

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

Minutes of Meeting, Tuesday, February 24, 2015 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
Don Scupien (ABSENT)
Ronald Nye
David Solin
Dick Schuh

Also Present: Duane O. Haakenson, Director

The board excused Don Scupien's absence.

4. Approval of meeting minutes for January 27, 2015. Motion by Schuh, seconded by Solin to approve the meeting minutes for January 27, 2015 as mailed. All voting aye. No nays. Motion Carried.
5. 4:00 P.M. Public Hearing pertaining to Petition for Zoning Amendment #958 by Terrence & Linda Schulz Applicants, 1008 S Superior St, Antigo WI 54409 FROM: Residential TO: Commercial Land as being Lot 32-11 Assessors Plat of SW1/4 Sec 32 T31N R11E; also described as PT NW SW COM @ 264' N of inter of S 8th Ave LN with Hwy 45-47 W 574' N115.5' E to Hwy TH S to POB (Parcel #006-0590), Town of Antigo. See public hearing minutes.
6. Discuss Zoning Ordinance revisions and scheduling a public hearing. Haakenson: For points of clarification, most of this is "fix-it" type of changes. For instance "Reduced Roadway Setback". It used to say "a roadway setback may be reduced to the average of the roadway setbacks for existing structures on adjacent properties where such properties are within 100 ft of the proposed building site". The problem with that is the property can be within 100 ft of the building site but the next building could be 500 ft down the road. So do you want an average to something that is way down the road? So we changed it to say "where structures on adjacent properties are within 100 ft of the proposed building site". There was also a stipulation where "no doorway may open toward and no parking area may be located in the reduced setback area". There have been situations where that's the only place it can be because there isn't any room on the sides. So we are taking it out of the ordinance because all it has done is cause problems. Another issue is minimum rear yard setbacks in some of our zoning districts but not all of them. It always said "there shall be a rear yard of at least 15 ft for each lot unless a

greater shoreline or roadway setback is required". The problem is that some of the other districts allow different ones, so it's conflicted. So I added the language "15 ft unless noted elsewhere." If you go to another zoning district and it has a rear yard setback requirement, that's the one you go with. We have always done it that way, it just didn't say it that way. Mobile towers we had to add a new site in the ordinance. Currently we have s.17.26 under utilities and under (4) it addresses communication towers. We are going to add a section 17.266, otherwise we have to renumber everything from that point forward. We are going to have all definitions contained in s.66.04 of the Wis. Stats. Jeff and I met with Robin last Wednesday, so we are trying to tie that all together now. That is language we have to have in by statute. The one thing we have is communication towers are conditional uses in all districts. I would like to keep it that way because I believe it's best to have the towns and public notified that these are coming, it's just with the language in the statutes, the Board of Adjustment is going to be extremely tied with what they were in the past. I still think it's a good process vs the staff issuing the permit and then the people have no recourse. Sometimes during the public hearing process the people putting up the towers are willing to work with the local people and make concessions. Because of the way the statute is written the board will be extremely tied as to what they can and can't do. Another one on p.50 regarding restoration, there is a minimum restoration standard within the restorable area described in s. 17.30(b)1a. We looked it up at that's not the right reference. It should be 17.30(13b)1, which we are fixing. There are a number of things in the old flood plain that references Comm, and that all changed to SPS 383, so I made those changes. The last one is in regard to signs. I added number 8 at the bottom and it says "signs not meeting any of the above standards may be allowed to apply for conditional use permits". Right now we have language and if it doesn't meet that, there is nowhere to go with anything else. With a conditional use permit then adjacent property owners and the town would be involved. I wanted to summarize some of this and get direction before I finalize it. I would like to put it out for public hearing in March and have the hearing the end of March and take it to county board in April, so it is in place before the construction season. I will have to publish around March 16th. I assume you want us to send you copies so you can look it over prior to hearing. I want to pass it by Robin one more time and then we are ready to go. There is a lot of language for the mobile tower citing so we are struggling with how much to put in and what to leave out, and go with statutory references instead. As far as A-1 rezoning revisions, I have talked with Robin and I have contacted Regional Planning and they will help me re-finalize it. They will work with DATCP and we will still be in the mix and get the final say, but I don't think it will be ready to go to county board in April. I would like to see it done before the fall. That's all I have on the summary for ordinance revisions.

