

176th BOARD YEAR

LEGISLATIVE ITEMS RECEIVED FOR COMMITTEE REFERRAL

File No.	Rec/Ref:	To:	Title
176-O-001	03/23/21 04/08/21	LU	ORD: Year 2021 Amendment To The Comprehensive Development Plan For Waukesha County (1A – Kaerek MK/S-EP, LLC, Section 31, T8N, R19E, Town Of Lisbon)
176-O-002	03/23/21 04/08/21	LU	ORD: Year 2021 Amendment To The Comprehensive Development Plan For Waukesha County (2A – Peterson, Section 13, T8N, R17E, Town Of Oconomowoc)
176-O-003	03/23/21 04/08/21	LU	ORD: Year 2021 Amendment To The Comprehensive Development Plan For Waukesha County (3A – School Section Lake Management District, Section 17, T6N, R17E, Town Of Ottawa)
176-O-004	03/23/21 04/08/21	LU	ORD: Amend The District Zoning Map Of The Waukesha County Shoreland And Floodland Protection Ordinance And The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ And The NW ¼ Of Section 26, T8N, R17E, Town Of Oconomowoc, Waukesha County, Wisconsin, From A-T Agricultural Transition District To The R-2 Residential District (RZ72)
176-O-005	03/24/21 04/08/21	LU	ORD: Order To Attach Territory To The Phantom Lakes Management District
176-O-006	04/06/21 04/08/21	LU FI	ORD: Modify The Community Development Fund 2021 Budget To Accept State Of Wisconsin Emergency Rental Assistance Program Grant Funds And Appropriate Additional Expenditures
176-O-007	04/06/21	PW FI	ORD: Approve Contingency Fund Transfer For Building Improvement Plan
176-A-001	03/31/21 04/08/21	EX	APPT: Mary Baer to the Health & Human Services Board
176-A-002	03/31/21 04/08/21	EX	APPT: Michael S. Goldstone to the Health & Human Services Board
176-A-003	03/31/21 04/08/21	EX	APPT: Bob Menefee, Jr. to the Health & Human Services Board
176-A-004	03/31/21 04/08/21	EX	APPT: Larry Nelson to the Health & Human Services Board
176-A-005	03/31/21 04/08/21	EX	APPT: Christine Beck to the Health & Human Services Board
176-O-008	04/06/21 04/08/21	JU FI	ORD: Amend The 2021 Sheriff's Department Budget And Approve Expenditures For Multiple Purchases
176-O-009	04/06/21 04/08/21	HS HR FI	ORD: Create 1.00 FTE Senior Financial Analyst Position And Abolish 1.00 FTE Office Services Coordinator Position In The Department Of Health And Human Services
176-O-010	04/06/21 04/08/21	FI	ORD: Authorizing The Sale Of \$12,000,000 General Obligation Promissory Notes, Series 2021A

1 YEAR 2021 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN
2 FOR WAUKESHA COUNTY (1A – KAEREK_MK/S-EP, LLC,
3 SECTION 31, T8N, R19E, TOWN OF LISBON)
4
5

6 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
7 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County;
8 and
9

10 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
11 update and amendment procedures; and
12

13 WHEREAS, on February 25, 2021, the Waukesha County Park and Planning Commission held a
14 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
15 Plan for Waukesha County; and
16

17 WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 18,
18 2021, a summary of the Public Hearing comments and a Staff Recommendation for the
19 proposed change to the Comprehensive Development Plan for Waukesha County; and
20

21 WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha
22 County Park and Planning Commission on March 18, 2021, and a recommendation was
23 reported to the Land Use, Parks and Environment Committee and the Waukesha County Board
24 of Supervisors as required in the Comprehensive Development Plan for Waukesha County.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the
27 following amendment is hereby approved to the Year 2035 Comprehensive Development Plan
28 for Waukesha County.
29

30 1. In the Town of Lisbon, the following request is being made:
31

- 32 A. **Mike Kaerek, MK/S-EP, LLC**, 11600 W. Lincoln Avenue, West Allis, WI 53227,
33 representing property owned by KKNN Lyndale, LLC, 924 E. Juneau Avenue,
34 Milwaukee, WI, requests property located in part of the SE ¼ of Section 31, T8N,
35 R19E, Town of Lisbon (Tax Key No. LSBT 0268.999), more specifically, the
36 property is located at N48 W27368 Lynndale Road, be amended from the Rural
37 Density and Other Agricultural Land category (5.0 to 34.9 acres of area per
38 dwelling unit or equivalent density) to the Suburban 1 Density Residential
39 category (1.5 to 2.9 acres of area per dwelling unit), in order to allow for a
40 residential subdivision.
41

42 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
43 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
44

45 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this
46 Ordinance with the Town Clerk of Lisbon.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2021 Amendment to the Comprehensive Development Plan for Waukesha County, (1A – Kaerek_MK/S-EP, LLC, Section 31, T8N, R19E, Town of Lisbon) hereby recommends **approval**.

PARK AND PLANNING COMMISSION

March 18, 2021

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Bonnie Morris (via Microsoft Teams)

Bonnie Morris

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2021 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
1(A) MIKE KAEREK, MK/S-EP, LLC, TOWN OF LISBON

DATE: March 18, 2021

PUBLIC HEARING DATE:
Thursday, February 25, 2021, 1:00 p.m.

REQUEST:
1(A) Year 2021 amendment to the Comprehensive Development Plan.

Mike Kaerek, MK/S-EP, LLC, 11600 W. Lincoln Avenue, West Allis, WI 53227, representing property owned by KKNN Lyndale, LLC, 924 E. Juneau Avenue, Milwaukee, WI, requests property located in part of the SE ¼ of Section 31, T8N, R19E, Town of Lisbon (Tax Key No. LSBT 0268.999), more specifically, the property is located at N48 W27368 Lynndale Road, be amended from the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit or equivalent density) to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit), in order to allow for a residential subdivision.

EXISTING LAND USE CATEGORY:
Rural Density and Other Agricultural Land category, Other Open Lands to be Preserved, Secondary Environmental Corridor.

PROPOSED LAND USE CATEGORY:
Suburban 1 Density Residential category, Other Open Lands to be Preserved, Secondary Environmental Corridor (amendment map attached).

PUBLIC REACTION:
A neighbor who resides south of the property expressed concerns regarding additional traffic from the proposed subdivision along Lynndale Road. He suggested the speed limit be lowered to 45 mph.

Discussions over access points have been had between the petitioner and County Public Works Department. Access to the highway was also discussed at the Development Review Team meeting on December 9, 2020. Adjustments to speed limits on County Trunk Highways is subject to Department of Public Works review only.

TOWN ACTION:
On January 14, 2021, the Town of Lisbon Plan Commission approved the request to amend the Town of Lisbon Land Use Plan maps from the Rural Density and Other Agricultural Land category to the Suburban 1 Density Residential category, with a recommendation to the Town Board of the same.

On January 25, 2021, the Town Board approved the request to amend the Town of Lisbon Land Use Plan maps from the Rural Density and Other Agricultural Land category to the Suburban 1 Density Residential category.

STAFF ANALYSIS:
The petitioner is proposing a 31 lot, single-family residential development on approximately 88 acres located on CTH JK (Lynndale Road) between Lynndale Lane and Yench Road. The lots would be served by private well and septic (see Exhibit A). The proposed overall density would be 2.85 acres per dwelling unit across all lands and 1.80 acres per dwelling unit when lowland environmental corridor areas are excluded.
Referred on: 04/08/21 File Number: 176-O-001 Referred to: LU 3

Complex topography can be found across most of the parcel. Slopes exceed 15% in the southwest and along the highway. Less severe and more variable topography is found across the remainder of the land. The only flat areas are associated with the wetlands noted below. Coco Creek is located immediately to the north of the subject property.

The property contains a large studied wetland complex in the north/northeast part of the property, which the town has zoned C-1. A recent wetland study delineated all wetland boundaries including additional smaller wetlands associated with a ditch on the southern part of the parcel. The soils present across the parcel may be associated with a high seasonal water table. Therefore, soil testing will be required pursuant to the Plat approval process to ensure new residences meet County groundwater separation requirements.

Lands are in open space (Coco Creek and environmental corridor) to the north. Lands to the east and west are in the Low Density Residential Category and are in single family residential use. City of Pewaukee lands south of the highway are in the Suburban Density Residential 1 category and also being used for single-family residential purposes.

Since plan recommendations call for the preservation of steep slope areas, an access point to CTH JK further to the east where slopes diminish had previously been proposed by a prior developer. Due to inadequate sight distances, the Department of Public Works would not approve access in that area. In accordance with Department of Public Works requirements, the current plan calls for access further west. This will result in some disturbance of those steep slope areas.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. Within the past few years, this area of the Town has seen other similar plan changes from the Rural Density category to a plan category that can accommodate slightly higher density single-family developments. The amendment would bring the property into a category that is consistent with the surrounding development in the area and the proposed development density would align with similar densities in the area and provide infill development near and adjacent to existing neighborhoods in both the Town of Lisbon and the City of Pewaukee. The proposed concept plan generally avoids disturbance of steep slope areas and proposes to contain wetlands and environmental corridors in undevelopable outlots. Stormwater management and off-site drainage will be fully reviewed, pursuant to the Waukesha County Stormwater Management and Erosion Control Ordinance, when a preliminary subdivision plat is brought forward.

Respectfully submitted,

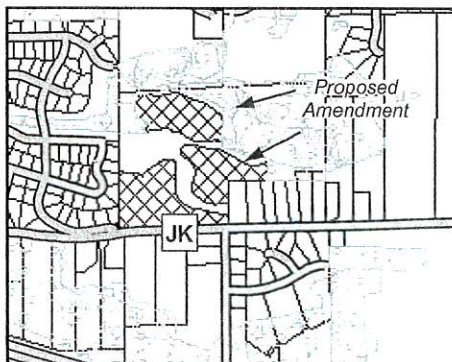
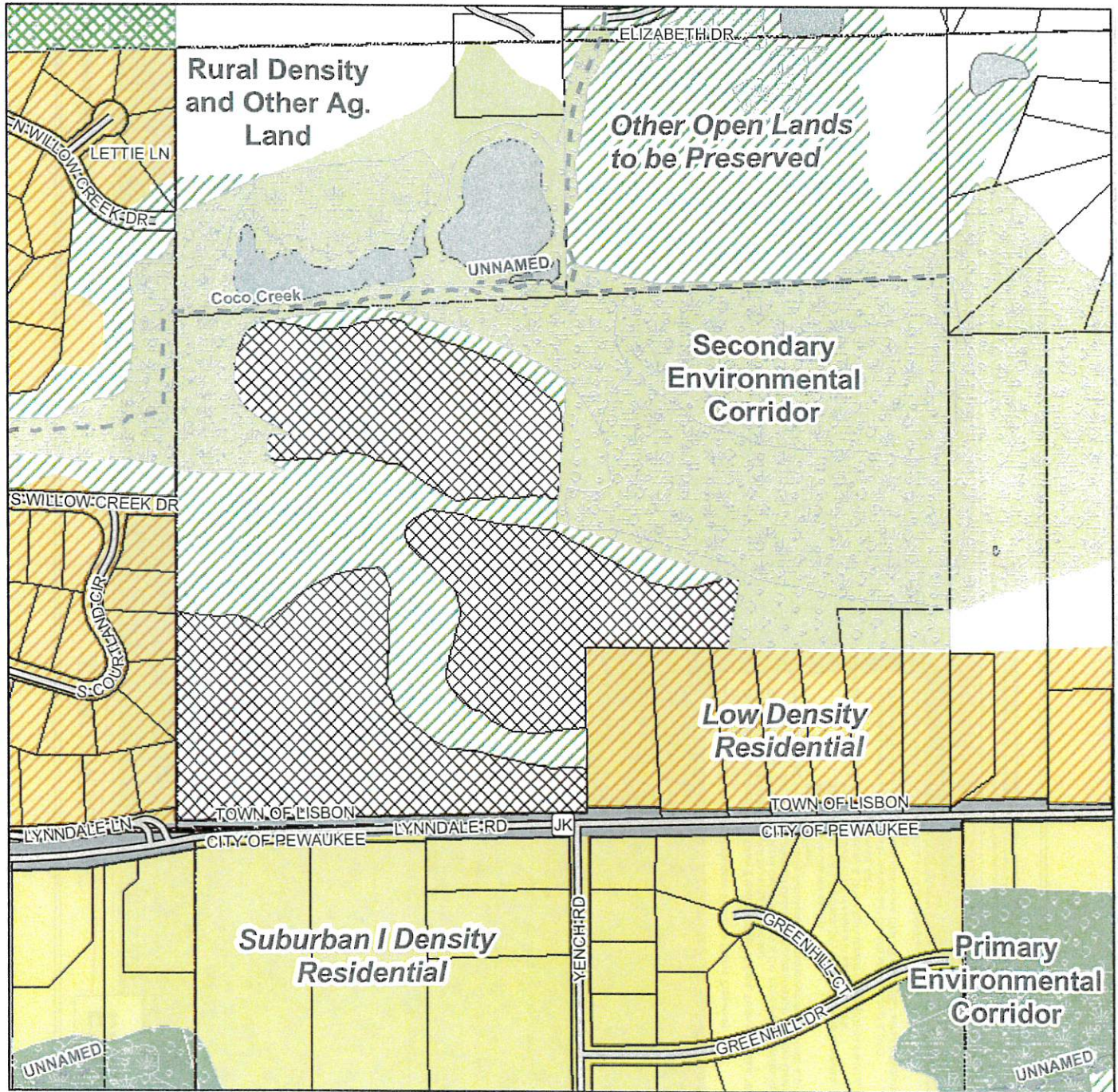
Benjamin Greenberg




Ben Greenberg
Senior Planner

Attachments: Amendment Map
Exhibit A - Concept Map

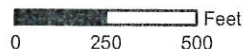
DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 31,
TOWN OF LISBON



