

Motion By: McCrank

Second By: Loka

WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR)
 CLEAN BOATS, CLEAN WATERS (CBCW) GRANT

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

WHEREAS, Lincoln County has over 720 lakes, over 650 miles of rivers and streams, and contains one of the highest concentrations of natural lakes in the world; and

WHEREAS, the quality of these waters are being threatened by aquatic invasive species; and

WHEREAS, Lincoln County recognizes the importance of the quality of our waters to its citizens and local economies; and

WHEREAS, education is one of the keys to increasing public awareness as to the adverse impacts of aquatic invasive species on the quality of our waters and our local economies; and

WHEREAS, Lincoln County recognizes the need for a workable plan that will prevent the introduction of aquatic invasive species already present in some bodies of water; and

WHEREAS, the Lincoln County Land Services Department (LSD) will continue to increase public awareness of the aquatic invasive species problem by implementing planning and prevention activities to prevent the introduction and spread of aquatic invasive species; and

WHEREAS, 75% of the cost of such planning and prevention activates may be paid by a grant from the Wisconsin Department of Natural Resources (WDNR); and

WHEREAS, the LSD must apply to the WDNR for the purpose of a "Clean Boats, Clean Waters" grant.

NOW, THEREFORE, BE IT RESOLVED, That the LSD will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the Land Services Administrator to submit the following documents to the WDNR for financial assistance that may be available: sign and submit a grant application, enter into a grant agreement with the WDNR, submit quarterly and/or final reports to the WDNR to satisfy the grant agreement as appropriate, submit reimbursement request(s) to the WDNR no later than the date specified in the grant agreement, and sign and submit necessary supporting documentation.

BE IT FURTHER RESOLVED, that the Land Services Administrator shall sign the grant application and any grant contracts as Lincoln County's designated agent.

BE IT FURTHER RESOLVED, that the LSD will comply with all local, state, and federal regulations and ordinances relating to this project and grant agreement.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

September 20, 2022

Christopher J. Marlowe

Christopher J. Marlowe
 Lincoln County Clerk



Dated this 20th day of September, 2022

Authored by: Elizabeth McCrank
 Co-Sponsored by: Bill Bialecki
 Committee: Land Services
 Committee Vote: 7-0
 Fiscal Impact: None

Date Passed: August 11th, 2022

Drafted by: Thomas Boisvert, Conservation Program Manager

Meeting Date: 9/20/22



County Board Action Report

TO: Lincoln County Board
FROM: Tom Boisvert, Conservation Program Manager
DATE: 9/20/22
SUBJECT: Clean Boats, Clean Waters (CBCW) Grant Opportunity

Clean Boats, Clean Waters (CBCW) is an aquatic invasive species (AIS) prevention program through which volunteer or paid staff conduct watercraft inspections and educate boaters on how to prevent the spread of AIS at boat landings. CBCW grants provide funding to eligible sponsors to help with the cost of running a CBCW program that helps prevent the introduction of AIS in Wisconsin's surface waters or limits the spread of AIS that may already be present.

Lincoln County currently provides some CBCW services through a Lake Monitoring and Protection Network (LMPN) grant with the Wisconsin Department of Natural Resources (WDNR). However, many lake organizations would like additional CBCW coverage in Lincoln County. In particular, the Nokomis Lake District and the Friends of Lake Mohawksin have expressed interest in donating \$2,000 to Lincoln County to expand CBCW services. The \$2,000 would be intended to serve as matching funds on a CBCW grant with the WDNR.

A maximum of \$4,000 of state-cost share is available per boat landing or pair of landings, up to 75% of the total project cost. The remaining 25% of the total project costs must be from the grantee in the form of cash, donated labor or services, or "in-kind" items. These grants are reimbursement grants, meaning all costs must first be paid by the grantee before reimbursement can be requested from the department. A 25% advance payment will be automatically provided to help get the project started. A minimum of 200 hours must be spent at each landing a CBCW grant is received for.

Lincoln County could submit a CBCW application for two landings – Nokomis and Lake Mohawksin. The total grant project amount would be \$8,000. The WDNR would provide 75% of that amount (\$6,000) and Lincoln County would need 25% (\$2,000) in matching funds. The Nokomis Lake District and Friends of Lake Mohawksin have committed \$2,000 to fulfill the match requirement (see commitment letters).

For CBCW grants, there is a pre-application deadline on September 15th. A pre-application has been submitted as a placeholder. A complete application must be submitted by November 15th.

REQUESTED ACTION:

Staff is recommending that Lincoln County pursues a CBCW grant to supplement the existing LMPN funding. This additional funding could then be used to hire an additional limited term employee (LTE) to complete AIS services.

