

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

Minutes of Meeting, Tuesday, January 26, 2016 at 3:00 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  
Ronald Nye  
Duff Leaver (taking Dave Solin's seat)  
Dick Schuh  
  
Also Present: Duane O. Haakenson, Director  
Dale Stillman
4. Approval of meeting minutes for December 1, 2015. Motion by Nye, seconded by Scupien to approve the meeting minutes for December 1, 2015 as mailed. All voting aye. No nays. Motion Carried.
5. Discuss charge to Request to Combine Parcels:
  - a. Amy Meeks: Currently people have the option if they own adjacent parcels in the same 40 that they can combine them and get one tax bill. In order to make a split people normally have to have a CSM done or they need to record a document saying they are splitting the property. We have been doing the combining of parcels for no fee. They take just as much time as resources as it does to split them. There is a charge for a CSM review which is \$100.
  - b. Haakenson: There are some counties that will not combine parcels unless there is a CSM done to combine parcels, which we don't have in our land division ordinance.
  - c. Meeks: Each year we seem to be getting more people wanting to combine parcels and the next year turn around and split it again. Combining parcels take just as much work as when we split a parcel. Each time this happens we have to give them new parcel numbers, new descriptions and new spot in the tax roll.
  - d. Nye: Do you have to do that every year or if they bring it together and if they want to split it can you say they have to wait 3 years before the split it again?
  - e. Haakenson: You would have to create an ordinance to do that.

- f. Klimoski: It would be simpler to charge them for it wouldn't it?
- g. Haakenson: Yes, because then you know they are serious about it and doing it for the right reasons. If they have to pay to have it done they will stop and think of if it is really a value to them to do so.
- h. Meeks: Hopefully this will curb people from wanting to combine parcels for the simple reason of just receiving one tax bill. If we charged a fee of say \$50 to combine, whether it's two parcels or three.
- i. Haakenson: Common example is if a person would have a parcel around the house, it may even be a CSM lot and they own the balance of the 40, so they want us to combine them because they think they are going to get a tax break, which they don't. Then a year later they turn around and sell the house, so we have to split it again. With a fee they will at least cause them to look at it and see if they are further ahead by combining them or just leave it.
- j. Meeks: If there is a split done in 2015, it is not done on the tax roll until after the 1<sup>st</sup> of 2016 because of the assessment values. You can't have an assessment for 40 for ½ a year and an assessment for 20 for ½ a year. It all takes time, you have to keep track of the history, etc. Some cases it is fine if people want to do it, but I have seen so many come right back the next year before we even have the new parcel numbers ready to combine it and they want to split it again. They pay a fee to split a parcel, and for our time involved to combine a parcel I think it is fair to charge a fee also.
- k. Nye: Give a ball park figure of how many hours to bring about a change.
- l. Meeks: I am going to say it can be up to ½ hour or an hour depending if there are any problems with deeds, and that's just the initial research to get it on the tax roll. You also have the contacts, working with the assessor and you have to keep track of it from the time it happens to the next year when you can legally put it on. It is a lot more than just combining.
- m. **Motion** by Nye, seconded by Schuh to allow a fee of \$75 to combine parcels, beginning February 1, 2016. All voting aye, no nays. Motion carried.

6. NR115 Shoreland & General Zoning Ordinance revisions including camping trailer regulations:

Camping Trailers

- a. Haakenson: We have Dale Stillman here and as you will recall he was here last fall about the camping trailer regulations, so we invited him back.
- b. Klimoski: I happened to see a resolution of what they are proposing in Forest County. I know it's not something that will happen over night and I thought it would

be a good way to get this camping trailer situation in control. We don't have enough staff in this department to run around and police it.