7. Department reorganization concept: Haakenson: In 2013 I reorganized and created ½ time Asst. Code Admn. position and ½ time Land Conservation Technician, which is currently held by Molly McKay. At that time we still contracted with Lincoln County for technical services for about \$17,000 a year to do a couple projects a year. We now are able to do our own designs in house, not that I wasn't doing any of that part. There are two reasons to do a reorganization, one is for the need to create the position to handle the GIS function which is currently not being done, and another reason is our Land Conservationist may be retiring soon. The whole idea behind this is my position, Code Admn., Surveyor and Real Property Lister won't change too much, we would be adding

duties to the two deputies, which I want to change their title to Land Records Administrative Specialists. I am contemplating adding to their job descriptions ie. aerial photography interpretation, GIS knowledge, more knowledge of real estate and assessments and the whole process related to that. On the bottom would be a new position, Asst. Code Admn ½ position/GIS ½ position. Instead of 1 ½ positions for Land Conservation it would be consolidated into one, and I would like Molly to move into that position. The GIS Specialist we would hire would also be expected to handle some of the zoning/sanitary duties. The GIS would keep them busy in the winter months and the summer months we could use that person for the zoning and sanitary duties. We talked about hiring a GIS intern initially, again the whole timing of this is in limbo because we don't know Marie's plans. Before I spend the time redoing job descriptions, looking at comparables, which take a lot of time, I want to have the conceptual part of it ok with the committee. If you have questions or concerns let me know. Again, we are not increasing the size of the department, we are creating a new position in terms of what that person will do and consolidating other positions.

- a. Nye: How many persons do we currently have who can inspect sanitary systems?
- b. Haakenson: Molly just got her license in 2014, so it is myself, Jeff and Molly who currently can go out and do inspections. It is unclear as to what DATCP under the SWARM Dollar Grant, that first person that is funded under 100% is supposed to be 100% Land Conservation. I still have her do restoration because that is all tied into what Land Conservation Departments are currently doing in other counties. But to have her do a sanitary inspection other than an emergency, I probably can't have her do that. At some point we may want to have that new person get that license. This is all complicated because of the grants involved and the Governor's proposals, which I will discuss in number 8.
- c. **Motion** by Solin, second by Klimoski to proceed with conceptual part of reorganizing the department. All voting aye. Motion carried.

8. Governor's budget and impacts to the department: Haakenson: The state is going to reform government by merging DSPS, Office of Business Development, and a bunch of other stuff into one department. They are eliminating positions that have been vacant for a year or more. We have been trying to get a person at the DNR level in this area for a long time which they haven't replaced, who helped us with zoning issues, in terms of variances and applications that were before them. We used to have a WMS who went out in the field with us, which we haven't had for a long time. A woman named Wendy Henniges in Rhinelander is in that position now. Molly had contacted her once and she did assist Molly with a land conservation project, so there may be some help there which we haven't had for quite some time, but there still is no zoning person, Tom Blake was in that position and has retired. Army Corp of Engineers, Chris Knots has been gone for almost 2 years and they finally replaced him. The other issue is transfer of the onsite water treatment system program from DSPS to DNR, increasing support of the environmental fund. The Dept. of Commerce which is now DSPS, DNR knows nothing about POWTS. The only thing the DNR is aware of is pumping. They are planning to eliminate the private onsite water treatment grant program (Wisconsin Fund). I have heard rumblings that the ones we just sent in last month, will not get funded. These

applicants filled out all the paperwork, paid an application fee, and now they may not get anything. This just isn't right. The final one, which is a huge problem, is to improve property value assessment transitioning from the current system of municipal property value assessment to a county base system and requiring all properties to be assessed at 100% of property value annually.

- a. Klimoski: They had tried this before hadn't they?
- b. Haakenson: We had meetings at the Neva Town Hall in 2010. We had the towns and assessors there, representatives from the Dept of Revenue. That whole proposal fell flat on its face because everyone was against it and it basically wouldn't work.
- c. Nye: This was a topic of discussion at the last Towns Association meeting. The Towns Association is coming out against it. You go from over 1000 assessors in the state to 90. Then what the county could do in your town is charge you 95% of the cost of the 2015 assessment for the county to run your assessment. The county then appoints 3 board members from the board of review. Supposedly this came out of somewhere in the state that this would save money because they wouldn't have to deal with over 1000 assessors because the assessors aren't doing things correctly, and they would only have to answer to 90 people as opposed to 1000.
- d. Haakenson: There is no way you can drop that number like that. There are 72 counties. So I just received literature from the Wisconsin Counties Association and they are opposed to it, because of assessing each property at 100%. The funding mechanism of 95% doesn't begin to cover the costs involved, and the timeline to have this all ready to go by 2017 is unrealistic.
- e. Nye: Some of the people in Madison (this doesn't affect Milwaukee or Madison because they are exempt because of their size) they say it must not be a big deal because we haven't heard from any of our people so they must be ok with it.
- f. Haakenson: I know that LaCrosse is in favor, because the city is over that 39,000 and the county was in favor of it. This hurts the small rural county. What it doesn't account for is the 95% of what the county is charging, and most of the towns in 2015 are not doing a reval to get that to 100%. So they are paying the assessor for the general maintenance. The average cost for that is \$6 to \$7 per parcel. The cost to do a reval is \$20 or more per parcel. So that 95% on paper may sound good but in reality it is not. It doesn't address for the small rural counties the cost of setting up the boards of review which currently the towns are doing. So the county would have to coordinate and staff that, pay for that, and have office space and equipment for those people which isn't paid for. I see it as an unfounded mandate. Another issue is most of the assessors are meeting with the property owners in evenings and weekends. If it was the county system it would be just during the day, plus people would have to take off of work to allow them into their home. There are so many more issues I could go on about, but I think you understand where I am going. I know when we looked at it in 2012 we would want a separate department to handle this. There is no way I could bring this on to my department. I don't even have room for another body. Regarding the cost of doing this, I just got an email from an

