

Minutes of the Land Use, Parks and Environment (LUPE) Committee

Tuesday, May 21, 2019

Present: Supervisors Dave Zimmermann, Keith Hammitt, Steve Whittow, Kathleen Cummings, and Bill Mitchell. **Absent:** Tom Schellinger and Chuck Wood.

Also Present: Legislative Policy Advisor Sarah Spaeth, Planning and Zoning Manager Jason Fruth, Park System Manager Rebecca Mattano, Public Communications Coordinator Emily Heller, Director of Parks and Land Use Dale Shaver, Land Resources Manager Perry Lindquist, Solid Waste Supervisor Analiese Smith, The *Freeman* Reporter Darryl Enriquez, and Budget Management Specialist Bill Duckwitz.

Approve Minutes – April 16, 2019

MOTION: Mitchell moved, second by Whittow to approve the minutes of April 16. Motion carried 5-0.

Executive Committee Report – May 20, 2019

Zimmermann said the Executive Committee, at their last meeting, discussed and approved the follow-up report on the FMIS audit, the audit scope for the Health & Wellness Center, the legal advertising contract with the Waukesha Freeman, two appointments, and two ordinances. They also heard an update on customer service data and reviewed county board sizes and salaries.

Future Agenda Items

- Discuss Weed Problems in County Parks and Ponds

Future Meeting Dates

- June 18, 2019 (Hammitt absent)
- July 16, 2019

Discuss and Consider Ordinance 174-O-022 Year 2019 Amendment to the Comprehensive Development Plan for Waukesha County (1A – Tomich/Gaudion/Legend of Brandybrook Estates, Section 3, T6N, R18E, Town Of Genesee)

Fruth discussed this ordinance which will amend the Waukesha County Comprehensive Development Plan designation for property located at W304 S1806 Brandybrook Road in the Town of Genesee from the Rural Density and Other Agricultural Land and Primary Environmental Corridor categories to the Low Density Residential and Primary Environmental Corridor categories to allow a proposed 12 lot single-family residential subdivision. Staff are recommending the request be approved subject to an evergreen landscape buffer along the proposed west and north lines of proposed Lot 12 to substantially screen the development from the two abutting neighboring properties to the north.

Cummings expressed concern about emergency vehicles being able to access the development and asked staff to follow-up to make sure it was reviewed by the town.

MOTION: Hammitt moved, second by Whittow to approve Ordinance 174-O-022. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-023 Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The SW ¼ Of Section 6, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-3 Agricultural Residential Estate District To The R-1 Suburban Single-Family Residential District (RZ38)

Fruth discussed this ordinance to rezone property located at W275 N9101 Lake Five Road in the Town of Lisbon from the A-3 Agricultural Residential Estate District to the R-1 Suburban Single-Family Residential District to allow for the land to be part of a 43-lot subdivision. A public hearing was held on the subject matter of this ordinance and was approved by the Lisbon Town Board. The Waukesha County Park and Planning Commission is also recommending approval.

MOTION: Hammitt moved, second by Cummings to approve Ordinance 174-O-023. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-024 Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The NW ¼, NE ¼, And SW ¼ Of Section 6, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The R-1 Suburban Single-Family Residential District (RZ37)

Fruth discussed this ordinance to rezone property located at W275 N9101 Lake Five Road in the Town of Lisbon from the A-10 Agricultural District to the R-1 Suburban Single-Family Residential District to allow a 43-lot Residential Subdivision. A public hearing was held on the subject matter of this ordinance and was approved by the Lisbon Town Board. The Waukesha County Park and Planning Commission is also recommending approval.

MOTION: Mitchell moved, second by Cummings to approve Ordinance 174-O-024. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-025 Amend The District Zoning Map Of The Town Of Genesee Zoning Code By Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 9 And Part Of The NW ¼ Of Section 10, T6N, R18E, Town Of Genesee, Waukesha County, Wisconsin, From The R-1 Residential District To The A-2 Rural Home District (RZ36)

Fruth discussed this ordinance to rezone eight properties located in part of the NE ¼ of Section 9 and part of the NW ¼ of Section 10, T6N, R18E, Town of Genesee, from the R-1 Residential District to the A-2 Rural Home District to zone all properties within the Strawberry Fields Subdivision consistently. A public hearing was held on the subject matter of this ordinance and was approved by the Genesee Town Board. The Waukesha County Park and Planning Commission is also recommending approval.