Note: The hired LTE's will only be working during the summer field season, and the incurred staffing costs will not exceed the LMPN and CBCW grant amounts.



APPENDIX G: CLEAN BOATS, CLEAN WATERS

Clean Boats, Clean Waters Factsheet

Clean Boats, Clean Waters (CBCW) is an aquatic invasive species (AIS) prevention subprogram through which volunteer or paid staff conduct boat and trailer inspections and educate boaters on how to prevent the spread of AIS at boat landings. CBCW grants provide funding to eligible sponsors to help with the cost of running a CBCW program that helps prevent the introduction of AIS in Wisconsin's surface waters or limits the spread of AIS that may already be present.

WHAT ARE ELIGIBLE COSTS?

Inspection time (200 hours) can be used at a pair of landings, either on the same lake or on two different lakes. Or you can spend the entire 200 hours of inspection time at one landing. One grant application can target up to 6 individual landings or up to 6 pairs of landings, or a combination of single and paired landings not to exceed 12 landings total. Eligible expenses are strictly limited to the following:

- Payment to inspectors or in-kind donation of volunteer inspector hours
- Time spent on the administration of the program or entering hours into [Surface Water Integrated Monitoring System \(SWIMS\) database](#)
- Time spent at CBCW workshops or training
- CBCW clothing or supplies from Extension Lakes

Note: Mileage, signage, trash management, port-a-potties, association dues, conference attendance, and supplies for decontamination are not eligible expenses and cannot be used as match.

WHAT COST SHARING IS AVAILABLE?

A maximum of \$4,000 of state-cost share is available per boat landing or pair of landings, up to 75% of the total project cost. The remaining 25% of the total project costs must be from the grantee in the form of cash, donated labor or services, or "in-kind" items. These grants are reimbursement grants, meaning all costs must first be paid by grantee before reimbursement can be requested from the department. A 25% advance payment will be automatically provided to help get the project started.

WHO MAY APPLY?

Cities, towns, villages, counties, tribes, lake districts, qualified lake associations, qualified river management organizations, and qualified surface water management organizations are eligible to apply. Other eligible applicants include private and public colleges, universities, technical schools, and state and federal natural resource or land management agencies. If you would like to know if you are an eligible organization, please contact your regional [Environmental Grants Specialist](#).

WHEN ARE APPLICATIONS DUE?

Applications ([Form 8700-337](#)) are due November 1st. Repeat CBCW applicants do not need to a pre-application, but new CBCW grant applicants must notify DNR staff of intent to apply by September 2. Incomplete applications will not be funded and will be returned to the applicant. Submit applications to:

Email (preferred method)

DNRCBCWGrants@wisconsin.gov

Postal Service (postmarked by Nov. 1st)

Attn: CBCW Grant Manager – WY/3

Wisconsin Department of Natural Resources

101 S. Webster St., Madison, WI 53707

WHAT TIME PERIOD DO THE GRANTS COVER?

CBCW grants have a start date of February 15 and end date of December 31 of the same year. Project costs incurred prior to the start date or after the end date are not eligible for reimbursement.

HOW IT WORKS...PROJECT IMPLEMENTATION:

All the following activities are required to receive CBCW funding. (For more details, please review the [Watercraft Inspector Handbook](#)):

1. Inspectors attend a Clean Boats, Clean Waters training workshop and receive program materials.
2. Trained inspectors conduct inspections, collect and report data using the *Watercraft Inspection Report* form, provide boater education and report suspect aquatic invasive species at public boat launch sites.
3. Inspectors conduct a minimum of 200 annual hours of watercraft inspection per boat landing OR at two landings during weekends, holidays, fishing tournaments, or other high-traffic times occurring from May 1 to October 30.
4. Grantee enters inspection data into the statewide [Surface Water Integrated Monitoring System \(SWIMS\) database](#) by December 31st and submits a final reimbursement request.
5. Maintain financial records for 6 years after final payment.

HOW IT WORKS...THE APPLICATION AND AWARD:

Your application also serves as your grant agreement. By signing page 2 of the *Clean Boats, Clean Waters Project Funding Request and Agreement* ([Form 8700-337](#)), you are both requesting funds and agreeing to grant conditions. The program is currently noncompetitive, and applications will be accepted for eligible applicants if they are received by the deadline. It is the responsibility of the applicant to ensure the application has been submitted by the deadline.

If your application is submitted correctly, the department will complete and sign the grant agreement. A copy of the completed grant agreement will be returned to you and an advance payment will automatically be processed and mailed to the address in the application.

