

Port Washington, Wisconsin
March 4, 2011

The Environment and Land Use Committee met in Room A-200 of the Administration Center.

Present: Supervisors Niehaus, Dohrwardt, Dean and FSA Representative Dobberfuhl (8:43am).
Staff: County Administrator Meaux, Land & Water Management Director Holschbach, Planning & Parks Director Struck and County Clerk Winkelhorst.

Others Present: Supervisor Rothstein, Elaine McClaren, and Mike Hahn.

Absent: Supervisors Kaul and Slater.

Note: * FSA Representative vote included.

Call to Order/Proper Notice*: Meeting called to order by Chairperson Niehaus at 8:34AM. Assurance that the meeting was properly noticed, so noted by Ms. Winkelhorst. Chairperson Niehaus requested to move ahead in the agenda to non-action items until a quorum is established. There were no objections.

Public Comments/Correspondence and Communications: There were none.

Land & Water Management Department:

Public Hearing – Rezoning Request by Robert and Carol Schmidt, Owner, to Petition the Committee for a Zoning Classification Change from Floodplain District to Non-Floodplain District within the Lake Michigan Shoreline to Recognize 1999 Fill Project for Construction of New Residence Affecting the Following Described Real Estate: Town of Belgium, T12N-R23E in Part of the NE ¼ of SW 2/4 of Section 7. Tax Key #02-007-09-009.00. Site Address: 6638 Silver Beach North, Cedar Grove, WI: Chairperson Niehaus opened the public hearing at 8:35am. Mr. Holschbach explained that Robert and Carol Schmidt went before the Board of Adjustment and received a conditional use permit to place fill in the Lake Michigan floodplain for the construction of a new home. The zoning classification was not formally changed from the floodplain district to non-floodplain district. Chairperson Niehaus closed the public hearing at 8:37am.

Management/Financial/Informational Reports: Mr. Holschbach reviewed some of the changes for his department that are included in the proposed State Biennial Budget for 2011-2013.

8:43AM FSA Representative Dobberfuhl in attendance and Bill Haas joined the meeting. Chairperson Niehaus reverted back in the agenda.

Action Items:

Review/Approve Resolution – Endorsement of the Regional Water Supply Plan for Southeastern Wisconsin*: Mike Hahn, Chief Environmental Engineer from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed a summary of the Regional Water Supply Plan for Southeastern Wisconsin. This plan has been in the process of development for more than five years. This plan was adopted by SEWRPC on December 1, 2010 and was developed for a design year of 2035. This is the third part of a three part water supply planning program.

Mr. Hahn's summary included a brief description of the organizational structure for the planning effort, plan recommendations related to sources of water supply, and a brief description of the conclusions of a comparative evaluation of four alternatives with respect to the water supply development and management objectives.

Motion made by FSA Representative Dobberfuhl, seconded by Supervisor Dohrwardt to approve the resolution endorsing the Regional Water Supply Plan for Southeastern Wisconsin and

forwarding the recommendation to the County Board for final approval. All members present voting aye. Motion carried. (4-0)

Chairperson Niehaus reverted back to the order of the agenda.

Adoption of the Agenda*: Motion made by Supervisor Dohrwardt, seconded by FSA Representative Dobberfuhl to adopt the agenda as presented. All members present voting aye. Motion carried. (4-0)

Approve Minutes from the February 4 Meeting*: Motion made by Supervisor Dohrwardt, seconded by FSA Representative Dobberfuhl to approve the February 4 meeting minutes as presented. All members present voting aye. Motion carried. (4-0).

Review/Approve Ordinance – Shoreland and Floodplain Zoning Map Amendment*: Motion made by Supervisor Dean, seconded by Supervisor Dohrwardt to approve amending the Shoreland and Floodplain Zoning Map to indicated the zoning change from Floodplain to Non-Floodplain within the Lake Michigan shoreline for the property that is located in the Town of Belgium, site address: 6638 Silver Beach North, Cedar Grove, WI. All members present voting aye. Motion carried. (4-0) This will move forward to the County Board for final approval.

Amendment #7 to Wisconsin Conservation Reserve Enhancement Program (CREP) Contract with the Wisconsin Department of Agriculture, Trade and Consumer Protection – Adjustment to Spending Authority*: Mr. Holschbach explained that the U.S. Department of Agriculture and the State of Wisconsin originally launched the \$243 million CREP to provide incentive for buffers along streams. Wisconsin's goal was to have 100,000 acres enrolled in the program. The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) applied part of the original allocation to the Working Lands initiative; therefore, adjusting the spending authority of Ozaukee County from \$340,000 down to \$160,000 based on progress made to date. To date \$25,215 has been utilized for the installation of 190.5 acres of buffer. These are State monies that are passed through the County to the landowner and is 100% grant funded.