MOTION: Mitchell moved, second by Whittow to approve Ordinance 174-O-025. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-027 Authorize Participation In Wisconsin Outdoor Motorized Recreational Trails Aid For Waukesha County Snowmobile Trails

Mattano discussed this ordinance which authorizes the County to participate in Wisconsin Outdoor Motorized Recreational Trails Aid for the purpose of maintaining, acquiring, insuring or developing lands for public snowmobile use. The Waukesha County Snowmobile Association, Inc. acquires, insures and maintains snowmobile trails for public outdoor snowmobile trail use. An ordinance indicating a desire to participate in the program is required to receive these aids. The County is required to coordinate, apply for and disburse snowmobile funds, and execute a separate agreement with Waukesha County Snowmobile Association, Inc. to include all required grant documentation for funding. The grant funds to be received and disbursed were previously incorporated in the 2019 Waukesha County Department of Parks and Land Use budget.

MOTION: Whittow moved, second by Mitchell to approve Ordinance 174-O-027. Motion carried 5-0.

Update on Parkland Conservation Program

Heller gave an update on the Parkland Conservation Program and changes the department made to discontinue the legacy tree donation program. Heller reviewed new opportunities for people to donate through the Parkland Management Fund where money is directed to conservation efforts and park enhancements. Cummings expressed her disapproval of the changes.

Discuss and Consider Ordinance 174-O-032 Approve Second Amendment To The Construction And Operating Agreement Between Waukesha County And Resource Recovery Systems, LLC And Modify The 2019 County Budget For The Material Recovery Facility (MRF)

Shaver, Lindquist, and Smith discussed this ordinance which amends an existing contract between the County and Republic Services, Inc. in the operation of the Material Recovery Facility (MRF). The agreement has six years remaining with a possible five-year extension.

Operating costs for the MRF increased nearly \$670,000, largely from a change in the processing fee assessed by the vendor on all County tonnage, increasing from \$32/ton to \$50/ton in the new agreement or \$530,320 associated with increased costs to increase the quality of the materials to meet market demands. The waste disposal fees paid by the vendor to dispose of waste co-mingled with recyclable materials also increase \$139,500 to \$279,000, reflecting an increase in the budgeted residue rate for tonnage from 9% to 20%. The ordinance also reduces the dividend payment to partner communities by \$907,000 reflecting reduced material sales and higher operating costs. The remaining dividend of \$645,000 reflects agreements to reimburse communities for hauling and recycling carts.

Revenue (excluding fund balance) are expected to decrease approximately \$746,000. This includes a reduction in material sale revenues of nearly \$841,000, mainly due to a reduction in the estimated gross revenue per ton (from \$100/ton to \$80/ton) to reflect market experience. Additional changes include an increase in the residue rate as noted previously and a modification to the revenue cost-sharing schedule resulting in a minimum of \$20/ton for the vendor when the revenue per ton is less than \$100/ton. This is offset with an increase in fees for equipment repair and replacement of \$75,000. Rates change from \$4/ton (when revenues are higher than \$98/ton) to a fixed \$5/ton,

regardless of price flexibility. Similarly, the vendor-paid education fee is no longer subject to price flexibility and is set at \$2/ton, resulting in a revenue increase of \$20,000. The ordinance also increases fund balance by \$508,570 due to the reduction in revenues of \$745,750 being only partially offset with expenditure reductions. At the end of 2018, the MRF has an unaudited, estimated cash balance of approximately \$4.30 million.

The Department estimates that over the remaining six years of the contract, material sales will recover slowly due to improved markets and efforts to increase the quality of materials. Staff have indicated further adjustments to preserve fund balance can include further revisions to the community dividends and enacting a material processing fee.

MOTION: Whittow moved, second by Mitchell to approve Ordinance 174-O-032. Motion carried 5-0.

Legislative Update

Spaeth updated the committee on the State budget.

MOTION: Hammitt moved, second by Cummings to adjourn at 10:30 a.m. Motion carried 5-0.

Respectfully submitted,

Steve Whittow

Steve Whittow
Secretary