

**Lincoln County Land Services Committee
Minutes of Thursday, May 14, 2015, 1:00 pm
Lincoln County Service Center, Room #257**

Members Present: Julie Allen, Loretta Baughan, Hans Breitenmoser, Jeff Hetfeld, Wayne Plant, Curtis Powell & Greta Rusch.
Visitors: Diane Wessel; Land Services Administrator, Dan Bowers; Zoning Program Manager, Sarah Koss; Register of Deeds, June Winters; Zoning Program Assistant and 9 others.

1. Call Meeting order - Meeting was called to order by Chairman Powell at 1:00 p.m. Because there was someone present to give Public Comment, before leaving on the tours, *Chairman Powell moved to item #4 on the agenda* to let him speak and said that he would also give another opportunity for public comment after they returned from the tours.
2. Tour sites in the towns of King, Bradley & Harding (Listed incorrectly on the Agenda as "tour sites in the Town of Merrill") that will be subjects of the 3:30 p.m. public hearing - At 1:13 p.m. the Committee left to tour the site. The Committee returned at 3:44 p.m. and took a brief break. *At 3:50 p.m. the Committee moved to item #9.*
3. Approval of the April 9, 2015 Land Services Committee Minutes – M/S Allen/Breitenmoser to approve the minutes. Motion carried 7-0. *Chairman Powell called again for public comment. There was none. Moved to item #5 on the agenda.*
4. Public Comment – (1:02p.m) Earl Welker was present from the Town of Schley Plan Commission and gave the Committee information that had been gathered by survey in his town to get a consensus from their townspeople as to whether or not they wish to opt out of County Zoning. He said that there is enough discontent with county zoning, either with the code and/or operating procedures, some are suggesting that the town opt out. The Town officials are still looking at the pros & cons of it. He said he gets the impression that the County does not want the towns to opt out and Chairman Powell said that is up to each town. Welker feels that if they are going to stay with county zoning to work together, the Town of Schley wants to be more involved and procedures may need to be changed.

Supervisor Allen (who is also involved at the Town level in the Town of King) commented that she has concerns that with Conditional Uses there is not enough time for the towns to give a fair recommendation when their townspeople are not aware of a request before the Town Board meets to give their recommendation.

At 1:13 p.m. the Committee moved to item #2 & left to tour the sites of the public hearings.

REGISTER OF DEEDS

5. Preliminary 2016 Register of Deeds budget – Koss said that after the packets were sent out she discovered an error on one of the line items and she has given them each a corrected copy. She noted that her budget has not increased from 2015 except wages & fringe.

M/S Hetfeld/ Plant to approve the "corrected" Preliminary Budget as proposed and forward to Finance. Allen had questions on the elimination of an amount on the "Miscellaneous" line in the budget. Koss explained that last year it was in the budget for redaction money and that the project will be done this year so it is eliminated from the 2016 budget. Allen also asked who's budget updating computer equipment comes out of and Koss said that it comes out of the I.T. Department budget. Her "office supply" account covers other office machine repair/replacement and office supplies.

Motion carried 7-0. The Committee members signed the 2016 Preliminary Budget.

6. Q&A on Monthly Munis Report – Koss asked for any questions and there were none.
7. Q&A on Monthly Written Report – Koss pointed out that in the last 3 months recordings have increased which is a trend that she hopes will continue. There were no questions.

At 4:15 Breitenmoser had to leave & was excused from the meeting. *The Committee moved to item #12 on the agenda.*

LAND SERVICES DEPARTMENT

8. ~~Old Business – Laid over from 4/9/15 Land Services Public Hearing~~
~~1) Daigle Oak Hills LLC & co-applicant County Materials Corp. (Conditional Use Request – to allow for a non-metallic mine & wash plant in a Rural Lands 4 zoning district) – Town of Skanawan~~
~~2) American Asphalt a division of Mathy Construction (Conditional Use Request – to allow for a non-metallic mine in a Rural Land 4 zoning district) – Town of Skanawan~~

At 4:10 p.m. Chairman Powell announced that the original agenda was amended on 5/11/15 and item #8 was struck so it will not be discussed today. He clarified that this does not mean that the requests have been withdrawn, but with the parties requesting more time, the Chair will place the issues back on the agenda at an appropriate time in the future. The Committee moved to Item #3 on the agenda.

9. 3:30 p.m. Public Hearing – Public Hearing was called to order at 3:50 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 Joseph Strassman to construct a detached storage building larger than 1,500 square feet in a Rural Residential 3 zoning district. The property is located in the NE¼SE¼ of Section 33, T35N-R7E, in the Town of King, and has an address of N9839 County Road H. The tax parcel number is 12.333507.013.001.02.00 and comprises approximately 3.2 acres. The request is being heard under section 17.3.09(1) of Lincoln County Ordinances.