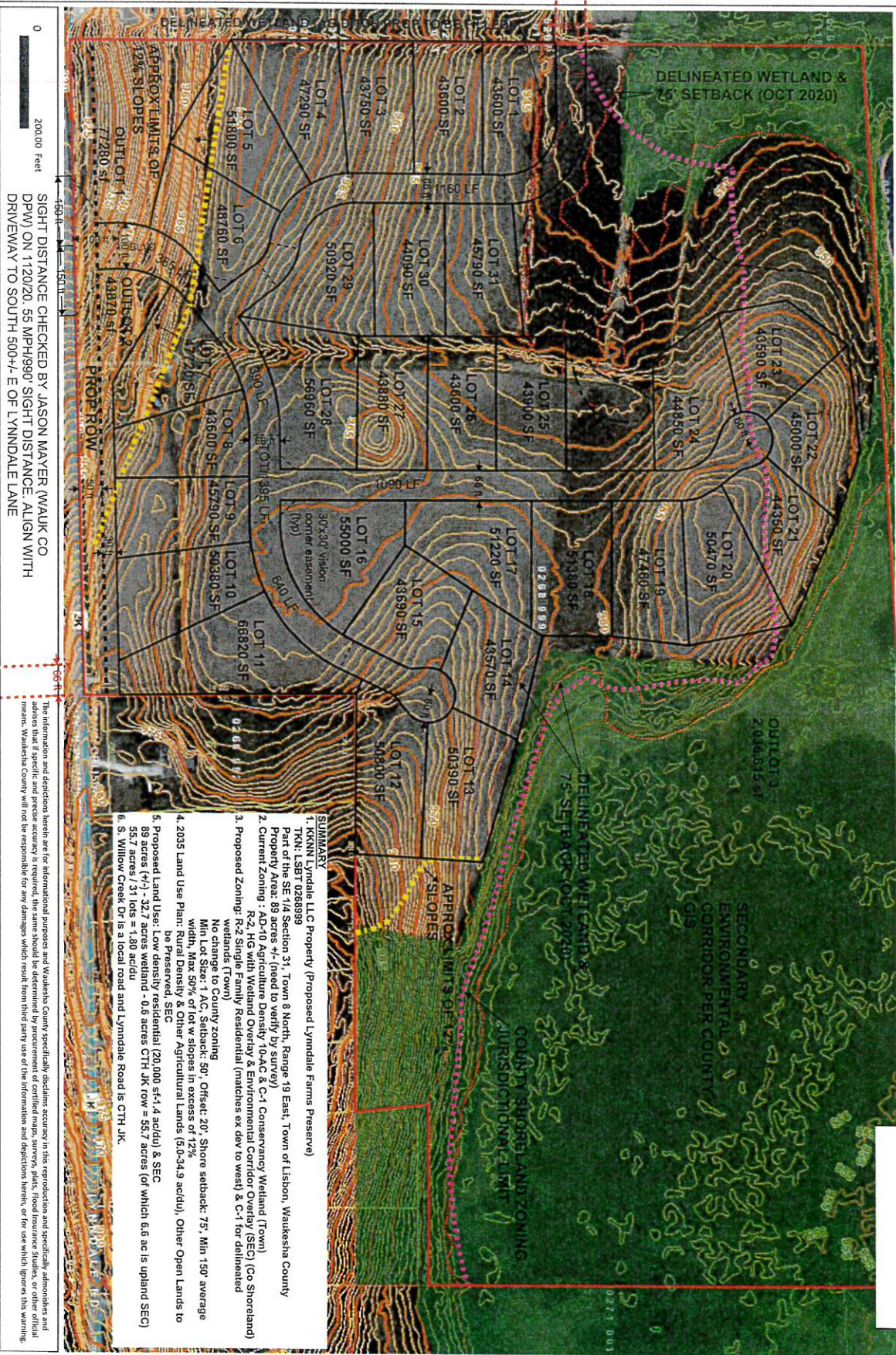
-  COUNTY DEVELOPMENT PLAN AMENDMENT FROM RURAL DENSITY AND OTHER AGRICULTURAL TO SUBURBAN I DENSITY RESIDENTIAL
-  ENVIRONMENTAL CORRIDOR
-  WETLANDS

PETITIONER.....Mike Kaerek
 DATE OF PUBLIC HEARING.....03/18/21
 AREA OF CHANGE.....37.3 ACRES



Prepared by the Waukesha County Department of Parks and Land Use

EXHIBIT A



0 200.00 Feet
SIGHT DISTANCE CHECKED BY JASON MAYER (WALUK CO DPW) ON 11/20/20. 55 MPH/990' SIGHT DISTANCE. ALIGN WITH DRIVEWAY TO SOUTH 500'-/- E OF LYNDALE LANE

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

Legend

- Environmental Corridors 2015
- Wetland
- Isolated Natural Resource Area
- Isolated Natural Resource Area Wetland
- Primary Env. Corridor
- Primary Env. Corridor Water
- Secondary Env. Corridor
- Secondary Env. Corridor Water
- FEMA Floodplain
- 0.2% Chance Flood
- 1% Chance Flood (From A No Dam)
- 1% Chance Flood Area (Zone AEV)
- AEV, Floodway
- DNR Flood Storage Maps
- Index Contours
- Intermediate Contours
- Municipal Boundary_2K
- Facility/Sites_2K_Labels
- Lot_2K
- Lot
- Quail
- Unit
- Simultaneous/Conveyance_2K
- Assessor Plat
- CSM
- Condominium
- Subdivision
- Cardinal_2K
- Other values
- Exceptional_Line
- Pr_Centerline_Tw_line
- Pr_Centerline_Th_line
- Pr_Roadway_Line
- Pr_Road
- Pr_Tw_Line
- Road Centerlines_2K
- Railroad_2K
- TaxParcel_2K
- Waterbodies_2K_Labels
- Waterlines_2K_Labels

Notes

Developer: MKS-EP, LLC
Attn: Mike Karek
11600 W Lincoln Ave
West Allis, WI 53227

Engineer: Primarac Engineering Group
Attn: Anthony Zanon
20725 Calverton Rd, Suite 100
Brookfield, WI 53186

31 LOTS
3645 LF OF ROAD

CONCEPT SITE PLAN
LYNDALE FARMS PRESERVE
REVISED 11/23/2020
PEG # 2105.00-W1

1 YEAR 2021 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT
2 PLAN FOR WAUKESHA COUNTY (2A – PETERSON, SECTION 13,
3 T8N, R17E, TOWN OF OCONOMOWOC)
4
5

6 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
7 Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County;
8 and
9

10 WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual
11 update and amendment procedures; and
12

13 WHEREAS, on February 25, 2021, the Waukesha County Park and Planning Commission held a
14 Public Hearing to receive testimony on proposed changes to the Comprehensive Development
15 Plan for Waukesha County; and
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17 WHEREAS, the staff has identified in a "Staff Report and Recommendation" dated March 18,
18 2021, a summary of the Public Hearing comments and a Staff Recommendation for the
19 proposed change to the Comprehensive Development Plan for Waukesha County; and
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21 WHEREAS, the "Staff Report and Recommendation" has been reviewed by the Waukesha
22 County Park and Planning Commission on March 18, 2021, and a recommendation was
23 reported to the Land Use, Parks and Environment Committee and the Waukesha County Board
24 of Supervisors as required in the Comprehensive Development Plan for Waukesha County.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the
27 following amendment is hereby approved to the Year 2035 Comprehensive Development Plan
28 for Waukesha County.
29

30 2. In the Town of Oconomowoc, the following requests are being made:
31

- 32 A. **Scott Peterson**, W343 N7205 North Pole Lane, Oconomowoc, WI 53066,
33 representing property owned by Cyrus Peterson, W343 N7303 North Pole Lane,
34 Oconomowoc, WI 53066-1369, requests property located in part of the SW ¼
35 and SE ¼ of Section 13, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT
36 0484.990.003), be amended from the Farmland Preservation category to the
37 Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling
38 unit), to allow for two new lots and the existing residence to be divided from the
39 balance of the property.
40

41 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
42 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
43

44 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this
45 Ordinance with the Town Clerk of Oconomowoc.

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2021 Amendment to the Comprehensive Development Plan for Waukesha County, (2A – Peterson, Section 13, T8N, R17E, Town of Oconomowoc) hereby recommends approval.

PARK AND PLANNING COMMISSION

March 18, 2021

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Bonnie Morris (via Microsoft Teams)

Bonnie Morris

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2021 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
2(A) SCOTT PETERSON, TOWN OF OCONOMOWOC

DATE: March 18, 2021

PUBLIC HEARING DATE:
Thursday, February 25, 2021, 1:00 p.m.

REQUEST:
2(A) Year 2021 amendment to the Comprehensive Development Plan.

Scott Peterson, W343 N7205 North Pole Lane, Oconomowoc, WI 53066, representing property owned by Cyrus Peterson, W343 N7303 North Pole Lane, Oconomowoc, WI 53066-1369, requests property located in part of the SW ¼ and SE ¼ of Section 13, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 0484.990.003), be amended from the Farmland Preservation category to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit), to allow for two new lots and the existing residence to be divided from the balance of the property.

EXISTING LAND USE CATEGORY:
Farmland Preservation category.

PROPOSED LAND USE CATEGORY:
Suburban 1 Density Residential category.

PUBLIC REACTION:
None.

TOWN ACTION:
The Town of Oconomowoc Board unanimously approved the related town plan amendment request on January 18, 2021.

STAFF ANALYSIS:
The petitioner owns a 36-acre parcel at the north end of North Pole Ln. His residence is located on the west side of the parcel. A similar request was approved several years ago to create a new lot for a family member immediately to the southeast. The proposal is to remove approximately 7.6 acres from the Farmland Preservation category to allow for the existing home to be split from the property and allow for two additional potential future lots either side of the home. Much of the area to be reclassified is currently uncultivated and vegetated with grass. A small area of the farm field is requested to be removed from farmland preservation.

Most all farmland within the area north of CTH K in the Town of Oconomowoc is planned and zoned for farmland preservation. This is a small farm property with a limited area in cultivation. Because the property has no density remaining, the only way to consider additional units is by amending the plan. The town has signaled their support of the proposal given the unique conditions of the property and the effort to avoid uncultivated lands.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The proposal will allow for two potential additional lots for family members while leaving the vast majority of the cultivated land within the farmland preservation category.

Respectfully submitted,

Jason Fruth

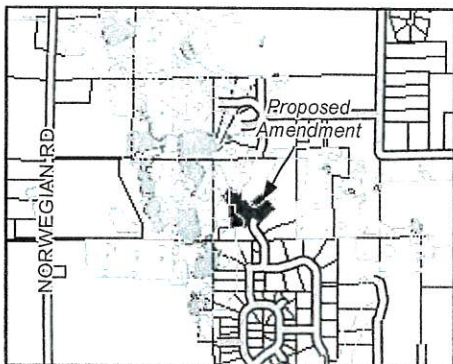
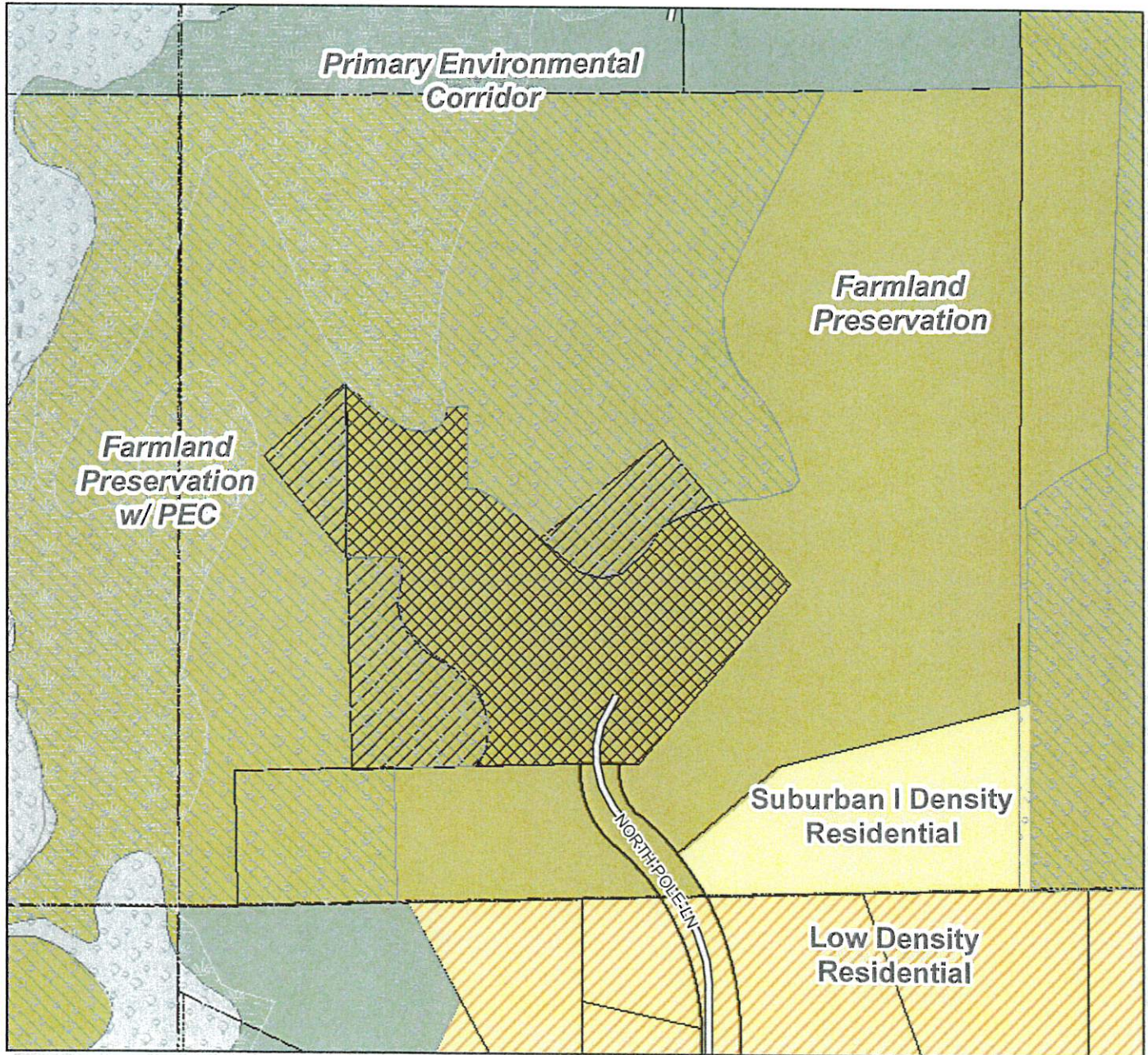
Jason Fruth
Planning Manager






Attachment: Map

N:\PRKANDLU\Planning and Zoning\Waukesha County Land Development Plan\STAFF REPORT AND RECOMMENDATION\2021\2A Peterson oct.doc

DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 13,
TOWN OF OCONOMOWOC



-  COUNTY DEVELOPMENT PLAN AMENDMENT FROM FARMLAND PRESERVATION TO SUBURBAN I DENSITY RESIDENTIAL
-  COUNTY DEVELOPMENT PLAN AMENDMENT FROM FARMLAND PRESERVATION W/ PEC TO PRIMARY ENVIRONMENTAL CORRIDOR
-  ENVIRONMENTAL CORRIDOR
-  WATER
-  WETLANDS

PETITIONER.....Scott Peterson
 DATE OF PUBLIC HEARING.....03/18/21
 AREA OF CHANGE.....7.6 ACRES



Prepared by the Waukesha County Department of Parks and Land Use

1 YEAR 2021 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN
2 FOR WAUKESHA COUNTY (3A – SCHOOL SECTION LAKE MANAGEMENT
3 DISTRICT, SECTION 17, T6N, R17E, TOWN OF OTTAWA)
4
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6 WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors in Enrolled
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24 of Supervisors as required in the Comprehensive Development Plan for Waukesha County.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the
27 following amendment is hereby approved to the Year 2035 Comprehensive Development Plan
28 for Waukesha County.
29

30 3. In the Town of Ottawa, the following request is being made:
31

- 32 A. ***School Section Lake Management District***, P.O. Box 310, Dousman, WI 53118,
33 represented by John Manthe, Treasurer, requests property described as Parcel 8,
34 CSM No. 710, part of the SE ¼ of Section 17, T6N, R17E, Town of Ottawa (Tax Key
35 No. OTWT 1652.994.002), be amended from the Suburban II Density Residential
36 (3.0 to 4.9 acres of area per dwelling unit) to the Governmental and Institutional
37 category to allow for lake district use of the property.
38

39 BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned
40 amendment is on file in the office of the Waukesha County Department of Parks and Land Use.
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42 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this
43 Ordinance with the Town Clerk of Ottawa.

