

Lincoln County Land Services Committee
Minutes of Thursday, December 14, 2023 3:30pm
Lincoln County Service Center, Room #257
(Meeting recording is available on the Lincoln County website: co.lincoln.wi.us)

MEMBERS PRESENT In-Person: Marty Lemke, Bill Bialecki, Julie DePasse, Elizabeth McCrank, Greg Hartwig, Randy Detert, Steven F. Roets, and Greta Rusch,

MEMBERS PRESENT Teleconference: none

MEMBERS ABSENT: none

DEPARTMENT HEADS/STAFF In-Person: Mike Huth (Land Services Administrator), Karry Johnson (Corporation Counsel), Sarah Koss (Register of Deeds), Dean Bowe (Forestry Administrator), Thomas Boisvert (Conservation Program Manager), and Elizabeth Peronto (Program Assistant).

DEPARTMENT HEADS/STAFF Teleconference: none

VISITORS In-Person: Earl Welker, Bo Bennish, and Merrilee DuPlayee

VISITORS Teleconference: none

1. Call Meeting to Order – Meeting was called to order by Chair Lemke at 3:30pm.
2. Roll Call – All members present.
3. Adopt Agenda – M/S Bialecki/Rusch to adopt the agenda as presented. Motion carried on a voice vote.
4. November 9, 2023 LSC Meeting Minutes – M/S DePasse/McCrank to approve the 11/9/2023 minutes. Motion carried on a voice vote.
5. Public Comment – Earl Welker, Planning Commission Chair for the Town of Schley, expressed concerns regarding the Home Occupation and Home Occupation Expanded sections of Lincoln County Chapter 17. Welker supplied materials from the Town of Schley regarding the desire for Home Occupation Expanded to be a Conditionally Permitted use instead of a Permitted use.

DEPARTMENT REPORTS

6. Register of Deeds
 - a) Monthly Financial Reports – Koss presented the report. There was no discussion.
 - b) Monthly Written Reports – Koss presented the report. Discussion occurred regarding the continued report of the births to deaths ratio for Lincoln County.
7. Land Services
 - a) Administrator Department/Programs Report – Huth presented the department report. There was no discussion.
 - b) Monthly Financial Report – Huth presented the financial report. There was no discussion.
 - c) Zoning Program Manager/Land Services Administrator Timesheets (10/30/2023-11/26/2023) –
M/S McCrank/Bialecki to approve the timesheets. Motion carried on a voice vote.

OLD BUSINESS

none

NEW BUSINESS

8. Convene into Closed Session pursuant to sec. 19.85(1)(f), Wis. Stats., considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

a) Unpaid Leave of Employee – M/S DePasse/McCrank to convene into closed session to include Sarah Koss. Roll call vote.

| Supervisor | Aye | Nay | Absent |
|------------|-----|-----|--------|
| Bialecki | X | | |
| DePasse | X | | |
| Detert | X | | |
| Hartwig | X | | |
| Lemke | X | | |
| McCrank | X | | |
| Rusch | X | | |

9. Reconvene into open session – M/S McCrank/DePasse to reconvene into open session. Roll call vote.

| Supervisor | Aye | Nay | Absent |
|------------|-----|-----|--------|
| Bialecki | X | | |
| DePasse | X | | |
| Detert | X | | |
| Hartwig | X | | |
| Lemke | X | | |
| McCrank | X | | |
| Rusch | X | | |

10. Take any necessary action on the closed session item(s) –

M/S Rusch/Hartwig to grant the unpaid leave of employee as requested. Motion carried on a voice vote.

11. Lumberjack RC&D Garlic Mustard Grant – Bowe and Boisvert gave an overview of the grant, explaining that the Forestry Department intends to apply. Boisvert is asking for the committee’s support to pursue the grant.

M/S DePasse/Bialecki to support the grant application. Motion carried on a voice vote.

M/S DePasse/McCrank to suspend the rules and move to agenda item #13. Motion carried on a voice vote.

13. Contract Renewal for Tax Delinquent Title Searches – Huth and Johnson gave an overview of the history of this contract and the desire to renew the contract as presented in the packet. Discussion occurred.

M/S DePasse/Rusch to renew the contract. Discussion occurred. Motion carried on a voice vote.

