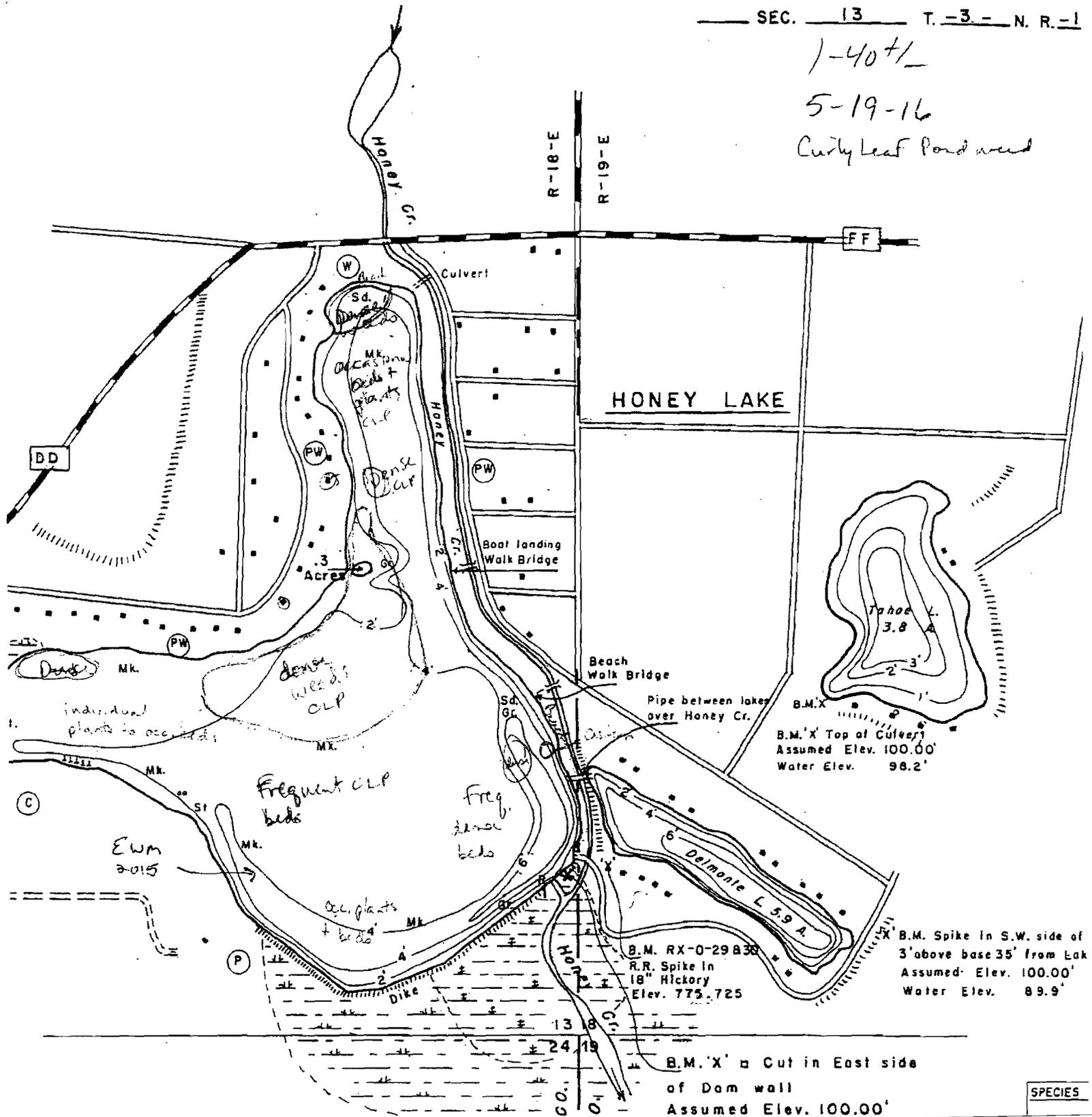
Information adapted from the following source:

Borman, S. Curlyleaf Pondweed. Lake Tides 20(1). pp 5-6.