COMMISSION ACTION

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PARK AND PLANNING COMMISSION

March 18, 2021

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Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Bonnie Morris (via Microsoft Teams)

Bonnie Morris

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION FOR A YEAR 2021 AMENDMENT TO THE
COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY
3(A) SCHOOL SECTION LAKE MANAGEMENT DISTRICT,
TOWN OF OTTAWA

DATE: March 18, 2021

PUBLIC HEARING DATE:
Thursday, February 25, 2021, 1:00 p.m.

REQUEST:
3(A) Year 2021 amendment to the Comprehensive Development Plan.

School Section Lake Management District, P.O. Box 310, Dousman, WI 53118, represented by John Manthe, Treasurer, requests property described as Parcel 8, CSM No. 710, part of the SE ¼ of Section 17, T6N, R17E, Town of Ottawa (Tax Key No. OTWT 1652.994.002), be amended from the Suburban II Density Residential and Other Open Lands to be Preserved category (3.0 to 4.9 acres of area per dwelling unit) to the Governmental and Institutional category to allow for lake district use of the property.

EXISTING LAND USE CATEGORY:
Suburban II Density Residential and Other Open Lands to be Preserved category.

PROPOSED LAND USE CATEGORY:
Governmental and Institutional category with Other Open Lands to be Preserved to remain.

PUBLIC REACTION:
Mr. Manthe, Treasurer for the School Section Lake Management Board, indicated they have been using the property for weed storage for approximately 40 years. They would like the opportunity to construct a small building for the storage of tools and supplies to support the weed harvesting operation, currently everything is stored outside. A future pavilion is also being proposed, accessible for the residents included in the management district.

TOWN ACTION:
The Town of Ottawa approved a related town plan amendment on November 11, 2019.

STAFF ANALYSIS:
The School Section Lake Management District (SSLMD) purchased the vacant six-acre property in 2017, and it is currently used to overwinter a weed harvester, store a dump truck and store cut lake weeds.

The subject property is located at the west terminus of Dolmar Park Road and access to the property is achieved by crossing the 60-wide strip of land they own a 1/6 interest in. This strip of land is also used to gain access to the lake for the weed harvester. The SSLMD has a Land Use Permit (LUP)/MOU with the Waukesha County Department of Parks and Land Use - Parks System Division so that they can utilize the County property to physically access School Section Lake and dock the weed harvester because, while the 60 foot strip abuts the lake, it has wetland at the shore making the lake non-accessible from the SSLMD parcel. The County also maintains (mows) the SSLMD site through the LUP/MOU.

The six-acre SSLMD property contains wetland, PEC, floodplain, hydric soils, a stream along the west lot line and in the southwest corner of the property and is located within the Dousman Sewer Service Area. While a wetland and PEC delineation was conducted in 2010, that was more than 5 years ago and the SSLMD has requested the Southeastern Wisconsin Regional Planning Commission conduct a delineation or verify the 2010 delineation as they are proposing to construct a storage building in the near future and possibly a picnic pavilion in the more distant future, and will need to know where the specific building envelope is on the property as the buildable area is limited due to the abundance of natural resource features located on the parcel. The building will be used to store and maintain the weed harvester, dump truck, and other parts and equipment, and will require the necessary permits from the Town and the County. Lake weeds are currently disposed of on the site. The weeds are allowed to dewater and decompose. SSLMD estimates that 95% of the weed matter breaks down into soil. The petitioner intends to also seek rezoning of the parcel to P-I after the plan amendment is complete.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The plan amendment brings the property into a category that is consistent with the current and planned use of the property. The property will serve both the maintenance functions and future passive recreational plans that the petitioner has for the property.

Respectfully submitted,

Jason Fruth

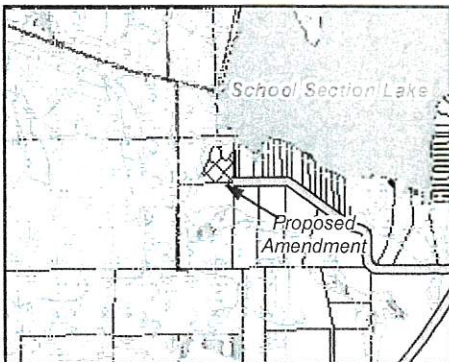
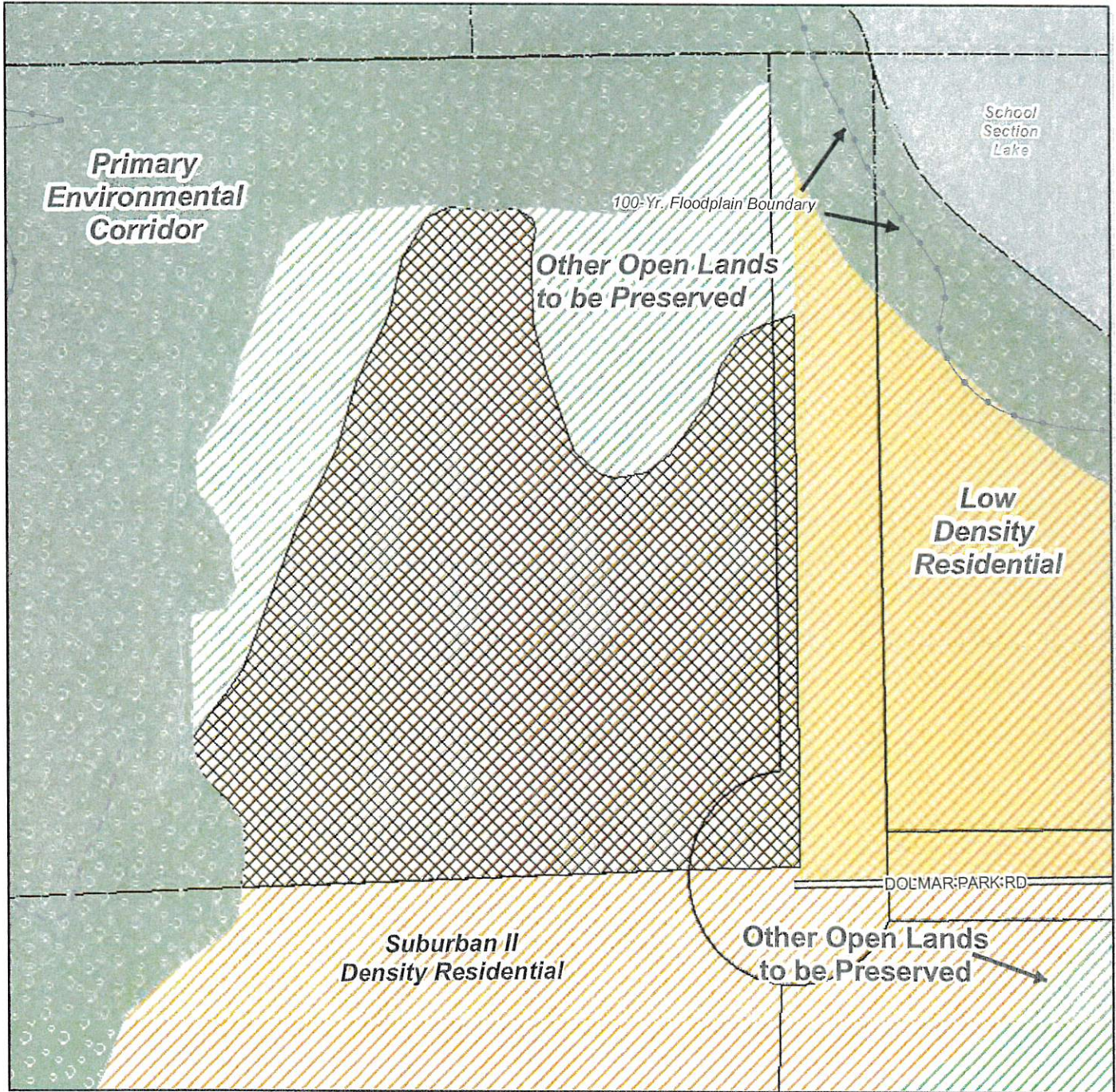
Jason Fruth
Planning Manager

Attachment: Map

N:\PRKANDLU\Planning and Zoning\Waukesha County Land Development Plan\STAFF REPORT AND RECOMMENDATION\2021\3A School Section Lake Mgmt Dist owt.doc

DEVELOPMENT PLAN AMENDMENT

PART OF SECTION 17,
TOWN OF OTTAWA



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM SUBURBAN II RESIDENTIAL TO GOVERNMENTAL AND INSTITUTIONAL

 ENVIRONMENTAL CORRIDOR

 WETLANDS

PETITIONER.....School Section Lake Management District

DATE OF PUBLIC HEARING.....03/18/21

AREA OF CHANGE.....2.8 ACRES



Prepared by the Waukesha County Department of Parks and Land Use

1 AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND
2 FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE
3 FOR THE TOWN OF OCONOMOWOC BY CONDITIONALLY REZONING CERTAIN LANDS
4 LOCATED IN PART OF THE NE ¼ AND THE NW ¼ OF SECTION 26, T8N, R17E, TOWN
5 OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN, FROM A-T AGRICULTURAL
6 TRANSITION DISTRICT TO THE R-2 RESIDENTIAL DISTRICT (RZ72)
7
8

9 WHEREAS, after proper notice was given, a public hearing was held and the subject matter of
10 this Ordinance was approved by the Oconomowoc Town Board on February 15, 2021; and
11

12 WHEREAS, the matter was referred to and considered by the Waukesha County Park and
13 Planning Commission, which recommended approval and reported that recommendation to the
14 Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors,
15 as required by Sections 59.69 and 59.692, Wis. Stats.
16

17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the
18 Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23, 1970,
19 for the Town of Oconomowoc, Waukesha County, Wisconsin, and the Waukesha County Zoning
20 Code adopted by the Waukesha County Board of Supervisors, on February 26, 1959, are hereby
21 amended to conditionally rezone certain lands located in part of the NE ¼ and the NW ¼ of
22 Section 26, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin, from the A-T
23 Agricultural Transition District to the R-2 Residential District, and more specifically described in
24 the "Staff Report and Recommendation" and map on file in the office of the Waukesha County
25 Department of Parks and Land Use and made a part of this Ordinance by reference RZ72, is
26 hereby approved, subject to the following conditions:
27

- 28 1. There shall be a maximum of seventy-seven (77) dwelling units.
- 29
30 2. Compliance with all the requirements of the Town of Oconomowoc Land Division
31 Ordinance and the Waukesha County Shoreland and Floodland Subdivision Control
32 Ordinance.
- 33
34 3. The subdivision plat shall be reviewed and approved by the Town of Oconomowoc Plan
35 Commission, Town Board and Waukesha County.
- 36
37 4. The development shall comply in all respects, with the Waukesha County Stormwater
38 Management and Sediment and Erosion Control Ordinance.
- 39
40 5. The petitioner shall comply with all requirements of Waukesha County Department of
41 Public Works regarding all necessary improvements to the intersection of Snyder Lane
42 and Brown Street (CTH P).
- 43
44 6. A pedestrian pathway shall be provided between Amy Lane and the cul de sac adjacent
45 to Lots 1 and 51.

46
47 BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this
48 Ordinance with the Town Clerk of Oconomowoc.
49
50 BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage,
51 approval and publication.

COMMISSION ACTION

The Waukesha County Park and Planning Commission, after giving consideration to the subject matter of the Ordinance to amend the Waukesha County Shoreland and Floodland Protection Ordinance and Waukesha County Zoning Code, hereby recommends **approval** of **(RZ72 F & M Snyder Family, LLC)** in accordance with the attached "Staff Report and Recommendation".

PARK AND PLANNING COMMISSION

March 18, 2021

William Mitchell (via Microsoft Teams)

William Mitchell, Chairperson

James Siepmann (via Microsoft Teams)

James Siepmann, Vice Chairperson

Robert Peregrine (via Microsoft Teams)

Robert Peregrine

Richard Morris (via Microsoft Teams)

Richard Morris

Thomas Michalski (via Microsoft Teams)

Thomas Michalski

Bonnie Morris (via Microsoft Teams)

Bonnie Morris

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATION
ZONING MAP AMENDMENT

DATE: March 18, 2021

FILE NO.: RZ72

OWNER: F & M Snyder Family, LLC
634 David Street
Lake in the Hills, IL 60102

APPLICANT: Mark Augustine
LandMark Engineering Sciences, Inc.
119 Coolidge Avenue, Suite 100
Waukesha, WI 53186-6602

TAX KEY NO.: OCOT 0533.998.001

LOCATION:

The property is located in part of the NE ¼ and NW ¼ of Section 26, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W359 N6280 Brown Street, containing approximately 79.5 acres.