HOW IT WORKS...FINAL REPORTING AND FINAL PAYMENT PROCESS:

When data entry into SWIMS is completed, the project grantee should complete a Grant Payment Request and Worksheet ([Form 8700-001](#)). All project expenses and any donations, including the total of all volunteer time, must be listed on the worksheet. The completed form is submitted to DNRCBCWGrants@wisconsin.gov. No additional invoices, check copies, or documentation is required to be submitted, but must be maintained in the grantee's file for 6 years after project completion.

DNR CBCW CONTACT

DNRCBCWGrants@wisconsin.gov

HELPFUL LINKS

<https://dnr.wi.gov/lakes/cbcw/>

<https://www.uwsp.edu/cnr-ap/UWEXLakes/Pages/programs/cbcw/default.aspx>

Lake Nokomis Lake District

Land Services Department
Attention: Tom Boisvert
Lincoln County Service Center
801 N. Sales Street – Suite 103
Merrill, WI 54452

August 24, 2022

Dear Mr. Boisvert,

The Lake Nokomis Lake District has committed to donating \$1,000 in matching funds towards a Clean Boats, Clean Waters (CBCW) grant program and has budgeted for this expense in 2023. We are excited to know that this will allow Lincoln County to expand its current CBCW efforts, and provide consistent coverage at our busiest Lincoln County boat landing.

Our Lake District understands the importance of preventing the spread of aquatic invasive species (AIS) and is excited for this collaboration with Lincoln County.

Sincerely,

A handwritten signature in cursive script that reads "Larry Beaumont". The signature is written in black ink and is positioned above a horizontal line.

Larry Beaumont
Lake Nokomis Lake District Treasurer
(cell) 303-349-3109
(email) lbeau.lnld@gmail.com



Land Services Department
Attention: Tom Boisvert
Lincoln County Service Center
801 N. Sales Street – Suite 103
Merrill, WI 54452

August 17th 2022

Dear Mr. Boisvert,

The Friends of Lake Mohawksin (FOLM) , which is the Lake Association for Lake Mohawksin, have committed to donating \$1,000 in matching funds towards a Clean Boats, Clean Waters (CBCW) grant program and has budgeted for this expense in 2023. We are excited to know that this will allow Lincoln County to expand its current CBCW efforts, and provide consistent coverage at our busiest Lincoln County boat landing.

Our Association/District understands the importance of preventing the spread of aquatic invasive species (AIS), and is excited for this collaboration with Lincoln County.

Sincerely,

David J. Soderberg
Director, Friends of Lake Mohawksin
E-mail folmtomahawk@gmail.com
Phone: (630) 461-5036

2023 AIS Program Budget (\$24,224.09 total)

Revised 8/1/22

DRAFT

LMPN = \$16,224.09

CBCW = \$8,000

LTE Work Schedule:

5 days a week - Wed-Sun, 8 hour days (1/2 hour lunch) = 40 hours/week x 16 weeks = 640 hours

WAGES

LTE Wage	Total Hours	Wages	SS (rate of .0765%)	WC (rate of 0.308%)	Total Wages	Grant Funds After Wages
\$15.00	650	\$9,750.00	\$745.88	\$300.30	\$10,796.18	\$24,224.09
\$15.00	650	\$9,750.00	\$745.88	\$300.30	\$10,796.18	
						-\$21,592.35
						\$2,631.74

MILEAGE

Miles	Reimbursement	Total Mileage Cost	Grant Funds After Mileage
3000	\$0.60	\$1,800.00	\$2,631.74
			-\$1,800.00
			\$831.74

Other Costs

Other Costs	Grant Funds After Other Costs
Supplies/Misc. \$831.74	\$831.74
	-\$831.74
	\$0.00

Notes:*LTE start approximately Monday, May 23, 2022 through Labor Day, Monday September 5, 2022**Mileage is estimated and will reflect current federal reimbursement rate (might be high)**Mileage will NOT be reimbursable for CBCW related work**Supplies may consist of: CBCW apparel, workwear such as waders and boots, tools, etc.**Lake Nokomis Lake District is planning to donate \$2,000 towards the CBCW grant to fulfill 25% match requirement**200 CBCW hours must be spent on Lake Nokomis**200 CBCW hours must be spent on Lake Mohawksin*

Motion By: Boyd
 Second By: Brixius

Resolution to evaluate Lincoln County's current election equipment reliability and to research current state certified equipment and provide a report of findings to the Lincoln County Board of Supervisors.