LAKE SURVEY MAP

HONEY LAKE WALWORTH COUNTY
 SEC. 13 T. 3 N. R. 1

1-40+/-
 5-19-16
 Curly Leaf Pond weed



B.M. RX-0-29 B30
 R.R. Spike in
 18" Hickory
 Elev. 775.725

B.M. 'X' Top of Culvert
 Assumed Elev. 100.00'
 Water Elev. 98.2'

B.M. Spike in S.W. side of
 3' above base 35' from Lak
 Assumed Elev. 100.00'
 Water Elev. 89.9'

B.M. 'X' in Cut in East side
 of Dam wall
 Assumed Elev. 100.00'

SPECIES

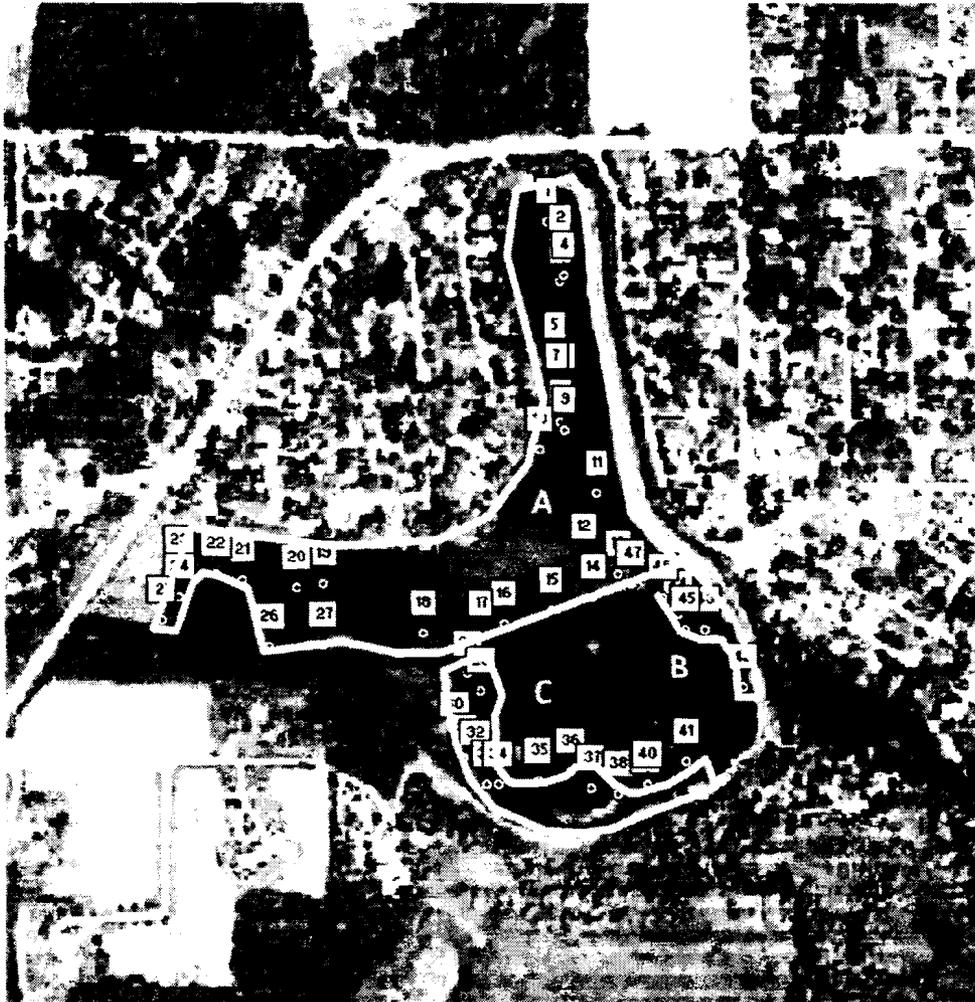
Honey Lake—Walworth County

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 out 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 2017 Herbicide Treatment Options

DEVELOPED SHORELINE Herbicide Treatment

	Size	Dose	Treatment Cost
Honey Lake Shoreline of Area A	7.9 acres	1.5 ppm	\$3,825.00
Delmonte Lake	5.9 acres	1 ppm	\$2,100.00
Permit Fees to DNR:			
Honey Lake permit			\$220.00
Delmonte permit			\$170.00
Permit writing			\$150.00
Total Project Cost			\$6,465.00

WHOLE LAKE Herbicide Treatment*

	Size	Dose	Treatment Cost
Honey Lake	42 acres	.75 ppm	\$9,263.00
Delmonte Lake	5.9 acres	1 ppm	\$2,100.00
Permit Fees to DNR:			
Honey Lake permit			\$1,070.00
Delmonte permit			\$170.00
Permit writing			\$150.00
Total Project Costs			\$12,753.00

* DNR may require monitoring with the whole lake treatment.