Chairman Powell called for any proponents of the request. Dale Strassman was present to explain the request on his son's behalf because he could not attend. Wessel said that the building would need to be set back a minimum of 25' from the existing lot line. Strassman said that that should not be a problem. Strassman shared that they are currently in the process of deeding some additional land to his son anyway. Bowers confirmed that it would need to be 25' away from an existing lot line.

Chairman Powell read the Town of King recommendation into the record as being approved on 5/11/15 on a 3-0 vote.

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

M/S Plant/Hetfeld to APPROVE the request with recommendations as listed in the staff report. Motion carried 7-0.

Conditions:

1. Rear lot line setback must be at least 25'.
2. All other applicable regulations shall be met.

CONDITIONAL USE REQUEST

2. A request by Greg and Deb Jones to construct a detached storage building larger than 1,500 square feet in a Rural Residential 1 zoning district. The property is located in the SW¼SW¼ of Section 29, T35N-R6E, in the Town of Bradley, off of Peaceful Valley Rd on Coda Ln. The tax parcel number is 04.293506.017.000.06.00 and comprises approximately 1.9 acres. The request is being heard under section 17.3.09(1) of Lincoln County Ordinances.

Chairman Powell called for any proponents of the request. Hal Schrage was present. He is a neighbor and supports the request. He has knowledge of the project and said he could answer any questions. The Committee had none. Chairman Powell read a letter in to the record from Kelly Monfre, another neighbor, in support of the request. Harry Gladwin was present as Chairman of the Plan Commission he reviewed the favorable recommendation at the town level.

Chairman Powell read the Town of Bradley recommendation into the records as being approved by the Town Board on 5/11/15 on a vote of 4-0, with no conditions listed.

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

M/S Baughan/Allen to APPROVE the request with recommendations as listed in the staff report. Motion carried 7-0.
Conditions:

1. All other applicable regulations shall be met.

CONDITIONAL USE REQUEST

3. A request by David Mahn to construct a detached storage building larger than 1,500 square feet in a Rural Residential 2 zoning district. The property is located in Section 31, T32N-R6E, in the Town of Harding, and has an address of W7001 Von Besser Dr. The tax parcel number is 08.313206.018.008.13.00 and comprises approximately 1.1 acres. The request is being heard under section 17.3.09(1) of Lincoln County Ordinances

Chairman Powell called for any proponents of the request. There were none. Chairman Powell called for any opponents of the request. There were none.

Chairman Powell read the Town of Harding recommendation into the record as being approved on 4/14/15 on a 3-0 vote. Chairman Powell closed the public hearing for the Conditional Use request.

M/S Baughan/Rusch to APPROVE the request with recommendations as listed in the staff report. Motion carried 7-0.
Conditions:

1. All other applicable regulations shall be met.

CONDITIONAL USE REQUEST

4. A request by DHPI Land LLC and Dale Roberts to use the property as tourist lodging allowing for weekly rental of the residence in a Rural Residential 2 zoning district. The property is located in Section 29, T35N-R7E, in the Town of King, with an address of N10370 Red Arrow Ln. The tax parcel number is 12.293507.007.001.01.02. The request is being heard under section 17.3.04(12) of Lincoln County Ordinances

Chairman Powell called for any proponents of the request. Dale Roberts was present to explain the request. He uses this home typically for himself but he was going through the Tourist Lodging process for his other property so if he did want to rent both of them out it would be permitted.

Allen asked if Roberts has a problem with a property manager being located within 30 miles and he said that he already had that taken care of. Chairman Powell asked for any other proponents. There were none.

Chairman Powell read the Town of King's recommendation into the records as being approved on 5/11/15 on a vote of 3-0, noting "no residential opposition was presented".

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

M/S Baughan/Breitenmoser to APPROVE with recommendations as listed in the staff report. Motion carried 7-0.
Conditions:

1. The occupancy of the rental is limited by the sizing of the septic system. The existing 3-bedroom system (installed in 1997) allows for a maximum of 6 persons.
2. Camping units are not allowed for rental purposes.
3. The shoreland buffer shall be restored and preserved according to ordinance standards and an affidavit be recorded as such.
4. A property manager, owner, or similar responsible party must be made available and located within 30 miles of the property.
5. Must adhere to all applicable federal, state or local licensure and regulations.

CONDITIONAL USE REQUEST

5. A request by DHPI Land LLC and Dale Roberts to use the property as tourist lodging allowing for weekly rental of the residence in a Rural Residential 2 zoning district. The property is located in Section 29, T35N-R7E, in the Town of King, with an address of N10370 Red Arrow Ln. The tax parcel number is 12.293507.007.001.01.02. The request is being heard under section 17.3.04(12) of Lincoln County Ordinances.

