

The Public Works Committee met at the Highway Department Office.

Present: Supervisors Uselding, Grosklaus, Kletti, Leider, and Marchese. Staff: County Administrator Meaux, Public Works Director Dreblow, Fish Passage Program Project Assistant McCone, Golf Course Supervisor Lesar, Building Superintendent Behlen, and County Clerk Winkelhorst.

Others Present: Chad Davison and Hiedi Waller from Bonestroo, Les Blum, Bill and Sue Hass, and Bill Harbeck.

Call to Order/Proper Notice/Adoption of Agenda: The meeting was called to order by Chairperson Uselding at 8:00 AM. Ms. Winkelhorst assured the committee that the meeting was properly noticed. Motion made by Supervisor Kletti, seconded by Supervisor Grosklaus to adopt the agenda as presented. All members present voting aye. Motion carried. (5-0)

Public Comments/Correspondence/Communications: Supervisor Leider reported that the East Wisconsin Railroad Consortium rail inspection will be held on October 6, and Ozaukee County will host the November meeting.

Supervisor Leider attended a North Branch Milwaukee River Wildlife & Farm Heritage Area meeting in Sheboygan County. The Department of Natural Resources has obtained an option to purchase a 131.09 acre farmland protection easement from John Best. This would give public access easement to provide walking access to Spring Lake, which currently doesn't include public access, this would be used for nature-based outdoor recreational activities to include fishing, hiking and cross-country skiing.

Supervisor Leider complimented Mr. Dreblow on how well done the County Board road trip was.

Supervisor Kletti reported on the meeting of the Wisconsin Counties Highway Association that he and Mr. Dreblow attended. Mr. Dreblow noted that 52 counties have adopted a resolution in support of a referendum amending the Wisconsin Constitution to prohibit any further transfers or lapses from the segregated transportation fund, 9 counties supported the resolution but without a referendum, 3 counties rejected a referendum due to the additional cost for an election, and 8 counties haven't taken action as of yet.

Mr. Dreblow reported on the Superintendent and Foreman's conference that was held in Sheboygan.

Approve Minutes from the August 19 Meeting: Motion made by Supervisor Leider, seconded by Supervisor Kletti to approve the August 19 meeting minutes as presented. All members present voting aye. Motion carried. (4-0)

Facilities Management:

Action Items:

Review/Approve Request to Fill Night Janitor Position, Facilities, OPEIU, Pay Grade 2, 23 hrs Weekly: The vacancy is due to a retirement. The position would be working at the Highway Department. This is part-time with no benefits associated with it. Mr. Dreblow stated that in the past they have tried contracting the service and that has not worked well.

Motion made by Supervisor Grosklaus, seconded by Supervisor Marchese to approve the request to fill the Night Janitor position, Facilities, OPEIU, pay grade 2, 23 hours per week. All members present voting aye. Motion carried. (5-0)

Review/Approve Courtroom Ceiling and Lighting Upgrade: This is part of the 2011 capital improvement project request to remodel 2 of the 4 courtrooms at the Justice Center. Mr. Behlen stated that with the scheduled installation of security and video conferencing equipment in these courtrooms this fall, it makes sense to remodel first so the equipment will not have to be removed and reinstalled. The request is for the \$100,000 that is budgeted for 2011 and 2012.

Mr. Meaux commented that the budget that he is recommending includes money, through the refinancing and additional bonding, for this project. Monies are already budgeted and approved for the video conferencing. Discussion on the budget and the county debt.

Motion made by Supervisor Kletti, seconded by Supervisor Grosklaus to approve the courtroom ceiling and lighting remodeling project with the funding to be brought forth in the budget process. All members present voting aye. Motion carried. (5-0)

8:37AM Village of Grafton Public Works Director Dave Murphy joined the meeting.

Management/Financial/Informational Reports: Mr. Behlen commented that Focus on Energy sent him the application for the new chillers. It was noted that the county may receive \$46,800 per chiller, which is two, and approximately \$27,500 for the heat recovery chiller, of focus monies on the energy upgrade project.

Planning & Parks:

Action Items:

Review/Approve Hunting Policy and Associated Fees for Lion's Den Gorge Nature Preserve for the 2010-11 Deer Hunting Season: Mr. Dreblow explained that the recommendation is to maintain the current policy of the permitted 9-day gun hunting (November 20-28, 2010) and the late season bow hunting (November 29, 2010 –January 9, 2011) for deer. This is the same policy that has been in place for the last two years.