EXISTING LAND USE: Agricultural.

PROPOSED LAND USE: 77-lot Single-family residential subdivision

EXISTING ZONING: A-T Agricultural Transition District.

PROPOSED ZONING: R-2 Residential District.

PUBLIC HEARING DATE: January 18, 2021

PUBLIC REACTION:

Several residents asked questions specifically related to design, including average lot width, the multiple cul de sacs, and if there was going to be a park area. One resident asked if the lots were still going to be served by private septic and well.

TOWN PLAN COMMISSION AND TOWN BOARD ACTION:

At their February 1, 2021 meeting, the Town of Oconomowoc Plan Commission recommended to the Town Board approval of the rezone subject to several conditions. On February 15, 2021, the Town Board recommended approval of the request, subject to conditions incorporated herein.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY AND THE TOWN OF OCONOMOWOC LAND USE PLAN:

The property is designated as Low Density Residential (20,000 sq. ft. – 1.4 acres per dwelling unit) on the Comprehensive Development Plan for Waukesha County and the Town of Oconomowoc Land Use Plan. The proposal complies with both plans.

STAFF ANALYSIS:

The petitioners are proposing to rezone 79.5 acres from the A-T Transitional District to the R-2 Residential District to facilitate a 77-lot single-family residential subdivision (Exhibit A). The subject property is currently farmland and does not contain any structures. The property has frontage along C.T.H. P to the west, is south of Snyder Lane and north of Lakeview Acres subdivision. There are single-family subdivisions to the west of C.T.H. P in the City of Oconomowoc, as well as subdivisions to the south and east in the Town. A 79-acre farm parcel exists on the north side of Snyder Lane that is also zoned A-T. The proposed zoning category is consistent with the neighboring subdivisions.

The property is subject to both the Waukesha County Shoreland and Floodland Protection Ordinance and the County Zoning Code. Lands zoned A-T District are generally farmed lands that may also have development potential. A 2018 conditional rezone from the A-T District to the R-2 District approved a maximum of 71 dwelling units on the subject lands. The proposal dealt with challenges mainly related to street connectivity to the south and stormwater management. Ultimately, the plat was withdrawn after multiple iterations were reviewed by the Town and County. A new rezone is required for the subject lands, as this development consists of six more parcels than permitted through the previous rezone.

The R-2 Residential District requires a 30,000 sq. ft. minimum lot size and an average width of 120 ft. Corner lots require a 20% to the average width, resulting in a minimum average width of 144'. Lots also must be at least 150 ft. in depth. A preliminary review shows that a minimum of eight lots do not meet some or all of these lot design requirements. If the rezone is approved, these issues will be addressed through the plat approval process.

The proposed development has a few different design elements than previous iterations. An extension of Frederick Drive to an undeveloped 10-acre parcel northeast of the development provides future opportunities for development of that parcel. A proposed trail traverses the perimeter of Outlot 4 and connects to Snyder Lane through Lots 11 and 12, near the controlled intersection at C.T.H. P and Snyder Lane. The Department of Public Works is requiring improvements to be made to the controlled intersection, including a left turn lane for southbound traffic onto C.T.H. P, and pedestrian accommodations to safely cross C.T.H. P. The lots will be served by private well and septic systems. Additional soil tests will be required to ensure each additional lot is suitable for an on-site private septic system. Stormwater management requirements could result in layout changes or reduction of the lot count.

The development has two access connections onto Snyder Lane that are just over 1,000 ft. apart. Following town opposition, no public road connection to Lakeview Acres subdivision to the south is proposed. The town was agreeable to eliminating such a connection but expressed a desire for a pedestrian pathway between Amy Lane and the proposed cul de sac near Lot 51.

STAFF RECOMMENDATION:

The Planning and Zoning Division Staff recommends this request be **approved**, subject to the following conditions, which are inclusive of the Town's conditions.

1. There shall be a maximum of seventy-seven (77) dwelling units.
2. Compliance with all the requirements of the Town of Oconomowoc Land Division Ordinance and the Waukesha County Shoreland and Floodland Subdivision Control Ordinance.
3. The subdivision plat shall be reviewed and approved by the Town of Oconomowoc Plan Commission, Town Board and Waukesha County.

4. The development shall comply in all respects, with the Waukesha County Stormwater Management and Sediment and Erosion Control Ordinance.
5. The petitioner shall comply with all requirements of Waukesha County Department of Public Works regarding all necessary improvements to the intersection of Snyder Lane and Brown Street (C.T.H. P).
6. A pedestrian pathway shall be provided between Amy Lane and the cul de sac adjacent to Lots 1 and 51.

The A-T Agricultural Transitional District is intended to recognize farmland in transitional areas that may have future development value. The Town and County Land Use Plans designate this parcel as residential, which is consistent with the existing surrounding development. In addition, the site has ready access to shopping and services along C.T.H. P. The subdivision plat review process will ensure all requirements of the Town of Oconomowoc Land Use Plan and the Waukesha County Codes are being complied with, prior to final approval. The proposed zoning change is consistent the intent and purpose of the Waukesha County Zoning Codes and Development Plan.

Respectfully submitted,

Rebekah Leto

Rebekah Leto
Senior Planner

Attachment: Exhibit A – Concept Plan
Map

N:\PRKANDLU\Planning And Zoning\Rezoning\Staff Reports\RZ72 F And M Snyder Family LLC_Augustine Oct.Doc

LAND MARK
 ENGINEERING SCIENCE, INC.
 119 W. WISCONSIN ST. SUITE 100
 WAUKESHA, WI 53150
 (414) 710-2789

SURVEYOR:
 MARK ARDSTINE, PLS

SURVEY FOR:
 FRANK SNYDER FAMILY LLC

PROPERTY:
 OCONOMOWOC, WI 53086



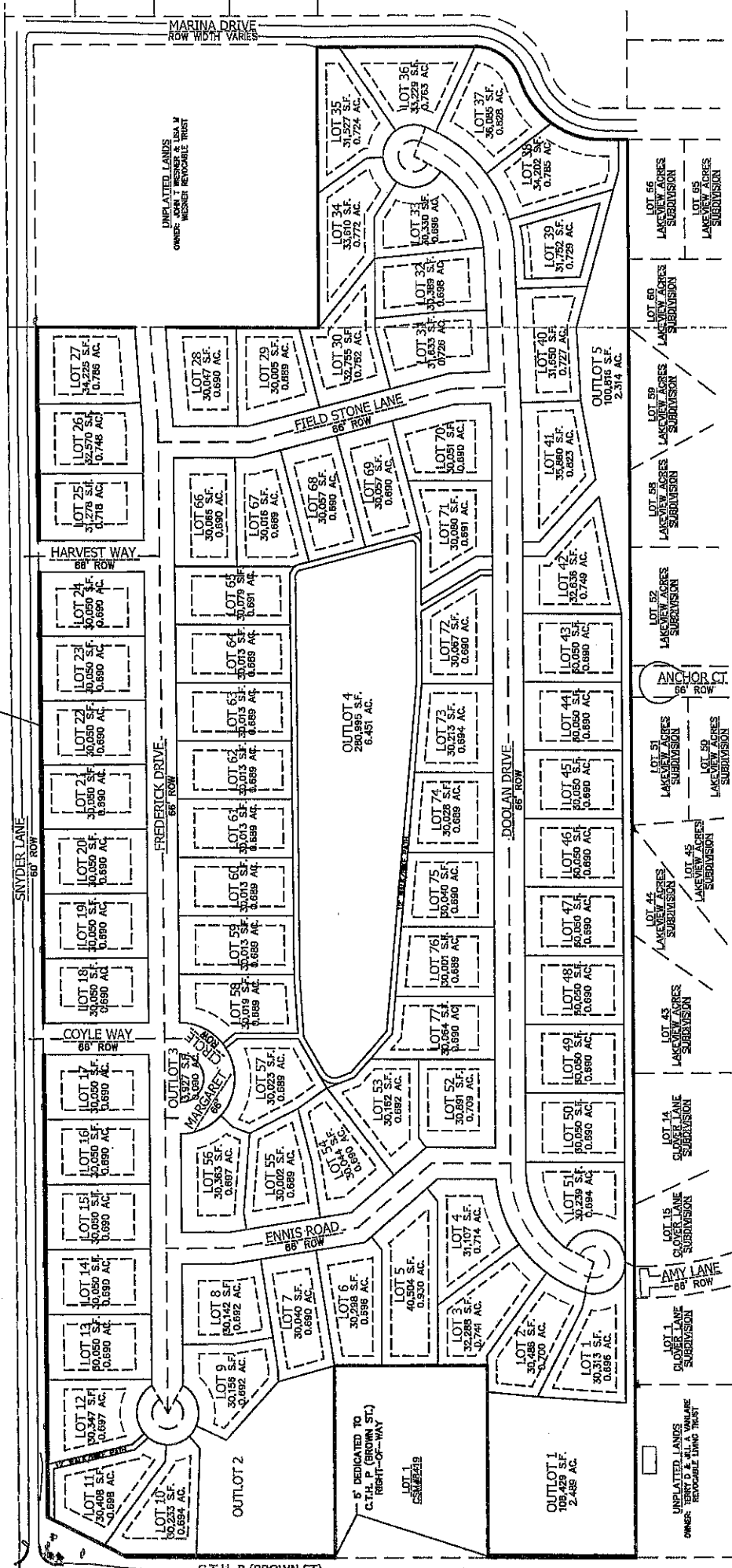
EXHIBIT A

RECEIVED
 Waushara County Dept Parks
 and Land Use
 1/18/2021

THE SNYDER FARM SUBDIVISION CONCEPT LAYOUT #9D

BEING A PART OF THE NW 1/4 AND NE 1/4 OF THE NW 1/4, AND THE NW 1/4 OF THE NE 1/4 OF SECTION 26, T.8N., R.17E., TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

5' DEDICATED TO
 RIGHT-OF-WAY



UNPLATTED LANDS
 OWNER: JOHN T. WESSNER & LARA M. WESSNER REVOCABLE TRUST

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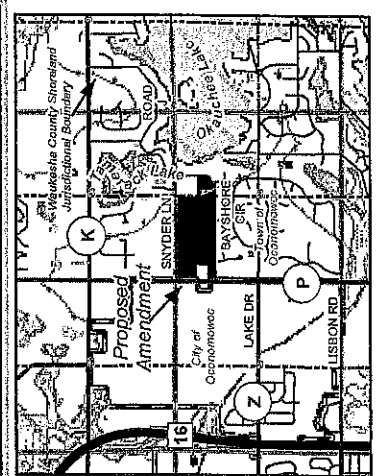
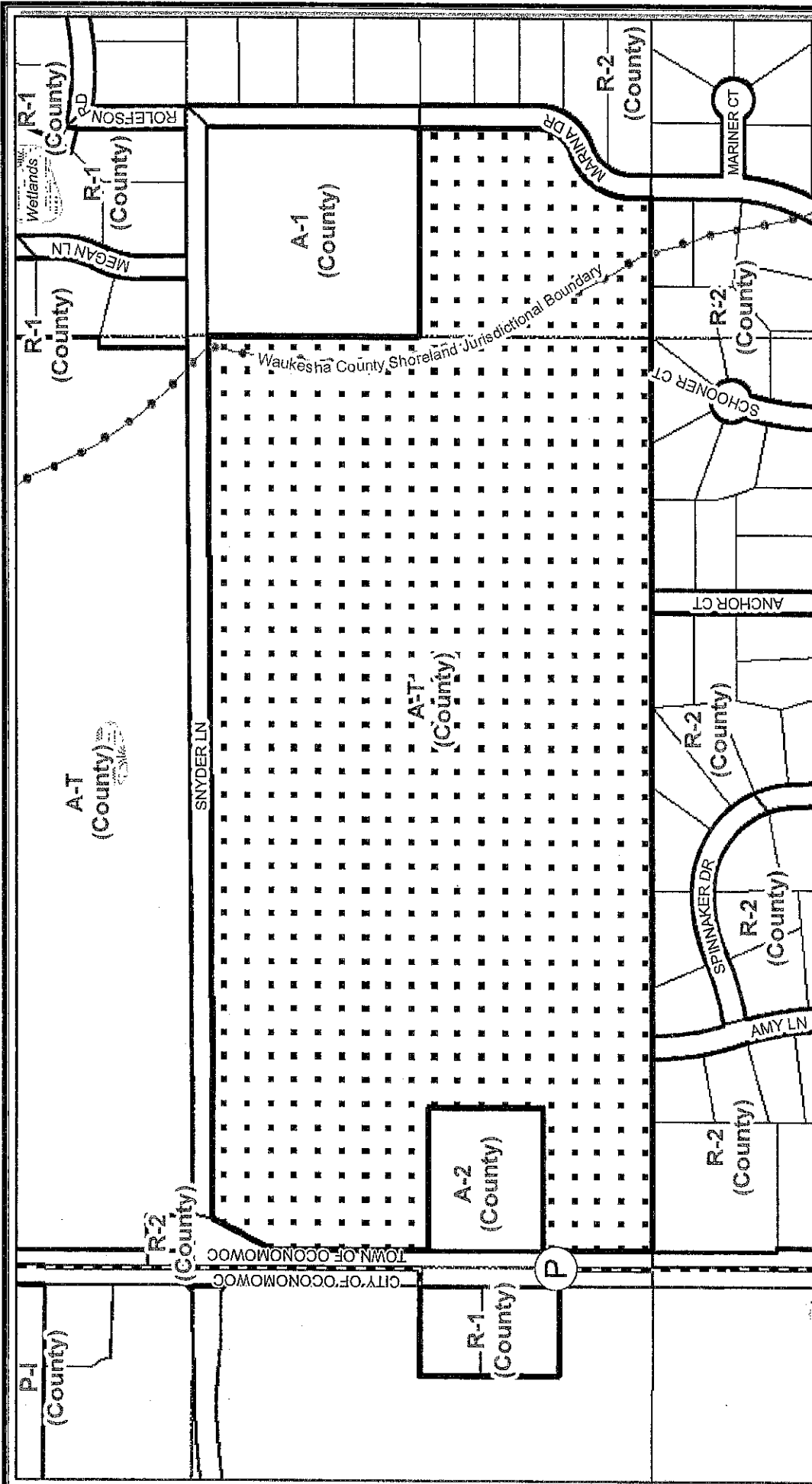
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CONDITIONAL COUNTY ZONING CHANGE FROM A-T AGRICULTURAL TRANSITION DISTRICT TO R-2 RESIDENTIAL DISTRICT

FILE.....RZ72
 DATE OF PLAN COMMISSION.....03/18/21
 AREA OF CHANGE.....79.5 ACRES
 TAX KEY NUMBER.....OCOT 0533.998.001

1 inch = 400 feet

0 200 400 Feet

Prepared by the Waukesha County Department of Parks and Land Use

ZONING AMENDMENT

PART OF THE NW 1/4 & NE 1/4 OF SECTION 26 TOWN OF OCONOMOWOC

ORDER TO ATTACH TERRITORY TO THE PHANTOM
LAKES MANAGEMENT DISTRICT

WHEREAS, on January 13, 2021, a petition was filed with Waukesha County requesting the attachment of territory to the Phantom Lakes Management District and was accompanied by a map and a description indicating the area and boundaries of the proposed territory to be attached; and

WHEREAS, Waukesha County held a public hearing on February 9, 2021 pursuant to §33.26 Wis. Stats. and one comment was received in opposition of the attachment, which is recorded in a report submitted to the County Board by the Land Use, Parks and Environment Committee.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA makes the following order:

Based on the above noted report on this matter from the Waukesha County Land Use, Parks and Environment Committee, this Board finds and concludes:

1. That the petition filed on January 13, 2021 was signed by the Phantom Lakes Management District Board Chairman, Joe Graczyk.
2. That attachment of the territory to the district is necessary.
3. That the public health, comfort, convenience, necessity or public welfare will be promoted by the attachment of this territory to the district.
4. That the territory to be attached to the district will be benefited by being in the district.

