

**JUNE 20, 2006****EVENING SESSION****6:00 P.M.****HEALTH & HUMAN SERVICES BUILDING – LOWER LEVEL CONFERENCE ROOM - MERRILL**

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The Lincoln County Board of Supervisors met at the Health & Human Services Building – Lower Level Conference Room, City of Merrill, in session assembled pursuant to law. The meeting was called to order at 6:00 p.m. by Chairman Powell. Roll was called by the Clerk and the following answered present: Alber, Berndt, Caylor, Fox, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Schneider, Short, Simon, Weaver, Woller and Zeitz (21). Supervisor Saal was excused.

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Pledge of Allegiance was given by the Board.

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**ANNOUNCEMENTS/APPOINTMENTS/RECOGNITIONS/AWARDS – No Announcements**

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**SERVICE RECOGNITIONS FOR JUNE, 2006**

Clerk read a service recognition for Mandy L. Bishop, currently a Fiscal Clerk in the Treasurer's Office for 10 years of service. She received a 10-year pin.

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Clerk read a service recognition for Sharon Weinkauf, currently a Certified Nursing Assistant at the Pine Crest Nursing Home for 10 years of service.. She received a 10-year pin.

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Clerk read a service recognition for Matthew A. Venne, currently an Operator-Class 4 at the Highway Department for 20 years of service. He received a 20-year pin.

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Clerk read a service recognition for Nancee Sullivan, currently a Fiscal Clerk-Payroll Clerk at the Pine Crest Nursing Home for 20 years of service. She received a 20-year pin.

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Clerk read a service recognition for Russell Scheu, currently the Veterans Service Officer in the Veterans Service Office for 20 years of service. He received a 20-year pin.

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Clerk read a service recognition for Jeffrey R. Kraft, currently a Lieutenant/Jail Administrator at the Sheriff's Department for 30 years of service. He received a 30-year pin.

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**APPOINTMENTS AND REAPPOINTMENTS –**

Motion made by Supervisor Woller, seconded by Supervisor Caylor to approve all the appointments and re-appointments for the following Committees or Boards– all ayes.

**APPOINTMENT ZONING BOARD OF AJDUSTMENT:**

Patrick Priebe – 3 year term

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**REAPPOINTMENT TO THE MERRILL LIBRARY BOARD:**

Janet Thompson

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**RE-APPOINTMENT TO THE CIVIL SERVICE GRIEVANCE COMMITTEE**

George Diagostine – 5 year term

## **APPROVAL OF JOURNAL – MAY 16, 2006**

Clerk reported that there were three errors on the May 16, 2006 Journal. On page 12 – in the service recognitions change Kevin Kleinschmidt's years of service to 15 not 20; also on page 12 in the Appointments to Local Emergency Planning Committee – delete the W from the Chair Powell's name and replace it with a G; and on page 15 in first line of Motion delete the T from Supervisor Alber's name.

Motion was made by Supervisor Simon, seconded by Supervisor Lussow to accept the minutes of May 16, 2006 as amended. All Supervisors voting aye and Motion carried.

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## **LETTERS, PETITIONS AND MEMORIALS**

### **Monthly Mailbox Correspondence – Any Questions**

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There were no comments to the Monthly Mailbox Correspondence.

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## **ADMINISTRATIVE COORDINATOR'S WRITTEN REPORT – Q & A**

John Mulder had nothing to add to his report. Administrative Coordinator's Report is to be filed.

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## **REPORT OF STANDING & SPECIAL COMMITTEE**

### **County Board Goals – John Mulder**

John Mulder gave a report on the County Board Goals and what the next steps are. Each of the 30 goals was assigned to the Responsible Committee for discussion and a progress report.

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### **Year-to-date Budget Report – Dan Leydet**

Dan Leydet, Finance Director, gave a year-to-date budget report. It is intended to give a broad overview of how the County's actual expenditures through May compared to the budgeted amounts for 2006.

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### **Addressing Project Update – Applied Data Consultants**

Diane Hanson, Conservationist, gave a background of the Addressing Project. She introduced Nick Stadnyk, Applied Data Consultants. He did a presentation on how the addressing is done how the data is used. Discussion followed.

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### **Committee on Committees – Supervisor Zeitz**

Supervisor Zeitz asked about the special Committee on Committees from the April 18, 2006 Organizational Meeting and explained what he wanted. He feels it should be recorded or minutes taken. Discussion was held. Nancy Bergstrom, Corporation Counsel, explained why we do not record the minutes of Committee meetings other than the County Board Meeting.

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### **Special Report on 2 Plats – Prairie River Savannah & Wisconsin River Heights – Dan Miller**

Dan explained why he was doing the reports. There have been changes made in the process of doing this. Discussion followed.

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### **\*Release of public access deed restriction-Wausau Paper properties**

#### **\*CLOSED SESSION**

Convene into closed session pursuant to §19.85 (1) (e) Wis. Stats. Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

and

Convene into closed session pursuant to §19.85 (1) (g) Wis. Stats. Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Motion made by Supervisor Caylor, seconded by Supervisor Meyer to go into closed session. Clerk called roll with all Supervisors voting aye to convene into Closed Session. Nancy Bergstrom, Corporation Counsel, Jane Severt, Forestry Administrator, John Mulder, Administrative Coordinator, and Rob Kudick, from Wausau Papers to be included.

### **Open Session**

Motion made by Supervisor Loka, seconded by Supervisor Alber to reconvene into Open Session. John Mulder called roll with all Supervisors present voting aye and motion is carried.

Chair Powell requested that Resolution 2006-06-40 be brought before the Board for action now. He asked if there were any objections from the Board. There were no objections and Resolution 2006-06-40 will be brought before the Board for action.

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## **RESOLUTIONS AND ORDINANCES FOR BOARD ACTION**

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### **Resolution 2006-06-40**

#### **Title: Wausau Paper Corporation Request for Release of Public Use Reservation**

**WHEREAS**, Wausau Paper Corporation owns approximately 1,532 acres of property in Lincoln County which is subject to a deed restriction requiring that lands acquired by tax deed between 11/15/54 and 2/9/71 remain open for hunting purposes; and

**WHEREAS**, resolution #62 (3/14/72) authorized the release of this deed restriction for a fee of \$10.00 (plus recording fees) per parcel of 40 acres or less; and

**WHEREAS**, as an alternative to commencing legal proceedings against Lincoln County to obtain a release of this deed restriction at the 1972 price, Wausau Paper Corporation has proposed to settle its dispute with Lincoln County by tendering payment for such release at a price of \$25 per acre or fractional portion thereof (plus recording fees).

**WHEREAS**, the Forestry, Land & Parks Committee has spent a great deal of time studying this issue and recommends this settlement of all claims relating to Wausau Paper Corporation land containing this deed restriction.

