

**LANGLADE COUNTY
WATER AND LAND USE PLANNING COMMITTEE
RESOURCE CENTER, 837 CLERMONT STREET
ANTIGO, WI 54409**

Minutes of Meeting, Tuesday, April 30, 2013 at 3:30 P.M. in the Wolf River Room, Langlade County Resource Building, 837 Clermont Street, Antigo, WI 54409.

1. Meeting called to order at 3:30 P.M.
2. The Committee recited the Pledge of Allegiance.
3. Roll Call: Present: Mike Klimoski
Eugene Kamps
Ronald Nye
David Solin
Jerrold Burns

Also Present: Duane O. Haakenson, Director
Dave Tlusty, Surveyor
4. Approval of meeting minutes for March 26, 2013. Motion by Kamps, seconded by Solin to approve the meeting minutes for March 26, 2013 as mailed. All voting aye. No nays. Motion Carried.
5. 4:00 P.M. Public Hearing pertaining to Petition for Zoning Amendment #936 by Applicant: Elcho UCC Church, N11295 Dorr St., Elcho, WI 54428; Agent: Warren Wagner, N11421 W. Perch Lake Ln, Elcho, WI 54428 FROM: Residential TO: Commercial Land as being Original Plat Village of Elcho Lots 1-2-3-4 & 5 Block 8 & Including vacated portion of Dorr St lying E of Block 8. (Parcel #008-1332.002), Town of Elcho. See public hearing minutes.
6. Approve St. Peter Lutheran Church Cemetery Plat 2013 Addition, Town of Polar. Dave Tlusty: It's a pretty simple addition off the East side of S behind the church on the corner. The Breitzmans brought it in and they already got the town to sign it. Breitzmans and the church signed it as owners, and if the county signs it they will get it recorded. A resolution has been created already and sent to the county clerk, which she is holding until she finds out you approve it. They have 30 days to record the plat, if they don't record it within that timeframe, they have to start over.
 - a. **Motion** by Nye, second by Solin to approve St. Peter Lutheran Church Cemetery Plat 2013 Addition, Town of Polar. All voting aye. Motion carried.
7. Review revised enforcement procedures:
 - a. Haakenson: I met with Robin on this yesterday, and he is on board with what I would like to do with the changes. He did want to research some of the statutes as far as any new updates in the statutes. For some background on our current violation procedure, our system is set up in the computer. For complaints we have 3

categories. Category 1 is usually serious environmental issues, ie. failing septic systems, shoreland fill and grading, wetland filling, tree cutting etc. Category 2 would be building without permits, illegal placement of mobile home, setback violations. Category 3 is like a horse in an R-1 district, building a garage without a permit, junk violations. These are generalized, and just because it is a category 3 doesn't mean it isn't important, it could be a serious violation, or if it's a tree cutting in category 1 it could be just a couple trees. It is a gauge to go by. The category 1's we try to look at as soon as we can, category 2's are usually within one to two weeks, and category 3's are longer than that. That has been the past practice and I am not going to change that system at this point. The big change I want to implement, which I talked to Robin about, is that we would send out our normal enforcement letter like we always have upfront, but with part of that would be a written stipulation, here is an example of one for removing a mobile home from the property. One of the stipulations is the owners would agree to remove the mobile home by a certain date. We have had a lot of problems with getting compliance with removal of mobile homes or junk. This system offers incentive for the land owners to do it by cooperating with us upfront. With the old system we issued a citation or sent a letter and they would call right away and tell us they would take care of it, and the time would elapse and nothing would happen. This system forces them to comply "in writing", the added advantages are if they don't do what they agreed to in writing they will owe us money. We still have the use of the citations which enables us to send out a fine right away and let people know someone got pinched. This will be incentive for people not to go back on what they originally said. This way under the third scenario of actually going to court we have something in writing they agreed to we can hand to the judge. The added advantage to us is with the old system we never saw any money. We spent a lot of time on the enforcement actions and never got a dime. This has the potential to get costs up front and the possibility of taking people to small claims court, which Robin is researching, he just want to make sure there aren't any limitations I haven't seen up front. The small claims would be for \$500 or the sum agreed upon, plus additional fees incurred, which would be revenue for our department. I don't have a formal policy yet as Robin is still researching and we want to try it out. Once I have tried it out I will bring it to the committee as a formal procedure policy to be adopted. What happens with the citations is you get the next available court date which may be way out, and the defendant may not even show so it gets rescheduled way out on the calendar again, so it can get dragged out 3, 6 months to a year later.