- c. Haakenson: What Forest County is proposing is a license fee to have annually. It is on a vacant parcel of land, so people who have a home and are parking their camper don't have to pay the fee. It's for vacant parcels, and for people who will store the camper for more than 30 days. So if someone comes for the weekend and takes it back when they leave it wouldn't apply. I talked with Robin about this and if we were to consider this there are a couple ways to go. 1) We could go county-wide like we do with the junk ordinance and the POWTS ordinance. I feel POWTS plays into this if you are going to allow them to park for longer periods of time then we may need to look at having proper septic systems available on the property. There are 3 ways we could go 1) you can have a separate ordinance on camping trailer regulations which would be county-wide, which would apply in the un-zoned towns, 2) it could be addressed in the Zoning Ordinance by inserting it there, and 3) It can be addressed in the POWTS ordinance. I think if we chose to do a stand alone ordinance, we should talk with the towns up front to have them involved
- d. Dale Stillman: Last time we were here we talked about the 30 days and making them move off or buying a camping permit, as per se they would have to come into the zoning office or town or wherever and buy a permit to keep their camper on that property for 30 days and move it off. I know a lot of people out by us say they move them and they never do, they sit there all summer.
- e. Klimoski: That's the problem we don't have any way of policing it.
- f. Stillman: That's why we talked if we charged them, say \$10 a day or whatever to camp there, they would have to buy a permit, and it would cost them \$300 and they would have to have it posted the days they wanted to camp there, and then after the 30 days they would have to take it off. 30 days is long enough, personally I would like it if there were no campers because it has become a zoo by me. There are like 5 or 6 of them. One guy has like 3 of them on his property.
- g. Klimoski: Forest County's ordinance states for anything over 3 you have to have a state campground permit. So that would take care of that.
- h. Stillman: I was looking at different ordinances on the internet of different counties and it may have been Oneida County they can have a camper on their property only if they have a zoning permit and building permit while they were building a house.
- i. Klimoski: Could they do it with the assessors when they do their assessing?
- j. Haakenson: If we wanted to get the towns involved similar to how the junk ordinance is set up, the reason we would give money back to the town is we would ask for their assistance through the assessor. We could hire a LTE to do an inventory the first season to figure out where these things are and then go back a month or two months later and see if they are still sitting there, to have some type of

documentation. So when we set it up with these people they couldn't claim it was there for say a week or two.

- k. Scupien: What's to stop them from saying they moved it after 30 days and moved it back?
- l. Haakenson: Some are pretty obvious when they leave them year around. They never move and tires are flat etc. The other thing is I wouldn't want to do the ordinance unless I knew legally we could put it on as a special charge if they don't pay the fee. We don't want to chase them around if they don't pay the fee and we aren't going to take them to court.
- m. Klimoski: Each lot would have to have a number and it's got a tax number, when the assessor went around that's when you'd get the town's involved and he could see this parcel has a camper on it and they would automatically get the extra \$150 fee, and if they don't pay it by a certain time, it's \$100 a month.
- n. Haakenson: I would want it set up so it was on their tax bill as a special charge, then the town and county are guaranteed to get their money.
- o. Stillman: So are we just talking about property around the lakes?
- p. Haakenson: No, all properties. With the recent budget bill we could be setting ourselves up for legal challenge if we single out shoreland properties. We need to stay with general zoning.
- q. Stillman: So what about sewers and water?
- r. Haakenson: Again, we would have to set up a period of time and if it's going to stay there on a more permanent basis, whatever that time limit is, they would also have to have some type of septic there. So they would need a soil test a septic system.
- s. Leaver: What about these places becoming permanent residences?
- t. Haakenson: That is the other side of this that we could be perpetuating that.
- u. Stillman: And we don't want that. The value of my home is depreciating because of these campers parked there. If I was looking for a piece of property to buy I would not want 3-5 campers parked by my house.
- v. Leaver: So how do we stop them from doing that? We just change the ordinance?
- w. Haakenson: They can't say they are grandfathered in because right now legally they have to move it. So it wouldn't be a situation like a permanent structure that would be grandfathered in. Once the ordinance went into effect, from that year forward they would have to pay that fee. Then there is the issue of should it be a one-time fee, an annual fee, etc.

- x. Scupien: I think you should draft something and bring it back to the committee.
- y. Haakenson: Before we take that step we need to get the word out to the towns. I will draft a letter and let Mike look at it before I send it out. I will then report to the committee next month on the reaction I get from the towns and we will discuss it further at that time.

