

**Lincoln County Land Services Committee
Minutes of Thursday, October 13, 2016, 2:30 pm
Lincoln County Service Center, Room #156**

Members Present: Julie Allen, Loretta Baughan, Bill Bialecki, Hans Breitenmoser, Kirby Crosby & Christopher Heller. Visitors: Matthew Bremer; Land Services Administrator, Sarah Koss; Register of Deeds, June Winters; Zoning Program Assistant, Fred Heider; NCWRPC, Matt Peplinski & Matt Dan Marzu. Supervisor Rusch was excused.

1. Call Meeting order - Meeting was called to order by Chair Baughan at 2:30 p.m.

REGISTER OF DEEDS

2. Q&A on Munis Report – Koss asked the Committee if they had any questions on the reports. There were none.
3. Q&A on Written Report – No questions. Koss commented that September was another good month.

LAND SERVICES DEPARTMENT

4. Agency Updates – Matt Peplinski was present from FSA. He gave a brief update. Their fiscal starts Oct. 1st. They are in the process of making commodities payments for fiscal year 2015. He briefly explained those payments. Peplinski said they just finished sign up for “milk program” for 2017. Annual crop reports are going well. Deadline is November 1st. FSA has elections coming up for but nothing that will affect this Committee. Peplinski shared that this is his last month here as he has taken the same position in a different county.
5. Approval of the September 8, 2016 Land Services Committee Minutes – Winters noted for the Committee that she had an incorrect date in agenda item #12 in the minutes. She had put this month’s meeting date as October 8^h when it should have been October 13th. M/S Bialecki/Allen to approve the minutes with the noted correction. Motion carried all ayes.
6. Presentation of “Draft” Plans by NCWRPC – Fred Heider – North Central Wisconsin Regional Planning Commission representative Fred Heider was present and briefly discussed the meetings that the Advisory Committee had held and the process/steps for the plan approval. Baughan commented that with the short time for the Committee to review the full plans she was not sure that a decision should be made on the plans to move forward today.
 - 1) Farmland Preservation Plan (FPP) – Heider asked the committee to go to the last page of the plan for the best explanation as to how the plan works. He feels that the spreadsheet explains how the plan works that DATCP approves. He reviewed the map for the Committee. He commented that the Town of Pine River has submitted a request to be excluded from the plan.

The Committee reviewed the individual maps. Allen had questions regarding the maps. Baughan asked about Pine River in the draft. Heider said that the letter from Pine River opting out will become an attachment in the plan. Allen asked about some of the “pink” areas and Heider explained that the “pink” is un-zoned towns & areas under zoning that do not qualify for the FPP. Heider said that this is not set in stone, this Committee may make changes. Baughan complemented Heider on the visual aids at this meeting. The Committee took a closer look at the maps. Baughan had questions about Farmland Preservation Zoning (Ag Enterprise zoning). She reviewed for the Committee what is allowed in “Rural Lands” districts and said that those districts may not be compatible with Farmland Preservation Zoning. This concerns her if the county should ever adopt the Farmland Preservation Zoning. She feels that it may restrict landowners at that time and thinks that maybe we should not include them in the FPP at this time. Allen had questions about the difference between the Planned Land Use and the Zoning District maps. Bremer tried to clarify. Baughan said perhaps that we should have a minimum acreage size for a parcel that may qualify for the Farmland Preservation credit. There was discussion again about the reason for needing that or not using that as a criteria. Baughan still had concerns that if/when farmland

preservation zoning is implemented, people may have more trouble getting their property out of the planned area than getting it in. Breitenmoser commented that currently a lot of the land in "Rural Lands" designation is being used as agricultural land now and that is what we are trying to preserve. He said that in the future if the zoning will be changing that will be a different issue. Bremer agreed and explained that until "zoning" is changed this is probably not an issue. Baughan said that she doesn't believe that this plan may be in the best interest of the entire county. She doesn't believe that it should be pushed forward at this time. There was lengthy discussion. Consensus was that the Committee would review any other concerns when the Committee meets on November 10, 2016 at 2:00 p.m. prior to the public hearing.