- b. Nye: What about a \$500 posted bond instead of small claims court action?
- c. Haakenson: My experience with a bond is it is difficult for a private person to even obtain a bond. We have had tremendous problems with that for gravel pits. Where owners want to own it themselves and control who goes in and out vs. a contractor. A contractor can get bonds pretty easily, but a private individual has a pretty hard time with that. Maybe we would want them to post the money up front, that would also be a possibility. At least this can generate some revenue and offset some of the time we put into these cases. This system is in effect in Wood County and they have had tremendous success on private sewage system ordinance violations with illegal

pumping of systems, and they made them agree to submit the proper permits, get a sum from them, get a licensed plumber to get it up to code by a certain date.

- d. Nye: Will there be some kind of feedback to the individual towns when they file a complaint?
- e. Haakenson: We don't necessarily call the towns, but they are always free to contact us to see where things are at.

8. Rough Draft 2012 Annual Report: This is a rough draft, I still have tweaking to do before I give a presentation before the county board. For now I will go through and hit the highlights with you.

1st Page 2nd Paragraph – I hit on all the personnel changes in our department. Many things happened so I gave a brief synopsis and may elaborate a little more before county board.

Page 6 – We had a lot of zoning amendments in 2012, a lot more minor subdivision applications, the surveying part of it definitely picked up along with the real estate. Our revenues in 2012 were still down, which I hope those go back up in 2013 and beyond. Janet wrote a nice article on the Shoreland Protection Program and Dave took a lot of time under the County Surveyor.

Page 17 – Totals for 2012 included 1,563 deeds that were processed which is up 157 from 2011. So that is a pretty significant increase. Typically increased real estate sales translates into increased permit activity.

Page 18 – I added the Land Conservation Department at the end of the report which Marie put together.

One major thing that happened in 2012 that is not mentioned in the report, is the establishment of the AEA. Becky had been very involved in it, however, when I had talked to her, she had forgotten about it also. The first one was created in 2011 and I didn't go back and check but Becky thought she may have forgotten to put it in the 2011 report. They also expanded that in early 2012 to go southwest and then into Marathon County, so I want to add that as well and mention that at county board because that is very important. The money coming in from that program to the farmers is staggering compared to what it was 5 years ago. That is why we had the high zoning amendments for 2012 because a lot of those went from A-2 to A-1 to get the higher tax credit. I don't need this to be ready until next week so it can go out in the county board packet, so in the next week as you are reading through it and something doesn't look right feel free to bring it to my attention.

9. Update on Shoreland Protection Specialist Position: Haakenson: We interviewed 6 candidates last week. There were 3 applicants that were very good, we decided on Molly McKay, and she accepted the position yesterday. Here is her portfolio and resume which I will pass around for you to look at. She will be here next Monday to fill out forms with the finance department and her first full day will be June 6th, but she will be working some volunteer part-time hours evenings and weekends until she finishes school. One nice thing also is there is a good chance she will be around again next summer so we won't have to go through the process again.

10. Bills were reviewed.

11. Update on zoning, sanitary, real property listing, land division, and surveying activities:

Enforcement Update:

- a. Haakenson: Robin and I went back to court on the Starzinski violation in the Town Antigo. Because of the weather, Melinda Olsen gave Starzinski one more chance to comply. The next compliance hearing is scheduled for May 17th. I am going to monitor later this week to see if he has removed any junk and if not a follow up letter is going out. Robin said if he doesn't have it done this time, we are in the position of hiring someone to do it for us.

Activity Update.

- a. Haakenson: We are in the process of developing and implementing new enforcement procedures. We submitted the Land Conservation Grant, but did not do the Lake Protection Grant. We also have a draft of the annual report for you to review, and I just updated you on the interviews for the Shoreland Protection Specialist position.
- b. Burns: Any response to your letter to the DNR?
- c. Haakenson: I emailed Tom Blake today and he said he is still working on that.
- d. In May I will be implementing and trying out the new enforcement procedures, finalizing the 2012 annual report and presenting it to the county board, hoping to do the initial consult with the NCWRPC for Farmland Preservation Plans and Land & Water Resource Management Plans.
- e. Nye: North Central Regional Planning we just got a copy of the overview of the 10 counties income etc., broken down by counties, if you would like a copy of that you could call Dennis Lawrence.
- f. Haakenson: That is the person I would be meeting with so I can get that from him.
- g. Haakenson: Continuing on with May projects, I have hired and will be training the new Shoreland Protection Specialist and Janet will be helping me with that. We will soon be getting busy with the implementation of the shoreland/cost-share projects. I received a call from the Highway Dept. that they will lift the road limits on Monday, May 6, so things should be opening up next week.

12. Motion by Burns, seconded by Klimoski to adjourn meeting at 4:50 P.M. All voting aye. No nays. Motion Carried.

Jerrold Burns
Secretary

Duane O. Haakenson
Director Land Records & Regulations
Cc: WLUPC
County Clerk, Parties Involved