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

WHEREAS, the American Disability Act mandates that municipalities provide appropriate voting equipment to meet the needs of their disabled or physically impaired voters; and

WHEREAS, our current ADA compatible voting equipment, the ES&S Auto Mark, was purchased in 2006 and uses Windows 2007 which will no longer be supported by Microsoft, will reach its usability shelf life in the next couple years; and

WHEREAS, voting equipment county wide is reaching its shelf life and the fact that our municipalities are federally mandated to provide it; and

WHEREAS, our optical ballot scanners, the ES&S DS200s which were purchased in 2009, may also be reaching their shelf life in the not so distant future; and

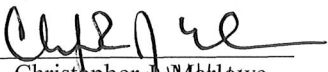
WHEREAS, our election integrity and countywide election efficiency relies on equipment continuity from municipality to municipality; and

WHEREAS, it is assumed that the County Clerk, as our Chief Election Official, would coordinate an effort to explore the counties options going forward.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors directs the County Clerk to put together a team of municipal clerks and election inspectors to evaluate our current election equipment, to research current state certified equipment, and to provide a report and recommendations based on their findings to the Lincoln County Board of Supervisors. The initial report shall be presented no later than the regularly scheduled April 2023 meeting of the Administrative and Legislative committee for consideration and recommendations to the county board. Expenses for and staffing of this review shall be expensed from the County Clerk's office and budget.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
 September 20, 2022


 Christopher J. Marlowe
 Lincoln County Clerk



Dated: September 20, 2022

Authored by: Supervisor Friske (District 9)
 Co-Sponsored by: Supervisor Boyd (11)
 Committee: Administrative and Legislative
 Committee Vote: 7-0
 Fiscal Impact: None

Date Passed: September 7, 2022

Drafted by: Christopher Marlowe

Motion By: Bialecki
 Second By: Loka

LUMBERJACK RESOURCE CONSERVATION AND DEVELOPMENT
 COUNCIL (RC&D) GRANT

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
Totals				

WHEREAS, Lincoln County owns over 100,000 acres of County Forest Land distributed throughout Lincoln County; and

WHEREAS, Lincoln County recognizes that the quality of these public woodlands is important to its citizens and local economies; and

WHEREAS, the quality of these woodlands is being threatened by Garlic Mustard and other non-native invasive species; and

WHEREAS, Garlic Mustard and other non-native invasive species must be treated to maintain the quality of Lincoln County Forest Land; and

WHEREAS, Garlic Mustard has been treated on Lincoln County Forest Land since 2007 with new sites or expanded areas found each year; and

WHEREAS, previous WDNR grant programs allowing for Garlic Mustard treatment have lessened; and

WHEREAS, a portion of Garlic Mustard treatment costs may be paid through a Lumberjack RC&D Grant; and

WHEREAS, the Lincoln County Forestry Department desires to submit a grant application to Lumberjack RC&D for Garlic Mustard control.

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Forestry Department will meet the financial obligations necessary to fully and satisfactorily complete the project and hereby authorizes and empowers the Forestry Administrator to submit the following documents to Lumberjack RC&D for financial assistance that may be available: sign and submit a grant application, enter into a grant agreement with Lumberjack RC&D, submit partial and/or final reports as necessary, submit reimbursement request(s) no later than the date specified in the grant agreement, and sign and submit necessary supporting documentation.

BE IT FURTHER RESOLVED, that the Forestry Administrator shall sign the grant application and any grant contracts as Lincoln County's designated agent.

BE IT FURTHER RESOLVED, that the Lincoln County Forestry Department will comply with all local, state, and federal regulations and ordinances relating to this project and grant agreement.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

September 20, 2022



Christopher J. Marlowe
 Lincoln County Clerk



Dated this 20th day of September, 2022

Authored by: William Bialecki
 Co-Sponsored by: Greg Hartwig
 Committee: Forestry, Land, and Parks
 Committee Vote: All Ayes

Date Passed: September 12, 2022

Fiscal Impact: Unknown (\$10,000.00 maximum, 50/50 grant)

Drafted by: Dean Bowe, Lincoln County Forestry Administrator

Motion by :Brixius				
Second by: Ashbeck				
Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness, Jr.			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

Resolution Accepting \$3,040 from Aspirus Tomahawk Hospital

WHEREAS, the Healthy Minds for Lincoln County, brings the community together to empower people through education and resources to support healthy choices regarding substances and social and emotional well-being.; and

WHEREAS, the Healthy Minds for Lincoln County is currently co-chaired by Debbie Moellendorf, UW-Madison Division of Extension and Kristin Bath, Health Department; and

WHEREAS, the Healthy Minds Coalition is combining the Small Talks campaign developed by the Wisconsin Department of Health Services, along with a local social norms message and promotion of the Parent Pact as a way to provide parents, caregivers and other adults with resources for talking with youth about the risks associated with alcohol and other substances; and

WHEREAS, a donation of \$3,040 from Aspirus Tomahawk Hospital has been received towards expanding this campaign to the Tomahawk area; and

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Supervisors accepts and expresses gratitude for the \$3,040 donation from Aspirus Tomahawk Hospital on behalf of the Healthy Minds for Lincoln County who is responsible for implementing this project.

