

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

Minutes of Meeting, Tuesday, July 28, 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
Ronald Nye
David Solin
Dick Schuh

Also Present: Duane O. Haakenson, Director
Tim Rusch, Rusch Surveying
4. Approval of meeting minutes for May 26, 2015. Motion by Solin, seconded by Schuh to approve the meeting minutes for May 26, 2015 as mailed. All voting aye. No nays. Motion Carried.
5. Consider approval of a lot for a residence in a Forestry District with less than 35 acres. Jay & Pauline Phillips, owners, 636 Jordan Circle, Colgate, WI 53017. Land as Part of the SE SW Section 21, T31N, R14E, Town of Wolf River, (Parcel 034-0294.003).
 - a. Haakenson: This would be on Erdman Rd.
 - b. Tim Rusch: The Phillips purchased 27 acres of the old Conn farm and have had it for 5 years or more and are looking to separate off a 1 acre piece they can build upon. They have had the soil tests done. They would like to set up this lot for their residence and, of course, code requires at least 35 acres. They don't have 35 acres in total and for tax and MFL purposes they want to keep the 1 acre with the residence and the remainder in raw land. They have done enough work to consider it pre-planned.
 - c. Klimoski: I don't see a problem with it, does anyone want to make a motion to approve it?
 - d. **Motion** by Scupien, second by Solin to approve the request of the Phillips for zoning of a lot for residence in a Forestry District. All voting aye. Motion carried.
6. Discuss Budget Bill update:

a. Haakenson: The budget bill was signed and went into affect July 14th, it contained many changes that affect our department, which we are trying to decipher. Everyone's heads are spinning. I have been doing this for a long time and have never seen anything like it. I talked to Becky at Marathon County, Oneida County, other counties calling me, Jeff and I talked to Robin last week. Robin said that normally the chatter amongst the Corporation Counsels are strong, but it is quiet because no one knows what to do or how to proceed. One of the changes is time of sale requirements. Jeff and I are wondering how it will affect the real estate POWTS inspections. We met with Robin and he said it only affects if it is a municipality that does actual requirements prior to the sale. We don't do that, we follow up after the sale. The new law states you can't prohibit a sale from going through if they don't have their driveway blacktopped or something up to code etc. When this all came down, Jeff had 82 letters ready to send out, which we do every year. It always seems to be around 80 letters. So we had the letters on hold until we got the ok from Robin and they were mailed out. At some point I would like to change the wording in the POWTS ordinance. I would like it to say "upon transfer of the property". Right now it refers to the grantor. It causes hard feelings because we always go after the buyer because they are the ones occupying the property and legally that is who we have to go after.

The other big change in the budget is with Shoreland Zoning. We are still waiting for direction from the state. I don't know if that is coming any time soon.

- b. Klimoski: Who initiated that whole change?
- c. Haakenson: Tom Tiffany. It took years to get NR 115 through. They finally got it through and then with a stroke of a pen they are going to change it all. I feel sorry for the counties that went through all that. I was holding off. We had to be certified by 10/01/16 which is a year from October. I had DNR personnel contacting me to ask when are you going to send your ordinance in. I need to get my AG stuff in first because it is due this fall, then I would do the NR 115. Well these changes affect a lot of things. We're not even sure if we will be able to continue lake classification. It may be 75 ft across the board. The biggest change was in Shoreland Restoration. The way it's written it basically doesn't allow us to enforce it. So anything we had prior to this we can. The Board of Adjustment on variances can still put it in as a condition, but the way the law is written it's pretty clear we can't do anything. Fortunately we did a lot of enforcement cases early this year, and all but one. The property owner is willing to work with me but needed more time due to personal issues. That one was tied to a variance as a condition so I can enforce that one. Robin is looking into that old argument we used in 2013 when Act 170 came out about whether we can regulate under general zoning and not shoreland zoning. Shoreland zoning is state wide, but each county can have their own general zoning. It may be that we could still keep a lot of regulations under general zoning. But it all has to be sorted out yet. Another thing causing a lot of confusion, something we deal with every day, is the definition of a structure. It includes walkways and fire pits. In the past we have not considered those structures. When it's a structure it's subject to the 75 ft setback. Go to Bass Lake or any lake and everyone has a small fire pit or a paved walk way down to the lake etc. We have always allowed that. Well now with