Chair Lemke called for a recess at 3:54pm. The meeting resumed at 4:02pm

12. 4:00pm Public Hearings – Public Hearing was called to order at 4:02pm by Chair Lemke. Lemke explained the rules of conduct for public hearings and introduced the Committee members and staff.

FLOODPLAIN ORDINANCE AMENDMENT

a. An amendment to Section 20.1.5 to the Lincoln County Floodplain Ordinance (General provisions – Official Maps Based on other studies). A hearing is being held to solicit comments on a proposed amendment to the Lincoln County Floodplain Ordinance and official floodplain maps to include the “Fox Valley and Lake Superior Rail System Bridge 105.34 over Pine River – Pine River Floodway and Flood Fringe”, dated October 17, 2023

and “Floodway Data From HEC-RAS Results, Pine River” which is included in the report titled “WDNR Comment Responses, Preliminary Hydraulic Analysis Comments – Fox Valley and Lake Superior Rail System Pine River Bridge 105.34” dated September 29, 2023.

At the request of the committee, Huth presented proposed amendment and further explained that this data is managed in conjunction with the Wisconsin Department of Natural Resources. County staff recommends that the committee approve the amendment and forward it to the County Board, as presented in the packet.

Chair Lemke asked for testimony in support of the amendment. There was none.

Chair Lemke asked for testimony from opponents of the request. There was none.

Chair Lemke closed the public hearing for the request. Discussion occurred.

M/S Detert/McCrank to approve the Floodplain Ordinance Amendment as presented and to forward it to the County Board. Motion carried on a voice vote.

CONDITIONAL USE PERMIT

- b. A request by Bo Bennish to allow a junkyard/salvage yard in a General Business (GB) zoning district. The property is located at W4982 County Rd C. in Section 24, T32N-R6E, in the Town of Merrill. The tax pin# is 01432062449987 with a parcel size of approximately 16.51 acres. The request is being heard under section 17.8.30 and relating to section 17.3.04(18) of the Lincoln County Zoning Ordinance.

Chair Lemke asked for testimony in support of the CUP application. The applicant, Bo Bennish, was present and explained the proposal. There was no discussion.

Chair Lemke asked for testimony from additional proponents of the request. There was none. Lemke entered into the record that the Town of Merrill submitted a recommendation to approve this request.

Chair Lemke asked for testimony from opponents of the request. There was none.

Chair Lemke asked for the staff report. Huth presented the staff report. County staff recommends that the committee approve the Conditional Use Permit with six recommended conditions, as written in the staff report. Discussion occurred regarding site screening, stockpiling, and recycling materials.

Chair Lemke closed the public hearing for the request.

Lemke asked Bennish if he agrees to the six conditions. Bennish stated that he does.

M/S McCrank/DePasse to approve the request with the six conditions as listed in the staff report. Discussion occurred. Motion carried on a voice vote.

Conditions:

1. Shall comply with all applicable County, State and Federal regulations, including but not limited to Section 11.04 (NUISANCES—HUMAN HEALTH HAZARDS) of the Lincoln County Code.
2. All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 50 feet from all lot lines.
3. Parking Requirements: One space for every 20,000 square feet of gross storage area, plus one space for each employee on the largest work shift.
4. Exterior Lighting standards located in section 17.5.04 shall be met.

5. Signage standards located in section 17.6 shall be met.
6. Erosion Control and Stormwater Management standards located in 17.5.08 shall be met and implemented upon approval of plans by WIDNR.

14. Text Amendment – Zoning – 17.3.09 Accessory Land Uses – Huth gave an overview of the proposed changes and timeline moving forward to schedule the public hearing regarding all sections of 17.3 reviewed by the committee over the past few months. Discussion occurred regarding legal non-conforming uses and the Town of Schley's request regarding Conditional Uses versus Permitted Uses.

M/S McCrank/Hartwig to approve the amendments as proposed. Motion carried on a voice vote.

ANNOUNCEMENTS

15. Future Agenda Items – APHIS, Text Amendments, DNR
16. Confirm next meeting/public hearing date – The next meeting will be January 11, 2024. The meeting will begin at 3:30p.m. with the public hearing beginning at 4:00pm.
17. Adjourn – M/S Bialecki/DePasse to adjourn at 4:41p.m. Motion carried on a voice vote.

Minutes prepared by Elizabeth Peronto