Motion made by Supervisor Kletti, seconded by Supervisor Grosklaus to approve the authorized public gun and bow deer hunting at the Lion's Den Gorge Nature Preserve as outlined by the staff recommendations and the permit form including the fee schedule for the 2010-2011 deer hunting season. All members present voting aye. Motion carried. (5-0)

Review/Approve Recommendation on Bids for the Lime Kiln Dam Removal Project in the Village of Grafton for Implementation of the American Recovery & Reinvestment Act (ARRA)/National Oceanic and Atmospheric Administration (NOAA) Funded Program, entitled "Fish Passage for the Milwaukee River Watershed": Mr. Dreblow explained that there were three bids received - Terra Engineering & Construction Corporation for \$193,369; Ozaukee Excavating, Inc. for \$414,163; and Henry R. Marohl, Inc. for \$852,040. Then engineer's estimate for this project was \$133,175. The total budgeted from the Milwaukee River Fish Passage Program for construction cost to remove the Lime Kiln Dam was \$123,700.

The intent was to use the funds from the fish passage program and any amount in excess would have to be paid with local funds. The low bid exceeded the total amount budgeted by \$69,669. The Village of Grafton doesn't have the money budgeted for the additional funds. The recommendation from the village and the fish passage program is to reject the bids based on the amount of funding allocated for this project.

Motion made by Supervisor Kletti to reject the bids.

Supervisor Kletti inquired about the spread of the bid amounts. Mr. Dreblow said that the U.S. Army Corp of Engineers permit required that there be no sediment allowed to go down stream as part of the removal. The intent would be to control the draw down to minimize the amount of sediment. If this had to be enforced the contractor would be in a difficult position therefore, a risk to the contractor.

Supervisor Marchese stated that before these bids are rejected he would like to know what the strategy is to go forward, what the cost is, and how much risk is involved with going forward. He is concerned with the cost of rebidding and inquired as to whether Corporation Counsel has reviewed the bids.

Mr. Dreblow further explained that one of the requirements in the bid documents was that the cost of mobilization could not exceed 5% and the low bid had mobilization costs of approximately 20-25% which is technically not in compliance with the bid documents.

The real risk is the drawing down of the impoundment. Mr. Murphy stated that there are a lot of unknowns so the thought was that currently the village is uncovering the culvert and see what condition it is in. If in good condition the county could come over with a larger backhoe, remove the material from the spillway and dewater the impoundment to see what is out there. At that point the project could be changed and rebid or proceed with the village and the county removing the dam.

Mr. McCone explained the unknowns of the structure and the area around it. The underlining strategy is to minimize the effects of the unknown and proceed from there. Mr. Dreblow reviewed the history of the dam area and work that has been done over the years and what work needs to be done.

Mr. Marchese questioned if the county will be paying for the additional costs of engineering to redo the documents for rebidding. If you remove the risks what assurance is there that it is done within budget the next time.

Mr. Murphy stated that if the village would rebid, it would be bid out in sections. The main goal of the village is to reduce their liability on the dam in the future and the main goal of the county and NOAA is the fish passage. He further explained the area of work that could be done if bid in sections.

Mr. Marchese stated that his goal as a supervisor is to not pay any local taxpayer monies on this project and doesn't want to assume any risks for unknowns. Mr. Dreblow explained that the cap for the county was the NOAA dollars, approximately \$135,000 and that there was an understanding that anything over the dollar amount that NOAA would pay would be the obligation of the village. The village doesn't have the funds so there is the need to identify additional funds from somewhere. The county doesn't have the funds and will not be paying for the removal of the dam. If the dam is not removed it impacts the entire project.

Mr. Harbeck spoke as a concerned citizen and stated that this has always been presented to the village as 100% covered by NOAA funds and only in-kind contributions. Mr. Dreblow explained that it is his understanding that Planning & Parks Director Struck has indicated that although that perception may have been there, he made an indication to the village that anything above the money allocated above the NOAA grant would be the village's responsibility. A memorandum of understanding would be needed to proceed with the project. As was the case with the Mequon-Thiensville dam removal.

Mr. McCone reiterated that the county is operating under the NOAA grant and the project needs to be in compliance with that. The strategy put forth is to reduce the costs which can only be done by looking at the site. Chairperson Uselding inquired as to whether this was looked at be-

fore the project was bid out. Mr. McCone stated that from the beginning information was provided up front the best way possible and in a financially responsible manner. They tried to be as strategic and well thought as possible. Now they are trying to adjust their course of action as responsibly as possible to meet the financial obligations, the obligations under the grant and to help the village meet its obligations.

Mr. McCone further stated that there was a misunderstanding of the supplemental funding that was received. This was to cover expenses that were not anticipated and to refill the coffers on money that was spent for those expenses.

Mr. Marchese questioned if the budget included a contingency fund. The answer for that would have to come from Mr. Struck. Mr. Marchese commented that the cost of rebidding should be absorbed by Bonestroo.

