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LANGLADE COUNTY

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MEETING MINUTES

Committee: **Water & Land Use Planning**
Date: **Tuesday, January 30, 2018**
Time: **3:00 PM**
Location: **Wolf River Room, Resource Center, 837 Clermont Street, Antigo, WI**

The following discussion was held by the Committee at the meeting detailed above:

1. Meeting called to order at 3:00 P.M.

2. Roll call was conducted.

Water & Land Use Planning Committee		
Name	Role	Status
Ron Nye	Chair	Present
Don Scupien	Vice Chair	Present
Julie Webb	Secretary	Absent
Duff Leaver	Member	Present
Dick Schuh	Member	Present
Non- Committee Members Present		
Name	Interest	
Duane O. Haakenson	LRR Department Director	
Erik Rantala	Director of Forestry Dept	

3. The Committee recited the Pledge of Allegiance.

4. Approval of previous meeting minutes. Motion by Schuh, Second by Leaver to approve the meeting minutes for the December 18, 2017 meeting. All ayes. Motion carried.

5. Public Comment: none

6. The following Non-Routine Business items were reviewed:

   a. Retaining deposit fees from defaulted UDC permits: Haakenson- In recent years when a person applied for the UDC permit they filled out the deposit agreement. Which stated they had 2 years unless they renew it and work it out with the building inspector to have a one year window flexibility. After 3 years if they are not good, they default the fee. This started last year because Gary didn't want to carry outdated ones in the books any longer. We've never collected a dime for any administration that we've done for UDC. There are a half a dozen or so in default greater than 3 years to this date. I would like the committee to consider us retaining these fees. We should follow up with the people and let them know we took the deposit fee and they need to reapply , get the work done or it will result in another fee being assessed. It says in the agreement we can do that and charge it to their taxes. The inspector needs help getting some of

these people to comply. Since we have never collected any money for administration I thought we could both get a bit of money if our department retained some of the money and I would put it to use on enforcement. We have the potential of $5,000. You don't have make a decision tonight. I would like a direction to go. I have not discussed this with Carlene as of yet.

1. Nye: I would like to see the money remain in the Land Records Department. Do we want to do more research or make a motion?

2. **Motion** by Leaver, second by Schuh that the Land Records department retain the defaulted UDC fees. All voting aye. Motion carried.

b. General zoning ordinance revisions: The board reviewed the changes outlined in the ordinance they were given prior to the meeting.

1. Stowe – My input to Duane was over a period of time different things come up, so in the enforcement portion of the zoning code (17.65(4) I had recommended we add provisions that declare violations of zoning ordinances public nuisances because we could use different enforcement methodologies . This is the first review of the proposed changes, so Duane isn't looking for answers tonight, as it will have to go to public hearings etc.

when it comes to enforcement, Langlade County does not have the resources, we don't go out and investigate. We are responding to others bringing things to our attention. Once the Zoning Dept. has had the opportunity to look at a violation of a zoning code, it is the Zoning Adminstrator's responsibilities is to interpret and apply the county's zoning ordinance. We don't prosecute every violation, we try to get the person to remedy the violation using the most cost effective, and efficient method. The last thing we have available is for example you have a land owner that despite the court order is not going to remedy the violation, then we get permission for the county to incur the cost to remedy the violation and we try to recover it through the property tax. However, we don't recover that amount, that's where we have to prioritize the funding . Common sense and practicality if we have a bunch of mobile homes in violation and the expectation is that we are going to take these mobile homes off and try to recover the costs, it is pretty difficult to do that. You never recover all the costs incurred.

2. Haakenson- Jeff and Chris have put a lot of time into this, and we aren't done yet. We still have some laws on CUP's and developing language, the mining. I thought for tonight's meeting we would start with the administration section, which is the most important section the committee is to be involved in. We eventually want to get this online and Chris has been working on that. We have also created language to update the shoreland ordinance. My intent is to send our changes into the DNR and get their blessing, and once I have that I will bring it to the committee and then to County Board for their approval. To stay on schedule I will get the final draft of this to you in February before we go to public hearing. I would like to get this done before the construction season starts.