Dated: September 20, 2022

Authored by: Don Friske

Co-Sponsored by: Greg Hartwig

Committee: Administrative & Legislative

Committee Vote: 7-0

Date Passed: September 7, 2022

Fiscal Impact: Received \$3,040 in funds towards the implementation of the projects identified above.

Drafted by: Art Lersch, Area Extension Director, Langlade, Lincoln, Taylor and Price Counties

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on:

September 20, 2022

Christopher A. Murrow
 Christopher A. Murrow
 County Clerk



Motion By: Cummings
Second By: Rusch

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			

Totals
 Carried
 Defeated
 Amended
 Voice vote
 Roll call

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN – CHAPTER 17, 17.2.03, ZONING ORDINANCE AS A RESULT OF A REZONING PETITION BY PEGGY BROWN FOR PROPERTY IN THE TOWN OF SCHLEY.

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

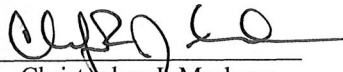
Chapter 17.2.03, Lincoln County Code, is amended to rezone tax parcel pin# 02232073649999 from Agricultural (A) to Rural Lands (RL4). The parcel size is approximately 40 acres and is located at N2681 and N2699 County Road G in Section 36, T32N-R7E, in the Town of Schley.

Any areas designated as Wetlands on the Wisconsin Wetland Inventory Map will not be rezoned to upland.

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

September 20, 2022



Christopher J. Marlowe
 Lincoln County Clerk



This ordinance shall take effect following its passage and posting.