NR115 Shoreland & General Ordinance revisions:

- a. Haakenson: I put together a few hi-lights and some issues I want to briefly talk to you about today. To go through it page by page is counter productive at this stage. Pending legislation may or may not affect this.
- b. **Motion** by Nye, seconded by Schuh to excuse Don Scupien from the rest of the meeting. All ayes. Motion carried.
- c. Haakenson: AB603 at least has some language about giving us a little authority for the nonconforming structures that are only 25 to 30 ft from the lake, where before we were basically stripped of all of our rights, so we may not be issuing permits at all for the structure. I am just going to go over some of the language in a couple cases you may have questions. I will use the model ordinance and insert our county language where applicable. I will hi-light or color the sections that are our changes. I went through our ordinance and struck out what we can't use which is a lot. On page 25 "principle structures that are proposed to be relocated due to limitations". We looked at NR115 which is vague on how to relocate structures and no incentive to do that. I would like to keep that section in there. We've had it since 1998 and it's worked well. An example would be someone is 35 ft from the lake, he can rebuild at that location as long as it's within the same footprint. Maybe he wants to build larger, so then he would need to move back. NR115 is not clear on how to administer that. This section is clearer and we have used it for years, so I want to keep it in unless the DNR says I have to take it out. WLUPC has always been involved in this because it states "anything stipulated in department guidance approved by the committee." So if something is not working or we want to change something, we don't have to go through a whole ordinance change, we can come to the committee and make the change without changing the whole ordinance. So I am proposing to leave that section in. Next are mitigation requirements. There are certain cases in NR115 where mitigation is required to issue the permit. We have always had the mitigation section in here. The DNR is saying that is up to the counties on how we want to handle it. So we need to come up with a way to administer the mitigation requirements. The budget bill stripped our right to require shoreland restoration which we have done since 1998. It can only be an option now. So we need to come up with a system for mitigation where that is one of the options but not the only option. Some things in it in the past ie. septic system has to be updated, nonconforming accessory structures can be removed, erosion control and runoff measures be implemented, building colors blend with the natural ground color. We need to come up with a mitigation system that will work. We have contacted Vilas County because they have had a mitigation point system where land owners can chose certain options and get so many points, and once they get to a certain point

level they are done with mitigation. I don't know if that's the best way to go but she has made the comment to me that they have had it in place for quite a while and it has worked well. So if it has worked well there I would suspect it would work ok here. So we will look into that. Page 38, in the past we had in our ordinance "the administrator shall contact the DNR office for a determination of navigability or ordinary high water mark". The DNR isn't even around to do that anymore, so I want to change that to "may". There is also verbage in there about making the initial determination, I am going to take the word "initial" out and say "make the determination". There was recent legislation in the last few years to allow Oneida County to do the determination and didn't require DNR. Page 41 Vegetation Protection Area. Because we used to have lake classification we had it stated in there 25 ft less than the required setback and then we changed it to not exceed 50 ft. With NR115 we have to change it to 35 ft. Page 42 we used to allow a pedestrian pathway up to 4 ft wide, now they have changed the definition in NR115 and they call it a walkway. So to be consistent we need to change it to walkway. Now it's allowed to be 5 ft instead of the 4 ft. The viewing corridor changes from 30 ft to 35 ft. Page 45 Land Disturbing Activities. All of our fill and grade regulations is left up to the county. The one thing we always had a problem with and we never changed is it states no heavy equipment may be used closer then 75 ft, we want to change that from 75 ft to 50 ft. It's always an issue when you are building 75 ft we can't go more than that, we don't have 100 or 125 ft setbacks anymore, so it's always a issue of 75 ft. so it makes sense to go down to 50 ft and our buffer is down to 35 ft now instead of 50 ft. The lot coverage issue, we never had a lot in our own so we will go with what the model states for that. The last thing I want to mention is shoreline buffer restoration. We can no longer enforce it like we did before, but where it will be required under mitigation I want to leave our requirements we have in our ordinance now as a policy instead of a rule and put it in the appendix in the back section of the ordinance so if someone has to do it, there is a rule or policy that states how they are to restore that buffer area. Otherwise we won't have anything that talks about density or anything. Obviously there are more changes but I just hit on some of them. If anyone wants the model ordinance let me know and I will make one for you. My intention is to start on this next week and get it out no later than February 10<sup>th</sup> or so. I am hoping DNR will turn around in 30 days or less with some kind of response. We should look at public hearings in late March or early April.