2) Land & Water Resource Management Plan (LWRMP) – Heider shared with the Committee that this plan has not completely been reviewed internally by NCWRPC and there are some typos that need to be corrected. Baughan asked for clarification that the plan mentioned additional staff and Heider said that that is standard on the plans and if EVERYTHING in the plan is to be implemented it would require additional staff but that is unlikely that all goals may be met. Baughan questioned the budget implications and Bremer said that budgets were just estimates and they may be high. There was discussion on what provisions are mandated or voluntary. Bremer reminded the Committee that this is just a plan to have direction & goals. Allen asked questions about a designation on the maps. Heider explained that "Impaired waters" waters has to do with issues like mercury content in the water. Consensus was that this was ready to go to the public hearing on November 10, 2016.

7. Discussion & action on 2017 Grazing Program – Bremer explained that Baughan had requested that this issue be on the agenda to make a decision. He reviewed the history of the issue and the 3 options. He shared the discussion regarding how this is affected by budget revisions. Bremer is proposing the "pay as you go" option with a \$10,000 ceiling at least for 2017 to determine the need for the program. He said the benefit of this program is to encourage landowners not to rotate crops in soils that they shouldn't be doing that on in the first place but still allows the land to be productive in an efficient way. Baughan asked how time would be monitored and Bremer said that those issues would be addressed in a contract. There was more discussion. Allen said that it made sense to do it this way for a year to determine the need for a program. Baughan questioned why we did not go with the "free" option and have NRCS do the work. There was more discussion. Breitenmoser said that Marathon County is already set up to provide the technical assistance/advice as we need it. Bremer said that "free" may not always be actually free and/or better.

M/S Breitenmoser/Heller to opt for the "pay as you go" option with a ceiling of \$10,000 for 2017 and to proceed with pursuing a contract. Motion carried all ayes.

8. Department written reports & Correspondence – Bremer asked if they had any questions on the Financial Report. There were none. Bremer shared that a new Real Property Lister has been hired that will be starting November 1st. The vacant Conservation Program Manager position has been advertised.

Members Present: Julie Allen, Loretta Baughan, Bill Bialecki, Hans Breitenmoser, Kirby Crosby & Christopher Heller. Visitors: Matthew Bremer; Land Services Administrator, June Winters; Zoning Program Assistant, Randy Scholz, Administrative Coordinator and 4 others. Supervisor Rusch was excused.

9. 4:00 p.m. Public Hearing – Public Hearing was called to order at 4:00 p.m. Hearings were held on the items listed in the notice. Chair Baughan explained the rules of conduct for public hearings and introduced the Committee members. She called the first hearing.

PETITION FOR MODIFICATION OF THE SUBDIVISION ORDINANCE

1. A request by T's Roadhouse LLC (Thom Leck) to create a lot which does not have 30 feet of frontage on a public road. The property is located in the NE ¼ of the SE ¼, Section 15, T35N-R6E, in the Town of Bradley, and having an address of N11052 County Rd A. The request is to modify section 18.7.08 (8) and is being heard under provisions of section 18.9.03 (3) of Lincoln County Ordinance.

Thom Leck was present to explain his request. He said that he is trying to split a business off from a duplex on the same property. Both parcels would not have public road frontage. He is working on getting an easement/agreement with the

adjoining landowner's private road for access. Chair Baughan called for other proponents. There were none. Chair Baughan called for opponents.

Harry Gladwin, Town of Bradley Plan Commission, was present and explained that the town is not opposed to the request but have not received the documents that they have requested in order to make their recommendation. The town has tabled the request until those documents are received.

Matt Bremer came to the podium and shared that the staff recommendation at this time is to lay the request over until such time details have been worked out and submitted. Chair Baughan closed the public hearing.

M/S Bialecki/Breitenmoser to lay over the request until the appropriate paperwork has been received and the Town of Bradley has given their recommendation. Motion carried all ayes.

10. "Old Business" Daniel Seehafer (Conditional Use Permit – Tourist Lodging) Town of Bradley (Laid over from August 11, 2016 LSC Hearing) – Daniel Seehafer was present and explained their original request. They have 2 cottages and wish to rent one of them out. The rentals would probably be 4th of July through the middle of August & Fall Ride weekend.

Harry Gladwin, Town of Bradley Plan Commission, came to the podium. He said that both the Plan Commission & Town Board have submitted their recommendation for the request.