3. Stowe: It is time to get a group together to go over all the county ordinances because a lot of the ordinances no longer apply with the times.

c. Upcoming department vacancy: Haakenson – Dana Kryka announced her retirement, she is targeting her last day as being April 27, 2018. I am coming to the committee requesting that it is in the best interest of my department to refill her position. I am not looking at restructuring. It's certainly not out of the question to look

at restructuring in the future particularly when Dave Tlusty retires. I will not find someone to do all Dave does so I may want to look at some different options at that time. Budget wise it would give me more flexibility.

1. Nye: Will you want to get someone on early before she leaves so she can help the new person coming in?
2. Haakenson: I don't see how I can do that budgetary wise. She has offered that she could come back, if I have a little vacancy then I would have that option. For now I need committee backing to refill the position. I need oversight and personnel committee approval. This committee is the first step.
3. **Motion** by Schuh second by Scupien to refill the upcoming vacant position. All voting aye. Motion carried.

d. GIS Coordinator updates – bench marks: Joe Martell – Marathon County is doing some address changes and they wanted to know if the bordering counties are aware they are doing 20,000 addresses, hundreds of street signs. They wanted to make aware of mutual aid between the different agencies there could be some addressing problems. Superion is the 911 vendor they have chosen to go with. This has an impact on our Sheriff's Dept and 911.

Tlusty: One of the program benchmarks for the Land Information Program, is to get all the public land survey data online, which is a grant requirement. So we have to maintain a master database, I then give the master database to Joe and he creates a shade file, which produces the map we send to the state cartographer's office, they put it on their state site (Survey Control Finder) so anyone can get access to any of the corners at any time.

Martell – I also have been doing the same thing for water within the county. The largest water polygons are Greater Bass Lake, Enterprise Lake, etc. Instead of having a parcel code we are creating water body codes. The parcels adjoining the body of water have to be adjusted. The next big project is centerlines and right of way lines.

The last thing is the amount of random requests I get. In a given week I may have 2 or 3 people give me a handful of notes to fix this, do this etc. I don't have a problem with this unless I am in the middle of doing the projects that take months.

e. Metallic Mining Ordinance Revisions: Haakenson – Ron, Don and I went to a metallic mining seminar last Wednesday in Minocqua. It was a very good seminar and we learned many things. We learned we can zone. We have metallic mining as a separate zoning district currently. Which means towns and the county has a say whether the mining operation would even begin because of the zoning requirement. However, in the unzoned towns we may not have much say. Robin brought up that we may have the possibility of looking at extra territorial zoning that may give us more leverage, which we could add to our ordinance. There are agreements to enter into contracts with these companies if we chose. We can look at fees and bonding. The city Administrator from Ladysmith was there and gave us information on some of the benefits and shortfalls they encountered.

1. Nye: I asked Erik to attend this meeting because of the mineral rights for county land and things we should consider since there is a July 1st deadline to come up with a plan for the county.

2. Rantala: The unknown acres the county owns that have mineral rights on them, we should be thinking of all aspects of our natural resources, mining being one of them.

3. Stowe: The state's plan was a moratorium until someone could demonstrate that metallic mining is safe. They have removed that moratorium. We should be prepared to react if all of a sudden these mining companies are jumping in aggressively to reopen existing mines or to conduct metallic mining since its been quiet during the moratorium. If we are concerned that they will start mining on our property there are some things we could consider doing.

4. Nye: I asked Duane to put this on the agenda for our comment so the public is aware of some of the issues and our committee is looking into it and keeping an eye on potential things. If we do anything with zone changes we will get the towns involved.

f. Update for requiring UDC permits for unattached structures: Haakenson – We agreed at the last meeting to put it on the agenda one more time because Duff was unavailable for the last meeting. The committee at that time agreed we would do it on a voluntary basis and not a required basis. Again, we would educate the public when they come in if they want that service it is available to contact Duff. It will probably be very few people who will use this. There will be some people who will want the assurance their contractor did the building correctly. Some banks, if there is a loan, may want the service. I wanted to bring it to the committee one more time and give Duff the opportunity to speak.