**NOW, THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Supervisors adopts the recommendation of the Forestry, Land & Parks Committee, authorizes settlement of these claims by a payment by Wausau Paper Corporation as outlined above and directs the appropriate county officials to execute such documents as may be necessary to do so.

**Dated this 20th day of June, 2006**

**Introduced by:** Forestry, Land & Parks Committee

**Committee Action:** Passed 3 - 0 on 6/7/06

**Fiscal Impact:** + \$38,300

Motion made by Supervisor Alber, seconded by Supervisor Lussow to adopt Resolution 2006-06-40. Jane Severt, Forestry Administrator, explained the Resolution. Discussion was held. Resolution 2006-06-40 is adopted by a voice vote and motion is carried.

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### **Resolution 2006-06-38**

**Title: Approving 2006-2007 Collective Bargaining Agreement between Lincoln County and Social Services Para-Professionals (LAW Local 601)**

**WHEREAS** the County and the Union have met on 4 occasions to reach an agreement for the labor agreement for 2006-2007, and

**WHEREAS** the Personnel Committee has reviewed the tentative agreements and recommends that the County Board approve the settlement of the contract, now

**THEREFORE BE IT RESOLVED** that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee and approves the 2006-2007 collective bargaining agreement between Lincoln County and the Social Services Para-Professionals (LAW Local 601) as outlined on the attached tentative agreements dated May 23, 2006 and authorizes the necessary County officials to sign the contract.

**Dated this 20th day of June, 2006**

**Introduced by:** Personnel Committee

**Committee Action:** Personnel Committee Passed unanimously on 06/06/06 (Lussow absent)

**Fiscal Impact:** Approximate annual increase in costs each year – 2006 - \$31,610; 2007 - \$30,519

Motion made by Supervisor Caylor, seconded by Supervisor Lussow to adopt Resolution 2006-06-38. John Mulder, Administrative Coordinator, explained the Resolution. Discussion was held. Resolution 2006-06-38 is adopted by a voice vote with one nay and motion is carried.

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### **Resolution 2006-06-39**

**Title: Approving 2006-2007 Collective Bargaining Agreement between Lincoln County and Social Services Professionals (LAW Local 612)**

**WHEREAS** the County and the Union have met on 4 occasions to reach an agreement for the labor agreement for 2006-2007, and

**WHEREAS** the Personnel Committee has reviewed the tentative agreements and recommends that the County Board approve the settlement of the contract, now

**THEREFORE BE IT RESOLVED** that the Lincoln County Board of Supervisors accepts the recommendation of the Personnel Committee and approves the 2006-2007 collective bargaining agreement between Lincoln County and the Social Services Professionals (LAW Local 612) as

outlined on the attached tentative agreements dated May 23, 2006 and authorizes the necessary County officials to sign the contract.

**Dated this 20th day of June, 2006**

**Introduced by:** Personnel Committee

**Committee Action:** Personnel Committee Passed unanimously on 06/06/06 (Lussow absent)

**Fiscal Impact:** Approximate annual increase in costs each year – 2006 - \$35,683; 2007 - \$25,027

Motion made by Supervisor Caylor, seconded by Supervisor Lussow to adopt Resolution 2006-06-39. John Mulder, Administrative Coordinator explained the Resolution. Resolution 2006-06-39 is adopted by a voice vote with one nay and motion is carried.

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**ORDINANCE 2006-06-477**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN  
CHAPTER 17, ZONING ORDINANCE**

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that chapter 17 be amended as indicated in the attachment.

This ordinance shall take effect from and after its passage and publication.

**Dated this 20th day of June, 2006**

**Introduced by:** The Planning & Zoning Committee

**Committee Action:** Planning & Zoning Committee - Passed on June 8, 2006. Vote 5 to 0

**Fiscal Impact:** None

**LINCOLN COUNTY, WISCONSIN**

**CURTIS G. POWELL            ROBERT D. KUNKEL**

**Chairman**

**County Clerk**

Motion made by Supervisor Mittelsteadt, seconded by Supervisor Alber to adopt Ordinance 2006-06-477. Dan Miller, Zoning Administrator, explained the Ordinance. Earl Welker from the Town of Schley spoke on this. Discussion was held. Bill Jelinek, Town of Bradley, also spoke on this. Supervisor Lussow made a motion to amend Ordinance 2006-06-477 on page 4 – on the Crossroad Mix (2b) to add a 40% impervious cap on the size of the building. There was no second to this motion, so motion is dead. More discussion followed. Mr. Miller was asked how many towns support this. So far 5 out of the 11 have supported it. If they get one more town to support this, it can be enacted immediately. Otherwise, it will be enacted after the 40 day waiting period. More discussion was held.

Motion made by Supervisor Zeitz, seconded by Supervisor Alber to layover until next month. Chair asked if there was any debate on this motion. Discussion was held on that Motion. Supervisor Alber explained his reasons. Roll call vote was requested. Clerk called roll with Supervisors Alber, Fox and Zeitz voting aye (3); Supervisors Berndt, Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Schneider, Short, Simon, Weaver, and Woller voting nay (18). More discussion followed. Clerk called roll on the original motion and Supervisors Caylor, Kahle, Krueger, Lee, Loka, Lussow, Meyer, Mittelsteadt, Plant, Powell, Rankin, Rusch, Schneider, Short, Weaver, and Woller voting aye (16); and Supervisors Alber, Berndt, Fox, Simon and Zeitz voting nay (5). Motion is carried and Ordinance 2006-06-477 is adopted.

**CHAPTER 17 AMENDMENTS**  
**COUNTY BOARD VERSION 6-20-06**

**Section 17.1.14: DEFINITIONS**

**CONDOMINIUM:** ~~Ownership of single units in a facility with common area and meeting all requirements of Wisconsin Statutes Chapter 703.~~ The conveyance of real property through the use of individual units and common elements by means of a condominium instrument subject to Lincoln County Ordinances and Wisconsin Statutes Chapter 703 .

Section 17.2.05 (3) **Performance Standards:** All development of land shall comply with all requirements of this chapter pertaining to the performance of development projects, including but not limited to issues of access, parking, loading, storage, lighting, screening, noise, vibration, odors, heat, glare and smoke. Most ~~dimensional~~ performance standards are addressed in Division 17.5.