Based on the above findings and conclusions,

IT IS HEREBY ORDERED THAT:

1. Pursuant to §33.33 Wis. Stats., the territory shall be attached to the Phantom Lake Management District. The territory is described as:

Lot 1 of Certified Survey Map 11953 in the Village of Mukwonago, Waukesha County, Wisconsin.

The territory to be attached to the district is as illustrated in Exhibit "A".

Dated this ___ day of _____, 2021.

Paul L. Decker
Chairman, Waukesha County Board of
Supervisors

Meg Wartman
Waukesha County Clerk

WAUKESHA COUNTY LAND USE, PARKS AND ENVIRONMENT COMMITTEE

REPORT, FINDINGS AND RECOMMENDATIONS

**PROPOSED TERRITORY ATTACHMENT TO THE PHANTOM LAKES
MANAGEMENT DISTRICT**

DATE: February 24, 2021

LOCATION OF PROPERTY:

Lot 1 of Certified Survey Map 11953 in the Village of Mukwonago, Waukesha County, Wisconsin recorded with the Waukesha County Register of Deeds on July 29, 2020 as document # 443148 (Tax Key No. MUKV2009965003).

BACKGROUND INFORMATION:

On January 13, 2021, a petition was filed with Waukesha County for the attachment of territory to the Phantom Lakes Management District (“District”) pursuant to Chapter 33, Wisconsin Statutes.

On January 20, 2021, County Board Chairman Paul Decker appointed an ad-hoc committee (the “Phantom Lake Management District Committee”) to conduct a public hearing on behalf of the County Board. Members of the ad-hoc committee included the following:

Bill Mitchell, Chairman of Parks, Land Use and Environment committee
Perry Lindquist, Land Resources Manager
Demetra Christopoulos , Principal Assistant Corporation Counsel
Alan Barrows, Senior Conservation Specialist
Darlene Johnson, County Board Supervisor District 25

To fulfill requirements detailed under s. 33.26 Wis. Stats., with regard to the attachment of territory to an existing public inland lake protection and rehabilitation district (“Lake Management District”), the Phantom Lake Management District Committee held a “virtual” public hearing on February 9, 2021 via Microsoft Teams. The landowner of the proposed territory attachment was notified of the hearing in a letter sent by U.S. Mail and by telephone. A legal notice announcing the public hearing date and information on how to join the hearing appeared in the Waukesha Freeman on February 2, 2021. The Wisconsin Department of Natural Resources was also notified of the hearing date through an email dated February 8, 2021. At the hearing, all interested persons were provided the opportunity to ask questions and offer objections, criticisms or suggestions as to the necessity of the proposed territory attachment as outlined and to the question of whether the district (or lake) would be benefited by the inclusion of their property within the district.

PUBLIC HEARING DATE: February 9, 2021

PUBLIC REACTION:

Prior to the public hearing, the opportunity to file objections to the attachment of territory to the Phantom Lakes Management District was presented. Written objections were to be sent to Alan Barrows, Sr. Conservation Specialist with the Waukesha County Department of Parks and Land Use – Land Resources Division. The process of how to file objections was made known through the public hearing notice, in the letter sent to the landowner of the proposed territory attachment and on the Waukesha County website. The landowner filed an objection to the proposed territory by email to Alan Barrows. The written objection was read aloud at the public hearing for the record.

A total of fifteen people attended the public hearing on February 9, 2021 via Microsoft Teams. Four people were Waukesha County staff. Two people were Waukesha County Board Supervisors. The remaining ten people had an interest in the proposed attachment of territory to the existing Lake District boundary.

Prior to the public hearing, Alan Barrows provided an overview of Phantom Lakes, the Phantom Lakes Management District boundary, the petition filed with Waukesha County and the process for attaching territory to the existing Lake District. Attendees raised questions and provided comments about the proposed territory attachment. Additional details about the public hearing are included in the attached public hearing meeting minutes.

CONSIDERATIONS:

To fulfill requirements detailed under s. 33.33(2) Wis. Stats., the County Board shall, within 6 months after the date of the public hearing, issue its order relative to the attachment of territory to the district. In making its order, the Board shall find, after consideration of the Phantom Lake District Committee report and any other evidence submitted to the Board, the following:

1. That the petition is signed by the Phantom Lake Management District Board Chairman, Joe Graczyk.
2. That the proposed territory attachment to the district is necessary.
3. That the public health, comfort, convenience, necessity or public welfare will be promoted by attachment of this territory to the district.
4. That the property to be included in the district will be benefited by being in the district.

STAFF RECOMMENDATION:

The criteria stated above were examined by the staff of the Waukesha County Department of Parks and Land Use-Land Resources Division. To determine the necessity or benefits of attaching territory to the lake management district, it is important to understand the intent of the public inland lake protection and rehabilitation district law. Increasing use of lakes and changing land uses can contribute to the decline of water quality. Resolving lake problems can be complicated, time consuming and require a financial commitment. Typically, voluntary lake associations lack sufficient legal and financial resources to undertake many lake management activities. Creation of the law (Chapter 33 Wisconsin Statutes) enables concerned citizens to organize a special purpose district to protect or improve a lake. Therefore, it is the opinion of the staff that:

1. The petition that was signed by the Phantom Lakes Management District Board Chairman initiates the attachment proceedings and satisfies the requirement for a "motion" by the Lake District commissioners under s. 33.33(2) Wis. Stats.
2. The proposed territory attachment to the district is necessary because Lot 1 of Certified Survey Map # 11953 (4.375 acres where The Pointe Apartments are located) has deeded access over the East Troy Electric Railroad tracks to Lot 2 of Certified Survey Map # 11953 (.563 acres along the lake) through a License Agreement for Private Crossing recorded with the Register of Deeds as Document # 4496803 allowing tenants of The Pointe Apartments to access Lower Phantom Lake for recreational purposes;
3. The public health, comfort, convenience, necessity or public welfare will be promoted by the attachment of this territory to the district; and
4. The property to be attached to the district as described in the Order drafted by the Waukesha County Department of Parks and Land Use, will be benefited by being in the district.

It should be noted that Lot 2 of Certified Survey Map # 11953 falls within the current Phantom Lakes Management District official boundary. The Phantom Lakes Management District has historically included riparian parcels (those that touch the lake shore) and parcels with deeded access to the lake within their District boundary.

Therefore, upon meeting the above noted statutory criteria, the staff recommend the County Board declare the requested territory be attached to the Phantom Lakes Management District.

Respectfully submitted,



Alan Barrows
Sr. Conservation Specialist
Land Resources Division
Waukesha County Dept. of Parks and Land Use

Enclosure: Phantom Lake Management District Public Hearing Minutes

Meeting Minutes

Public Informational Meeting & Hearing on Proposed Phantom Lake Management District

Tuesday, February 9, 2021 – Microsoft Teams

Staff/Committee Attendance:

Supervisor Bill Mitchell, Waukesha County Board Supervisor and Land Use, Parks and Environment (LUPE) Committee Chairman

Demetra Christopoulos, Waukesha County Corporation Counsel

Alan Barrows, Waukesha County Department of Parks and Land Use

Kendra Oldfield-Roberson, Waukesha County Department of Parks and Land Use

Darlene Johnson, County Board Supervisor, District 25

Absent

Perry Lindquist, Waukesha County Department of Parks and Land Use

Public Attendees: 9

Bill Mitchell called the meeting to order at 7:00pm and reviewed the agenda.

Presentation: Phantom Lakes Management District – Alan Barrows

Phantom Lakes located in lower, central area of county, in the Village and Town of Mukwonago. There are 483 acres of total lake. The Lake District was created on July 19, 1977; the boundary was refined in 1999 and additional territory was attached in 2001. The proposed additional parcel is located in the Village of Mukwonago. Current enabling legislation for the Attachment of Territory to a District is allowed by Chapter 33.33(2) of the Wisconsin Statutes; this provides for the attachment of contiguous territory to a District boundary by petition of the owner or by motion of the commissioners. Property can be attached to a district by:

1. A petition to the district by the owner of a contiguous parcel. The petition must be accepted by a majority vote of the district commissioners.
2. If the commissioners by motion initiate attachment proceedings, they shall notify the owners of the territory contemplated for attachment and the County Board. The County Board shall schedule a hearing on the motion.

The process for attachment of territory by motion includes:

1. Upon filing of the petition with Waukesha County, the Phantom Lake District Ad Hoc Committee schedules a public hearing.
2. The Phantom Lake District Ad Hoc Committee will report to the County Board within 3 months after the date of the hearing.
3. Within 6 months after the date of the hearing, the County Board shall declare the territory to be either attached or not attached.

4. Appeals to the County Board's decision are made through a petition to the circuit court, not more than 30 days after the Board's decision.

To attach territory the District by motion, the County Board must make several findings:

1. The petition is signed by the required District representative.
2. That the proposed territory attachment to the district is necessary.
3. The public health, comfort, convenience, necessity or public welfare will be promoted by the attachment of this territory to the district.
4. That the property to be included in the district will be benefited by being in the district.

Notice, Filing and Recording Requirements as indicated by Chapter 33.265 Wisconsin Statutes indicates If a district is created or its boundaries altered, the board of commissioners shall record the authorizing document, including a legal description of the boundary, with the register of deeds in each county where the district is situated, and file the document and legal description with the department of natural resources and the department of revenue. Exhibit A and an Aerial Photo of the proposed attachment are included and posted on the website.

Alan Barrows asked if there were any questions.

Joe Tearney stated he is representation for the owner and wanted to indicate from the beginning that they are opposed to the motion. He would circle back to this position once the Public Hearing was opened.

It was asked if the property owner (of the proposed attached parcel), currently owns any other property in the district? It is unclear, the notice only indicates one, might be a sliver that is included in boundary.

Supervisor Bill Mitchell opened the Public Hearing

Public Comments:

Jake Jagmin: 415 Lake St

Jake is in favor of adding the proposed attachment. Jake stated adding this parcel is consistent with other properties in the district that have deeded lake access. Jake stated that on June 2, 2020, the police Chief advised that the proposed parcel for attachment does have lake access through trolley tracks. Jake stated that residents do have lake access as it is advertised on their website; the website also points out the lake views, access, and proximity -- which can be used for launching a canoe or kayak.

Alan Barrows read the public notice, which was published in the Waukesha Freeman on February 2, 2021.

Public Comments:

Steve Verduyn: 425 Andrews St

Steve stated that he is a Board Member of the Phantom Lake Management District. Steve stated that the only way the residents and management of the proposed property would be able to shape the district is to add them; Steve stated that by adding this parcel to the Lake District they can attend Lake District meetings (this is currently available to them), but would be able to vote too. Steve stated this is consistent with another number of properties: Lois Street, Bekum Street; these properties are all included in the Lake District and have a small sliver that grants them access to the lake. Steve stated that the website of the proposed parcel heavily uses lake views and aesthetics to promote their property.

Alan Barrows read an Email sent to him by the Owner (Mikko Erkamaa)

Please present this email tonight from me as owner of the Pointe Apartments LLC.

Dear Commissioners,

I am aware of your intent to include MUKV 2009965004 (.563 acres located on Phantom Lake) and MUKV 2009965003 (4.375 acres with no frontage on Phantom Lake) in the Phantom Lakes Management District. I respectfully object to this request.

With respect to MUKV 2009965004, the parcel is too small to build on and mostly consists of wetlands. Although I concede it has frontage, the District has not previously included the parcel presumably because there is no benefit to the Lakes or parcel itself.

With respect to MUKV 2009965003, the parcel consists of apartments, has no frontage on the Lakes, and is effectively cut off from access by the East Troy Railroad. The railroad right of way is covered with trees and buckthorn and other invasive species so views are blocked and access is limited. There is also no public necessity, health, comfort or welfare benefit attributable to including this parcel as the any potential access is private in nature. As with the other parcel, the District has not previously included this parcel, again, presumably because it did not meet the benefit test.

I would also note that the District is not asking to add the other businesses across the railroad tracks. As a result, this inclusion appears to be an attempt to arbitrarily capture a valuable property for the District's tax base. Moreover, the result would be disproportionate and unfair. Our property would be burdened with the largest portion of taxes when our residents would have little or no use of the Lakes. As you know, this is a competitive market, more costs make it harder to operate effectively.

In conclusion, the District did not include these parcels when the District was formed because it did not meet the public or private benefit test. There remains little or no benefit to our parcel to being included in the District. Furthermore, this decision appears arbitrary when viewed in light of the fact that no other businesses across the right of way are being included. Respectfully, please do not include my property in the District.