- this new law, technically it's called a structure. We have the word "walkway" right in the ordinance. Until we get direction from the state, I'm inclined to call them "paths" for now and continue business as usual. It's not fair to not allow one when they are all the way up and down the lake. When you look at the language it is speaking on both sides. Some more restrictive and some less restrictive. We received an email from the DNR Shoreland Policy Coordinator, Kay Lutze. She mentioned she was going to try to get something to the counties in a couple weeks.
- d. Scupien: Is this something you want to send a letter to Tiffany or all of the representatives?
 - e. Klimoski: Is there someone down there that will look at it and rewrite it?
 - f. Haakenson: I don't know that there is anyone who is capable of leading the charge. Some of them said they want to bring a bill to eliminate the non-fiscal items. I still question the whole legality of that process. Normally when a law is changed we know about it ahead of time and given months/years to get up to speed and put it into place. This was all of a sudden in the middle of construction season, everything is different. It affected so many things. There is language in there about junk ordinances. It's quite a substantial list. I may bring Robin to the next meeting, it is a little preliminary right now to give a real good update.
 - g. Scupien: I still think as the county board we should do something. A resolution disagreeing with that they have done.
 - h. Haakenson: We can go on record as opposing.
 - i. Klimoski: I think we should make a list of what needs to be fixed and send that to them, rather than just oppose it.
 - j. Scupien: Or something in the paper to make the people aware.
 - k. Solin: It would take a couple months to come up with a list of what needs to be fixed.
 - l. Haakenson: I'd like to come back next month and tell you but I don't think any county is going to be at that stage yet. We could still do a resolution for the August county board. I will send you the draft to look over prior to going on the agenda.
7. Department reorganization and budget for 2016.
- a. Haakenson: Before I get into the reorganization, I want to say that last week I held interviews for the GIS Intern position along with Dave Tlusty and Andy Faust. Andy is from Regional Planning and has been doing our private GIS mapping prior to this. He and his mapper will come over and help train the new person. We held the interviews, we had 3 very good interviewees we could have hired. The one we hired had over 5 years experience at Lincoln County currently working for Kretz Lumber. We hired Tanya Rasmussen who will start August 10th which goes through January.

- b. Haakenson: Budget for 2016 and possible department reorganization. I met with Gary almost 2 weeks ago and we discussed the budget for 2016. For 2015 he told me I was \$5,000 ahead of last year in revenues, so he's not anticipating any budget issues for this year or next year. I will bring the formal budget back to you in August when we get back together and crunch all the numbers. The \$5,000 ahead in revenue I would attribute that to June and July about 15 sanitary permits ahead of last year. With an average of over \$300 a permit that is your \$5000. The zoning permits etc is pretty close to last year. We are down on zoning amendments, but zoning permits are the same. Zoning Amendments we don't make a lot of money on by the time we pay per diem and advertisement there isn't much left. What Gary wanted me to discuss with the committee is Dave Tlusty figures our final town will be parcel mapped in early 2016. We then will no longer be paying out for parcel mapping. We have the Land Records Modernization money and the Register of Deeds money that needs to be used for Land Records Modernization. I had a conversation with Marie recently and she has now given me the date of October 21, 2016 as a retirement date. Dave Tlusty is thinking of at least 2017. With those two factors Gary suggested I come to the committee and see what direction you want to go before I plan this all out. My question to you is this, starting in 2016 we would have the money at some point to consider hiring a full-time GIS person. We have enough money in that fund once we are not contracting out parcel mapping to pay for a full-time position for GIS. That is in the statutes right now, so unless they change the statutes, that funding will not go away. If the economy takes a nose dive again, that will affect the Register of Deeds account some, how drastically I don't know. So that money is a pretty sure bet. For reorganization I could go ahead and do it now, with the soonest it taking affect would be late next fall. Or we could wait and deal with it in 2016 all together. My main question to you is budget wise I would have enough money to fund the GIS position, move Molly into the Land Conservation position and still have a technician position, which I would like to have to help with the zoning. The current trend is to continue status quo or better, which it has been trending with real estate sales and banks lending money again. I will need help with zoning. I also need more time to do my administrative duties. I am looking at zoning ordinance re-writes, we still need to finalize the A-1 part and switch over to the shore land stuff, which could be major. Before I do the budget for 2016 and come in with the concrete plan, Gary thought it best to get some direction from my oversight committee on which direction to go. Budget wise it should not affect my budget because I am not adding any more positions. I am keeping the same position with the Land Conservationist and technician. Molly would stay where she is at but move into that title because staffing dollars to Land Conservation is eligible for 100%, the technician is only eligible for 50%. If I don't keep that position I will lose the DATCP staffing dollars.
- b. Klimoski: Do you have enough money to keep that GIS position after January 1?
- c. Haakenson: We are anticipating that we would be paying out our final contract for the last town parcel mapped at that time. What we have in that account is about \$65,000 a year which would fund a full-time GIS person. Gary said I could keep the positions I currently have because we won't change that. We may change a position slightly in the compensation matrix, but we are only talking \$1000 to \$2000 if we adjust someone. Right now my revenues are adjusting upwards. So I need direction