**Section 17.2.93 W WETLAND OVERLAY ZONING DISTRICT**

**(3) Land Uses Permitted by Right:**

- (a.) *Hunting, trapping, fishing*
- (b.) *Silviculture uses*
- (c.) *Pasturing of livestock*
- (d.) *Cultivation of agricultural crops, including cranberries*
- (e.) *Harvesting of wild crops, such as marsh hay, ferns, moss, wild rice, berries, tree fruits and tree seed, in a manner that will not injure the natural reproduction of such crops*
- (f.) *Construction and maintenance of fences; maintaining, repair, replacement or reconstruction of existing town and county roads and bridges*
- (g.) *Seasonal picnic areas*
- (h.) *Public utilities and services*
- (i.) *Construction of new roads if permitted under WisDNR or Army Corps of Engineers regulations (federal, state, county, or town.)*
- (j.) *Establishment of public and private parks and recreation areas, natural and outdoor education areas, historic and scientific areas, wildlife refuges and game farms*
- (k.) *Removal of top soil if permitted under WisDNR or Army Corps of Engineers regulations.*
- (l.) *Ditching, filling, excavating or dredging if permitted under WisDNR or Army Corps of Engineers regulations.*

**Section 17.2.100: PERMITTED AND CONDITIONAL LAND USES BY ZONING DISTRICT**

Forestry (F)	Agriculture (A)	Rural Lands (RL2)	Rural Lands (RL4)	Suburban Residential	Rural Residential (RR1)	Rural Residential (RR2)	Rural Residential (RR3)	Rural Residential (RR4)	Rural Residential (RR5)	Mixed Residential	Mobile Home Park	Recreation (RE)	Planned Business (PB)	General Business (GB)	Crossroads Mixed Use	Planned Industrial (PI)	General Industrial (GI)	← ZONING DISTRICTS ←  ↓ RESIDENTIAL LAND USES ↓ (See Section 17.3.03 for detailed descriptions and standards associated with each of the land uses listed below)
	P	P	P	P	P	P	P	P	P	P					P			(1) Single family dwelling (including manufactured homes meeting standards)
	P	P	P	P	P	P	P	P	P						P			(2) Farm dwelling
P	P	P	P	P	P	P	P	P	P	P		P			P			(3) Seasonal dwelling
	P	P	P	P	P	P	P	P	P	P					P			(4) Two family dwelling
										P					C			(5) Multiple family dwelling (3-8 units)
										C								(5a) Multiple family dwelling (9-16 units)
P	C	C	C							C	P							(6) Mobile home (seasonal only in F)
P	P	P	P							C	P							(7) Manufactured home not meeting single family standards. Seasonal home only in F District
											P							(8) Manufactured/Mobile home park
P	P	P	P	C	C	C	C	P	P	P		P						(9) Camping unit
										C			C	C	C			(10) Elderly & congregate housing facility
							P	P	P									(11) Conservation neighborhood development
				C	C	C	C	C	C			P						(12) Golf course community

Forestry (F)	Agriculture (A)	Rural Lands (RL2)	Rural Lands (RL4)	Suburban Residential (SR)	Rural Residential (RR1 30000 sf)	Rural Residential (RR2 40000 sf)	Rural Residential (RR3 50000 sf)	Rural Residential (RR4 100,000)	Rural Residential (RR5 200,000)	Mixed Residential (MR)	Mobile Home Park (MH)	Recreation (RE)	Planned Business (PB)	General Business (GB)	Crossroads Mixed Use (CMU)	Planned Industrial (PI)	General Industrial (GI)	<p style="text-align: center;">← ZONING DISTRICTS ←</p> <p style="text-align: center;">↓ INDUSTRIAL LAND USES ↓                      (See Section 17.3.08 for detailed descriptions and standards associated with each of the land uses listed below)</p>	
												C	C	C	C	P	P		(1) Personal storage facility
																P	P		(2) Indoor storage or wholesaling
																C	P		(3) Outdoor storage or wholesaling
																C	C		(4) Freight or bus terminal
																C	P		(5) Distribution center
													C	P	C	P	P		(6) Contractor shop
																P	P		(7) Light industrial use
																C	C		(8) Heavy industrial use
C	C	C	C														C		(9) Metallic mineral extraction use
																	C	(10) Non-metallic extraction use	

Forestry (F)	Agriculture (A)	Rural Lands (RL2)	Rural Lands (RL4)	Suburban Residential (SR)	Rural Residential (RR1 30,000 sf)	Rural Residential (RR2 40,000 sf)	Rural Residential (RR3 50,000 sf)	Rural Residential (RR4 100,000 sf)	Rural Residential (RR5 200,000 sf)	Mixed Residential (MR)	Mobile Home Park (MH)	Recreation (RE)	Planned Business (PB)	General Business (GB)	Crossroads Mixed Use (CMU)	Planned Industrial (PI)	General Industrial (GI)	<p style="text-align: center;">← ZONING DISTRICTS ←</p> <p style="text-align: center;">↓ ACCESSORY LAND USES ↓                      (See Section 17.3.09 for detailed descriptions and standards associated with each of the land uses listed below)</p>
P	P	P	P	P	P	P	P	P	P	P	P	P			P			
P	P	P	P	C	C	C	C	P	P	C		C			C			(1b) Accessory residential structure ≥ <del>4000</del> <u>1500</u> sq ft
	P	P	P									P	P	P	P	P		(2a) Accessory nonresidential structure < 25,000 cu ft
	C	C	C									C	C	C	C	C	P	(2b) Accessory nonresidential structure ≥ 25,000 cu ft
	P	P	P	P	P	P	P	P	P	P	P							(3) Family day care home (8 or fewer children)
	C	C	C	C	C	C	C	C	C	P								(4) Intermediate day care home (9 – 15 children)
													P	P	P			(5) Commercial apartment
P	P	P										P	P	P	P	P	P	(6) Caretaker’s residence (seasonal in F district)
	P	P	P	P	P	P	P	P	P	P	P	P			P			(7) Home occupation
	C	C	C						C			C			C			(8) Home occupation, expanded
P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	P	(9) Accessory farm or forestry structures

Forestry (F)	Agriculture (A)	Rural Lands (RL2)	Rural Lands (RL4)	Suburban Residential (SR)	Rural Residential (RR1 30,000)	Rural Residential (RR2 40,000)	Rural Residential (RR3 50,000)	Rural Residential (RR4 100,000)	Rural Residential (RR5 200,000)	Mixed Residential (MR)	Mobile Home Park (MH)	Recreation (RE)	Planned Business (PB)	General Business (GB)	Crossroads Mixed Use (CMU)	Planned Industrial (PI)	General Industrial (GI)	<p style="text-align: center;"><b>← ZONING DISTRICTS ←</b></p> <p style="text-align: center;"><b>↓ ACCESSORY LAND USES ↓</b>  <b>(See Section 17.3.09 for detailed descriptions and standards associated with each of the land uses listed below)</b></p>	
												P	P	P	P	P			(10) Outdoor display incidental to indoor sales use
												P	P	P	P	P			(11) Temporary outdoor sales
												P	P	P	P	P			(12) Indoor sales accessory to light industrial use
	P	P	P	C	C	C	C	C	C			P	P	P	P	P			(13) Seasonal sales of farm & forestry products
												C	C	P	C	P			(14) Light industrial use accessory to indoor sales use
												C	C	C	P	C			(15) Off-site parking lot
P	P	P	P					P	P			P	P	P	P	P			(16) Outdoor wood furnace (5+ acre lot)
												P	P	P	P	P			(17) Temporary relocatable building < 365 days
												C	C	C	C	C			(17a) Temporary relocatable building ≥ 365 days

### Section 17.3.03 RESIDENTIAL LAND USES

- (1) **Single family dwelling:** A dwelling unit designed for, converted to, and/or occupied by one family and not attached to another dwelling unit. This land use category does not include a mobile home. This land use category includes a manufactured home as described in this section, but only if said manufactured home meets the following regulations applicable to all single family dwellings.

