

Waukesha County Board of Supervisors

Minutes of the Land Use, Parks & Environment Committee Tuesday, February 15, 2022

Chair Mitchell called the meeting to order at 8:30 a.m.

Present: Supervisors Bill Mitchell, Keith Hammitt, Tom Michalski, Chris Mommaerts, Richard Morris, and Tom Schellinger. **Absent:** Steve Whittow.

Also Present: Chief of Staff Sarah Spaeth, Legislative Policy Advisor Alex Ignatowski, Administrative Specialist Mary Pedersen, Planning and Zoning Manager Jason Fruth, Parks System Manager Steve Brunner, Senior Landscape Architect Stephen Siodlarz, Senior Financial Analyst Alex Klosterman, Budget Management Specialist Michelle Beasley, Parks System Supervisor Zack Navin, Parks and Land Use Director Dale Shaver, and County Board Chair Paul Decker.

Approve Minutes of January 25

MOTION: Morris moved, second by Hammitt to approve the minutes of January 25. Motion carried 6-0.

Next Meeting Date

- March 15
- April 5

Executive Committee Report of February 14

Mitchell said the Executive Committee approved two ordinances and the scope and timeline of the Register of Deeds audit, and heard a report on the Wisconsin Counties Association Legislative Exchange.

Discuss and Consider Ordinance 176-O-105 Amend The District Zoning Map Of The Waukesha County Shoreland And Floodland Protection Ordinance And The Waukesha County Zoning Code For The Town Of Ottawa By Rezoning Certain Lands Located In Part Of The S ½ Of Section 5, T6N, R17E, Town Of Ottawa, Waukesha County, Wisconsin, From The FLP Farmland Preservation And FLC Farmland Conservancy Districts To The R-1 Residential, HG High Groundwater, C-1 Conservancy Overlay And EC Environmental Corridor Overlay Districts (RZ90)

Fruth discussed this ordinance to rezone properties located on Kincaid Lane in the Town of Ottawa in order to create two new lots.

MOTION: Mommaerts moved, second by Hammitt to approve Ordinance 176-O-105. Motion carried 6-0.

Discuss and Consider Ordinance 176-O-106 Amend The Text Of The Town Of Mukwonago Zoning Code By Repealing And Recreating Appendix B (13.12) Of Chapter 36, Relating To The Development Requirements For Federal Firearms Licenses (RZ92)

Fruth discussed this ordinance to repeal and recreate Appendix B (13.12), Chapter 36 of the Town of Mukwonago Zoning Code relating to the requirements for federal firearms licenses.

MOTION: Michalski moved, second by Morris to approve Ordinance 176-O-106. Motion carried 6-0.

Discuss and Consider Ordinance 176-O-107 Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 15, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-5 Mini Farm District To The R-1 Suburban Single Family Residential District And From The R-1 Suburban Single Family Residential District To The A-5 Mini Farm District (RZ93)

Fruth discussed this ordinance which will rezone properties located at W249 N7876 and W249 N7844 Hillside Road in the Town of Lisbon to allow a third residential parcel to be created via Certified Survey Map.

MOTION: Hammitt moved, second by Michalski to approve Ordinance 176-O-107. Motion carried 6-0.

Discuss and Consider Ordinance 176-O-110 Modify The 2022-2026 Capital Plan And 2022 Budget For Capital Project 201807, Pewaukee To Brookfield Trail Construction

Brunner and Siodlarz were present to discuss this ordinance which modifies the 2022-2026 Capital Plan and 2022 Capital Project budget to increase expenditure authority by \$290,000 to cover above-budget construction costs for the Pewaukee to Brookfield Trail project (#201807). The ordinance also increases the use of Capital Project Fund balance by \$290,000 to fund these expenditures. The current construction budget is \$1.76 million. The construction administration contract has been awarded (\$95,300), leaving an available construction budget of approximately \$1,664,700. The low bid received for project construction is \$1.954 million which is approximately \$290,000 over the estimated construction budget for this portion of the project. All bids were higher primarily due to increased material and labor costs. The previous budget for this project was \$2.2 million and increased to \$2.49 million with this cost update.

This project is funded through revenue from WisDOT through the Federal Transportation Alternatives Program (TAP) Grant (\$1.696 million) and revenue from the Wisconsin Department of Natural Resources Stewardship Grant (\$250,000). The County's portion of the original budget is \$254,000 and the County's portion of the revised budget increases \$290,000 to \$544,000 with the department requesting to fund the additional expenditures with Capital Project Fund balance. This ordinance does not result in an impact to tax levy.

MOTION: Schellinger moved, second by Hammitt to approve Ordinance 176-O-110. Motion carried 6-0.

Discuss and Consider Resolution 176-R-007 Authorizing Resolution For Participation In The Department Of Natural Resources Municipal Dam Grant Program

Shaver and Navin were present to discuss this resolution which authorizes the Parks and Land Use Department to apply for grant funding from the Wisconsin DNR under the state's municipal dam grant program. Staff plan to apply for this grant to partially fund repairs on three separate sections of the School Section Lake dam's berm. The repairs on these three sections will occur over the course of three years and the total project cost for these repairs is \$70,000.

This grant program requires a 50% local match for project expenses and the grant funding covers the other 50% of project costs. Based on the project costs the grant will cover \$35,000 of the total expenses and \$35,000 will be provided via an in-kind local match. Since these projects will occur over

the course of three years, the total impact to each year's budget is approximately \$11,700 of grant funding. The local match will consist of already budgeted staff time for three Parks and Land Use positions, billable department equipment, and highway staff time and equipment associated with grass mowing. This resolution does not appropriate the grant funding into the 2022 budget and only provides permission for staff to apply for the funding. This resolution results in no tax levy impact.

Schellinger asked why would the county want to own this dam? Shaver said from the County's perspective, we generally do not like to own dams. We don't take these things on and the County has denied dam ownership in the past. Shaver said we are moving forward on this maintenance project because we can repair it relatively inexpensively and we can apply for grant funds. Answering Schellinger's question, Shaver said if nobody is willing to take on the dam, then the County is responsible for it. The lake management district is not interested in taking it over because they do not have the financial ability. Answering Mommaert's question, Shaver said this is the only County-owned dam. Schellinger asked can we abandon it. Shaver replied he does not believe there is a mechanism in place that would allow us to walk away from the dam if nobody else willingly takes it. Mitchell suggested this issue be studied. Mommaerts said there is a process in place to transfer ownership of a dam. A consensus of the committee requested Shaver to investigate selling School Section Lake dam and legalities associated with divesting.

MOTION: Hammitt moved, second by Mommaerts to approve Resolution 176-R-007. Motion carried 6-0.

Discussion on County Owned Dams

See Resolution 176-R-007 above.

Legislative Update

Ignatowski gave an update on gave an update on a meeting with some of our state legislators to discuss crisis funding. He also discussed an upcoming bill on bail reform and several workforce related bills.

MOTION: Morris moved, second by Hammitt to adjourn at 9:33 a.m. Motion carried 6-0.

Respectfully submitted,

Richard Morris

Richard Morris
Secretary