Chairman Powell called for any proponents of the request. Dale Roberts was present to explain the request. Of his 2 properties he intends to rent this one out most often as a weekly rental. There were no other proponents.

Chairman Powell read the Town of King's recommendation into the records as being approved on 5/11/15 on a vote of 3-0, noting "no residential opposition was presented".

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

M/S Plant/Rusch to APPROVE the request with recommendations as listed in the staff report. Motion carried 7-0.
Conditions:

1. The occupancy of the rental is limited by the sizing of the septic system. The existing 3-bedroom system (installed in 2002) allows for a maximum of 6 persons.
2. Camping units are not allowed for rental purposes.
3. The shoreland buffer shall be restored and preserved according to ordinance standards and an affidavit be recorded as such.
4. A "landscaped bufferyard" meeting the standards of 17.5.05(2) stated above shall be maintained to a depth of 25 feet from the west property line.
5. A property manager, owner, or similar responsible party must be made available and located within 30 miles of the property.
6. Must adhere to all applicable federal, state or local licensure and regulations.

At 4:10 p.m. Chairman Powell moved to item #8 on the original Agenda (see struck-through item #8 on page 2).

10. 5:30 p.m. Public Hearing – Public Hearing was called to order at 5:30 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 hearing to open.

ORDINANCE AMENDMENTS – SECTION 17.6 LINCOLN COUNTY ZONING ORDINANCE

1. Section 17.6 of the Lincoln County Zoning Ordinance related to signs is proposed to be amended to allow for and establish standards for electronic signs in non-residential zoning districts for on-premise advertising purposes. A copy of the ordinance amendment may be viewed on the Lincoln County Website at www.co.lincoln.wi.us or at the Lincoln County Zoning office.

Chairman Powell called for any proponents of the amendments. Tim Cullen with TLC sign was present. He has spoken to the Committee in the past and wanted to answer any questions they may have and discuss any comments or recommendations that have been received from the individual towns. He said that he sees the value of a "good" sign ordinance otherwise it is a bad reflection on the industry. Regarding the comment/recommendation from the Town of Bradley requiring a "10 minute" timeframe between message changes, he said at the state level a 7 second per message is allowed and his company typically set theirs at 8 seconds between message changes. He feels that the 10 minute requirement may be excessive. He addressed the other comment regarding a setback of 300' from a residentially zoned area. Powell reviewed options of approval for the amendments. Powell confirmed that this has to be approved by the County Board.

Earl Welker with the Town of Schley Plan Commission was present and commented that they objected to the limited zoning categories that the electronic signs would be allowed in. He hoped that it could be expanded to include more zoning districts especially for any "Home Occupations" that may want some type of electronic sign.

Chairman Powell called for any opponents of the amendments. There were none. He noted that there had been favorable Resolutions received from the Towns of: Harding, Wilson, Bradley (w/comments), Skanawan & Schley (w/comments).

Harry Gladwin came to the podium and said that the Town of Bradley Plan Commission made a favorable recommendation to the Town Board with 2 issues addressed. They felt that the time between message changes should be 10 minutes minimum. They felt that more frequently than that would be too distracting when driving. They also felt that there should be an established 100 yard setback for the sign from the border of any residential zoning district. The Town of Bradley would like these 2 issues amended in the draft ordinance.

Chairman Powell closed the public hearing for the Ordinance Text Amendment. He discussed options for proceeding, the process and the options that the towns may have with the amendments at County Board. There was discussion.

M/S Baughan/Allen to approve the text amendments to Chapter 17.6 of Lincoln County Ordinance as drafted. Baughan commented that the amendments to the draft that were asked for by Bradley & Schley were in conflict with each other. There was more discussion. Motion carried.

The text amendment will be forwarded to the Lincoln County Board for the June 16, 2015 meeting. *The Committee moved to item #20 on the agenda.*

11. Agency Updates – None - *Committee moved to item #13*

12. Managed Grazing – This agenda item was laid over from last month for lack of a quorum for voting.

1) Marathon/Lincoln County Managed Grazing Agreement - Contract – Chairman Powell said that they needed to discuss & decide on item #2 before even deciding if the contract is necessary so the Committee proceeded to item 12(2).

2) Marathon/Lincoln County Managed Grazing Agreement – Resolution 2015-02-05 –

M/S Plant/Hetfeld to approve the resolution. There was discussion and Powell said that he has concerns about this resolution and is opposed to it. Wessel tried to explain the options. There was discussion on the options if the county does not agree to a contract with Marathon County. There was lengthy discussion. Hetfeld said he had the impression that there was not an upside to this agreement. Baughan commented that she doesn't have confidence that this agreement was previously approved as it should have been in Lincoln County and doesn't feel that it should continue.