*Regulations:*

- (a.) All wheels, axles, transportation lights, and other related towing apparatuses shall be removed.
- (b.) Except within the Forestry zoning district:
- (i.) The dwelling must be attached to a finished, permanent foundation, such as a poured concrete slab or a basement.
  - (ii.) ~~The minimum floor area shall be not less than 700 square feet, exclusive of an attached garage, carport, or open deck.~~
  - (iii.) The dwelling shall be served by a private on-site or group waste treatment system approved under COMM 83, Wis. Adm. Code, and Chapter 22 of the Lincoln County Code of Ordinances.
  - (iv.) The dwelling shall include a roof pitch of at least three (3) feet in rise for every twelve (12) feet in run.
- (c.) Shall provide an acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Chapter 22.

*Parking Requirements:* Two (2) spaces per dwelling unit

**Section 17.3.03 (3) Seasonal dwelling:** A specific subcategory of single family dwelling used on an intermittent basis for recreational purposes such as, but not limited to, a vacation cottage, recreational cabin, or hunting cabin. Because its impacts are typically less than those of a single family dwelling occupied on a more regular or permanent basis, a seasonal dwelling meeting the regulations below is allowed in additional zoning districts per Section 17.2.100.

*Regulations:*

- (a.) May not be utilized as the primary residence of any individual.
- (b.) May not be occupied more than 180 days in any 365-day period.
- (c.) Any dwelling that does not meet any of the regulations in subsections (a) through (c) shall not be considered a seasonal dwelling for the purposes of this chapter, but instead shall be regulated as a standard single family dwelling.
- (d.) Shall provide an acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Chapter 22.

*Parking Requirements:* Two (2) spaces per dwelling unit

**Section 17.3.03 (6) Mobile home:** A transportable factory built structure as is defined in Wisconsin Statutes Section 101.91(2k), designed for long term occupancy by one family and built prior to June 15, 1976, the effective date of the Federal Manufactured Housing Construction and Safety Standards Act. A mobile home is not considered to be a type of single family dwelling for the purposes of this chapter.

*Regulations:*

- (a.) In districts where they are allowed, except for seasonal mobile homes allowed in the Forestry zoning district, the mobile home must be attached to a finished, permanent foundation, such as a poured concrete slab or a basement, which complies with the requirements of Chapters 20 through 25 of the Wisconsin Uniform Dwelling Code.
- (b.) Mobile homes placed within mobile home parks are subject to all applicable regulations associated with that land use category.

- (c.) In the Forestry zoning district, mobile homes shall meet all regulations associated with seasonal dwellings.
- (d.) **Shall provide an acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Chapter 22.**
- (e.) **Shall provide skirting where applicable.**

*Parking Requirements:* Two (2) spaces per mobile home

**Section 17.3.03 (7) Manufactured home:** A residential dwelling for one family as is defined in Wisconsin Statutes Section 101.91(2), fabricated in an off-site facility for installation or assembly at the building site, bearing a HUD label or insignia certifying that it is built in compliance with the Federal Manufactured Housing Construction Standards under 42 U.S.C. § 5401 to 5426, and built after June 14, 1976. A manufactured home shall be considered a single family dwelling for the purposes of this chapter only where it meets the regulations of Section 17.3.03(1).

*Regulations:*

- (a.) Manufactured homes placed within manufactured home parks are subject to all applicable regulations associated with that land use category.
- (b.) In the Forestry zoning district, manufactured homes shall meet all regulations associated with seasonal dwellings.
- (c.) **Shall provide an acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Chapter 22.**
- (d.) **Shall provide skirting where applicable.**

*Parking Requirements:* Two (2) spaces per manufactured home

**Section 17.3.03 (9) Camping unit:** Includes any portable device, not more than 400 square feet in area, used as a temporary dwelling, including but not limited to a camping trailer, motor home, recreational vehicle, or tent. Does not include the storage of such camping unit on a lot as an accessory use during periods when it is not occupied. For example, an unoccupied recreational vehicle parked in the driveway of a house is not regulated by this subsection.

*Regulations:*

- (a.) **Shall be not more than one (1) occupied camping unit per lot in a residential zoning district.**
- (b.) **Adequate sanitation meeting all applicable state and county regulations, such as a private on-site waste disposal system or privy, shall be required for units that remain on a property for over sixty (60) days.**
- (c.) **County permits shall be required for units that remain on a property for over sixty (60) days per calendar year.**

**Section 17.3.03 (12) Golf course community:** A type of residential development designed in conjunction with, and integrated within, a golf course or similar outdoor recreational use.

*Regulations:*

- (a.) ~~Shall include only those residential housing types allowed under the base zoning district. It may include only the following housing types: single family dwelling, two-family dwelling, or seasonal dwelling.~~
- (b.) If the project includes condominium housing, the standards of Section 17.4.03(4) shall apply with respect to individual condominium site size, except that gross site area shall not consider the land occupied by the golf course (fairways, greens, etc.).
- (c.) May include only those commercial uses that are related to the golf course or similar outdoor recreation use.
- (d.) Shall provide an acceptable sewage treatment and/or disposal system meeting the requirements of all applicable state regulations and Chapter 22.

*Parking Requirements:* Two (2) spaces per dwelling unit, plus one space per four expected patrons at maximum typical capacity of the golf course, similar to recreational use, and associated commercial facilities.

**Section 17.3.04 (12) Tourist lodging:** Includes land uses that provide three (3) or fewer housing units in a single building, on a single lot, or on contiguous lots, with such units available for overnight or weekly stays by paying guests. Such land uses may provide in-room kitchens, and may also provide indoor and outdoor recreational facilities for the exclusive use of their customers. Restaurants, arcades, fitness centers, and other on-site facilities available to non-lodgers are not considered accessory uses, but instead are considered additional principal uses that may require separate land use reviews. Does not include “bed and breakfast establishments,” “hotels, motels, or lodging resorts,” or “boarding houses.” Where available for month-to-month or lease terms of greater length, such uses shall not be considered tourist lodging but shall instead be considered single family dwellings.

(a) When considering a conditional use for a tourist lodging facility the following criteria are viewed more favorably: onsite or readily available caretaker/manager, larger lot sizes, appropriate screening and natural buffering from adjacent properties. Where this criteria is not present; it may be grounds for denial of a conditional use permit.