Honey Lake 2017 Herbicide Treatment Options

DEVELOPED SHORELINE Herbicide Treatment

		Size	Dose	Treatment Cost
Honey Lake	Shoreline of Area A	7.9 acres	1.5 ppm	\$3,825.00
Delmonte Lake		5.9 acres	1 ppm	\$2,100.00
Permit Fees to DNR:				
	Honey Lake permit			\$220.00
	Delmonte permit			\$170.00
Permit writing				\$150.00
Total Project Cost				\$6,465.00

WHOLE LAKE Herbicide Treatment*

		Size	Dose	Treatment Cost
Honey Lake		42 acres	.75 ppm	\$9,263.00
Delmonte Lake		5.9 acres	1 ppm	\$2,100.00
Permit Fees to DNR:				
	Honey Lake permit			\$1,070.00
	Delmonte permit			\$170.00
Permit writing				\$150.00
Total Project Costs				\$12,753.00

* DNR may require monitoring with the whole lake treatment.

Proposed Motion to “Create Aquatic Weed Control Non-Lapsing Fund”

I move that the Honey Lake Protection and Rehabilitation District create a new non-lapsing fund titled “Aquatic Weed Control Non-Lapsing Fund” and that the fund balance maximum amount to be \$25,000. This fund is to help fund the control of aquatic weeds in Honey Lake, Del-Monte Lake and Tahoe Lake.

I further move that the fund be established and managed similar to that of the “Dam Non-Lapsing Fund”.

DRAFT 9/23/16 PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING
SATURDAY, SEPTEMBER 17, 2016, 8:00 AM
LAGRANGE TOWN HALL
MINUTES

Present: Dave Stamm (chair, #1, 2018), Ryan Mertes (treas, #3, 2017), Marcia Sahag (sec, #4, 2019), Peter Schuler (#5, 2019), Bob Arnold (County), Don Sukala (Town)

Absent: Phil Holland (#2, 2018) excused

Public Attendance: Rick Callaway, Bernie Slupik

1. Roll call as above.
2. Approval of Agenda: Motion to approve the Agenda (Peter/Don). Carried unanimously.
3. Approval of prior Board Minutes of 4/23/16 and 6/25/16: Motion to approve the Minutes of 4/23/16 (Ryan/Dave). Carried unanimously. Motion to approve the Minutes of 6/25/16 (Ryan/Peter). Carried unanimously.

4. Treasurers Report: The account balances as of 9/3/16 are:

Checking	\$34,521.59
Money Market	\$17,125.60
Grant	\$ 2,228.73
Total	\$53,875.92

Ryan distributed documents for the above balances and for the check detail report. We are under budget. Motion to approve the Treasurers report (Dave/Peter). Carried unanimously.

5. POA Report: Fish stocking will take place once it is cold enough and we are notified. The DNR has asked us not to stock walleye so their record keeping of fish growth can be more accurate. We will stock 440 yellow perch 5" to 7" and 668 black crappies 3" to 5". The permit for fish cribs will be applied for.
6. Bay Exploration Committee Report: Ryan reported on committee progress and the Board received and filed the approved Bay Exploration Committee minutes of 4/16/16, 6/3/16 and 7/10/16. The primary focus of the committee is access to the Bay. They are obtaining data records of mapped measurements of water depth east/west across the bay entrance (copies of chart were distributed) as well as north/south measurements. They are investigating placement of buoys at the Bay entrance. The committee plans to present options and recommendation to the Board and to the annual meeting. They are researching options for sediment reduction. The committee continues to explore the options on the core concepts of establishing data on water depths in the Bay, placing buoys at the bay entrance and reducing the sediment in the bay.
7. Flood Control System (drain) Report: The system is working as designed. Over the summer debris and sand collected in the trap allowing the drain to function. The full trap was cleaned out on 9/2/16. It is anticipated that the system will need to be cleaned of leaves next spring.
8. Goose Control Report: The egg oiling efforts were successful. The permits for goose depredation and round up will be submitted for next year.
9. Weed Control Report (Aquatic Plant Management): A pre-treatment survey for Eurasian Water Milfoil was conducted on 9/9/16 followed by a DNR survey on 9/12/16. Milfoil will be treated in part of the Bay and phragmites and reed canary grass will be treated at the Chicago Girl Scout Camp on September 20 or 21. The DNR recommends EWM treatment in May, 2017.
10. Approval of appointment of budget planning committee: Motion to approve the appointment of Peter Schuler, Ryan Mertes and Dave Stamm to the budget planning committee (Bob/Marcia). Carried unanimously. The committee will meet prior to the November 5 board meeting.