1. Leaver: Just as long as it's no more confusing for people. As it is they are confused about the zoning permit vs building permits, and then say you have an option, there may be some confusion.
2. Haakenson: I will get together with my staff to make sure we have a clear document of information of what is available from you.
3. Leaver: When someone does turn a garage into a home they are not violating UDC laws but they are violating zoning laws because they took out the permit for a garage.
4. Stowe: They way the UDC code is written it allows the county to include in their UDC ordinance a requirement for UDC inspection for unattached structures. I supplied Duane with some of the municipalities that do that, and it seems it was designed on the size of the structure and the concern of how the structure is attached to the ground. So what I understand from Duane is we are not going to change our ordinance, but administratively Duane will let people know the service is available if they want it. Part of the education I hope, because we see a lot of times that garage turns into a dwelling and that is a source of violation.
5. Leaver: The county has a different interpretation then the state. The state says if they are sleeping in the building it is a dwelling. Different counties say if there is a kitchen in there they determine it a dwelling.
6. Stowe: The court looks at several case law interpretations of what a residence is. What is the final piece that makes it a dwelling etc.

7. Leaver: Is it something that could be put in the county ordinance? That is the county's concern. If I come across something where someone is sleeping in it, it doesn't depend on the size it then becomes a dwelling by definition .

8. Stowe: Based on us enforcing either the UDC code or general zoning requirement, whatever the violation is, we typically want more than someone just sleeping in there. You would want fixtures, that render it habitable space.

9. Leaver: In Oconto County we issue permits depending on municipalities. It was set up before I came in that they inspect unattached garages, not sheds, but garages. It's not always a problem but it makes me more aware of what is going on. I have had people swear to me it was going to be a garage and it winds up with a fireplace, kitchen, bedrooms etc.

10. Nye: I would say we put the UDC permits on the back burner and the committee can look at it later.

11. Haakenson: I will look at the whole residence dwelling definition and if there is something we can insert in there to make it more concrete.

7. Director's Report

01/02/18 Duane working with Jeff and Robin on the Knapp brief
01/04/18 Duane attends Personnel meeting for Emily
01/04/18 Dana Kryka announces her retirement effective 4/27/18
01/05/18 Duane & Jeff attend NEWCCA meeting in Crandon
01/08/18 Duane attends LCC meeting for revisions to the Animal Waste Storage Ordinance
01/08/18 Jeff and Duane working on final stipulation for Knapp
01/09/18 Duane attends Executive meeting for Emily
01/09/18 Duane & Jamie draft resolution for County Board
01/10/18 Duane and Jeff attend POWTS Training on Soils for continuing education credits
01/11/18 Jeff and Duane reviewing final stipulation for Knapp case
01/12/18 Robin files final stipulation in Knapp case
01/12/18 Burnett County contacts us to review our Farmland Preservation Ordinance
01/15/18 Chris, Jeff and Duane working on revisions to general zoning ordinance
01/16/18 Duane attends County Board
01/17/18 Duane attends Department Head meeting
01/18/18 Columbia County contacts us about department organization
01/19/18 Duane and Robin work with Carlene on disclosure statement
01/22/18 Jamie works on building permit information for disclosure statement
01/22/18 Jeff working on POWTS Audit
01/23/18 Duane working on additional questions Baird has on disclosure statement
01/24/18 Jeff sends out POWTS Final Audit report to DSPS
01/24/18 Duane, Ron and Don attend mining seminar in Minoqua
1/25/18 Chris, Jeff and Duane working on zoning ordinance revisions
1/26/18 Duane working on tax bill situations
1/29/18 Jamie working on rezone report to be filed w/ DATCP
1/30/18 Duane & Jeff meet w/ Robin on ordinance revisions
1/30/18 W & LUPC meeting
1/30/18 Amy reports that at least 6 town workbooks are completed for the Town assessors

GIS Coordinator Report

* Printing and or creating maps for Sherriff Department, District Attorney's Office, and Jon Petroski looking at voting Wards. That is a work in progress.

