

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING COMMITTEE  
MEETING MINUTES  
Thursday, June 2, 2016**

**CALL TO ORDER**

Committee Secretary Carole DeCramer called the meeting of the Land Use Planning and Zoning Committee to order at 4:31 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**Present: Robert Lyon, Harley Reabe, Rich Slate**

**Absent: Ben Moderow, Michael Starshak**

**Also Present: Missy Sorenson, Code Enforcement Officer**

**Matt Kirkman, Interim Department Head/Code Enforcement Officer**

**Carole DeCramer, Committee Secretary**

**Dawn Klockow, Corporation Counsel**

Since the Committee Chair and Vice Chair are absent, DeCramer asked for nominations for a Pro Tem Chair for this evening's meeting.

Reabe nominated Slate. No other nominations.

On a motion by Reabe/Lyon, unanimously carried, to cast a unanimous ballot for Slate as Pro Tem Chair.

Slate proceeded with the meeting.

**APPROVAL OF AGENDA**

**Motion by Lyon/Reabe, unanimously carried, to approve the amended agenda.**

**APPROVAL OF MINUTES**

**Motion by Reabe/Lyon, unanimously carried, to approve the minutes of 05/05/16.**

**PUBLIC COMMENT** - None

**PUBLIC APPEARANCES**

- a. Kristen Annoye & Kassiani Walejko, Town of Brooklyn, related to allowing chickens in R-1 Single-Family Residence District**

Kassiani Walejko and Leslie Wood, residents of Green Lake County, representing a growing group of people who are interested in bringing chickens to Green Lake County, asked if they could bring information back to the next meeting.

Slate asked them to bring the information back to the July 7<sup>th</sup> meeting for further discussion.

**CORRESPONDENCE** - None

**PURCHASES** - None

**CLAIMS**

Claims totaling \$1,580.01 were submitted.

**Motion by Reabe/Lyon, unanimously carried, to approve for payment the claims in the amount of \$1,580.01.**

**DEPARTMENT ACTIVITY REPORTS**

**a. Permits & others**

Kirkman – Discussed the monthly financials and the land use permits.

Sorenson – Discussed the monthly sanitary permits.

**b. Violations**

Kirkman and Sorenson – Discussed the land use and sanitary violation reports.

**DEPARTMENT/COMMITTEE ACTIVITY**

**a. Update on shoreland zoning ordinance**

The committee reviewed the proposed Chapter 338 Shoreland Protection Ordinance. Kirkman explained changes that the Department of Natural Resources made and changes staff made to customize the model ordinance to the County’s needs. After discussion, it was decided that Kirkman do more research on the following: definition of blinds; the procedure for establishing Planned Unit Developments, requiring earth-toned colors for boathouses, and existing exempt structures. The committee will review this again at the July 7<sup>th</sup> committee meeting starting with the appendix. Those not present at this meeting should contact Kirkman with comments, concerns, and corrections.

**5:32 p.m. Motion by Reabe/Lyon, unanimously carried, to recess for a few minutes.**

**5:36 p.m. Pro Tem Chair Slate convened the meeting of the Land Use Planning and Zoning Committee for public hearing items and read the rules of public hearing.**

**PUBLIC HEARING ITEMS**

*Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.*

**Item I: Owners:** Richard R. Waldvogel **Agent:** Thomas A. Graff **General legal description:** W2015 Center Road, Parcels #006-00310-0100, #006-00311-0000, #006-00313-0000, Part of the SW¼ of Section 17, T15N, R13E, Town of Green Lake, ±11.3 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman explained the request to include an issue with the property. Kirkman met at the site with Land Conservation staff and Supervisor Moderow regarding a livestock sediment basin

having no filter screens, a large manure storage tank, and a grass waterway that runs near the site that conveys manure into the waterway.

Green Lake County Land Conservationist Paul Gunderson – The system on this site was installed in the 1980's. The Land Conservation Department will cost-share this project with the property owners in restoring it to the original condition. This project is on the right track. Land Conservation will make sure that it is done properly.

Kirkman went through the zoning criteria regarding this request. The Town of Green Lake has approved of the request as long as the Graffs continue to work with Land Conservation.

Lyon asked, if the property owners decide not to proceed or back out of the deal with Land Conservation, is there any recourse?

Gunderson responded that there are options in enforcing this to include the Department of Natural Resources getting involved.

c) Committee Decision

**Motion by Lyon/Reabe, unanimously carried on roll call (3 -eyes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

d) Execute Determination Form/Ordinance

**Item II: Owners:** Dukelow Farms, Inc. – Richard Dukelow and Timothy N. & Kim T. Graff  
**Agents:** Timothy N. & Kim T. Graff **General legal description:** W2188 County Road X, Parcel Numbers #006-00348-0100 & #006-00348-0200, Lot 1 Certified Survey Map 2452, Part of the NE¼ of Section 19, T15N, R13E, Town of Green Lake, ±4.0 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

Richard Dukelow, W2026 County Road B – Spoke in favor of the request. Expressed concern about the right-of-way.

