

**Lincoln County Land Services Committee
Minutes of Thursday, February 11, 2016, 1:30 pm
Lincoln County Service Center, Room #156**

Members Present: Julie Allen, Loretta Baughan, Bill Bialecki, Hans Breitenmoser, Curtis Powell & Greta Rusch. Visitors: Sarah Koss; Register of Deeds, Mike Huth; Zoning Program Manager, Norm Bushor; Land Information Program Manager June Winters; Zoning Program Assistant and 8 others. Supervisor Plant was excused.

1. Call Meeting order - Meeting was called to order by Chairman Powell at 1:30 p.m.
2. Agency Updates -
 - a) Jeremy Irish – APHIS – Approve 2015 Crop Damage Claims – Jeremy Irish reviewed the claims for the Committee.

M/S Bialecki/Baughan to approve the 2015 Crop Damage Claims. Motion carried all ayes. Chairman Powell signed the document.
 - b) Winters shared the contents of an e-mail received from Peggy Winter at NCRS updating the Committee regarding application deadline dates of March 4, 2016 for applications for Environmental Quality Incentives Program (EQIP) & March 31, 2016 for the Conservation Stewardship Program (CSP). The e-mail had a brief explanation of the programs and said that interested parties could contact the NRCS field office at 715-362-5941 for additional information.
3. Approval of the January 14, 2016 Land Services Committee Minutes – M/S Rusch/Baughan to approve the minutes. Motion carried all ayes.
4. Public Comment – There was no public comment.

REGISTER OF DEEDS

5. Q&A on ROD Monthly Munis Report – Koss asked if there were any questions on any of the monthly reports. There were none.
6. Q&A on ROD Monthly Written Report –
7. Q&A on ROD 2015 Year End Report – Koss commented that her department had a good year & revenues were almost \$20,000 over the previous year. Powell agreed that the receipts looked good for 2015.

LAND SERVICES DEPARTMENT

8. Land Information Plan Approval – Norm Bushor – Huth introduced Norm Bushor, Lincoln County Land Information Program Manager, to discuss the proposed Land Information Plan. Bushor shared a brief summary of his experience, background and that he has been with Lincoln County since September of 2015. He shared that it has already been reviewed and approved by the state. The plan has also gone through the “peer” review process. Bushor explained a Strategic Initiative Grant that may be available to help cover costs of a parcel mapping project. He said that what he needed from the Committee today was approval of the Land Information Program Plan.

He briefly reviewed the proposed 3 year Land Information Plan that the Committee had received in their packets. In analyzing the data so far he said it has been difficult to tie information together because of the lack of documentation. He stressed that our data needs to be documented better in the future so that information is compatible, consistent and up to date. He referenced many areas of the mapping that is currently inconsistent. He cited Right-of-way documentation as one of the major items that needs to be updated. This may be a long term project but it will be necessary to get the integrity of our data up to where it needs to be.

Bushor asked if the Committee had any questions on the plan. Powell had questions about LIDAR documentation and asked if this will be corrected. Bushor said that they are working on correcting the elevation data. Powell complimented Bushor on the

work that has already been done on the project. Bushor said that some of the work had been done prior to him coming to Lincoln County. The project is coming along but commented just how much data needs to be gathered and made to work together. Incorrect data definitely makes that process more difficult.

Allen asked Bushor the status of the first 2 projects listed. 1) Migration of data to new ArcGIS. Bushor said that was completed. 2) Creation of a new County GIS Access Website. Bushor said that it was done and was actually published just this morning.

M/S Allen/Bialecki to approve the Land Information plan as proposed and move forward. Motion carried all ayes.

9. Land Records system – update on landowner names available on GIS website – Norm Bushor – Bushor explained that he been doing extensive research & looking for a resolution or written policy as to why we don't have landowner's names available on the website. As yet he has not found anything other than minutes reflecting discussions at Committee meetings. Powell recollected that maybe in 2006 it was discussed at County Board with opposition to having that information available on the website. Powell commented that it was a controversial issue back then.

Bushor said that we are one of the few counties in the state that does not have that information available to the public on their website. Allen asked if there was an option to opt out of having the names available. Bushor said that it is costly to maintain duplicate information if we have to redact landowners names from the public website. He said it is time consuming for staff to field questions confirming or making inquiries of ownership information.

Powell said that there was definitely a good argument to have landowner information available on the website and he hoped that the rest of the supervisors would be able to understand that. Huth & Bushor both commented that the information is available through so many different avenues to the public (other websites, phone apps, etc.) in this age of information technology. It would not only be that the county incurs extra cost to redact that information, this may also affect grants available because the state requires a "written policy" adopted by the county explaining why we are redacting partial information.

