

**Lincoln County Land Services Committee
Minutes of Thursday, November 10, 2016, 2:00 pm
Lincoln County Service Center, Room #156**

Members Present: Julie Allen, Loretta Baughan, Kirby Crosby, Christopher Heller & Greta Rusch. Visitors: Matthew Bremer; Land Services Administrator, Sarah Koss; Register of Deeds, Mike Huth; Zoning Program Manager, June Winters; Zoning Program Assistant, Fred Heider; NCWRPC, Dan Marzu; UW Extension & Ellen Ronsman; Real Property Lister. Supervisor Bialecki was excused. Supervisor Breitenmoser arrived at 2:09 p.m.

1. Call Meeting order - Meeting was called to order by Chair Baughan at 2:00 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 they had another good month. Recordings/revenues were up 22% from this time last year.

LAND SERVICES DEPARTMENT

4. Agency Updates – There were no agency updates. Bremer introduced the Committee to the new Real Property Lister, Ellen Ronsman. Ronsman shared a little bit about her herself & the Committee welcomed Ronsman to Lincoln County.
5. Approval of the October 13, 2016 Land Services Committee Minutes – M/S Heller/Allen to approve the minutes. Motion carried all ayes.
6. Further discussion by the Committee of the draft Farmland Preservation Plan – North Central Wisconsin Regional Planning Commission representative Fred Heider was present. He explained that he had done the legally required notifications to towns, cities, municipalities, mining interests, school districts, etc., for today's public hearing for the plans. Heider reviewed the updates/corrections that had been made by NCWRPC since the last meeting to clean up the document.

There were a couple of grammatical corrections and text changes to clarify points discussed. Heider will make those changes. Baughan brought up the restriction that will be put on any land entered into Farmland Preservation over the next 15 years. The Committee discussed that point. Heider will make discussed changes. There was further discussion on the plan.

Final consensus was that the Farmland Preservation Plan is ready for the public hearing at 4:00 p.m. today.

7. Department written reports & Correspondence – Bremer reviewed his report for the Committee. He shared with the Committee that they will be interviewing for the Conservation Manager position next week. Bremer hopes to have someone in place before the end of 2016.

Bremer discussed several ordinances that will be looked at in the near future either because we are obligated to update because of legislation or for regular review and updates to the codes. The tower citing ordinance will be updated to come into compliance with statutes already in place.

There will also be an ordinance regarding "broadband" to improve broadband capabilities. We are currently looking at issues that need to be worked out amongst departments involved. There was discussion by the Committee.

Bremer briefly talked about updating our Sanitary ordinance and reviewed the impact/issues of regarding impending deadlines for septic inventory & POWTS maintenance required by the state by 2019. Software, process & staffing issues were touched on in talking about implementing the county wide maintenance.

Bremer shared that another issue that will need to be discussed is possible changes/updates to the sign ordinance.

Bremer asked if they had any questions on the Financial Report. There were none.

8. Resolution of support for grant to fund an Aquatic Invasive Coordinator in cooperation with Lincoln, Langlade & Forest counties and Lumberjack Resource Conservation and Development Council, Inc. – Bremer commented that this should have actually been on last month's agenda for approval so that it could have been forwarded to Lumberjack already. Bremer explained the need for the resolution. Fiscal impact is 25% "in-kind" for the 3 counties. County staff in Land Services works with the AIS Coordinator. Baughan pointed out the list of County Board Supervisor's names needs to be corrected on the resolution. There was discussion on the program.

M/S Allen/Rusch to approve the completed draft resolution and forward to the December 20, 2016 County Board meeting. Motion carried all ayes.

9. Discussion & possible action on 2017 Grazing Program contract with Marathon County– Bremer reminded the Committee of the discussion at last month's meeting and the option that they had directed him to pursue. The Committee & Corporation Counsel has been given copies of this contract for review. Bremer explained the checks & balances that has been discussed. Baughan asked for clarification on a couple of points as far as mileage/time reimbursement. Bremer said that he will get that clarified.

M/S Rusch/Heller to move forward with the contract with Marathon County. Motion carried all ayes. Bremer will follow up.

10. Authorization to hire LTE to assist Real Property Lister – Bremer again reviewed the need for this help. The previous RPL has agreed to do limited training as needed to help bring the new RPL up to speed. Bremer has spoken to the Administrative Coordinator for this position and has his support.

M/S Heller/Allen to approve the LTE position to assist/train the new Real Property Lister. Motion carried all ayes.