*Parking Requirements:* One space per room, suite, or cabin.

#### Section 17.3.09 ACCESSORY LAND USES

- (1) **Accessory residential structure:** Includes any detached private residential garage, carport, or utility shed which primarily accommodates the sheltered parking of a vehicle, the storage of residential maintenance equipment to service the same lot or a contiguous lot, or a detached shelter such as a gazebo. Also includes swimming pools, wind and solar energy systems for on site residential use, ~~and private kennels for two (2) or fewer domestic animals.~~ Does not include fences, public utility fixtures and their appurtenances, driveways, gardens, garden accessories, children’s playhouses, fountains, sun dials, flag poles, walkways, at-grade patios, play equipment, tree houses, basketball courts, tennis courts, pet houses or private kennels for two (2) or fewer domestic animals, whirlpools, and saunas. Attached garages, attached carports, and decks shall be considered part of the principal residential building, not an accessory residential structure.

#### *Regulations:*

- (a.) If proposed to be constructed in advance of the principal building (dwelling) on the same lot, shall not exceed ~~1,000~~ 1,500 square feet; shall be required to submit a site plan under Section 17.8.40; and shall site such accessory residential structure with relation to appropriate locations for a future dwelling, private well and on-site waste treatment system, and driveway.
- (b.) Shall be located on the same zoning lot or mobile or manufactured home site as the dwelling with which it is associated.
- (c.) Shall not be used as a dwelling or for any commercial purpose, except as permitted in an approved expanded home occupation.
- ~~(d.) Up to one (1) detached garage or carport and up to two (2) sheds shall be permitted by right for each dwelling unit.~~
- (e.) There shall be not more than one (1) accessory residential structure per mobile or manufactured home lot or site within a manufactured or mobile home park.
- (f.) Any detached garage, carport, or shed of ~~1,000~~ 1,500 square feet or greater shall require a conditional use permit and shall be set back from all property lines and roads a distance equal to the required principal building setbacks.
- ~~(g.) Swimming pools shall be subject to fencing as required by State rules.~~
- (h.) Within a condominium there shall be not more than two (2) detached accessory residential structures per unit; and the use of common/shared detached accessory residential structures are encouraged and shall be considered before individual detached structures are permitted. When common/shared detached accessory residential structures have not been first considered within the condominium; such may be grounds for denial of a zoning permit.

**(2) Accessory nonresidential structure:** Includes any detached garage, storage building, mechanical building, utility shed, or other building which serves the principal nonresidential use or building in the same lot, with such a principal nonresidential use including an approved commercial business or industry. Also includes an accessory structure serving a caretaker's residence, commercial apartment, boarding house, or bed and breakfast establishment. Does not include fences, public utility fixtures and their appurtenances, driveways, gardens, garden accessories, fountains, outdoor wood furnaces, satellite dishes, flag poles, walkways, at-grade patios, or uses otherwise described under the "accessory farm and forestry structure" land use category. Attached garages, other attached buildings, and decks shall be considered part of the principal residential building, not an accessory nonresidential structure.

*Regulations:*

- (a.) Shall not be constructed in advance of construction of a principal nonresidential building or commencement of the principal nonresidential use on the same lot.
- (b.) Shall be located on the same zoning lot or as the principal building or dwelling with which it is associated.
- ~~(c.) Shall not be used as a dwelling or for any commercial purpose, except as permitted in an approved expanded home occupation.~~
- (d.) Within residential zoning districts, there shall be not more than one (1) accessory nonresidential structure per lot if the principal use is nonresidential. If the principal use is residential and the use is on a residentially zoned property, then there shall be no accessory nonresidential structures permitted.

#### Section 17.4.03 MINIMUM LOT SIZES

- (1) Minimum lot size requirements vary by base zoning district, as prescribed in the tables in Sections 17.2.101 and 17.2.102.
- (2) Chapter 21, Shoreland Zoning Ordinance, prescribes different minimum lot size requirements for lands in the S Shoreland Overlay Zoning District than those prescribed in Sections 17.2.101 and 17.2.102. Subdivision regulations legally adopted under Wisconsin Statutes may also prescribe different minimum lot size requirements than those prescribed in such sections. In the event of conflict between a minimum lot size requirement in this chapter and one in Chapter 21 or such subdivision regulations, the requirement that prescribes the larger minimum lot size shall control.
- (3) No lot size shall be reduced in area so as to make such lot size less than the minimum required by this chapter, legally adopted subdivision regulations, or Chapter 21. If an existing lot size is less than the minimum required, it shall not be reduced further.
- (4) The maximum number of individual sites intended for principal buildings within a condominium plat or for a tourist lodging, hotel, motel, or lodging resort land use shall not exceed the total obtained by dividing the gross site area by the minimum lot size within the zoning district for the type of land use that will be constructed within the condominium plat or tourist lodging development.
- (5) Within the shoreland zone, when more than one residential unit/housing unit or non-residential principal building is proposed on a lot each additional residential unit/housing unit or non-residential principal building is again required to have the minimum lot size required under Chapter 21. (For example, if the minimum lot size required by Chapter 21 is 30,000 square feet; a two-family dwelling would be required to have a minimum lot size of 60,000 square feet.)

#### Section 17.4.05 MINIMUM STREET AND SHORELINE FRONTAGES

- (1) There shall be a minimum street frontage access of thirty (30) feet along a public street for all lots created after June 30, 1998. Chapter 21, Shoreland Zoning Ordinance, establishes minimum required shoreline frontages.

- (2) The maximum number of individual sites along a shoreline that are intended for principal buildings within a condominium plat, or for a tourist lodging, hotel, motel, or lodging resort land use, shall not exceed the total obtained by dividing the total shoreline frontage by the minimum shoreline frontage within the zoning district for the type of land use that will be constructed within the condominium plat or tourist lodging development, or as allowed under Chapter 21.
- (3) Within the shoreland zone, when more than one residential unit/housing unit or non-residential principal building is proposed on a lot each additional residential unit/housing unit or non-residential principal building is again required to have the minimum shoreline frontage required under Chapter 21. (For example, if the minimum shoreline frontage required by Chapter 21 is 150 feet; a two-family dwelling would be required to have a minimum shoreline frontage of 300 feet.)

**Section 17.4.10 MINIMUM REQUIRED STREET YARDS**

- (1) Minimum required street yards, also known as “highway setbacks,” shall apply to all yards which abut public roads. Such minimum required yards shall vary depending on the type of public road in accordance with the following table.

Jurisdiction of Public Road	Minimum Street Yard from Nearer Public Road Right-of- Way or Easement Line*	Minimum Street Yard from Centerline of Public Road Right-of-Way or Easement*
Town or City Road	30 feet	63 feet
County Trunk Highway	42 feet	75 feet
State Trunk or U.S. Hwy	50 feet	110 feet
Any public street in the F Forestry zoning district	117 feet	150 feet

NOTE: \* Minimum street yard shall be whichever distance is further from the centerline of the public street right-of-way or easement.