The bid holding date is 60 days from bid opening which was September 7. Discussion on reviewing the bids further. Mr. Marchese would like guidance in the process from Corporation Counsel and would like to see bid clarification.

Supervisor Kletti withdrew his motion to reject the bids. Motion made by Mr. Kletti, seconded by Supervisor Grosklaus to table action on this item. All members present voting aye. Motion carried. (5-0)

Discussion Item:

Update on the Bridge Street Dam Preliminary Design for the Fish Passage Program for the Milwaukee River Watershed – ARRA/NOAA Grant: Mr. Davison reviewed the preliminary design for the Bridge Street Dam. Discussion and questions followed.

Management/Financial/Informational Reports: Mr. Lesar reported that golf is slightly down compared to last year which is due to weather. Course aeration was done last week at Mee-Kwon and will be done next week at Hawthorne Hills.

The Autumn Open that was held was very successful with 112 players. The staff did an outstanding job of coordinating the event. The net result was over \$15,000. These funds are being held in trust until the establishment of the Ozaukee Foundation.

10:20AM Transit Superintendent Wittek joined the meeting.

Transit Services:

Action Items:

Review/Approve Selection Committee for Review of Proposals for Architectural Services: Mr. Dreblow explained that as part of the qualifications based selection process for the selection of the architect for the vehicle storage building, a selection committee needs to be established. This committee could also be used for the review of the proposals for the taxi and bus service providers that will be sought later this year. The selection committee would make appropriate recommendations to the Public Works Committee.

Chairperson Uselding is recommending that he, Supervisor Kletti, Mr. Wittek and Mr. Dreblow make up this committee.

Supervisor Leider suggested that the entire PW Committee be the selection committee. Mr. Dreblow explained that it could be done. It is a very time consuming process to review the qualifications, and rank accordingly. Discussion.

Motion made by Supervisor Grosklaus, seconded by Supervisor Marchese to appoint a sub-committee to consist of Mr. Uselding, Mr. Kletti, Mr. Wittek, and Mr. Dreblow to review the architectural proposals and make a recommendation to the PW committee for selection of an architect. The majority of members present voting aye. Motion carried. (4-1) Leider opposed.

Supervisor Marchese thanked the staff for including past performance in the request for proposals.

Review/Approve Authorization for Transit Superintendent to Attend Federal Transit Administration (FTA) Workshop, November 4, 2010, Chicago: This is a one day training workshop for grant recipients of ARRA funds. There is no charge for the workshop. Cost for transportation of approximately \$50 round trip by train.

Motion made by Supervisor Kletti, seconded by Supervisor Grosklaus to approve authorization for the Transit Superintendent to attend the FTA workshop. All members present voting aye. Motion carried. (5-0)

Supervisor Leider would like a report to the committee upon return.

Management/Financial/Informational Reports: Ridership is remaining stable. There was a slight drop in Summerfest ridership but still over 20,000. Bike rack usage on the buses is up for July and the numbers are increasing for August as well.

Mr. Dreblow attended the City of Port Washington Common Council meeting on Tuesday, September 21 where they were to discuss whether or not to continue with the city taxi system. The vote was 3-2 to retain the service for another year.

11:07AM Construction Superintendent Banton joined the meeting.

Highways:

Action Item:

Review/Approve Amending the County Code of Ordinances – Town Road Improvement Fund:

Mr. Dreblow explained that every five years Section 6.02 of the County Ordinances requires that the apportioning of funds for Town Road Aids be revised to reflect the unincorporated areas of the townships. Funds are distributed base on the percentage of the total unincorporated areas of the towns.

Discussion on the program and distribution of funds. This change in the ordinance explains the distribution no matter the amount of the funds.

Motion made by Supervisor Leider, seconded by Supervisor Kletti to approve the ordinance change and to forward to the County Board at the December meeting. All members present voting aye. Motion carried. (5-0)

Management/Financial/Informational Reports: Discussion on road projects.

The committee directed the Public Works Director to draft a letter to the City of Mequon regarding the area of Pioneer Road that is under the City of Mequon jurisdiction.

Mr. Dreblow reported that the budget was initially \$1million over the levy. Adjustments have been made and will go before the Administrative Committee on October 7 at 10:30AM. Discussion on the budget and positions that haven't been filled.

Next Meeting Date: Thursday, October 21, 2010 – 8:00 AM

Adjournment: Motion made by Supervisor Leider, seconded by Supervisor Grosklaus to adjourn. All members present voting aye. Motion carried. (5-0)

Meeting adjourned at 11:49AM.

Julianne B. Winkelhorst, County Clerk