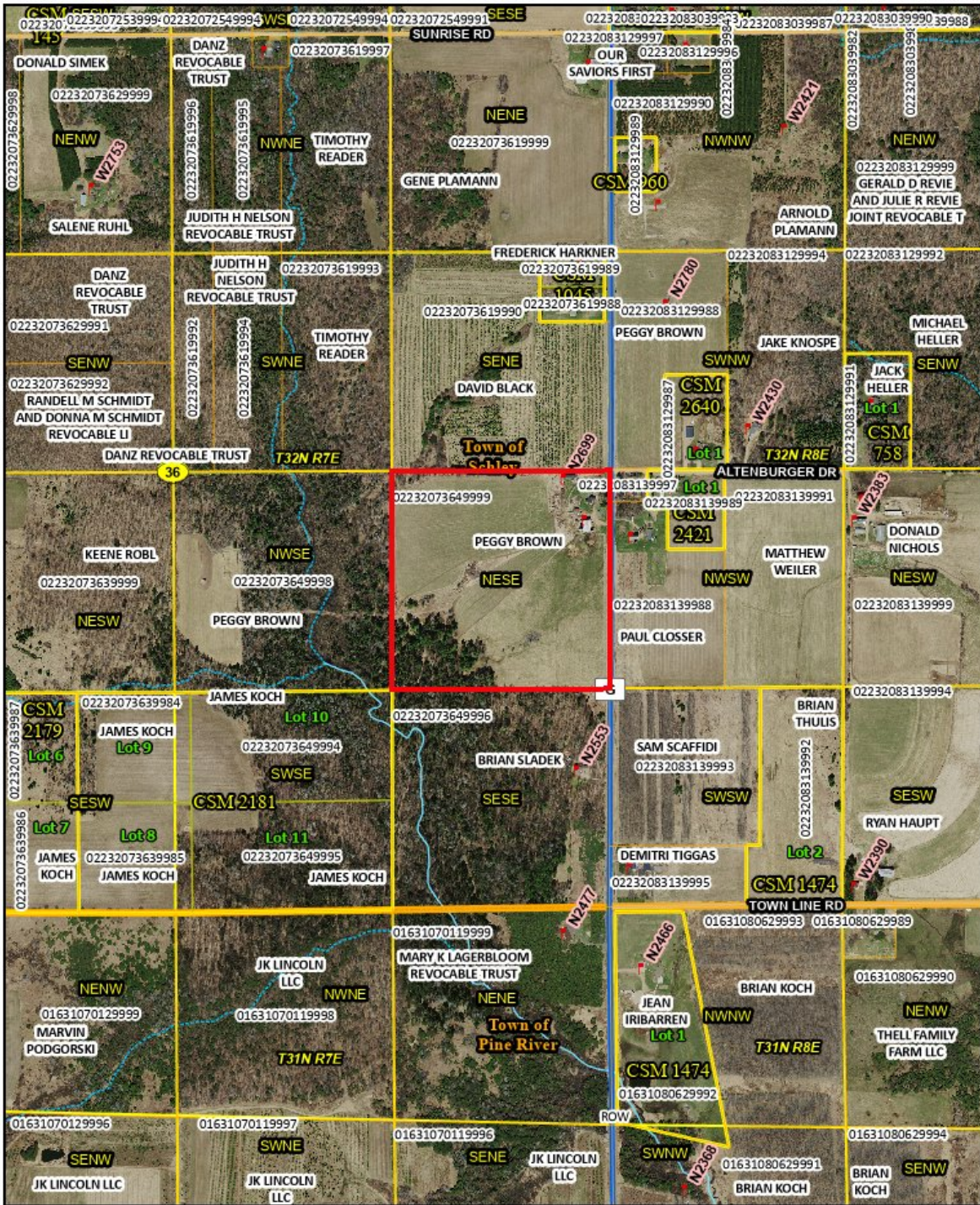
Dated: 9/20/22

Authored by: Marty Lemke
 Co-Sponsored by: William Bialecki
 Committee: Land Services Committee
 Committee Vote: 6-0
 Fiscal Impact: None

Date Passed: 8/11/22

Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager)