- (2) The minimum required street yards under subsection (1) shall apply to all principal and accessory structures, with exceptions as provided in Section 17.4.13. Within the boundaries of the Sanitary District of Gleason, street yard setbacks may be reduced to the average of the lesser setback of the main part of the principal structure from the ROW or street centerline that occupies the parcel in question and the setback of the main part of the principal structures occupying the parcels adjacent to it. If the parcel in question or either adjacent parcel is vacant, the lesser appropriate setback distance from the ROW or the street centerline shall be used when averaging the setback. If all three parcels are vacant, the lesser required setback from the ROW or the street centerline above shall be used. The newly obtained averaged setback may be applied to both proposed principal and accessory structures and additions. For state trunk or U.S. highways, where a major or minor subdivision is proposed, under TRANS 233, Wis. Adm. Code., WisDOT may require that other structures or improvements are also subject to the minimum required yards in subsection (1).

**Section 17.4.13 PERMITTED INTRUSIONS INTO REQUIRED YARDS**

- (1) The following are permitted intrusions into required street yards, except where prohibited under TRANS 233, Wis. Adm. Code:
  - (a) Chimneys, flues, sills, pilasters, lintels, ornamental features, windows, cornices, eaves, and gutters, provided they do not extend more than two and one-half (2½) feet into the required yard.
  - (b) Terraces, steps, uncovered porches, decks, stoops, or similar appurtenances, provided that they do not extend above the floor level of the adjacent building entrance or more than five (5) feet into the required yard, and that the width of such protrusion does not exceed 4 feet in width or 40 square feet in area.
  - (c) Ramps for use by persons with disabilities.

- (d) Yard lights, ornamental lights, and signs that comply with the illumination requirements of Section 17.5.04 and do not locate closer than five (5) feet from the nearer street right-of-way or street easement line.
- ~~(e) Fences that do not exceed four (4) feet in height, locate closer than two (2) feet from any road right-of-way or easement edge, and violate visual clearance triangle requirements in Section 17.5.02(3).~~
- (f) Other items not included in the definition of a “structure” under Section 17.1.14.

#### **Section 17.4.20 ~~EXCEPTIONS TO MAXIMUM BUILDING HEIGHTS~~ RESERVED FOR FUTURE USE**

Any height limitations stipulated elsewhere in this ordinance may be exceeded for the following structures and in the following instances:

- ~~(1) Architectural projections such as spires, steeples, belfries, parapet walls, cupolas, domes, flues, and chimneys.~~
- ~~(2) Special structures such as gas tanks, grain elevators, observation towers, and scenery lofts, manufacturing equipment and necessary appurtenances, cooling towers, fire towers, substations, and smoke stakes.~~
- ~~(3) Agricultural structures, such as barns, silos, and~~
- ~~(4) Essential services, utilities, water towers, and electric power and communication generation facilities and transmission lines are exempt from the height limitations of this Chapter.~~
- (5) Telecommunication facilities per the requirements of Section 17.3.07.

#### **Section 17.4.31 MINIMUM LANDSCAPED AREA PERCENTAGE**

Minimum landscaped area percentages vary by base zoning district, as prescribed in the tables in ~~Sections 17.2.101 and~~ 17.2.102.

#### **Section 17.5.02 TRAFFIC ACCESS AND VISIBILITY STANDARDS**

- (1) **Intent:** The intent of this section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum requirements for the provision of vehicular access and visibility to public rights-of-way.
- (2) **Access Standards:**
  - (a.) *Limitation of access to federal, state, and county highways:* No new direct vehicular access shall be allowed to Interstate, United States, and state or county trunk highway public rights-of-way unless approved by the authority having jurisdiction over that highway.
  - (b.) *Shared vehicular access points between abutting lots:* Vehicular access points planned or required to be located across lot lines shall be shared vehicular access points between abutting lots or parcels. The access point centerline may be the property line between two lots or parcels and may be a mutually agreed upon land access easement.
  - (c.) *Distance from street intersection:* No access point shall be located closer than 100 feet from the intersection of any two road rights-of-way or road easement edges, unless there are no other options given the lot dimensions. In all cases, access points shall be located as far from an intersection as the lot size permits.
  - (d.) *Distance between access drives:* The minimum distance between access drives serving the same lot shall be 25 feet, measured from the nearest edges of the access drives.
  - (e.) *Angle of intersection with public right-of-way:* All access drives shall intersect with any public road right-of-way or easement at an angle of 90 degrees, wherever possible.

- (f.) *Distance from neighboring property line:* Except in residential zoning districts, the distance from an access drive to the interior side lot line shall not be less than 3 feet, unless it is a shared vehicular access point.
- (g.) *Driveway access width:* All openings for access drives onto public roads shall have a maximum width of 30 feet in all residential zoning districts, with a minimum width of 12 feet for single and two family dwellings, and 16 feet for multi-family dwellings. There shall be a maximum width of 40 feet in all non-residential zoning districts, with a minimum width of 16 feet. All widths shall be measured at the road right-of-way or easement line. New occurrences of continuous access onto public roads wider than these maximums shall not be permitted.
- (h.) *Depiction on site plan:* Proposed access driveways on the lot shall be depicted as to their location and configuration on the site plan, if required under Section 17.8.40.

### (3) Visibility Standards:

- (a.) *Visual clearance triangle:* In each quadrant of every public road right-of-way intersection or public road easement intersection (including street-railroad intersections), there shall be a visual clearance triangle formed by the two intersecting right-of-way or easement centerlines and a chord connecting said centerlines that is 300 feet back from an intersection of any two federal, state, and/or county highways; ~~300~~ 200 feet back from an intersection of any such highway and any town or city road; and ~~200~~ 100 feet back from an intersection of two town or city roads. When a road intersects a railroad line, the chord connection shall be formed by measuring the prescribed measurement above down the center of the rail easement and the type of roadway that it intersects.
- (b.) *Height requirements in the visual clearance triangle:* Within the visual clearance triangle described and measured in subsection (a.) above, no object over 2½ feet in height above the roadbeds shall be allowed, except under subsection (c.)
- (c.) *Permitted objects and activities in the visual clearance triangle:* The following objects and activities are permitted within the visual clearance triangle: open fences, telephone, telegraph, and power transmission poles, lines, and portable equipment; the planting and harvesting of field crops; deciduous trees with canopies greater than 8 feet from the ground; the growing of other trees provided that vision is not obstructed.
- (d.) *Depiction on site plan:* All visual clearance triangles on the lot shall be depicted as to their location and configuration on the site plan, if required under Section 17.8.40.