11. Discussion of "Water Jet Propulsion Devices": Other lake communities in the area have ordinances prohibiting the use of water jet propulsion devices such as Twin Lakes and Big Cedar Lake. The Town of LaGrange ordinance regulating boating on Lauderdale Lakes is being revised to prohibit their use. According to the chief of the water patrol, although the slow no wake ordinance may apply to the devices, a specific ordinance prohibiting the devices is preferable for clarity for enforcement and legal purposes. Motion that in order to maintain to slow no wake speed limit at all times; maintain the public safety; maintain and protect the lake ecological environment; and maintain the quality of current recreational activities that slow no wake affords, the Pleasant Lake Protection and Rehabilitation District Board requests the Town of LaGrange to create an ordinance for Pleasant Lake to prohibit the use of airborne "water jet propulsion devices" which include, but are not limited to, jet blades, hover boards, jetpacks, fly boards and jet boards on Pleasant Lake (Marcia/Bob). Carried unanimously. Lake property owners will be notified of the ordinance.
12. Schedule of meeting dates: The next meeting is scheduled for Saturday, November 5, 2016, at 8:00 AM. The District board meeting will be first followed by the POA board meeting. Proposed meeting dates for 2017 will be sent out with the draft minutes for board members' consideration and input.
13. Establishing future agendas: No suggestions.
14. Adjourn: Motion to adjourn at 8:55 AM (Dave/Ryan). Carried unanimously.

Respectfully submitted,
Marcia Sahag, secretary
PLPRD

PLEASANT LAKE PROTECTION AND REHABILITATION DISTRICT
BOARD MEETING
SATURDAY, JUNE 25, 2016, 10:37 AM
CAMP POTTAWATOMIE HILLS

MINUTES

Present: Dave Stamm (2018), Ryan Mertes (2017), Marcia Sahag (2019), Peter Schuler (2019), Phil Holland (2018), Bob Arnold (County), Don Sukala (Town)

Absent:

Public Attendance:

1. Roll Call: Peter, Dave, Marcia, Ryan, Don, Bob, Phil.
2. Approval of Agenda: Motion to approve the Agenda (Bob/Don). Carried unanimously.
3. Election of Officers:
 - Motion to elect Dave Stamm for chairman (Phil/Peter). Carried unanimously.
 - Motion to elect Marcia Sahag for secretary (Dave/Bob). Carried unanimously.
 - Motion to elect Ryan Mertes for treasurer (Dave/Don). Carried unanimously.
4. Motion to adjourn at 10:39 am (Bob/Ryan). Carried unanimously.

Respectfully submitted,
Marcia M Sahag, secretary
PLPRD



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES August 27th, 2016

Revised 9-10-16

A brief meeting on August 27th 2016 of the Whitewater/Rice Lakes Management District board was called to order at 12:05 PM by Chairmen Rich Charts. Board members present were, Chuck Chamberlain, Larry Brady, Brad Corson, Ernie Roy and Jerry Grant Walworth County Appointee

ADMINISTRATIVE

Rich asked if everyone wanted to stay at their same positions and everyone agreed. A motion was made by Jerry that board members remain in their same positions, seconded by Larry. Motion Carried.]

Rich proposed to defer approving the July 14th, 2016 minutes until the September 8th 2016 board meeting. Motion made by Jerry and seconded by Larry to defer the approval of the minutes. Motion Carried.