7. Strategic Initiative Grant projects: Dave Tlusty: For the benefit of our new member, Duff Leaver, I will explain a little more of what I do, just to update him. I do all the land information coordination for the county. In the early 90's the state started a Land Records Modernization program that involved all the counties. It was a competitive grant program from the start, there was too much political stuff involved in the process so they went to different types of grants. The ones we are working with now are the Base Budget Grant and the Strategic Initiative Grant. These grants are funded through the \$30 recording fee at the Register of Deeds Office. I believe the funding breakdown, as set by statute, is that \$15 of the fee is undesignated and the county can use it for whatever they want. \$8 stays here for Land Records Modernization in a "retained fees" account, \$7 goes to Madison for the Land Information Program. This \$7 comes back to counties in the form of grants. So I will talk about two of the grants today. The Base Budget Grant is funded at \$100,000 per county which means if the Register of Deeds here takes in say

\$35,000 from that \$8 she retains for Land Records Programs, the state will send us \$65,000 back so we get up to the \$100,000 amount to fund Land Records Modernization. That funding level just started this year. With the Strategic Initiative Grant, each county is getting \$50,000 but we are being told what to spend it on and initially it is 4 things. Two of which are two different ways to submit our parcel data to the state. The 3<sup>rd</sup> item is completing parcel mapping. We are almost finished with that, and we have money here now to finish that this year so we won't have to spend Strategic Initiative money on parcel mapping. The 4<sup>th</sup> way to spend the strategic initiative money on is the public land survey system corners on the county boundary lines. They are after a state-wide parcel map so they want to resolve any issues on county boundaries first and then work into the counties to get more accurate data. I received an email from the grant administrator today reminding me that one data submittal deadline is the end of March. They have two different formats, one is an export format (simple) and we actually budgeted \$10,000 or \$11,000 to get in the other, what they call searchable format. Today's email is asking for the export format by the end of March. I will be meeting with Sue Paycer and working with the programmer to get that information out. The second thing to get done on the Strategic Initiative Grant is to get surveying done on the county boundary. With the \$50,000 we will be getting, about \$15,000 will go towards data formatting, the remainder we could use for monumentation. My problem is how to spend it. We are going to need someone to do some work on the county boundaries. A few options are: I do it alone, which will not happen, I can't keep up now. 2<sup>nd</sup> would be I hire a casual employee for the summer with maximum hours. 3<sup>rd</sup> We can split the job by getting the monuments ready to GPS and do new bearing trees while we are there, and maybe do the coordinates or contract out for the coordinate work later. I don't really like contracting for all the corner work because if the contractor is under the gun to get corners done at so much per corner and he runs into a problem, he'll probably take a short cut, and you don't get what you need. I'm against contracting. We did some contract work in the 90's and I ended up redoing two of those corners.

- a. Haakenson: I would like to say that the county corners are important enough that I wouldn't feel comfortable with anyone doing them except Dave with a helper. If they are done wrong we will have a lot of problems down the road.
- b. Tlusty: I did an inventory. There are about 283 corners we share with other counties. Half of those will be done by the adjoining counties, which cuts our work down to 140. I did talk to the Land Information Officer in Forest County and they don't have a county surveyor and they don't know how they are going to do this corner work. So she is willing to accept a proposal from Langlade County to do Forest County's share of the common corners. We have enough money coming from the grant to spend on help to do this. The boundary is a one time project and we need to do it right. It sounds like Strategic Grant money might continue at the rate of \$50,000 a year, and because they want a state-wide parcel map and we know there are problems with our parcel mapping, what I would propose is to do township boundaries within the county after the County boundary. Get those resolved and then clean up problem areas within each township. So it will be an ongoing thing, but I think it's going to be funded. Forest County will have enough grant money to reimburse us for their share or their alternative would be to hire a surveyor. It sounds like it is a big project, but once I get an inventory of the other counties and what needs to be done, I will have a better

handle on it. Today I am asking for approval to hire someone to help me with this project.