## Section 17.5.03 OFF-STREET PARKING AND LOADING STANDARDS

- (1) **Intent:** The intent of this section is to alleviate or prevent congestion of public rights-of-way so as to promote the safety and general welfare of the public by establishing minimum off-street parking and loading standards.
- (2) **Off-Street Parking Standards:**
  - (a.) *Minimum off-street parking requirements:* The minimum number of parking spaces required for each land use is listed within Division 17.3. The Zoning Administrator may reduce the required number of parking spaces by up to 25% if the applicant demonstrates that actual parking demand will be less than the standards normally require.
  - (b.) *Handicapped parking spaces:* Parking for the handicapped shall be provided at the number, size, location, and with signage as specified by State and Federal regulations.
  - (c.) *Location:* All required off-street parking areas shall be located on the same lot as the principal use, or not over 1,000 feet from the principal use.
  - (d.) *Installation of off-street parking areas:* All required off-street parking areas shall be completed prior to building occupancy.

- (e.) *Driveway widths:* Adequate access to a public right-of-way shall be provided for all off-street parking areas. Access and internal driveways shall be at least 8 12 feet wide for a single family or two family dwelling, and a minimum of 16 feet wide for other land uses.
- (f.) *Parking space dimensions:* Other than for residential uses or parking required to serve the handicapped, all parking stalls shall be at least 9 feet in width and 18 feet in length.
- (g.) *Use of off-street parking areas:* The use of all required off-street parking areas shall be limited to the parking of licensed, registered, and operable vehicles.
- (h.) *Depiction on site plan:* All existing and proposed parking areas on the lot shall be depicted as to their location and configuration on the site plan, if required under Section 17.8.40.

### **Section 17.5.08 EROSION CONTROL AND STORMWATER MANAGEMENT STANDARDS**

- (1) **Intent:** Lincoln County finds that construction site erosion and uncontrolled stormwater runoff from land disturbing and land development activities can have significant adverse impacts upon local water resources and the health, safety and general welfare of the community, and can diminish the public enjoyment and use of natural resources. It is the intent of this section to provide for the control of soil erosion and stormwater runoff; ~~without requiring County review if the State conducts such a review or if required plans are prepared and stamped by a licensed engineer qualified in erosion control and stormwater management planning.~~
- (2) **Authority:** This section is adopted under the authority granted by Wisconsin Statutes Section 59.693. In the administration of this section, the Zoning Administrator may seek technical advice from the Lincoln County Land Information and Conservation Department, the U.S. Department of Agriculture Natural Resources Conservation Service, or the Wisconsin Department of Natural Resources.
- (4) **Standards for Stormwater Management and Erosion Control.** Stormwater runoff, soil erosion, siltation, or sedimentation from all land disturbing and development activities described in subsection (3) shall meet standards in NR 151 and 216 and COMM 60 and 20-21, Wis. Adm. Code and/or shall be controlled in accordance with Technical Guidelines as developed by the U.S. Department of Agriculture, Natural Resources Conservation Service, or the Wisconsin Department of Natural Resources. Stormwater management plans required under this section shall be designed to maintain predevelopment peak runoff rates for the 2-year and 10-year, 24-hour storm event and safely pass the 100-year, 24-hour storm event via an emergency spillway.

### **Section 17.5.09 KEEPING OF FARM ANIMALS**

- (1) **Definitions:** The following definitions describe terms used to interpret this section:

- (a.) *Farm animal:* Any animal that is customarily raised for a profit on farms and/or to supplement household food supplies or income, and that has the potential for causing a nuisance or public health concerns if not properly maintained. Includes but is not limited to cows, beef cattle, hogs, most pigs, chickens, turkeys, alpaca, llama, horses, ponies, sheep, lambs, most goats, ratites (e.g., emu), and rabbits, but not including pigmy goats or pot-bellied pigs.
- (b.) *Animal unit:* An animal unit is a measure that represents a common denominator for the purpose of defining in what quantity farm animals may be kept. The animal unit measure is related to the amount of feed various farm animal species consume and the amount of waste they produce. The following table indicates the number of common farm animal species that comprise a single animal unit. For animal types not listed in the following table, 1,000 pounds of live animal weight is equal to one animal unit.

**4) Animal Unit Density Standard:** Land uses that keep or maintain farm animals shall provide and continuously maintain a minimum of one acre per animal unit of open land available for animal exercise and nutrient (manure) management. Such acreage may not include land that is heavily wooded, in wetland, within the minimum ordinary high water setback in the shoreland overlay zone as described in Chapter 21, used for buildings or driveways, or otherwise not available for animal exercise and nutrient management. Exceptions to this standard shall be approved by the Zoning Administrator if one of the following conditions is present:

- (c.) The land owner submits a nutrient management plan, has such plan approved by the Lincoln County Land Information and Conservation Department, and implements and continuously maintains such plan on the lot.
- ~~(d.) The land owner submits a contract to the Zoning Administrator demonstrating that suitable land in another location, under the same ownership, or both, is under contract for the spreading of manure in conformance with the standards of this section.~~

**Section 17.6.03 (2) General signage regulations:** These regulations apply to signs in all base zoning districts.

- (a.) All freestanding signs shall be set back from all lot lines a minimum distance that is equivalent to their height, except that signs that are five (5) feet in height or less shall be set back at least five (5) feet from the nearest street right-of-way or street easement line and one

Farm Animal Type	Animal Units per Animal	Farm Animal Type	Animal Units Per Animal	Farm Animal Type	Animal Units Per Animal
Dairy Cow	<del>1.1</del> 1.4	Pig	<del>0.5</del> 0.4	Rabbit	0.01
Beef Cattle	1.0	Sheep/Goat	<del>0.17</del> 0.10	Ratite	0.35
Bull	1.4	Lamb	<del>0.07</del> 0.10	Turkey	0.018
Horse	<del>1.0</del> 2.0	Chicken	0.01	Llama/Alpaca	0.35

**Sources:** *WisDNR Rule NR 243; Lincoln County UW-Extension; The Stockman’s Handbook*

foot from all other lot lines. Signs adjacent to state and federal highways shall also be subject to setback requirements associated with TRANS 233, Wis. Adm. Code.

- (b.) All signs shall meet the visual clearance triangle standards in Section 17.5.02(3).
- (c.) No sign shall be erected or maintained at any location where by reason of its position, wording, illumination, size, shape, message, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with any traffic control sign, signal or device.
- (d.) All sign lighting shall meet the standards of Section 17.5.04.
- (e.) No flashing, fluttering, electronic scrolling messaging, undulating, swinging, rotating, animated, or otherwise moving sign shall be permitted.
- (f.) No mobile, inflatable, or portable sign shall be permitted as a permanent sign, but may be permitted as a temporary sign.
- (g.) Closing businesses must remove their signs within sixty (60) days following closing.
- (h.) Where topography obscures visibility of a sign, the sign height may be measured from the adjacent road grade.