Committee briefly talked about moving to another agenda item but it was determined that items listed after the public hearing should not be discussed until after the hearing. At 3:10 Chair Baughan called for a break until 4:00. Chair Baughan called the meeting back to order at 4:00 p.m.

Members Present: Julie Allen, Loretta Baughan, Hans Breitenmoser, Kirby Crosby, Christopher Heller & Greta Rusch. Visitors: Matthew Bremer; Land Services Administrator, Mike Huth; Zoning Program Manager, June Winters; Zoning Program Assistant, Fred Heider; NCWRPC, Nancy Bergstrom; Corporation Counsel and 4 others. Supervisor Bialecki was excused.

11. 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.

REVISION OF LINCOLN COUNTY LAND AND WATER RESOURCE MANAGEMENT PLAN

1. Lincoln County Land and Water resource Management Plan 2017–2027 – The Land and Water Resource Management Plan is being developed as required by Wisconsin statute §92.10, and ATCP 50.12 Wis. Adm. Code. Lincoln County is seeking public input on the plan, for the purposes of conserving long-term soil productivity, protecting the quality of related natural resources, enhancing water quality, and focusing on severe soil erosion problems, all within Lincoln County. Resolutions and Ordinances codifying the Plan may be addressed by the Committee at the hearing.

Fred Heider, with NCWRPC gave some background sharing that this plan used to be a 5 year plan but is now a 10 year plan. There is a requirement by DATCP that the county have a plan in order to receive funding. The plan lays out how the county works with other entities such as UW, FSA & DATCP to meet the goals & objectives to protect the waters in the county. Baughan asked if there was anyone present in favor or is opposed to the plan. There were none. Baughan asked for staff input. Bremer commented that Heider explained the need for the plan and noted that there was no one from the public present either for or against the plan. Baughan closed the hearing for the plan.

M/S Breitenmoser/Heller to support the plan & move forward. Motion carried all ayes.

REVISION OF LINCOLN COUNTY FARMLAND PRESERVATION PLAN AND AMENDMENT TO COMPREHENSIVE PLAN

2. Lincoln County Farmland Preservation Plan 2017 as an amendment to the Lincoln County Comprehensive Plan 2012–2021 – The Farmland Preservation Plan is being developed as required by Wisconsin statute §91.10(3). Lincoln County is seeking public input on the plan, which identifies parcels within the current, state required Comprehensive Plan to be formally designated for Agriculture Use. Once identified, only these parcels may be eligible for Farmland Preservation tax credits. Resolutions and Ordinances codifying the Plan may be addressed by the Committees at the hearing.

Heider explained that the first plan was created in the early 1980s. The plans have not been updated since. This revision will be attached to the Comprehensive and then updated every 10 years along with the Comprehensive Plan. The plan is created to encourage farmers to keep their land in productive farming. The state requires that each county has a plan in place and have the tools to offer it to county residents. He explained briefly how the program works. This plan satisfies requirements by the state and it is then up to the county to decide if they wish to pursue an actual “Farmland Preservation Zoning” classification in the future.

Chair Baughan asked if there was anyone present to speak in favor or opposition of the plan. There were none. Baughan asked for staff input. Bremer came to the podium and reiterated what Heider had said. He said that there is currently no push to pursue the “Farmland Preservation Zoning” but having the plan in place gives us the option in the future. He shared that the Advisory Committee had met and determined the criteria for the plan and said that staff supports the plan. Chair Baughan closed the public hearing for the plan.

M/S Crosby/Rusch to approve with the revisions as discussed, draft a resolution of support for the December 8, 2016 LSC meeting and then forward it to the December 20, 2016 County Board. Motion carried all ayes.

CONDITIONAL USE REQUEST

3. A request by Jason and Kristi Davis to use the property as a lodging resort and owner’s residence in a Recreation (RE) zoning district. The properties are located in Section 28, T35N-R7E part of Government Lot 1, in the Town of King, with an address of W4095 County Highway A. The 6.15 acres are comprised of tax parcels 12.283507.006.002.00.00(1.6ac), 12.283507.006.004.00.00 (2.5ac), 12.283507.006.003.00.00 (1.75ac), and 12.283507.006.001.00.00 (.3ac). The request is being heard under section 17.3.04(11) of Lincoln County Ordinance.