assessor who had applied for a job in Minnesota as the county assessor and she gave us some numbers for that county, and it cost that county \$32 per parcel to do the assessment. Most towns right now are paying \$6 - \$7. We would get 95% of that. So we are getting about \$5 a parcel when reality it will cost us \$20 to \$30 per parcel. When we looked at this in 2010, I remember looking at information from other counties that it would cost a county approximately \$300,000 to \$700,000 to fund that department. The one in Minnesota has over a \$1,000,000 budget. That 95 % won't be close to covering it. To expect counties to do this in a little over a year to have it all set up and ready to go, including educating the public etc. is unrealistic. At a minimum we need to come up with an opt out, better funding mechanism and a timeline at least in the 5-10 year range and not 1 year. Robin suggested I take it to you and ask you to do a resolution to oppose it.

- g. Nye: I have a copy of a resolution for the town's to adopt because we have to adopt why we won't accept phones or written letters.
- h. Haakenson: I looked up the members of the joint finance committee and both Senator Tiffany and Representative Czaja is on that committee. I am hoping that the northern rural counties will speak up and try to get those people to do something.
- i. **Motion** by Solin seconded by Nye to get a resolution together for this coming county board opposing county wide assessing. All voting aye, motion carried.

9. Holding Tank Agreements: We have a letter drafted and an agreement between the county and the towns. Right not the towns all sign the holding tank agreements and we are going to send this agreement to the towns and ask they sign it which will give us the right to sign the holding tank agreement for them, in essence saving time for the town, property owner and the contractor. It states as follows:

TO ALL TOWN BOARDS IN LANGLADE COUNTY WISCONSIN

As some of you are aware, Langlade County requires a "Holding Tank Maintenance Agreement" for all properties that have a holding tank installed upon them (copy enclosed).

This agreement is to ensure that in the event the property owner fails to have the tank serviced/pumped the county can do so and place the costs of this event onto the owner(s) tax bill, as a "special assessment". The county has historically required the property owner to have this document signed by a town official and the property owner in the presence of a Notary Public.

In an effort to make things easier for the towns and the owners, the Land Records and Regulations Department, which issues the sanitary permit, is proposing to sign this document in place of the town. This has been suggested by area plumbers and it is our understanding that there are other counties providing this service, which would seemingly save time for all those involved.

Should your town decide to allow our department the authority to sign the agreement instead of the town, please sign the enclosed agreement and return it to our office at your earliest convenience.

If you have any questions regarding this please contact me or Duane Haakenson (Land Records Director) and we will attempt to answer your questions.

Respectfully,
Jeff McKinney

The agreement is as follows:

AGREEMENT

This agreement is made between Langlade County Land Records and Regulations Department and the Town of _____.

The Town of _____ is in agreement to allow the Land Records and Regulations Department the authority to sign "Holding Tank Agreement" forms which have previously been signed by a town official. It is understood that this is being done to save time to both the town and the property owner(s).

_____	_____
Chairman	Date
_____	_____
Supervisor	Date
_____	_____
Supervisor	Date

We are not forcing the towns at this point, in the instance the town would still want to sign the holding tank agreements themselves.

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

- a. Enforcement Update:
- b. Activity Update. Dave Tlusty went before the county board and gave a presentation. I got the impression it was well received. We just got reimbursed for the Farmland Preservation Planning grant, we received over \$20,000 for that. We got the Lake Protection Grant out on February 1st. That is a \$100,000 grant through the DNR which covers Lincoln and Langlade Counties. Within that \$100,000 grant is a proposal to have property owners eligible for costs involved in restoration of properties. Half of that is for that purpose. We also got the reimbursement grant from DATCP. I will be working on some of the reorganization of the department and the zoning revisions in the next month as well. We also had a FEMA meeting at Post Lake that I and Brad Henricks attended. They are looking at the possibility of doing new digital flood plain maps, and are targeting the Wolf River area.

11. Motion by Schuh, seconded by Solin to adjourn meeting at 5:00 P.M. All voting aye. No nays. Motion Carried.

Don Scupien
Secretary

Duane O. Haakenson
Director Land Records & Regulations

Cc: WLUPC
County Clerk
Parties Involved