**Section 17.8.30 (6) Committee action:** As soon as possible following the public hearing and the passage of the allowable timeframe for town action in subsection (5), the Committee shall approve as presented, approve with conditions, or disapprove of the conditional use permit request. The Committee shall evaluate the request against the standards included in subsection (7) below, and may consider all applicable information included in the petition, the Zoning Administrator’s report or

further evaluation, public testimony, recommendations from affected town, or its own investigations. The Committee shall provide the reasons for its action, proof of the required notice of the public hearing, proof of required notification to the affected town, and any submitted town action. A special meeting of the Planning and Zoning Committee to hear conditional use permit requests may be called by the committee chair upon written request and payment of a special meeting fee established by the Committee. In the event the scope, range of uses, character, or geographic area of the conditional use permit request is substantially altered from the time of the town recommendation, the Committee shall refer the altered request back to the appropriate town for further consideration and action within ~~forth~~ forty (40) days of the Committee's referral.

In the event that the scope, range of uses, or geographic area of the request is substantially increased from that noticed or presented at the public hearing, the Committee shall cause to be noticed and conduct an additional public hearing before taking action on the request.

#### **Section 17.8.50 ZONING PERMIT REVIEW AND APPROVAL PROCEDURE**

- (1) **Purpose:** The purpose of this section is to specify the requirements and procedures for the issuance of zoning permits. A zoning permit is required from the Zoning Administrator in the following instances:
- (a.) Before any structure, as defined in Section 17.1.14, is erected, affixed, moved, or structurally altered to increase its floor area.
  - (b.) Before the commencement of any structural modification or structural repair of an existing nonconforming structure, or to a structure housing a non-conforming use.
  - (c.) Before the commencement of any ditching, lagooning, dredging, filling, grading as per Chapter 21 of the Lincoln County Code of Ordinances, paving, excavation, drilling, or deposition or extraction of earthen materials in the shoreland zone.
  - ~~(d.) Before any use of an existing site, building, or structure is substantially altered, except when such a use was granted a conditional use permit.~~
  - (e.) Before any on-site waste treatment system is constructed or structurally altered, per the requirements of Chapter 22. The Zoning Administrator shall issue a sanitary permit instead of a zoning permit in such instances.
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### **ORDINANCE 2006-06-478**

#### **AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN**

**The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:**

Section 4.20 is re-numbered and amended to read as follows:

#### **4.04 20 - NEPOTISM (WITHOUT RETROACTIVITY BEFORE JULY 1, 2006 ~~MARCH 1, 1978~~).**

- (1) No person may be hired in a position where their direct supervisor or department head (~~when the department head is the direct supervisor~~) is a member of his/her family. For the purpose of this policy, County Board supervising committees are the direct supervisor, in certain circumstances such as the hiring of a department head, ~~the direct supervisor~~. The Administration Department will make the final determination if a supervisory relationship exists between positions when necessary.

(2) Family in this policy includes husband, wife, father, mother, son, daughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, ~~or~~ sister-in-law, or any individual sharing the employee's residence.

**Dated this 20<sup>th</sup> day of June, 2006**

**Introduced by:** Personnel Committee

**Committee Action:** Personnel Committee - Passed unanimously on 04/04/06 (Lussow Absent)

**Fiscal Impact:** None

**LINCOLN COUNTY, WISCONSIN**

**CURTIS POWELL                      ROBERT D. KUNKEL**

**Chairman**

**County Clerk**

Motion made by Supervisor Caylor, seconded by Supervisor Alber to adopt Ordinance 2006-06-479. John Mulder, Administrative Coordinator, explained the Ordinance. Ordinance 2006-06-479 is adopted by a voice vote and motion is carried.

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**ORDINANCE 2006-06-479**

**AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN**

**The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain:**

**Chapter 3.23**, Lincoln County Code is created to read as follows:

**3.23 RELEASE OF PUBLIC USE RESERVATION IN TAX DEEDS - FEE**

Lands acquired through tax deed between 11/17/54 and 2/9/71 contain a deed restriction requiring that they remain open for hunting purposes. Upon application to the County Clerk and payment of a fee of \$25 per acre or fractional portion thereof (plus recording fees), a release of this restriction shall be issued by the Clerk.

This ordinance shall take effect following its passage and publication.

Dated this 20<sup>th</sup> day of June, 2006

**Introduced by:** Forestry, Land & Parks Committee

**Committee Action:** Passed 3 – 0 on 6/7/06

**Fiscal Impact:** \$25/acre (approximately 539 parcels – total acreage unknown)

**LINCOLN COUNTY, WISCONSIN**

**CURTIS G. POWELL                      ROBERT D. KUNKEL**

**Chairman**

**County Clerk**

Motion made by Supervisor Lussow, seconded by Supervisor Caylor to adopt Ordinance 2006-06-479. Nancy Bergstrom, Corporation Counsel, explained the Ordinance. Discussion was held. Ordinance 2006-06-479 is adopted by a voice vote and motion is carried.

## **REPORT OR ACTION ON CLAIMS AGAINST THE COUNTY OF LINCOLN**

### **Disallowance Claim – Rajek vs. Lincoln County #018599904097**

Motion made by Supervisor Caylor, seconded by Supervisor Lee to approve the disallowance claim listed above. All Supervisors present voting aye and motion is carried.

### **Disallowance Claim – David & Gayle M. Schoone vs. Lincoln County #018599904157**

Motion made by Supervisor Plant, seconded by Supervisor Krueger to approve the disallowance claim listed above. All Supervisors present voting aye and motion is carried.

### **Approval of Jail Assessment Vouchers –**

Merrill Glass \$85.00

Motion made by Supervisor Caylor, seconded by Supervisor Lussow to approve the Jail Assessment Voucher listed above. All Supervisors present voting aye and motion is carried.

## **REPORT OF MILEAGE AND PER DIEM**

21 Supervisors will be paid mileage and per diem for attendance at the June 20, 2006 County Board Meeting per roll call. Motion made by Supervisor Caylor, seconded by Supervisor Lussow to approve the report on mileage and per diem. Motion carried – all ayes.

Next regular meeting will be held at William Buedingen Training Room – in the Town of Bradley on July 18, 2006 at 6:00 p.m.

Motion made by Supervisor Lussow, seconded by Supervisor Krueger to adjourn the meeting at 8:02 p.m. Motion carried – all ayes.

STATE OF WISCONSIN)

) SS

COUNTY OF LINCOLN)

I, Robert D. Kunkel, County Clerk in and for said Lincoln County, Wisconsin do hereby certify that the within and foregoing is a true and correct copy of all proceedings by and before the Board of Supervisors at their regular meeting, June 20, 2006.

Robert D. Kunkel, Lincoln County Clerk