as to if we should try to do it right now and whether you would go along with a full-time GIS at some point next year, and keeping the positions that I have.

- d. Klimoski: So what are you going to do with the part-time GIS, after January 1 they are done?
 - e. Haakenson: That question was asked by all the interviewees and I told them it was a possibility we will continue with the position into next year or it could lead into something more permanent. But I did not promise anything.
 - f. Nye: Is there enough work for a full-time GIS person year around? Could the person fit in somewhere else if you were a little short, say soil inspection etc.
 - g. Haakenson: Possibly. There are the ever increasing invasives. Dave always needs someone from time to time. There are ways we can shift and combine. Budget wise according to what Gary is telling me is we would be ok. We won't need to ask the county board for more money to do this. The reason it's different when I talked department reorganization is we would be adding another person because I am keeping what I have with the technician position and adding a GIS, but now we have money to do it.
 - h. Klimoski: It is a general consensus of this board for you to move forward with this plan now and bring more figures to our next meeting.
8. Update on zoning, sanitary, real property listing, land division, and surveying activities:
- a. Enforcement Update:
 - b. Activity Update. Tyler our shoreland person was on the radio yesterday, he did very well, gave very good information, was enthusiastic. He talked about our fair booth. Yesterday I helped Tyler get our booth registered with Rhonda Klement. We are manning it from 2 p.m. to 8 p.m. everyday except Sunday when it is over at 5 or 6. We have at least one person to man at the designated times. Sonny Wreczycki and June Tomany will be helping us man the booth as well as Chris Arrowood from TIP and John Price the aquatic/invasives from DNR, Brigitte Henke from LumberJack, myself, Tyler, Molly and Marie are each taking a shift or two. We have information on shoreland protection, we have information on the \$50,000 allocated for land owners to do a cost share project, information on terrestrial invasives, all the health and safety issues with wild parsnips and other dangerous plants. Eric found the wild parsnips at Crocker Hills at the main entrance, which is also dangerous to the horses if they come in contact with it. Brigitte went out and sprayed it right away. We did find it on Hwy 55 and sprayed it, it actually entered on 55. The problem is we are one of the most proactive counties on invasives, so we found that Marathon County isn't doing anything with theirs, so it's coming up HH. I think I should call Marathon County, we can't legally go onto Hwy 52 and spray it. We are trying to keep it out of here. Chris and Brigitte met with the Highway Department to discuss the issues also, for when they out mowing. They have a very good presentation put together for Land Conservation, should we give the presentation to County Board in August? I don't want to wait too long because Brigitte won't be here past

September. So I will get ahold of Kathy to put it on the agenda since you are in agreement with that.

9. Motion by Solin, seconded by Scupien to adjourn meeting at 4:36 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