* Investigated the processes involved in moving forward with water bodies, their DNR codes, and so forth. Spoke with several other counties and the State Cartographers Office.
* Worked on those polygons per feedback from the State Cartographers Office (SCO) to correct from DNR data to our own Parcel data. The WBIC (DNR Water Body ID Code) is in place of a Parcel Number and will likely carry with it a link to the DNR website about each water body eventually.
* Had approximately 300 at the start of January and chose the largest lakes. Greater Bass Lake for example took a good portion of a day to adjust. There are about 133 remaining.
* Achieved some important Benchmark requirements this past month with Dave Tlusty.

LAND CONSERVATION DEPARTMENT UPDATE:

- Animal Waste Storage Ordinance Revisions
- Forming Pollinator Network with nine area counties
    - Working on budget and match funds
    - Will be applying for a grant in 2018
- Received small grant to plant native pollinator habitat in the gardens here and are beginning planning process
- Wildlife Damage Program reimbursement through DNR
- Lake Protection Grant
    - Report preparation with Shoreland Protection Specialist
    - Received extension until December 31, 2018
- Received award for 2018 Clean Sweep Grant Program
    - Clean Sweep will be held in summer 2018
- Held Nutrient Management Farmer Education Trainings
- Bowen & Dubey shoreland restoration projects
    - Pre-bid meeting has been held
    - Bid opening was January 26, 2018
    - Working on contract
- Farmland Preservation
    - Updating COCs
    - Issuing new COCs for changes to ownership
- Coordinating on Faucet Snails in Elton Creek with TIP, DNR, TU
    - Looking at installing boot brushes and signage to stop spread
- Updating filing systems and office organization
- Events/training attended:
    - Pollinator Partnership Meeting (Molly)
    - Inland Lakes Workshop (Molly)
    - Northern Technician Meeting (Chris)
    - Lumberjack RC&D (Molly & Joe)

County Surveyor Update

Received notice of approved Land Information Grant application. ($117,240)
Notified DOA Grant Administrator that Joe Martell is now the Langlade County LIO.

Secured copyright releases for plat book cover photos.

Coordinated order for paper and ink supplies for large format plotter (used by maintenance dept).

Field work: at his request, I checked coordinates on a corner recently reset by Dean Williams
Worked on forestry projects on Knight Road 32-33-11 and at the end of Log Rd in 25-33-10.

More work on the Ackley Memorial/Baginski parcel.
Helped Joe with parcel mapping/ownership question north side Lady Lake.
Emailed survey info to two out of town surveyors (Chad Kwiatkowksi, Dustin Riley)

Worked with Andy Faust (NCWRPC) and Joe to get survey data in format acceptable to state for submission to PLSSfinder (grant requirement).
Now continuing to correct and populate this database so every existing tie sheet has a location coordinate to allow for online display of that tie sheet.

Attended the Wisconsin Society of Land Surveyors annual meeting. Jan 24, 25 & 26 at Wisconsin Dells.

Motion by Scupien, second by Leaver to approve the Director's report. All voting aye. Motion carried.

8. The next meeting of the Water & Land Use Planning Committee is tentatively scheduled for February 27, 2018 at 3:00 P.M. in the Wolf River Room, Resource Center, 837 Clermont Street, Antigo, WI. Tentatively April 5th at 3 P.M. for a public hearing on the zoning revisions.

9. Motion by Scupien, second by Leaver to adjourn meeting at 4:35 PM. All Ayes. Motion carried.

Minutes transcribed and submitted[i] by:

JAMIE MUSOLFF, DEPARTMENTAL DEPUTY
LAND RECORDS & REGULATIONS DEPARTMENT

[i] **CC:** WLUPC County Clerk Parties Involved