Motion made by Supervisor Dohrwardt, seconded by FSA Representative Dobberfuhl to approve Amendment #7 to the CREP Contract with DATCP regarding the adjustment of the spending authority to \$160,000. All members present voting aye. Motion carried. (4-0)

Planning & Parks Department:

Action Items:

Review/Approve Professional Services / Engineering Proposals and Approve Professional Services Agreement for the Design, Engineering, Permitting, Bid Support, and Construction Related Services at the Mole Creek PB2 CTH O Road/Stream Crossing in the Town 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": The Planning & Parks Department solicited proposals for professional/engineering services for the design, engineering, permitting and bidding assistance for reconstruction of the Mole Creek and County HWY O crossing in the Town of Grafton. Six proposals were received and reviewed and compared for completeness, technical merit, adherent to timeline, cost and additional work necessary to meet project milestones and schedules. A 15% contingency for design and engineering was included on all proposals.

The six proposals, in summary, for the total bidding were as follows: 1)AECOM - \$39,509; 2) Short Elliott Hendrickson, Inc. (SEH) - \$57,708; 3) Chequamegon - \$89,865; 4)Bonestroo - \$56,904, 5)Miller - \$38,993; and 6)Kapur - \$49,017.

The SEH proposal represents a combination of lump sum (engineering and design) and time and materials (construction inspections). Staff recommendation is to proceed with SEH based on the comprehensive review of the factors described and although they are not the lowest bid, SEH has

assembled a very good team that staff has worked with before. The team consists of M Squared Engineering, LLC who is known for their floodplain modeling, which is critical to this effort and is located in Cedarburg and Inter-Fluve who staff is working with on the Bridge Street Dam Fishway design and is nationally known for their work and the lead would be SEH. Staff is very comfortable that with the strong sub-consultants there will be no problem meeting the deadlines within the very tight timeline required. This is 100% funded through the American Recovery & Reinvestment Act (ARRA)/National Oceanic and Atmospheric Administration (NOAA) grant funding.

Motion made by Supervisor Dohrwardt, seconded by Supervisor Dean to approve a Professional Services Contractual Agreement with SEH for a not-to-exceed sum of \$57,708 for lump sum engineering and design (with 15% contingency), construction staking, and as-built survey fees (\$40,428) and up to \$17,280 for time and materials invoicing for construction inspection services on an as-needed basis to conduct and complete, as outlined in the proposal, for the Mole Creek PB 2 CTH O road/stream crossing. All members present voting aye. Motion carried. (3-0)

Review / Approve Professional Services Contractual Agreement with Great Lakes Ecological Services, Slinger, WI for Further Developing the GIS Decision Support Tool for Potentially Restorable Wetlands and Fish & Wildlife Habitat for the Implementation of the US Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative (GLRI) Funded Project, entitled "Enhancing Ecological Productivity of Milwaukee Estuary Area of Concern Watersheds": Mr. Struck explained that Ozaukee County, in conjunction with the Wisconsin Department of Natural Resources (WDNR), US Fish and Wildlife Service and other partners, is developing a GIS-based Decision Support Tool for a fish and wildlife habitat model. This is a major component of the US Environmental Protection Agency (USEPA) Enhancing Ecological Productivity of the Milwaukee Estuary Area of Concern (AOC) Watersheds funded grant. This is a lump-sum contract of \$20,000 for a two year period.

Motion made by Supervisor Dohrwardt, seconded by Supervisor Dean to approve a Professional Services Contractual Agreement with Great Lakes Ecological Services for a not-to-exceed sum of \$20,000 for a two year effort to further develop the Fish and Wildlife Habitat GIS Decision Support Tool. All members present voting aye. Motion carried. (3-0)

Management/Informational Reports: Reports included in the packet. There were no further questions.

Ozaukee County will be hosting the Wisconsin Park & Recreation Association Summer Park Tour on July 20-22 and it will feature Port Washington and Ozaukee County parks and facilities. Yesterday, Mr. Struck conducted a tour of the Fish Passage Program projects for members of the US Forest Service, who were in the area for a conference.

9:28AM Recess and Land Information Coordinator Richards joined the meeting.

9:48AM Reconvene

Register of Deeds/Land Information:

Discussion Item:

Demonstration of the Ozaukee County Geographic Information Systems (GIS) Website with Municipal Cooperation: Land Information Coordinator Richards conducted the demonstration. Discussion and questions followed.

Management/Financial/Informational Reports: Reports included in the packet. There were no further questions.

University Extension Office:

Management/Financial/Informational Reports: Reports included in the packet. There were no further questions.

Next Meeting Date: Friday, May 6 – **10:00AM** Note: Due to the County Board reorganization on April 6, the April meeting is cancelled. The next meeting of the Environment & Land Use Committee, renamed the Natural Resources Committee, is scheduled for May. Time change is due to the First Friday Forum.

Adjournment*: Motion made by Supervisor Dean, seconded by Supervisor Dohrwardt, to adjourn. All members present voting aye. Motion carried. (4-0)

Meeting adjourned at 10:20AM.

Julianne B. Winkelhorst, County Clerk