Motion failed by a vote of 1-5 with Plant voting yay, Powell, Hetfeld, Rusch, Baughan & Allen voting nay. There was no need to return to item 12(1) as it is a moot point. *Committee moved to item #11.*

13. Request to fill authorized position – Land Services Program Manager – Wessel explained that Dan Bowers has taken a position with Portage County and will be leaving employment with Lincoln County. She explained that for the sake of expediency this has already gone to Personnel Committee and been approved and she has been given permission to post the position. This is just a formality for the record.

M/S Rusch/Allen to approve to re-fill the authorized position. Motion carried 6-0. Plant wanted it noted in the record the fine work Bowers has done in his time with the county and that he will be missed. The Committee concurred. Harry Gladwin from the Town of Bradley commended Dan for his support & work with the Town of Bradley with issues over the years and thanked him.

14. Bradley Parcel Mapping Proposals – Wessel explained the 2 proposals that had been received in response to their RFP. Wessel said that staff is recommending that the Committee approve the proposal and approve entering into a contract MSA from Rhinelander for the parcel mapping subject to Corporation Counsel’s review of the contract.

M/S Plant/Allen to accept the contract with MSA. There was discussion on the issues with the current parcel mapping, the pilot project, details of the contract & the funding for the project. Motion carried 6-0

15. Letter in Opposition to Proposed Cuts to Conservation Staffing Grant – Powell said that there is a letter drafted to our representatives requesting support of an amendment to increase the base appropriation under § 20.115(7)(qe) for land and water county conservation staffing grants. Wessel said that this may be a moot point because the Joint Committee on Finance made a recommendation on Tuesday to add an amount to bring it back close to past funding levels. There was discussion on the issue that it is no longer being cut as much as proposed but still being decreased.

M/S Allen/Baughan to forward this letter of opposition to the representatives. Powell asked the reasoning and Allen said that we should still let our representative know that we are opposed to cuts even if they weren’t as significant as originally proposed. Chairman Powell asked to add a “codicil” to that and added “To the honorable representatives Czaja & Tiffany, to wit: “Understanding that the Joint Committee on Finance process has improved the status of the original appropriations, the Lincoln County Land Services Committee still felt it was essential and proper to so notify you that we would still support \$815,900 in addition. We thank you for your support at this point in time and continue to seek your support in the future for appropriations that affect Lincoln County and those we serve.”

Motion with the codicil attached passed 6-0.

16. Preliminary 2016 Land Services Budget – Wessel explained the primary changes and adjustments from the previous budget. There are a lot of adjustments because of the consolidating of the different budgets. Wessel asked how the Committee wishes to deal with grazing funding in the budget. Powell explained the options for that money and there was discussion & questions. Wessel suggested that what had been listed in the preliminary budget as C&D Grazing be more properly listed as C&D Contracted Services.

M/S Hetfeld/Baughan to move the \$15,000 in the proposed budget to “Contracted Services”. Motion carried 6-0.

M/S Allen/Baughan to approve the Preliminary Budget with the above change made and forward to Finance. Baughan had questions about the increase in Salary/Wages and Wessel explained that if you look further down in the budget there are Salary/Wage decreases on other lines because they are still figuring things out with the consolidation. There was discussion. Motion carried 6-0. The Committee members signed the 2016 Preliminary Budget.

17. Discussion – Land Services Meeting Schedule and Frequency – Wessel shared her concerns with the length of the meetings & hearings recently and said that we have not been able to get to other issues as directed. She suggested that we have 2 meetings some months depending on the number of public hearing requests in order to be able to cover more issues. There was discussion. Consensus was that, if needed, an afternoon meeting on the 1st Wednesday of the month at 3 p.m. would work.
18. Department Report - Wessel briefly reviewed the items she had listed in her report. She updated the Committee on the status of the “Wisconsin Fund” in the proposed budget. She mentioned the Wetland Associations workshop that will be taking place in Lincoln County in case any of the Committee members wish to register.
19. Confirm next meeting/public hearing date – tentative June 11, 2015 – Wessel shared that she had a conflict on that date and asked if the Committee would consider a different date. The meeting will be moved to Wednesday, June 10, 2015.

At 5:13 Hetfeld & Rusch asked to be excused to attend other meetings. Powell called for a brief break before reconvening for the 5:30 p.m. public hearing. At 5:30 p.m. the Committee reconvened & moved to item #10 on the agenda.

20. Adjourn – M/S Allen/Plant to adjourn at 6:00 p.m. Motion carried all ayes.