Kristi Davis was present to explain and support their request. She said that they came before this Committee for the rezone to make this CUP possible and now they are asking for Committee approval to use the property as a tourist resort. Baughan called for proponents and then opponents. There were none.

Mike Huth came to podium. He said that this was previously a Lodging Resort but most recently used for long term rentals. We have not received any comments either for or against the request from adjoining neighbors. The Town of King has given their recommendation of approval for the request. Huth reviewed the staff report and recommended conditions. He said that the Davis’ are working with the Health Dept. for licensing. Baughan confirmed that if the Davis’ wished to upgrade the septic to allow for more occupants they would not need to come before the Committee again and Huth confirmed that was true. It would require a sanitary permit/installation of the system(s) to accommodate more occupants. Davis said she understood the conditions. Chair Baughan closed the public hearing for the conditional use request.

M/S Heller/Crosby to APPROVE the Conditional Use Request per the conditions listed in the staff report. Conditions:

1. The overnight occupancy of each dwelling is limited by the sizing of the existing septic systems which allow for a maximum of two (2) persons per bedroom until installation and inspection of permitted septic systems 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 dwellings on the property shall be lettered or numbered in a manner that allows for emergency personnel and guests to find specific onsite locations.
4. All other applicable regulations shall be met, including appropriate license from Lincoln County Health Department.

Motion carried all ayes.

12. Public Comment – Phil Rausch, a member of the Zoning Board of Adjustment, was present & explained to the Committee that a couple of applications that the Board of Adjustment have heard recently have been very difficult and would like the Committee to consider updating the sign ordinance. Businesses that are tied to a “franchise” have problems meeting both their franchise requirements and the county codes in regards to signage. In some cases state/federal requirements for sign placement for businesses may create issues with limitations in our ordinance.

Mike Prain, another Board of Adjustment member, was present and came to the podium and reiterated Rausch’s comments regarding limitations for businesses in our sign ordinance and visibility issues for signage.

Bremer read a letter from Ron Hornischer, also a Board of Adjustment member, who couldn’t be present today. The letter from Hornischer cited the same issues that Rausch & Prain had discussed and added that, while he did not want to be overly critical of the ordinance, when the Board is required to make decisions that seem to defy common sense, it may necessary to review/update ordinances to address conditions not previously existing or issues not taken into consideration when the code was originally adopted.

Baughan confirmed with staff that this is something that will be a future agenda item.

13. “Old Business” – American Asphalt & Mathy Construction withdrawal of CUP-15-004 application for a non-metallic mine in the Town of Skanawan (laid over at 4/9/15 LSC Hearing) – Bremer read a letter received from American Asphalt/Mathy Construction withdrawing their request. This Committee will not take formal action on this request because it is withdrawn. Bergstrom said that this will finalize the status of the request in the public record.

14. “Old Business” – Daigle’s Oak Hills LLC & County Materials Corp. requesting to bring CUP-15-003 (for a non-metallic mine and associated wash plant) back to the Committee at a future meeting for consideration of the permit as originally submitted (laid over at 4/9/15 LSC Hearing to return at “the call of the chair”) – Town of Skanawan – Bremer read the letter from Daigle Oak Hills LLC & County Materials Corp. to bring the request back before the Committee. Bremer said that he received a phone call from both of the applicants indicating that they would not be attending today’s meeting as no subject matter of the request would be discussed.

Chair Baughan commented that because of the nature of the request, the fact that previous testimony & town recommendation was tied to BOTH requests at that time, the amount of time that has passed since originally discussed and the fact that some Committee members have changed we should treat this as a new request.

Bergstrom concurred with the points that Baughan had made and said while this specific application has not changed, in the interest of good government, it should be re-noticed, a new staff report done & that the public hearing is basically re-done prior to making a decision. She is recommending it be delayed until the January meeting in order to accomplish this. Bergstrom suggested that staff notify the Town as soon as possible to determine if they wish to submit a new recommendation or stand on the existing one. The surrounding property owners will then be notified when the public hearing notice is submitted to the papers (mid-December if the Chair decides the request should be heard again at the January LSC meeting).

Chair Baughan decided that the request would be scheduled to be re-heard at the January 12, 2017 Land Services Committee meeting. Public Hearing to start at 4:00 p.m.

15. Confirm next meeting/public hearing date – December 8, 2016 – confirmed date. Meeting to start at 2:00 p.m.
16. Adjourn – M/S Heller /Crosby to adjourn at 4:52 p.m. Motion carried all ayes.