M/S Baughan/Allen to approve adding landowner names to the information available on the Lincoln County GIS website and move the request forward to the Lincoln County Board.

Allen asked how much work it would take to have the data available and Bushor said that the data is already available on the internal website information that the departments currently use it would just mean not having to have a duplicate set of information available externally with specific information redacted. There was more discussion on the timing & requirements to move forward. Bushor said that he has a deadline of March 31, 2016 with the grant application, data deliverable requirements for the state.

M/S Baughan/Allen to withdraw the original motion. M/S Powell/Baughan to move forward to complete necessary steps for approvals to be in place in lieu of the March 31, 2016 deadline. If necessary the department head would then prepare a resolution for the March 15, 2016 County Board. Motion carried all ayes. Powell then discussed entertaining a motion that this be the approval of this Committee bypassing the need for this Committee to meet on the subject again prior to going to County Board. In discussion the Committee would still have time to meet in March again if necessary.

10. Review/approve changes to the Zoning fee schedule – Huth reviewed the reasoning for some of the fee changes. With Act 55, Land Use Permit fees have been changed by averaging shoreland/non-shoreland. He noted that due to legislative changes, permits for cell towers have also been adjusted. Huth explained that some sanitary permit fees have increased but we are still in line with most surrounding counties. Winters shared that she had made an error on the Reconnect/Repair permit fee and that it should be \$125. Also the fee for a Rural Address will now be a flat \$50. That fee is determined by Land Information and they will be revising their fee schedule at the April Committee meeting to include that.

Baughan questioned why we were averaging the shoreland/non-shoreland Land Use fee instead of just dropping them all to what was previously the non-shoreland fee. She asked for the justification for raising them. She didn't feel it was fair to the non-shoreland owners. She feels that in this depressed economy we should not be raising permit fees because it would discourage building or may result in people building structures without obtaining permits. Huth said that we haven't raised our fees since 2013. Baughan asked if there was more work involved with shoreland vs. non-shoreland permits. Laura Boquist

explained that we can no longer differentiate between shoreland and non-shoreland but the shoreland permits typically require more staff time. Over ½ of our permits are in shoreland. Baughan said that she would still like to see the Land Use Permit fees brought down to the lower rate. Allen is concerned that the department revenue will be already be affected by averaging the fee. If we lower the existing fee without compensating for it, it would impact the budget significantly. Averaging seemed to make sense. Breitenmoser agreed that while it may not be fair to some landowners, averaging the fees may be the most logical solution. Baughan questioned the way shoreland/non-shoreland permits were handled. Huth & Boquist explained the differences. Powell discussed how recent legislative changes have made it necessary to find means to sustain revenues to provide services. Rusch agreed that if we are decreasing one the other needs to be increased to offset it. Baughan again said that lower income people are being penalized with this because they're the ones who cannot afford water property but their permits are increasing. Rusch again said that averaging seems to be the best option.

M/S Rusch/Bialecki to approve the fee schedule with the proposed changes & corrections discussed today. New fee schedule to be effective 5/1/16. Motion carried 6-1 with Baughan voting nay.

11. Review/approve Shoreland Mitigation Guidebook – Laura Boquist, Lincoln County Shoreland Specialist, came to the podium. Allen questioned what situations would still require mitigation. Boquist explained that mitigation is required in situations where; impervious surface calculations exceeds 15% of lot area; for lateral expansion of nonconforming principal structure within the shoreland setback; and, for re-location of nonconforming principal structure within the shoreland setback. We cannot mandate a buffer restoration so we had to have different options. She said that the Guidebook was drafted to walk the landowner through the process of how to accomplish the mitigation.

Allen commented that the guidebook appears to be very informational. Boquist said that this is a document that is referenced in the ordinance but not included in the ordinance so if changes need to be made to this guide, it would only need to be approved by this Committee. Boquist has spoken to several different counties and agencies to compile this guidebook.

M/S Allen/Breitenmoser to approve the Shoreland Mitigation Guidebook effective with the passage of Chapter 21, Shoreland Zoning Ordinance that will be before the Lincoln County Board on February 16, 2016. Motion carried all ayes.

12. Department written reports – Allen questioned the open records request listed. Huth explained that it was not affecting the status of the request because that is still laid over but there was an attorney requesting records. Powell said that it does not affect the status of the request. Allen had a question on the Munis report about a \$15K budget item regarding software maintenance. It was determined that it was for ArcGIS maintenance that was due in January.