Baughan asked for other proponents & opponents of the request. There were none.

Bremer reviewed the staff report & recommended conditions. Baughan wanted to be sure that the Town of Bradley recommendation be part of the record as Gladwin had discussed. The form indicated the town approved with the conditions that the Seehafers submit a copy of the Renter's Rules and Regulations & that the name and telephone number of a local contact to oversee the rental property be given. Baughan closed the hearing.

M/S Allen/Breitenmoser to APPROVE ON CONDITION with conditions as listed on the staff report dated October 3, 2016.
Conditions:

1. The overnight occupancy of the dwelling is limited by the sizing of the existing 2-bedroom septic system (installed in 1970), which allows for a maximum of four (4) persons until installation and inspection of a permitted septic system allowing for the total overnight occupancy to be increased based upon the number of bedrooms with two (2) persons per bedroom.
2. Camping units are not allowed for rental purposes.
3. All other applicable regulations shall be met, including appropriate license from Lincoln County Health Department.

Motion carried 5-1 with Heller voting nay.

11. "Old Business" Ross & Mary Nelson (Conditional Use Permit – Tourist Lodging) Town of Bradley (Laid over from August 11, 2016 LSC Hearing) – Mary Nelson was present and explained their request. She said that the septic system was not installed originally as they believed it was supposed to be. She shared some of their family circumstances. She said that because of the expense of upgrading the system they would still like to rent out their extra rooms but would limit it to no more than 3 persons plus herself, husband & son in the dwelling at one time.

Harry Gladwin, Town of Bradley Plan Commission, was present and explained that both the Plan Commission & Town Board with the conditions as reflected in their recommendation. That condition being a maximum of 6 persons in the dwelling until such time the septic system is enlarged. Chair Baughan asked for other proponents and/or opponents. There were none.

Bremer reviewed the staff report and noted that Nelson has obtained a sanitary permit to upgrade the system and that if she upgrades the system to a 5 bedroom system, the maximum occupancy of the dwelling would then be 10 persons. Until the system is upgraded occupancy would be limited to 6 persons.

Baughan asked Bremer for clarification that if/when Nelson upgraded the system they would not have to come back to allow for 10 persons and Bremer said that is why they worded their recommendation the way that they did. Baughan noted that the Town recommendation be entered into the record limiting occupancy of the dwelling to 6. Baughan closed the hearing.

M/S Bialecki/Heller to APPROVE ON CONDITION with conditions as listed on the staff report dated October 3, 2016.

Conditions:

- 1) The overnight occupancy of the dwelling is limited by the sizing of the existing 3-bedroom septic system, which allows for a maximum of six (6) persons until installation and inspection of the permitted (S-16-090 #3516073) septic system allowing for the total overnight occupancy to be increased to a maximum of ten (10) persons based upon the 5-bedroom septic system.
- 2) Camping units are not allowed for rental purposes.
- 3) All other applicable regulations shall be met, including appropriate license from Lincoln County Health Department.

Motion carried all ayes.

12. Public comment – there was none.

13. Confirm next meeting/public hearing date – November 10, 2016 – confirmed date. Public Hearing at 4:00 p.m. Meeting to begin at 2:00 p.m. Committee will not be touring the site as they toured it for the rezone. Bialecki will not be at that LSC meeting because he is attending a conference.

14. Convene into CLOSED SESSION pursuant to sec. 19.85(1)(c), Stats., for considering employment, promotion, compensation or performance evaluation data of any public employee - M/S Bialecki/Heller to convene into closed session. Motion carried on a roll call vote with all ayes. At 4:25 p.m. Committee, Randy Scholz & Matthew Bremer remained to go into the closed session.

1) Land Services Administrator Evaluation

M/S Bialecki/Heller to reconvene into open session. Motion carried all ayes. At 4:34 p.m. Committee reconvened into open session.

15. Reconvene into OPEN SESSION and take any action necessary on item(s) discussed in closed session – There was brief discussion. M/S Heller/Bialecki to approve the step increase for the Land Services Administrator. Motion carried all ayes.

16. Adjourn – M/S Heller/Allen to adjourn at 4:36 p.m. Motion carried all ayes.