Mikko Erkamaa
414-559-5283

Joe Tearney (Counsel for the Property Owner)

Joe stated that he is here to answer further questions. Joe stated that adding the proposed property to the Lake District adds a disproportionate burden to the residents of the apartments on the property. Joe stated that he and his client are okay with potentially adding the small sliver property to the Lake District if it needs to be done, but not the whole apartment complex.

Supervisor Bill Mitchell asked for clarification from Alan on the tax keys. He would like to know if the petition is for the sliver on the lake in addition to the 4+ acre parcel or just the 4+ acre parcel. Alan clarified that the petition for attachment includes the larger parcel only.

Jake Jagmin: 415 Lake St

Jake stated that this petition is to have both included in the boundary and the small sliver is within the district boundary already.

Elizabeth Bingham: W303S10580 Sandy Beach Rd

Elizabeth stated that there is a clear legal precedent for this action; given that there is lake access, there should be taxation – as is the case in the neighborhood.

Supervisor Darlene Johnson

Supervisor Johnson stated that at the Phantom Lake Management District Board Meeting, a majority consented to have this petition started. Supervisor Johnson referenced the letter from the Property Owner

and stated that by having the proposed property added to the Lake District, he (or residents) would be able to come to meetings and vote.

Steve Verduyn: 425 Andrews St

Steve referenced the letter from the Property Owner and made a distinction regarding the other businesses not being brought in. Steve stated that the proposed property, prior to development of the current apartments, was a car dealership. Steve stated that there was no benefit to bringing the property in with such a business; however, residents of the apartments get use of the lake and enjoy that benefit. Steve referenced the letter from the Property Owner in regard to the railroad clearing that provides access to the lake: Steve stated that this area has to be clear of buckthorn and brush to function. Steve also stated that the Property Owner is using the lake views and access in advertising. Steve stated that they cannot have it both ways.

Joann Tlachac-Hehn: 435 Lake St

Joann stated that being on the lake speaks to quality of life; Mukwonago is a small community and lake plays huge portion in that quality of life with activities like: fishing, boating, sunsets. Joann stated that it speaks to their quality of life.

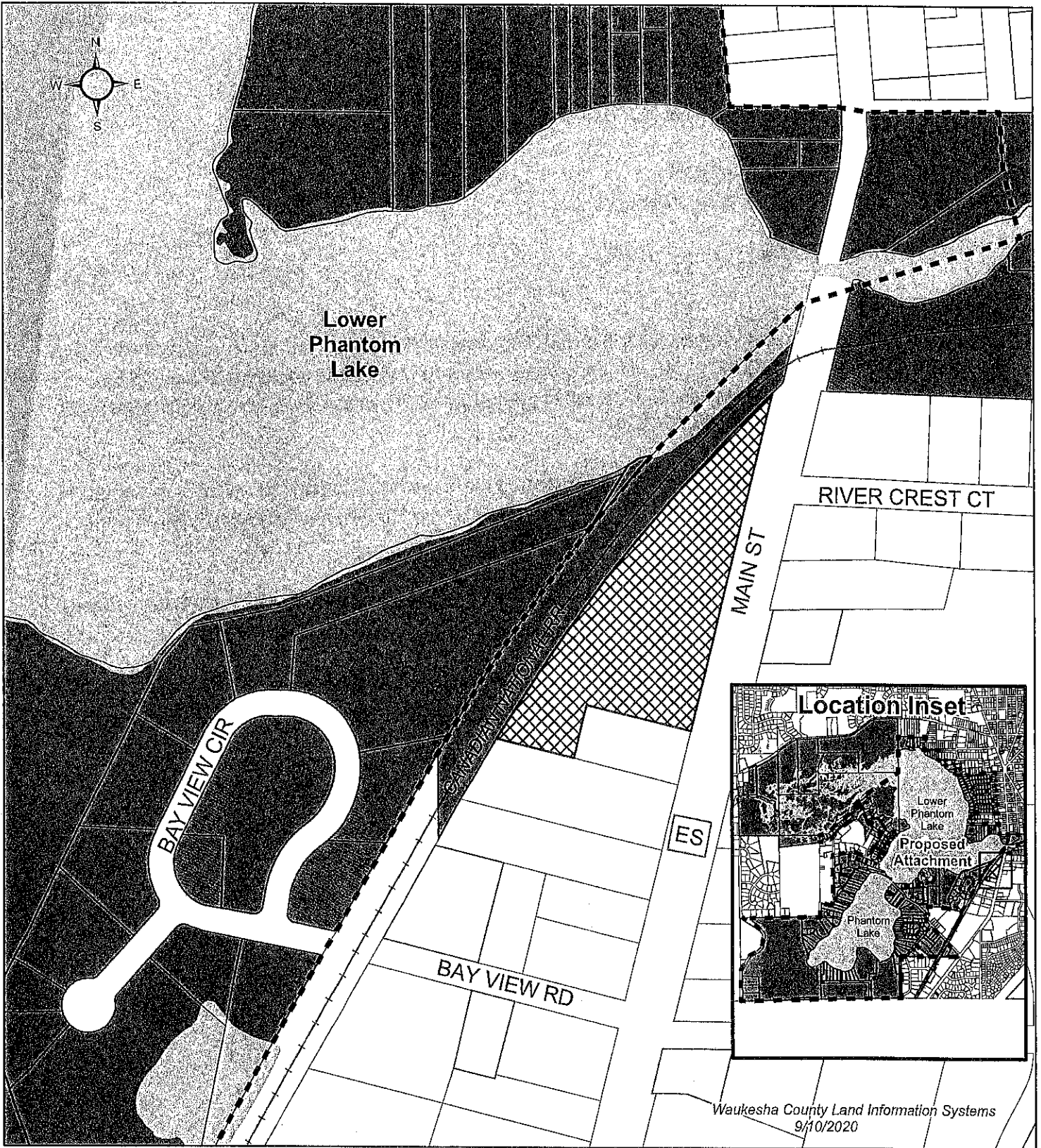
Supervisor Bill Mitchell closed the public comment period

Next Steps:

1. The Phantom Lake District Ad Hoc Committee will report to the County Board within 3 months after the date of the hearing.
2. Within 6 months after the date of the hearing, the County Board shall declare the territory to be either attached or not attached.
3. Appeals to the County Board's decision are made through a petition to the circuit court, not more than 30 days after the Board's decision.

Adjournment by Supervisor Bill Mitchell at 7:32pm.

EXHIBIT A



Waukesha County Land Information Systems
9/10/2020

Phantom Lake Protection and Rehabilitation District Proposed Attachment Map

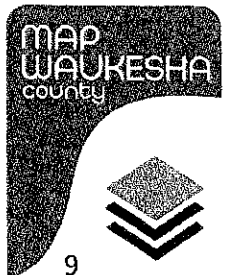
- Current Lake District Boundary
- Current Lake District Parcels
- ▣ Proposed Attachment Area
- Parcels



Referred on: 04/08/21

File Number: 176-O-005

Referred to: LU



January 8, 2021

To: Dale Shaver,
Waukesha County Department of Parks and Land Use

From: Phantom Lakes Management District (PLMD)
PO Box 391
Mukwonago, WI 35149-0391
Email: gonefishing@phantomlakes.us

Reid 1/13/21
[Signature]

Re: PLMD Boundaries

Dale,

Pursuant to Wisconsin statutes chapter 33.33(2), the PLMD approved a motion to attach tax key MUKV2009965003 to the district on June 25, 2020. A copy of the approved meeting minutes is attached along with a map detail showing the current district boundaries and property to be attached. The property was created from CSM #11953 and recorded as doc #443148 on 7/29/2020.

As noted in the minutes, the property has deeded access to the lake, which is the case for all district properties. In this instance, it is via deeded access on adjacent property with tax key MUKV/2009965004 as recorded on doc # 4496803.

As required by Wisconsin statutes chapter 33.33(2)(b), the property owner was notified of the attachment request and that notification is attached.

Please schedule a hearing as required by Wisconsin statutes chapter 33.33(2)(b) and pursuant to Wisconsin statutes chapter 33.26 at the earliest available time. We request the County Board approve the attachment following those proceedings.

If you need any further documentation or information, please feel free to contact us.

Sincerely,



Joe Graczyk
Chairman, PLMD

Cc: Kathy Karalewitz, Town of Mukwonago
Diana Dykstra, Village of Mukwonago

ATTN:

The Pointe Apartments LLC
W3468 County Road J
East Troy WI 53120-1757

Notice:

The intent of this letter is to inform The Pointe Apartments LLC of a Phantom Lakes Management District boundary modification that impacts Tax Key MUKV2009965003 located at 915 Main St Mukwonago WI 53149. PLMD board members voted in favor of modifying the Phantom Lakes Management District boundary to include this Tax Key in the Phantom Lakes Management District boundary during the publicly posted 6/25/2020 meeting of the Phantom Lakes Management District.

Yours truly,



Chairman or Secretary
Phantom Lakes Management District
P.O. Box 391
Mukwonago, WI 53149

Phantom Lakes Management District
June 25, 2020, 7:00 p.m. Meeting Minutes
Virtual Meeting with audio call in

Approved

1. Call to Order:

Meeting called to order at 7:01 p.m. by Chairman Mark Carlson.

2. Open Meeting Notice:

The meeting was noticed and posted according to law.

3. Board Members Present:

Kathy Verduyn, Steve Verduyn, Joe Kirchner, Dave Dubey, Mark Carlson, Darlene Johnson and Jake Jagmin in attendance. Also present are Melissa Winter, Dawn Couillard, Joanne Tlachac-Hehn and Karen Pakulski.

4. Open Forum:

Nothing

5. Announcements & Correspondence:

Letter from CIC confirming insurance renewal; Folder from G2 insurance agent containing both EMC & CIC insurance policies; email from Joanne regarding Lake District new commissioner voter requirements in 2020; several newsletters; and an email from Wisconsin Lakes hosting a zoom meeting about holding an annual meeting in 2020.

6. Secretary's Report:

Joe Kirchner made a motion to approve the minutes of June 1, 2020. Seconded by Kathy Verduyn. Motion carried.

7. Treasurer's Report:

Total bills to be paid \$10,137.98. Deposit total of \$2,853.53 for bank interest and harvester grant. Mark Carlson made a motion to pay the bills. Kathy Verduyn seconds the motion. Motion carries.

8. Harvesting Report:

Harvesting manager Dawn Couillard provided update.

- Issue of hoses still rubbing after being fixed last August. Had to replace belt tensioner, hydraulic hoses, and oil pump valves this month.
- Dawn has provided correct fluids and greases for truck, conveyor & harvester.
- Discussion on maintenance, harvesting, current crew and possible harvesting tech advisor position.

9. Fish Stocking:

Discussion on stocking the lakes with Walleye and Large Mouth Bass again this year. Steve Verduyn will ask Ben Heussner about next fishery survey of the lakes.

10. Town Property Signs:

PLMD will hold on requesting new signs be put up until the slow, no-wake motion has been reviewed by DNR and village board.

11. PLMD Boundaries:

Motion made by Jake Jagmin to recommend to Waukesha County to amend the PLMD tax district boundary to include tax ID 2009965003 because the property has deeded access to the lake via their adjacent property tax ID 2009965004. The boundary's intent is to include all tax IDs whom have deeded lake access. Motion second by Joe Kirchner. The motion passed with Steve Verduyn, Kathy Verduyn, Joe Kirchner, Dave Dubey and Jake Jagmin voting in favor. Mark Carlson and Darlene Johnson abstained.

12. Lake Patrol Update:

No update.

13. Motion from 2019 Annual Meeting to Change Slow, No-Wake Hours:

Motion was heard and passed by the Town of Mukwonago Board at their June 17, 2020 meeting. Final form of ordinance will be provided by the Town of Mukwonago. Dave Dubey will provide updated ordinance to DNR for their review before submitting to Mukwonago Village Board.

14. Budget:

Discussion on draft budget.

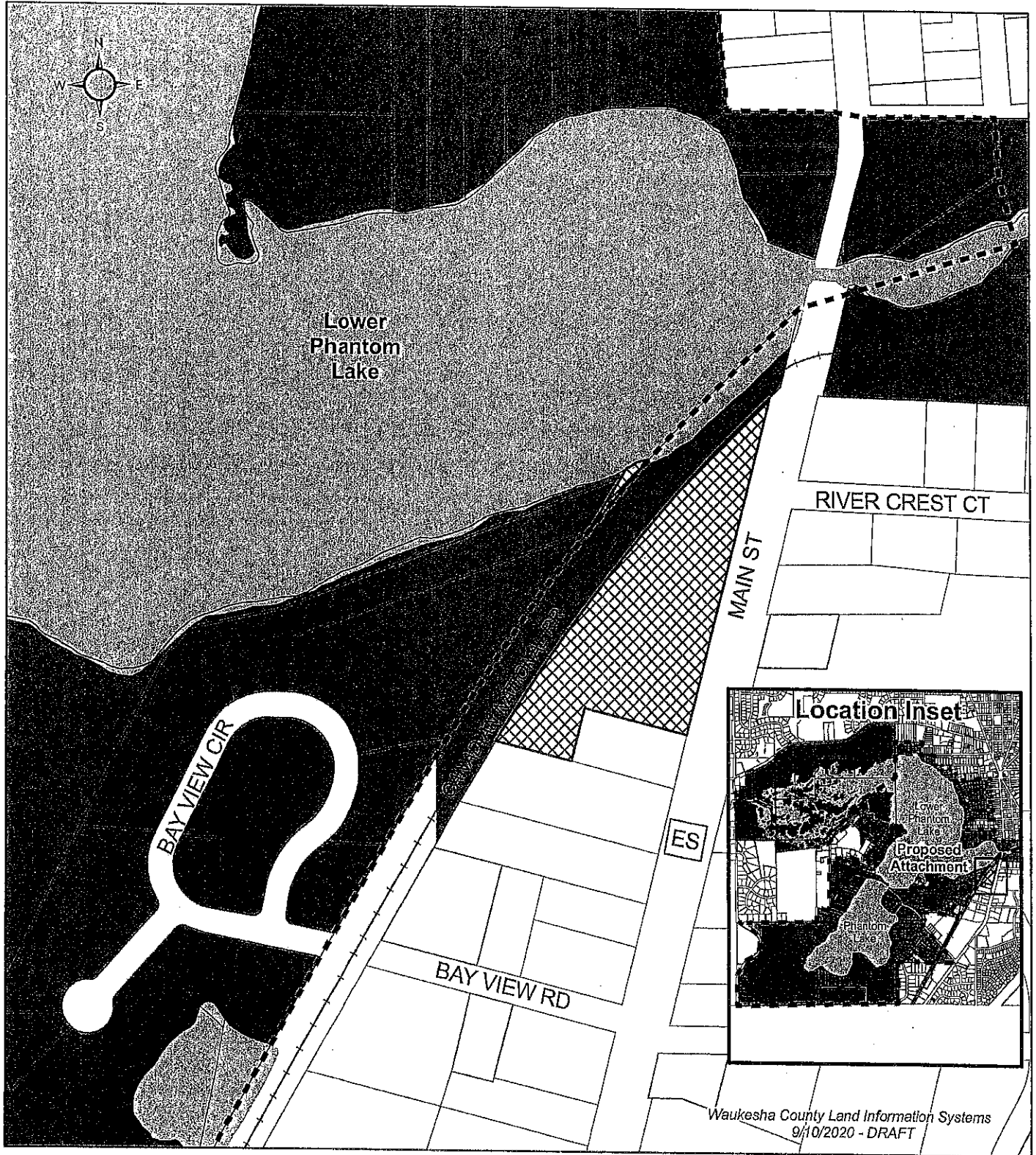
15. Adjournment:

Darlene Johnson made a motion for adjournment at 9:35 p.m., seconded by Jake Jagmin. The motion carried.