- c. **Motion by** Nye, seconded by Schuh to allow the County Surveyor to hire a qualified worker to help him out with the county boundaries. All voting aye. Motion carried.
8. Completed aerial project budget: Dave Tlusty: We had a new aerial flight last April. A lot of the money was budgeted as a capital improvement project. We upped the resolution from 12" to 6" because we could cost share \$15,000 with the City and the committee about a year ago approved where the balance of about \$15,000 would come out of the Land Modernization. Early on in the process we signed a letter of intent that we would cooperate and the aerial contractor used those letters of intent to go around to participating companies saying we have these counties interested and will participate. The Contractor used the County letters of intent to get bigger companies or agencies to chip in. Because of those agreements and the fact that there were cooperating agencies, we will get back around \$7000. What I am here for today is to see where you want this money to go back to? To the retained fees account of the grant fund, or back to the general fund?
    - a. Haakenson: we want to be able to carry it over and keep it in our department and not go back to the general fund.
    - b. **Motion by** Schuh seconded by Leaver that the \$7000 coming back from the aerial project will go into the Retained Fees Fund. All voting aye, motion carried.
  9. Parcel Mapping update: Dave Tlusty: We have 3 townships left to do. I just received the Town of Price today with the bill. I had a good talk with our contractor last Friday. He has had some issues going on including a nasty car wreck. He promised he would work much faster on getting our projects done this year. We have 3 left, Evergreen and the two Langlade townships, it's a total of about \$33,000 of work. We want this done this year, so we have been talking about getting someone here full time to help out if the contractor can't handle it. We know for sure we have the money and he assured us he could get it done. I said I would go to the committee to get approval for him to do Evergreen with the option to give him Langlade depending on how he gets Evergreen done. It's up to the committee if you want me to come back after he has Evergreen done.
    - a. **Motion by** Leaver seconded by Nye that contractor is to finish Evergreen and Langlade in a timely fashion within 2016. All ayes. Motion carried.
  10. Land Records Modernization Plan: Dave Tlusty: I worked for about 5 weeks in December to do this Land Records Modernization Plan and the two grant applications. I received notice that the plan was approved and everything was submitted as required. I initially thought we would approve it at the Land Council meeting today but then I found out there is a peer review process. Juneau County and Waushara County will review our plan, and I have to review their plans. We comment back to each other on suggested updates, then I do a final revision, and then the Land Council approves it. So I have plans for that meeting just before the March Water & Land Use Committee. Land Council is the only approval the DOA needs for this plan. This plan specifies what the

county will do as far as Land Records Modernization for the next 3 years, and if it's in the plan we can spend grant money on it. I have one or two minor revisions that Charley from the City wants me to make regarding his contact information. Here is a chronological listing of what we have done over the years with the money from the plan, which is a lot. It will be included in the plan. The next Land Council meeting will be March 29<sup>th</sup> at 1:30. The Farmland Preservation overlay is now on the GIS. We hired a mapper, who works approximately 28 hours a week. She makes changes that we are aware of and what people make us aware of. She updates changes to the website the first week of the month with the company that hosts the GIS website out of Eau Claire. She's been doing a great job and the updates are necessary.

Haakenson: I have a couple updates, last Thursday we had a Public Informational meeting for the Landowners on the Farmland Preservation at the Polar town hall. We had a decent turnout, but I was a little disappointed we didn't have more people from the town of Price. That was a major benefit to the people of the town of Price. The people there were very glad we had it and asked good questions and I think it went over well. I found out after the agenda went out on Friday morning that Tyler Betry, our Shoreland Protection Specialist, who has been working in Marathon County, is coming back to us in the winter for a couple projects we would like him to still work on and which he's willing to do. However, he told me he is going back to school and won't be able to continue with us in the summer. Because it is an existing position, I believe I just need oversight approval to refill the position. So I will come to you in February for approval to advertise for the position. I'm not sure we will advertise for a 35 hr week, we may go less than that. I am meeting with Gary to go over the 2015 budget. I am not anticipating any problems with it based upon what Gary has been telling me. There may be some items I may want to carry over.

11. Motion by Nye, seconded by Schuh to adjourn meeting at 4:50 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