Brad reviewed the expense handout for the month of July 2016. Expenses totaled \$25,252.12. Motion was made by Larry to approve these expenses, seconded by Chuck. Motion Carried

Next meeting – September 8th, 2016 6PM at the Town Hall
Chuck and Rich will be present by tele-conference

Motion to adjourn was made by Larry, seconded by Chuck. Motion Carried

Meeting adjourned at 12:15 PM

Respectfully submitted
Susie Speerbrecher, Clerk



WHITEWATER-RICE LAKES MANAGEMENT DISTRICT

P.O. Box 301
Whitewater, WI 53190



MINUTES July 14th, 2016

The July 14th, 2016 Whitewater/Rice Lakes Management District board meeting was called to order at 6:12 PM by Chairmen Rich Charts. Board members present were, Chuck Chamberlain, Larry Brady, Brad Corson, Ernie Roy and Jerry Grant, Walworth County Appointee

Board Members Absent – Norm Prusener, Town Representative
Guest Present – Bernie Tangney, Ray Baker,
Standing Teams Present – Tom Ganfield, Tom Porrykus
Standing Teams Absent – Dave Cleven
Shoreline Management Team- Present Gerhard, Theresa Stegemann , Absent
Clerk Present: Susie Speerbrecher

ADMINISTRATIVE

Rich announced changes to the agenda. Motion was made by Chuck to accept these changes, seconded by Larry. Motion Carried

The May 12th, 2016 minutes were approved by a motion made by Chuck and seconded by Larry. Motion Carried. The June 9th, 2016 minutes were approved by a motion made by Larry and seconded by Chuck. Motion Carried

Public Input – None

COMMISSIONER REPORTS

Secretary – Ernie reported the Aquatic Plant Management Plan is now in the hands of the DNR for review. Brad spoke about a letter he received regarding Bog Removal. The letter will be put on file until Bog season.

Finance –Brad reviewed the expense handout with the board. The expenses for the month of June were \$92,248.74. A motion was made by Larry and seconded by Ernie to accept these expenses. Motion Carried. Brad continued his report by going over the 2017 proposed budget and the Capital planning handouts with the board members.

Weed – Larry reported the lake was in good condition over the 4th of July, however a week later serious harvesting needed to happen.

Chemical – Ernie reported he had been out on the lake with Amy Kay from Clean Lakes and another application may need to be applied. This will be confirmed on July 15th, 2016. Discussion followed regarding the Blue Green Algae growth on Delavan Lake and how important it is for our property owners to be aware of phosphorus, grass clippings and leaves entering the lake.

Bog – No formal report

Equipment –Chuck reported he has applied for the final grant payment for the collection fee boxes.

He attended a weed seminar in Lake Mills and found it to be very educational. He expressed concerns regarding the new transport and the spud anchors not being used as intended and the gears are wearing considerably. The starter motor needed to be replaced on the 7' harvester. He has not heard by from his contact on Delavan Lake regarding their GPS units and how well they are working. A waiver has been written up to waive boat launch fees for the Minneiska Ski Team boats. He reviewed a RFP handout for the purchase of a dump truck with the board members. He will make the suggested revisions and mail copies to vendors in the area. Susie will have the RFP posted in the Whitewater Register. He has been in touch with his representative from the DNR regarding financial assistance for equipment. He made a motion to approve Resolution 201602 to request financial assistance from the Wisconsin Waterways Commission for a new shore conveyor. Seconded by Larry. Motion Carried. He will then move forward to contact Walworth County, Town of Whitewater, and Town of Richmond for their support in obtaining this piece of aquatic weed harvesting equipment.

Wildlife Management – In Dave Cleven's absence Ernie reported over 100 geese were rounded up
Fish – Tom reviewed his report for the annual meeting. A discussion regarding carp followed. Carp netter John Heller has not be in communication with Tom. Mr. Ray Baker, a resident on Rice Lake has volunteered to investigate the carp problems and apply for a commercial fishing license.

Safety – Nothing to report

Water Quality – Tom Ganfield expressed a thank you to the board and to Terry Anderson for help he receives for water sampling.

Lake Shore Management – Gerhard reported two welcome packets have been handed out and they received a call from a home owner on East Lake Shore Drive asking for information on planting native plants.

Audit – Brad will be getting the books to Dominick over the weekend.

2016 Schedule – No report

AIS – No report

OLD BUSINESS – Newsletter articles are in. Rich will send them to the printer by Monday morning July 18th. Susie will give the printer a heads up we will need a proof by Wednesday July 20th, and printing to occur on Friday July 22nd, with immediate mailing to follow.

NEW BUSINESS – Rich reviewed the agenda for the Annual Meeting.

OTHER BUSINESS – None

Ernie motioned to adjourn the meeting, seconded by Larry Meeting adjourned at 8:57 PM

No Meeting – August 11th, 2016 **Annual Meeting:** August 27th, 2016, **Regular Meeting** September 8th, 2016 at 6 PM Respectfully Submitted Susie Speerbrecher, Clerk