Any eligible voter may add a topic to the agenda by contacting a board member at least two weeks prior to the meeting. The Lake Management Board may take action on any item listed on this agenda.

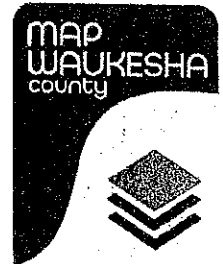
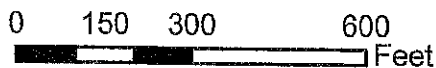
Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Melissa Winter, PO Box 391, Mukwonago, WI (262-378-1267).

EXHIBIT A



Phantom Lake Protection and Rehabilitation District Proposed Attachment Map

- Current Lake District Boundary
- Current Lake District Parcels
- ▨ Proposed Attachment Area
- Parcels



Referred on: 04/08/21

File Number: 176-O-005

Referred to: LU

14



WATERFORD
218 N MILWAUKEE ST
WATERFORD, WI 53185-9998
(800) 275-8777

12/01/2020 10:29 AM

Product	Qty	Unit Price	Price
---------	-----	------------	-------

First-Class Mail® Letter	1		\$0.55
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East Troy, WI 53120
Weight: 0 lb 0.40 oz
Estimated Delivery Date
Fri 12/04/2020
Certified Mail® \$3.55
Tracking #: 70200640000086080434

Return Receipt Tracking #: 9590 9402 5978 0062 6074 33

Total \$6.95

Grand Total: \$6.95

Credit Card Remitted \$6.95

Card Name: MasterCard
Account #: XXXXXXXXXXXX7422
Approval #: 99059S
Transaction #: 324
AID: A0000000041010 Chip
AL: MasterCard
PIN: Not Required

Due to limited transportation availability as a result of nationwide COVID-19 impacts package delivery times may be extended. Priority Mail Express® service will not change.

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

Preview your Mail
Track your Packages
Sign up for FREE @
www.informedelivery.com

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

Tell us about your experience.
Go to: <https://postalexperience.com/Pos>
or scan this code with your mobile device.



or call 1-800-410-7420.

Referred on: 04/08/21

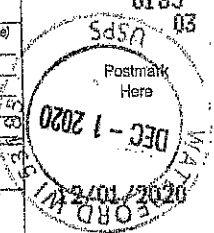
File Number: 176-O-005

Referred to: LU

15

#EHD 9098 8088 0490 0202

U.S. Postal Service CERTIFIED MAIL® RECEIPT (Domestic Mail Only)	
For delivery information, visit our website at www.usps.com	
East Troy, WI 53120	
Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee to cert. mail)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-907 SS (Rev. 9-18-12) Information on	



1 MODIFY THE COMMUNITY DEVELOPMENT FUND 2021 BUDGET TO ACCEPT
2 STATE OF WISCONSIN EMERGENCY RENTAL ASSISTANCE PROGRAM
3 GRANT FUNDS AND APPROPRIATE ADDITIONAL EXPENDITURES
4
5

6 WHEREAS, the State of Wisconsin has received approximately \$322 million from the United
7 States Treasury Department through the December 27, 2020 Consolidated Appropriations Act,
8 for an Emergency Rental Assistance program to assist households that are unable to pay rent
9 and utilities due to the COVID-19 pandemic; and

10
11 WHEREAS, Waukesha County is an eligible grantee for this program; and

12
13 WHEREAS, Waukesha County's allocation of these funds is \$14,398,531; and

14
15 WHEREAS, permissible uses of the grant funding to income eligible households may be used for
16 rent and rental arrears, as well as utilities and utility arrears; and

17
18 WHEREAS, Enrolled Ordinance 175-75 previously accepted and appropriated \$12,082,684 in US
19 Treasury Department Emergency Rental Assistance grant funding; and

20
21 WHEREAS, the State of Wisconsin grant funds would serve as an additional resource, to be
22 utilized as program needs are established.

23
24 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS
25 that Community Development administration is authorized to accept the 2021 Wisconsin
26 Emergency Rental Assistance program grant funding of \$14,398,531.

27
28 BE IT FURTHER ORDAINED that the 2021 Community Development Fund budget be modified by
29 increasing general government revenues by \$14,398,531 and increasing operating expense
30 appropriations by the same amount to fund contracted services.

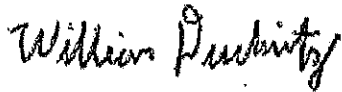
31
32 BE IT FURTHER ORDAINED that the Community Development program is authorized to enter
33 into a purchased services agreement with a third-party provider to operate this grant program
34 in 2021.

FISCAL NOTE

MODIFY THE COMMUNITY DEVELOPMENT FUND 2021 BUDGET TO ACCEPT
STATE OF WISCONSIN EMERGENCY RENTAL ASSISTANCE PROGRAM
GRANT FUNDS AND APPROPRIATE ADDITIONAL EXPENDITURES

This ordinance authorizes Parks and Land Use – Community Development Fund to accept and appropriate an additional \$14,398,531 of United States Treasury Department funding from the state to be used for an Emergency Rental Assistance program to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic. The grant allows for up to \$1,107,579 of the total allocation to be used for direct administrative costs incurred by Waukesha County and the third-party provider. The distribution of funding will be made by a contracted third-party provider. The grant funding period is currently set to end on September 30, 2021. Enrolled Ordinance 175-75 previously accepted and appropriated \$12,082,684 directly from the US Treasury Department Emergency Rental Assistance grant funding.

This ordinance results in no direct levy impact.



William Duckwitz
Budget Manager
04/01/2021
CLD JE 2021-000002208

1 APPROVE CONTINGENCY FUND TRANSFER FOR BUILDING IMPROVEMENT PLAN

2
3
4 WHEREAS, there is an existing exterior structural steel enclosure that protects the structural
5 integrity of the law enforcement center (LEC) building; and

6
7 WHEREAS, the existing enclosure is 28 years old and incurred internal water damage over the
8 years, causing the enclosure to fail and compromise the structural steel; and

9
10 WHEREAS, the construction of a new enclosure will replace the existing enclosure; and

11
12 WHEREAS, the new enclosure will be water tight, allow for airflow, thus extending the life of
13 the structural components another 30 years; and

14
15 WHEREAS, the Department of Public Works budgets annually for a Building Improvement Plan
16 (BIP) program in its operating budget, which is intended to fund long-term maintenance, repair,
17 and replacement of county facilities; and

18
19 WHEREAS, the construction of the new enclosure requires a timely solution to ensure safety
20 and is deemed a maintenance project appropriate for funding out of the County's BIP budget,
21 rather than a capital project; and

22
23 WHEREAS, the construction is estimated to cost \$300,000, which would consume over a
24 quarter of the BIP's 2021 \$1,088,000 budget, requiring the deferral of some maintenance
25 projects and reducing the ability to respond to other major system maintenance issues that
26 may arise later in the year; and

27
28 WHEREAS, the Department of Public Works is requesting to fund this construction with
29 \$200,000 of transferred contingency funds and \$100,000 of existing BIP budgeted
30 appropriations.

31
32 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the 2021
33 Department of Public Works, Building Improvement Plan program budget be modified to
34 appropriate additional expenditures of \$200,000 through a transfer from the Non-
35 Departmental 2021 Contingency Fund Budget.

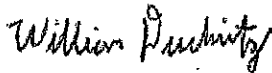
FISCAL NOTE

APPROVE CONTINGENCY FUND TRANSFER FOR BUILDING IMPROVEMENT PLAN

This ordinance would approve a transfer of Contingency Fund appropriations to the Department of Public Works Building Improvement Plan (BIP) program of \$200,000 to help fund a \$300,000 maintenance project to reconstruct exterior structural steel enclosure that protects the structural integrity of the law enforcement center (LEC) building. The remaining \$100,000 of project costs would be covered through existing appropriations in the 2021 BIP budget.

According to department management, Contingency Funds are being requested because funding the entire \$300,000 project out of base BIP funds would require the delay of maintenance projects and impair the ability to respond to major system maintenance that could arise later in the year, (e.g., potential issues when the department re-starts facility heating systems during the fall).

This would be a one-time maintenance project expense, and does not result a direct tax levy impact.



William Duckwitz
Budget Manager
4/2/2021
JE# 2021-00002168



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: March 31, 2021
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of County Representative to the Waukesha County Health & Human Services Board

I am pleased to submit to the County Board for your consideration, the reappointment of Ms. Mary Baer to the Health and Human Services Board. Ms. Baer is a longtime Waukesha County resident who has invested her time into the greater Waukesha community both in her work and as a volunteer. Ms. Baer has served the HHS Board since February of 2020, fulfilling the incomplete term of Mr. Jeffrey Genner. If reappointed, Ms. Baer's term will expire in April of 2024.

Thank you for your swift consideration.

PF:kb

cc: Meg Wartman
Liz Aldred



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

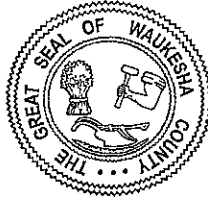
DATE: March 31, 2021
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of County Representative to the Waukesha County Health & Human Services Board

I am pleased to submit to the County Board for your consideration, the reappointment of Dr. Michael S. Goldstone to the Health and Human Services Board. Dr. Goldstone is a Waukesha County resident who has invested his career in working as an addiction medicine specialist within the greater Waukesha community and the state of Wisconsin. Dr. Goldstone has served in a multitude of capacities throughout his career, most recently as the Chief Medical Officer for Acadia Healthcare's Waukesha Comprehensive Treatment Center. Dr. Goldstone has served on the HHS Board since June of 2020, fulfilling the incomplete term of Mr. Michael O'Brien. If reappointed, Dr. Goldstone's his term will expire in April of 2024.

Thank you for your swift consideration.

PF:kb

cc: Meg Wartman
Liz Aldred



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: March 31, 2021
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of Waukesha County Representative to the Waukesha County Health and Human Services Board

I am pleased to submit to the County Board for your consideration, the reappointment of Mr. Bob Menefee, Jr. to the Health and Human Services Board. Mr. Menefee is a resident of Hartland, WI and has been involved in support of children's charities for many years. He works with organizations that support physically disabled children who lack family resources. Mr. Menefee is also a President of Variety Children's Charity of Wisconsin, member of NATO of Wisconsin and member of other regional community organizations. Mr. Menefee has been serving as a committed member of the Waukesha County HHS Board since 2018 and if reappointed, his term will expire in April of 2024.

PF:kb

cc: Meg Wartman
Liz Aldred



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: March 30, 2021
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of County Board Supervisor to the Health and Human Services Board

I am pleased to submit to the County Board for your consideration, the reappointment of County Board Supervisor Larry Nelson to serve on the Waukesha County Health and Human Services Board. Supervisor Nelson has been serving on the HHS Board since 2018. If appointed, his term will expire in April of 2024.

Thank you

PF:kb

cc: Meg Wartman
Liz Aldred



WAUKESHA COUNTY
OFFICE OF THE COUNTY EXECUTIVE

MEMO:

DATE: March 30, 2021
TO: Chairman Paul Decker
FROM: Paul Farrow
RE: Reappointment of Waukesha County Representative to the Waukesha County Health and Human Services Board

I am pleased to submit to the County Board for your consideration, the appointment of Ms. Christine Beck to the Waukesha County Health and Human Services Board. Ms. Beck has served on the Waukesha County HHS Board since 2018. She is a longtime resident of Waukesha County, having been a former teacher in the Waukesha School District and eventually transitioning to become the Executive Director of Healing Hearts of Waukesha County. In her capacity as the Executive Director for Healing Hearts of Waukesha County, Ms. Beck has served in several organizations including the Southeast Wisconsin Grief Network, the Waukesha Hispanic Collaborative Network, the Waukesha County Nutrition Coalition, Drug Free Communities, and the Heroin Task Force. Ms. Beck's term, if reappointed, will expire in April of 2024.

PF:kb

cc: Meg Wartman
Liz Aldred

1 AMEND THE 2021 SHERIFF'S DEPARTMENT BUDGET AND APPROVE
2 EXPENDITURES FOR MULTIPLE PURCHASES
3
4

5 WHEREAS, Enrolled Ordinance 141-41 authorizes the Sheriff's Department "...to participate in
6 the program to transfer federally seized property to local enforcement agencies;" and
7

8 WHEREAS, the Sheriff's Department has such assets that were not allocated during the 2021
9 budget development process as the need for the items was not anticipated when the budget
10 was developed; and
11

12 WHEREAS, the Department has identified expenditures to enhance law enforcement in
13 Waukesha County as required by federal seized asset guidelines; and
14

15 WHEREAS, the costs for the enhancements could vary.
16

17 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the
18 Waukesha County Sheriff's Department 2021 Budget be modified by appropriating seized fund
19 revenue received and reserved in general fund balance by an amount not to exceed \$8,000 and
20 authorizing the appropriation of an identical amount by increasing the operating appropriation
21 unit to fund expenses listed in the fiscal note to this ordinance which is on file with the
22 Waukesha County Clerk.
23

24 BE IT FURTHER ORDAINED that the modifications to the 2021 budget appropriations authorized
25 by this ordinance be adjusted to the exact expenses once those expenses are known, but not to
26 exceed a total of \$8,000.