Property Overview



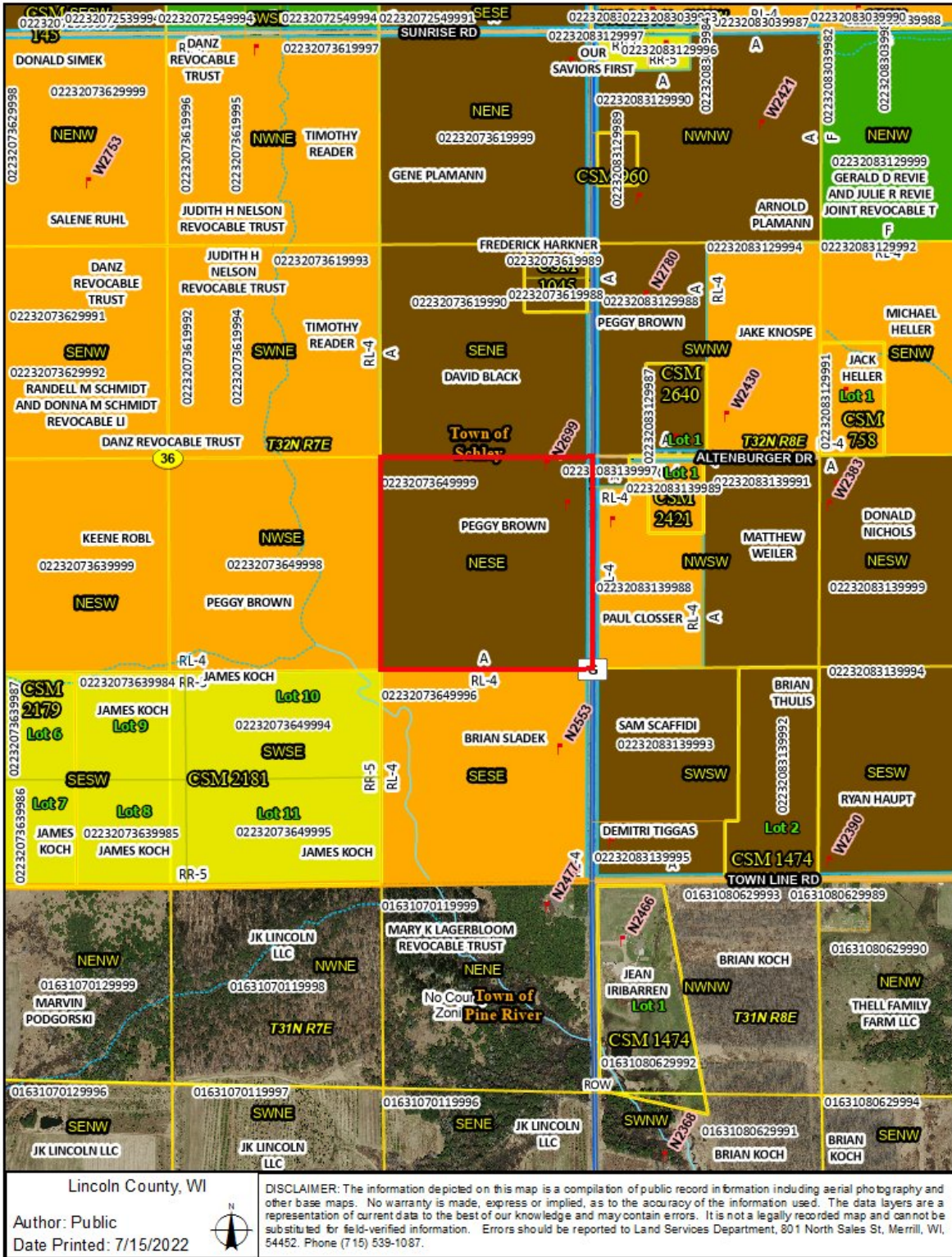
Lincoln County, WI

Author: Public

Date Printed: 7/15/2022

DISCLAIMER: The information depicted on this map is a compilation of public record information including aerial photography and other base maps. No warranty is made, express or implied, as to the accuracy of the information used. The data layers are a representation of current data to the best of our knowledge and may contain errors. It is not a legally recorded map and cannot be substituted for field-verified information. Errors should be reported to Land Services Department, 801 North Sales St, Merrill, WI, 54452. Phone (715) 639-1087.

Zoning District Map



Lincoln County, WI
 Author: Public
 Date Printed: 7/15/2022

DISCLAIMER: The information depicted on this map is a compilation of public record information including aerial photography and other base maps. No warranty is made, express or implied, as to the accuracy of the information used. The data layers are a representation of current data to the best of our knowledge and may contain errors. It is not a legally recorded map and cannot be substituted for field-verified information. Errors should be reported to Land Services Department, 801 North Sales St, Merrill, WI, 54452. Phone (715) 539-1087.

Motion By: Simon
Second By: Hartwig

AN ORDINANCE AMENDING THE GENERAL CODE OF THE COUNTY OF LINCOLN CHAPTER 21 –RELATING TO SHORELAND ZONING (FENCES/BRIDGES/VIEW AND ACCESS CORRIDORS) ARE PROPOSED TO BE AMENDED. SPECIFICALLY IN RESPONSE TO, SENATE BILL 387-WI ACT 105 & SENATE BILL 867- WI ACT 200 ADJUSTMENT.

The County Board of Supervisors of Lincoln County, Wisconsin, does hereby ordain that Chapter 21 be amended as indicated in the attachment.

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
Totals				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

STATE OF WISCONSIN)
) SS
 COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:
 September 20, 2022

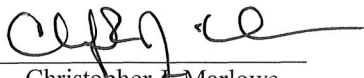
This ordinance shall take effect following its passage and posting.

Dated: 9/20/22

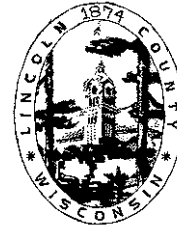
Authored by: William Bialecki
 Co-Sponsored by: Greta Rusch
 Committee: Land Services Committee
 Committee Vote: 6-0
 Fiscal Impact: None

Date Passed: 8/11/22

Drafted by: Mike Huth (Land Service Administrator- Zoning Program Manager)


 Christopher J. Marlowe
 Lincoln County Clerk





County Board Report

TO: County Board

FROM: Mike Huth, Zoning Program Manager-Land Services Administrator
Laura Boquist, Shoreland Specialist

DATE: 8/29/22

SUBJECT: CH 21- Shoreland Zoning Ordinance Amendment - Fences/Bridges/View and Access Corridors

Senate Bill 387- Wisconsin Act 105 affects shoreland fencing regulations for areas of land within 75 feet of the ordinary high water mark (OHWM) of a waterway. Prior to this legislation, privacy, solid, and chain link fencing has been prohibited within 75 feet of a waterway. This structure type was not listed an exempt structure per state shoreland codes and Lincoln County shoreland ordinance section 21.07 (6). It should be noted, staff have historically allowed decorative yard features like open split rail wood features and vegetative hedges within 75 feet of the Lake, as these barrier features are typically used to indicate a side lot line location and have not been interpreted by the county to be a structure.

This legislation is mandated by the State of Wisconsin to be included in our county shoreland ordinance. This language only affects shoreland zoning and will amend County shoreland ordinance section 21.07(6). It does not affect fence regulations for general zoning nor town zoning. This new language creates an additional exempt structure for areas of land within the 75 foot shoreland setback, ONLY if all of the following requirements can be met for the proposed fence.

