

**DISPUTE RESOLUTION FORUM SUBCOMMITTEE**  
**MINUTES OF AUGUST 7, 2007**

The meeting was called to order by Knodl at 6:00 p.m. at the Washington County Public Agency Center in Room 3224 . Those present included:

**Advisory Committee Members Present:**

Daniel Knodl .....	Washington County Board Supervisor
Mathew Heiser .....	Village of Kewaskum
Ron Hefter .....	Town of Addison
Jim Bennett.....	Town of Hartford
Leander Herriges .....	Town of Wayne Citizen
Chris Kuehn.....	HUED Work Group Chairperson
David Nixon .....	Dean of UWWC
Barb Renkas .....	Town of West Bend Citizen

**Excused:**

Brian Bausch .....	Washington County Board Supervisor
Justin Drew.....	City of Hartford Representative

**Absent:**

City of West Ben Representative

**Staff**

Deb Sielski .....

Assistant Administrator for Planning  
Washington County Planning and Parks Department

Robbie Robinson .....

Planner  
Southeastern Wisconsin Regional Planning Commission

Kelly Hahm .....

Administrative Secretary  
Washington County Planning and Parks Department

**Others in Attendance:**

**FIRST ORDER OF BUSINESS:** Call Meeting to Order/Review Agenda

Knodl welcomed everyone to the first meeting of the Dispute Resolution Forum Subcommittee and requested all members to introduce themselves.

**SECOND ORDER OF BUSINESS:** Election of Chairperson

Bennett nominated Heiser for Chairperson. Heiser accepted nominations.

**Motion by Bennett, seconded by Herriges to elect Heiser as Chairperson by acclamation. Motion carried unanimously.**

**THIRD ORDER OF BUSINESS:** Election of Vice-Chairperson

Kuehn nominated Knodl for Vice-Chairperson. Knodl accepted nomination.

**Motion by Kuehn, seconded by Herriges to elect Knodl as Vice-Chairperson. Motion carried unanimously.**

**FOURTH ORDER OF BUSINESS:** Role of Subcommittee

Sielski started the discussion by stating that the dispute resolution process and the creation of by-laws is a new direction for her and since she is not an attorney, she will be utilizing the resources of the County Attorney's Office when creating the by-laws.

Sielski began the presentation for agenda items four, five, and six. (See Attached). Discussion ensued regarding the dispute resolution process between the municipalities. Heiser asked how the

process will pertain to the non-partnering municipalities. Sielski replied that the non-partnering municipalities may voluntarily use this process. Nixon asked if this process will be used often or will it be a rarity. Sielski stated it may be rarely used but available when needed. Heiser explained that as a representative of a Village it is of interest to the Village because it is something the residents would like. Kuehn explained the importance of the dispute resolution process with an example. Nixon asked by implementing a dispute resolution process if the County has a standing in the process as a third party of a dispute between a City, Village, or a Town, would they also have this standing if the dispute was litigated. Sielski stated she will follow up with the County Attorney's office regarding this question. Bennett referred to the Washington County 2004 Resolution 35 on page 2, line 36. Bennett explained that the Town of Hartford will not get approval of their Land Use Plan map by the City of Hartford. Sielski explained that the County will accept the Town Land Use Plan map if it is in substantial compliance with the Regional Land Use Plan objectives and standards.

Heiser asked that, in an effort to involve more local municipalities in this process, could periodic updates be sent out to all municipalities in the County. Sielski stated that she could send out the minutes, agendas and handouts to all municipalities in an effort to make them aware of this process. Kuehn suggested that committee members make presentations at plan commission meetings for all 20 local municipalities. Discussion ensued. Bennett agreed that a letter could be sent out and urged committee members to request to be on a future municipality plan commission agenda and explain the process.

**Motion by Knodl, seconded by Bennett to assign subcommittee members to attend various municipalities to explain the Dispute Resolution Forum. Discussion ensued and the subcommittee agreed to have staff create a script to take to the meetings. Motion carried unanimously.**

The following subcommittee members will be attending the below municipalities:  
Jim Bennett – Town of Hartford, Village of Slinger, City of Hartford, Town of Erin  
Chris Kuehn – Town of Wayne, City of West Bend, Town of Polk  
Ron Hefter – Town of Addison, Town of Barton, Town of West Bend  
Dan Knodl – Village and Town of Germantown, Town of Richfield  
Matt Heiser – Village and Town of Kewaskum  
Barb Renkas – Village of Newburg and Town of Trenton  
David Nixon – Village and Town of Jackson  
Brian Bausch – Town of Farmington

Sielski continued the presentation and reviewed the many issues that the subcommittee will need to decide. Discussion ensued on the various types of alternative dispute resolution processes. Kuehn stated that the subcommittee should utilize the mediation process to allow the parties to come to an agreement or not. Sielski explained the order of dispute resolution processes identified in her presentation and agreed that a form of mediation should be the direction this subcommittee takes. Heiser asked if we should recommend the focus group process, prior to the mediation process. Sielski explained that a clause could be added to the by-laws stating that the disputing parties exhaust all avenues regarding the use of focus groups and negotiation prior to applying to use the Dispute Resolution Forum. Sielski asked if the process should be limited to conflicts from adoption of comprehensive plans and issues stemming from that adoption or open it up to any potential conflicts between a City, Village, Town, or County. Kuehn stated that it should be limited to issues related to the comprehensive plan.

Kuehn suggested using the Planning and Parks Department for the first point of contact and to administer the process. Sielski stated that we will need to outline a selection process for representatives for the Dispute Resolution Board. Kuehn added that the representatives should be elected officials from cities, villages, towns, and the county and serving on this Board should be made part of the elected officials role. Hefter asked if the proceedings of the Dispute Resolution Process would be made available for future litigation. Sielski stated she will need to consult with the County Attorney regarding the Open Meetings Law to answer that question. Kuehn explained the possibilities of needing a stenographer for the process. Sielski asked the subcommittee if school districts and other taxable entities should be able to use this process for possible conflicts.

No formal action was taken on this. Hefter asked how and when will the by-laws be updated and who will keep up with that information. Sielski stated that as the Dispute Resolution process is utilized, the by-laws will need to be reviewed periodically. Details of how the by-laws should be reviewed and updated can be spelled out in the by-laws themselves.

Sielski stated that to get local government to agree that serving on the Dispute Resolution Board should be a role of their elected official, a resolution would probably need to be passed by each local government.

**FIFTH ORDER OF BUSINESS:** Background Information on Dispute Resolution Forum

See agenda item four.

**SIXTH ORDER OF BUSINESS:** Discussion of Process and By-Laws

See agenda item four.

**SEVENTH ORDER OF BUSINESS:** Public Comment

No comments given.

**EIGHTH ORDER OF BUSINESS:** Discussion Regarding Upcoming Meetings

The subcommittee decided that the next meeting will be held on September 4<sup>th</sup> at 6 pm. in Room 3224 of the Public Agency Center. Sielski stated she will do her best to get the first draft of the by-laws out with the agenda for the next meeting or hand it out at the next meeting.

**NINTH ORDER OF BUSINESS:** Adjournment

**Motion by Kuehn, seconded by Bennett to adjourn.** Discussion ensued and Dan Knodl will update the Advisory Committee on the dispute resolution process at the August 22, 2007 meeting. **Motion carried unanimously.** Meeting adjourned at 7:44 p.m.

Respectfully Submitted,

Debora Sielski  
Assistant Administrator for Planning

Approved by \_\_\_\_\_  
Matt Heiser, Chairperson

Date \_\_\_\_\_