FISCAL NOTE

EXPENDITURE OF SEIZED FUNDS AMEND THE 2021 SHERIFF'S
DEPARTMENT BUDGET FOR MULTIPLE PURCHASES

Enrolled ordinance 141-41 (1986) authorized the Sheriff's Department to participate in a federal program, which transfers forfeited assets (seized funds) to those state and local agencies that contributed directly to the seizure of that property. Federal guidelines require that these seized funds must be used to enhance law enforcement activities, not to supplant existing adopted budget appropriations.

The Sheriff's Department is requesting to use up to a maximum of \$8,000 of seized funds expenditure authority to purchase the following items:

Item	Description	Amount
Drones	Small drones for use Sheriff's Department operations	\$5,000
Training Equipment	Training equipment for the firearms unit	\$3,000
Total		\$8,000

Department management estimates the on-going operating and maintenance costs for equipment items will be minimal and will be the responsibility of the Sheriff's Department.

This ordinance results in no additional direct tax levy impact in 2021.

1 CREATE 1.00 FTE SENIOR FINANCIAL ANALYST POSITION AND ABOLISH 1.00 FTE OFFICE
2 SERVICES COORDINATOR POSITION IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
3
4

5 WHEREAS, the Waukesha County Department of Health and Human Services (HHS) budget
6 includes one funded Office Services Coordinator position for its Administrative Services
7 Division; and
8

9 WHEREAS, the skillset and level of expertise that can be provided by an Office Services
10 Coordinator are less than that what is required in the division, given that many of the clerical
11 portions of the job have become electronic and there is a strong need for data and analytics as
12 well as management of process; and
13

14 WHEREAS, the Office Services Coordinator has set a retirement date, and HHS management is
15 requesting that this position be abolished and replaced with a Senior Financial Analyst upon
16 retirement; and
17

18 WHEREAS, HHS management estimates that the Senior Financial Analyst will cost \$3,900 more
19 than in salary and related benefits (not including potential changes in employee benefit plan
20 selection) than the Office Services Coordinator position in 2021, mitigated by the fact that the
21 previous staff member was a long-serving employee that was near the top of their salary range,
22 and no budget modification for additional personnel costs is needed in this ordinance because
23 the department will manage the additional cost within its existing 2021 budget through vacancy
24 and turnover savings of other positions.
25

26 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that, effective
27 upon final approval of this ordinance and upon the vacancy of the existing Office Services
28 Coordinator Position, the Department of Health and Human Services is authorized to abolish
29 1.00 FTE regular, full-time Office Services Coordinator position, Open Range 8 (\$25.15/hour
30 minimum, \$29.21/hour mid-point, \$33.27/hour maximum) and create 1.00 FTE regular, full-
31 time Senior Financial Analyst position, Open Range 14 (\$33.71/hour minimum, \$39.14/hour
32 mid-point, \$44.57/hour maximum).

FISCAL NOTE

CREATE 1.00 FTE SENIOR FINANCIAL ANALYST POSITION AND ABOLISH 1.00 FTE OFFICE SERVICES COORDINATOR POSITION IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

The Department of Health and Human Services Administration Services budget currently funds one regular, full-time Office Services Coordinator position, Open Range 8 (\$25.15/hour minimum, \$29.21/hour mid-point, \$33.27/hour maximum). This ordinance requests the abolishment of the Office Services Coordinator position upon retirement and vacancy of the position and the creation of one regular, full-time Senior Financial Analyst position, Open Range 14 (\$33.71/hour minimum, \$39.14/hour mid-point, \$44.57/hour maximum).

The reason the department is requesting this change is because there will be an unexpected retirement, that was not able to be planned for in the regular budget cycle and through the annual position ordinance, and there is a need for complex data analytics and greater technical skills.

The Senior Financial Analyst position has a higher salary range than the Office Services Coordinator position, and the annual salary and related benefit increase (not including potential changes in employee benefit plan selection) will be approximately \$8,500. However, the partial-year 2021 salary/benefit impact will be approximately \$3,900. The department plans to absorb the increased costs within the current year's 2021 Budget through other vacancy and turnover savings of other positions.

The ongoing tax levy impact of this ordinance will be the net increase in position costs (mentioned above), which the department plans to cover within its future tax levy allocations.

William P. Duckwitz

William P. Duckwitz
Budget Manager
3/31/2021
CLD

AUTHORIZING THE SALE OF \$12,000,000 GENERAL OBLIGATION
PROMISSORY NOTES, SERIES 2021A

WHEREAS on February 23, 2021, the County Board of Supervisors of Waukesha County, Wisconsin (the "County") adopted an ordinance authorizing the issuance of general obligation promissory notes pursuant to Ch. 67, Wis. Stats., in an amount not to exceed \$12,000,000 for the public purpose of paying the cost of capital projects included in the County's 2021 Capital Projects Expenditure Plan consisting of justice and law enforcement projects; public works projects; and parks, environment, education and land use projects; and

WHEREAS the County Board of Supervisors deems it necessary and in the best interest of the County that the general obligation promissory notes authorized by such ordinance now be issued, upon the terms and conditions hereinafter provided; and

WHEREAS the County has duly received bids for its proposed issue of General Obligation Promissory Notes, Series 2021A (the "Notes"); and

WHEREAS it has been determined that the best bid received was that submitted by _____ (the "Purchaser");

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that:

Section 1. Award. The bid of the Purchaser for the purchase price of \$_____ be and it hereby is accepted and the Chairperson and County Clerk are authorized and directed to execute an acceptance of the offer of the Purchaser on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned.

Section 2. The Notes. The Chairperson and County Clerk shall make, execute and deliver the Notes to the Purchaser, for and on behalf of the County. The Notes shall be negotiable, general obligation promissory notes of the County, registered as to both principal and interest, in the denomination of Five Thousand Dollars (\$5,000) each or whole multiples thereof, numbered from R-1 upward and dated their date of issuance. The Notes shall mature on April 1 of each of the years and shall bear interest at the rates per annum as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2022	\$ 800,000	___%
2023	1,000,000	___
2024	1,200,000	___
2025	1,200,000	___
2026	1,200,000	___
2027	1,500,000	___
2028	1,600,000	___

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2029	\$1,400,000	___%
2030	1,400,000	___
2031	700,000	___

Interest on the Notes shall be payable on April 1 and October 1 of each year, commencing October 1, 2021.

At the option of the County, the Notes maturing on April 1, 2029 and thereafter shall be subject to redemption prior to maturity on April 1, 2028 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 3. Form of Notes. The Notes shall be in substantially the form on file in the County Clerk's office.

Section 4. Tax Provisions.

(a) *Direct, Annual Irrepealable Tax.* For the purpose of paying the principal of and interest on the Notes as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged and there be and there hereby is levied on all the taxable property in the County a direct, annual, irrepealable tax in an amount and at the times sufficient for said purpose; such tax is levied in the following years and in the following minimum amounts:

<u>Year of Levy</u>	<u>Amount</u>
2021	\$ _____
2022	_____
2023	_____
2024	_____
2025	_____
2026	_____
2027	_____
2028	_____
2029	_____
2030	_____

(b) *Tax Collection.* The County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried into the tax rolls of the County and collected as other taxes are collected, provided that the amount of tax carried into said tax rolls may be

92 reduced in any year by the amount of any surplus money in the Debt Service
93 Account created in Section 5(A) hereof.

94
95 (c) *Additional Funds.* If at any time there shall be on hand insufficient funds
96 from the aforesaid tax levy to meet principal and/or interest payments on said
97 Notes when due, the requisite amounts shall be paid from other funds of the
98 County then available, which sums shall be replaced upon the collection of the
99 taxes herein levied.

100
101 (d) *Appropriation.* There be and there hereby is appropriated from the premium
102 received by the County with respect to the Notes or other funds of the County
103 on hand the sum of \$_____ to be deposited in the Debt Service Account which
104 amount will be used to meet payments with respect to debt service due on
105 October 1, 2021.

106
107 Section 5. Debt Service Fund and Account.

108 (a) *Creation and Deposits.* Within the debt service fund previously established in
109 the treasury of the County, there be and there hereby is established a separate
110 and distinct account designated as the "Debt Service Account for \$12,000,000
111 General Obligation Promissory Notes, Series 2021A" (the "Debt Service
112 Account") and such account shall be maintained until the indebtedness
113 evidenced by the Notes is fully paid or otherwise extinguished. The County
114 Treasurer shall deposit in such Debt Service Account (i) all accrued interest
115 received by the County at the time of delivery of and payment for the Notes; (ii)
116 the taxes herein levied for the specific purpose of meeting principal of and
117 interest on the Notes when due; (iii) such other sums as may be necessary at any
118 time to pay principal of and interest on the Notes when due; (iv) any premium
119 which may be received by the County above the par value of the Notes and
120 accrued interest thereon; (v) surplus monies in the Borrowed Money Fund as
121 specified in Section 6 hereof; and (vi) such further deposits as may be required
122 by Sec. 67.11, Wis. Stats.

123
124 (b) *Use and Investment.* No money shall be withdrawn from the Debt Service
125 Account and appropriated for any purpose other than the payment of principal
126 of and interest on the Notes until all such principal and interest has been paid in
127 full and canceled; provided (i) the funds to provide for each payment of principal
128 of and interest on the Notes prior to the scheduled receipt of taxes from the
129 next succeeding tax collection may be invested in direct obligations of the United
130 States of America maturing in time to make such payments when they are due or
131 in other investments permitted by law; and (ii) any funds over and above the
132 amount of such principal and interest payments on the Notes may be used to
133 reduce the next succeeding tax levy, or may, at the option of the County, be
134 invested by purchasing the Notes as permitted by and subject to Section
135 67.11(2)(a), Wis. Stats., in interest-bearing obligations of the United States of
136 America, in other obligations of the County or in other investments permitted by
137 law, which investments shall continue to be a part of the Debt Service Account.

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(c) *Remaining Monies.* When all of the Notes have been paid in full and canceled, and all permitted investments disposed of, any money remaining in the Debt Service Account shall be deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 6. Proceeds of the Notes. All monies received by the County upon the delivery of the Notes to the Purchaser, except for any premium and accrued interest, shall be deposited by the County Treasurer into a special fund (the "Borrowed Money Fund") which shall be maintained separate and distinct from all other funds of the County and shall be used for no purpose other than the purposes for which the Notes are issued. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested as provided in Section 66.0603(1m), Wis. Stats. Any monies, including any income from permitted investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Account.

Section 7. No Arbitrage. All investments permitted by this resolution shall be legal investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or the Regulations of the Commissioner of Internal Revenue thereunder (the "Regulations"); and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of closing which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 8. Payment of the Notes. The principal of and interest on the Notes shall be paid by the County Treasurer.

Section 9. Persons Treated as Owners; Transfer of Notes. The County Clerk shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity, and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

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The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer. The fifteenth day of each calendar month next preceding each interest payment date shall be the record dates for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 10. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 12. Ratification and Approval of Official Notice of Sale and Official Statement.

(a) The Official Notice of Sale with respect to the Notes, which is on file in the County Clerk's office, is ratified and approved. In addition, all actions taken by any committee of the County Board, by the officers and employees of the County and by the County's

229 municipal advisor, Robert W. Baird & Co., Incorporated, in connection with the offering
230 and sale of the Notes are ratified and approved.

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232 (b) The County Board of Supervisors hereby approves the Preliminary Official Statement
233 with respect to the Notes and deems the Preliminary Official Statement as "final" as of
234 its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange
235 Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All
236 actions taken by officers of the County in connection with the preparation of such
237 Preliminary Official Statement and any addenda to it or Final Official Statement are
238 hereby ratified and approved. In connection with the Closing, the appropriate County
239 official shall certify the Preliminary Official Statement and any addenda or Final Official
240 Statement. The County Clerk shall cause copies of the Preliminary Official Statement
241 and any addenda or Final Official Statement to be distributed to the Purchaser.

242
243 Section 13. Undertaking to Provide Continuing Disclosure. The County covenants and agrees,
244 for the benefit of the holders of the Notes, to enter into a written undertaking (the
245 "Undertaking") if required by the Rule to provide continuing disclosure of certain financial
246 information and operating data and timely notices of the occurrence of certain events in
247 accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or
248 by the original purchaser(s) of the Notes on behalf of such holders (provided that the rights of
249 the holders and the purchaser(s) to enforce the Undertaking shall be limited to a right to obtain
250 specific performance of the obligations thereunder and any failure by the County to comply
251 with the provisions of the Undertaking shall not be an event of default with respect to the
252 Notes).

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254 The County Clerk, or other officer of the County charged with the responsibility for issuing the
255 Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of
256 proceedings, setting forth the details and terms of the County's Undertaking.

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258 Section 14. Records. The County Clerk shall provide and keep a separate record book and shall
259 record a full and correct statement of every step or proceeding had or taken in the course of
260 authorizing and issuing these Notes.

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262 Section 15. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in
263 printed form, executed on behalf of the County by the manual or facsimile signatures of the
264 Chairperson and County Clerk, authenticated, if required, sealed with its official or corporate
265 seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County
266 of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The
267 facsimile signature of either of the officers executing the Notes may be imprinted on the Notes
268 in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal
269 agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be
270 a manual signature. In the event that either of the officers whose signatures appear on the
271 Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be
272 valid and sufficient for all purposes to the same extent as if they had remained in office until
273 the Closing. The aforesaid officers are hereby authorized and directed to do all acts and
274 execute and deliver the Notes and all such documents, certificates and acknowledgements as

275 may be necessary and convenient to effectuate the Closing. The County hereby authorizes the
276 officers and agents of the County to enter into, on its behalf, agreements and contracts in
277 conjunction with the Notes, including but not limited to agreements and contracts for legal,
278 trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any
279 such contract heretofore entered into in conjunction with the issuance of the Notes is hereby
280 ratified and approved in all respects.

281

282 Section 16. Effect of Ordinance. This action by the County Board of Supervisors is taken
283 pursuant to Section 67.12(12), Wis. Stats., and is intended to constitute a "resolution" for
284 purposes of that section.