- *Fence is no taller than 15 feet.*
- *Fence is located at least 2 feet landward of the ordinary high-water mark, entirely outside of the highway right-of-way, no less than 10 feet from the edge of a roadway, and no more than 40 feet from the edge of a roadway or highway right-of-way, whichever is greater.*
- *Fence is generally perpendicular to the shoreline.*

The state legislation language does not allow for a fence to be constructed along the waterbody in a parallel fashion. The language does not allow fences within 75 feet of the OHWM of a navigable body of water when there is not a roadway involved.

The criteria, as written, would provide relief in very limited circumstances for a fence to be placed within 75 feet of a waterway. All other fencing proposals within 75 feet of a waterway, not meeting this criteria, continue to be prohibited within 75 feet of the OHWM of a waterway.

In order for the county to regulate consistently and clarify what constitutes a “fence”, a definition of fence should be added to the Lincoln County shoreland code section 21.18. Adding a definition will describe what constitutes a fence as a structure while allowing staff to continue allowing certain features within the 75 foot shoreland set-back like privacy hedges which have not been interpreted to be a type of structure.

Senate Bill 867 - Wisconsin Act 105 affects shoreland regulations related to the construction of bridges within the shoreland set-back area as well as view and access corridor allowances on riparian lots. It does not affect Lincoln County Chapter 20 floodplain regulations.

Construction of bridges within the shoreland set-back area

Lincoln County requires a soil disturbance permit for the construction of a bridge or replacement of an existing bridge within 75 feet of the OHWM of a waterway, if the project involves new abutments at or above the OHWM, bridge approach work within 75 feet of the OHWM, or other soil disturbance within 35 feet of the OHWM.

Prior to this legislation, shoreland regulations did not define a bridge as a type of exempt structure from the required shoreland set-back of 75 feet. This has presented challenges for permitting new bridges and in some cases, bridge replacements.

This legislation amends 59.692 (1n) (d) 8 of the state statute and is mandated by the State of Wisconsin to be included in our county shoreland ordinance. Per this legislation, a county shoreland zoning ordinance may not prohibit the construction of a bridge within the shoreland setback area for which the Wisconsin DNR has issued a bridge permit. This clarifies that a DNR approved bridge is a type of exempt structure from the required shoreland set-backs and will amend the language found in County shoreland ordinance section Chapter 21.07(6). Outlining a bridge as a type of exempt structure in shoreland code will alleviate reoccurring issues related to the construction activities and structural components taking place at and above the OHWM of a waterway.

All portions of the bridge over the OHWM will continue to be regulated by DNR.

View and Access Corridor Allowances on Riparian Lots

Vegetation removal activities are regulated within 35 feet of the OHWM of a waterway per state codes and Chapter 21.08 of the Lincoln County shoreland ordinance. This area is defined as the shoreland buffer and only limited vegetation clearing activities are allowed within the shoreland buffer in order to protect this area and its benefits to the health of waterways.

Prior to this legislation, the ordinance language indicated that a view and access corridor was allowed up to 35 feet wide for every 100 feet of frontage. To be consistent with the application of this language, many counties, including Lincoln County, have interpreted this to allow up to 35% of the listed parcel frontage for a view and access corridor.

This Bill amends 59.692 (1f) (b) 1 of the state statutes and is mandated by the State of Wisconsin to be included in our county shoreland ordinance. Per this legislation, a county shoreland zoning ordinance may not establish a maximum width along the shoreline for an access and viewing corridor that is less than 10 feet or 35 percent of the shoreline frontage, whichever is greater, except that the ordinance may not permit the width of an access and viewing corridor to exceed 200 feet.

This new language will amend Lincoln County Chapter 21, section 21.08(2)(a). A view and access corridor is allowed to be cleared up to a width of 35% of the parcel frontage, with a maximum limit of 200 feet wide and no less of a width than 10 feet wide.

The limit on overall width, even for lots with hundreds of feet of frontage, is good for the protection of the near-shore vegetation and the positive impacts to the health and quality of our waterways.

With the approval of the Land Services Committee (LSC), Land Services staff prepared the updated ordinance text, set a date/time for a public hearing to be held, and distributed the proposed text to all the Towns asking for resolutions of support or rejection. The public hearing was noticed in the proper manner and the LSC conducted the public hearing on August 11, 2022, at which time all interested persons/towns were encouraged to offer objections, approvals, criticisms, or suggestions to the proposed ordinance text. At the conclusion of the public hearing the LSC determined that a favorable recommendation should be made to the County Board regarding this matter with the ordinance text as proposed.

REQUESTED ACTION:

Staff and the LSC are recommending that the County Board approve of the proposed ordinance text amendment as presented in the attached ordinance and supplemental document showing the ordinance text edits.