Powell called for brief break at 2:27 p.m. Meeting reconvened at 2:30 p.m.

13. 2:30 p.m. Public Hearing – Public Hearing was called to order at 2:30 p.m.

Hearings were held on the items listed in the notice. Chairman Powell explained the rules of conduct for public hearings and introduced the Committee members. He called the first hearing.

CONDITIONAL USE REQUEST

1. A request by Joe Henrichs (Concrete Investments LLC) to construct six (6) additional mini storage buildings within a five (5) year timeframe in a Crossroads Mixed Use (CMU) zoning district. The property is located in the NE¼NE¼ of Section 03,T35N-R6E, in the Town of Bradley, with an address of N12014 County Road L. The tax parcel number is 04.033506.001.003.02.00. The request is being heard under section 17.3.08(1) of Lincoln County Ordinances.

Chairman Powell called for proponents of the request. Joe Henrichs was present to support his request. Henrichs asked Huth to clarify how the new proposed conditions would affect a condition put on the previous request. Huth noted that condition #4 on the previous CUP (40% maximum building coverage) be superseded by a new conditions. Henrichs said that he will only be building the units as the economy proves necessary. It would in essence give him a total of 7 years to complete the project.

Harry Gladwin, Town of Bradley Plan Commission was present. He gave the Plan Commissions requested conditions regarding the stormwater plan & maximum impervious surface requirement. There was no one in opposition to the request at either of the town meetings. He said Henrichs has always been willing to work with the town.

Chairman Powell noted that the Plan Commission recommended approval on January 25, 2016 with 2 conditions listed and it was approved on a unanimous vote & Town Board gave its recommendation of approval on February 8, 2016 with conditions as listed on Lincoln County Staff Report on a 4-0 vote.

Sue Henrichs was present to give additional information. She said that they would like to be able to meet the stormwater requirements in phases in according to the structures as completed.

Chairman Powell called for any opponents of the request. There were none. Chairman Powell closed the public hearing for the Conditional Use request.

Allen asked Huth to comment on the stormwater requirements and some of his other recommendations. Huth said the issue of the impervious surface condition has already been addressed with the applicant submitting the stormwater plan. He said that it may be difficult to do the stormwater requirements in as many "stages" as Henrichs is proposing and cautioned that allowing the stormwater requirement to be done in stages may be more costly in the end and would require different and possibly multiple approvals from the WDNR. Powell clarified that the pond would need to be completed with the building of the next structure permitted. Huth said that was his recommendation.

M/S Breitenmoser/Baughan to APPROVE the request with recommendations as listed in the staff report.

Staff recommends the Land Services Committee only grants a Conditional Use Permit to Joe Henrichs (Concrete Investments LLC) to allow for the purpose of constructing up to six (6) additional mini-storage buildings within a five (5) year timeframe on the described property if the Committee is confident the request satisfies the approval criteria listed in this Report. Staff suggests the Committee attach the following conditions to the approval, taking note that the new conditions would supersede CUP #15-001 condition #4 relating to maximum building coverage:

Conditions:

1. All six (6) structures must be authorized by the issuance of land use permit(s) within the next five (5) year timeframe from this approval date and follow additional regulations contained in 17.3.08(1). Each land use permit will have a time limit associated with commencement of work pursuant to section 17.8.50(4).
2. Erosion Control and Stormwater Management standards located in 17.5.08 shall be met upon approval of plans by WIDNR and implemented upon issuance of additional Land Use permitting for additional structures.
3. Screening and Landscaping standards located in section 17.5.05 shall be met.
4. A "landscaped bufferyard" meeting the standards of 17.5.05(2) stated above shall be maintained to a depth of twenty five (25) feet from all property lines with exception for the existing shared driveway.
5. A minimum landscaped area of twenty five (25) percent of the entire parcel.
6. Exterior Lighting standards located in section 17.5.04 shall be met.
7. Signage standards located in section 17.6 shall be met.
8. Demolition, removal, and disposal of existing dwelling and accessory structure to be completed pursuant to all township, county, and state regulations.
9. All other applicable regulations shall be met.

Motion carried all ayes.

14. Confirm next meeting/public hearing date – Winters shared that there are no applications for the public hearing on March 10, 2016. Next public hearing date will be April 14, 2016. Consensus was if there are no agenda items in the interim the Committee may possibly skip the March meeting. Huth said that if a resolution is necessary for item #9 on today's agenda there will probably be a March 10, 2016 meeting.
15. Adjourn – Chairman Powell called for adjournment at 2:47.