Slate explained that Mr. Dukelow must deal with that at the time that the certified survey map is done. This is not in the jurisdiction of the committee.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman explained the request and the criteria for rezoning the property. The Town of Green Lake does not object to the request

c) Committee Decision

**Motion by Reabe/Lyon, unanimously carried on roll call (3-eyes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

d) Execute Determination Form/Ordinance

**Item III: Owners:** Daniel & Jennifer Vinz **General legal description:** W4644 County Road X, Parcel ##012-00345-0000, A part of the SE¼ of Section 18, T14N, R12E, Town of Manchester, ±23.5 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District (±3.00 not to include right-of-way) and A-2 General Agriculture District (±20.5 acres).

a) Public Hearing

Daniel W4611 County Road X – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Sorenson explained the request and read through the zoning criteria. She reported that the Town of Manchester approved of the request.

c) Committee Decision

**Motion by Reabe/Lyon, unanimously carried on roll call (3-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

d) Execute Determination Form/Ordinance

**Item IV: Owner:** Marjorie E. Lind **Agent:** Ryan A. Dobbs **General legal description:** White Ridge Road, Parcels #002-00209-0000, #002-00214-0000, #002-00215-0000, & #002-00216-0000, Part of the NE¼ of Section 13, T17, R13E, Town of Berlin **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential

a) Public Hearing

Ryan Dobbs, W2246 Century Drive, Kaukauna – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Sorenson explained the request. The vast majority of the land mass falls within the ETZA. The request is consistent with the county comprehensive plan. The request also met the rezone criteria, which was reviewed by the committee. The Town of Berlin approves of the request.

c) Committee Decision

**Motion by Reabe/Lyon, unanimously carried on roll call (3-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

c) Execute Determination Form/Ordinance

**6:10 p.m. The business meeting resumed following the public hearing.**

**b. Cell tower siting language**

Kirkman was directed to put this on the July 7<sup>th</sup> agenda.

**c. Exclusive Agriculture Zoning District Update**

**1. Consultant quotes**

Kirkman requested quotes from MSA and Martenson & Eisele for quotes to do the consulting work on the exclusive agriculture zoning district update. MSA consultant, Jason Valerius, submitted a letter stating that MSA is not interested in submitting a quote, and that it would be in the best interest of Green Lake County to retain the services of the consultant that worked on the Farmland Preservation Plan (Ken Jaworski, Marten & Eisele). Kirkman suggested that the A-1 and A-2 districts be updated at the same time. This needs to be done by the end of the year.

**Motion by Reabe/Lyon, unanimously carried on roll call (3-eyes, 0-nays), to contract with Martenson & Eisele for services related to the agriculture zoning districts update, time and materials, not to exceed \$10,000.**

**d. Agenda amended to delete this item from the agenda**

**e. Permit tracking software update**

Kirkman reported that the Land Conservation Department and the Land Use Planning & Zoning Department attended a software demonstration by Transcendent for a software program that could track the Farmland Preservation Program and permits issued by this department. Kirkman will work on getting some prices for the software and report back at the July 7<sup>th</sup> meeting.

**f. Possible merging of departments**

Slate stated that the Land Conservation Committee voted to not merge the two departments. It is now up to this committee to voice their opinion on the potential merger. Lyon stated that he feels the two departments should stay separate. They are working together now and shouldn't have an extra layer of management. Reabe agreed with Lyon. According to the flow chart of comparison costs (provided by Land Conservation), merging the two departments would, ultimately, cost more. Reabe further added that there are not enough similarities to join the two departments.

**Motion by Reabe/Lyon, unanimously carried, to retain the present structure of the Land Use Planning and Zoning Department.**

After further discussion, the committee agreed that the wording of the motion should be clearer.

**Motion by Slate/Reabe to reconsider the previous motion. Vote: Lyon – nay, Reabe – nay, Slate – nay. Motion denied.**

**6:32 p.m. On a motion by Lyon/Reabe, unanimously carried, to take a five-minute recess.**

**6:38 p.m. The meeting reconvened.**

**Motion by Lyon/Reabe, unanimously carried, to not merge the Land Use Planning and Zoning Department with the Land Conservation Department.**

**g. Land Use Planning & Zoning Director vacancy review**

Kirkman read through the process for the vacancy review that includes a four-point analysis. The committee made some changes to Kirkman's findings.

**Motion by Reabe/Lyon, unanimously carried, to approve the analysis with committee changes.**

**h. Land Use Planning & Zoning Director job description**

Kirkman reviewed the director's job description with modifications he had made. The committee added their own modifications as well.

**Motion by Lyon/Reabe, unanimously carried, to approve the Land Use Planning and Zoning Director job description as modified and forward to the Personnel Committee for final approval.**

**i. Resolution Relating to Restructuring the Land Use Planning & Zoning Department as it relates to the Director and County Surveyor**

The committee discussed the proposed resolution relating to restructuring the Land Use Planning & Zoning Department as it relates to the Director and County Surveyor. The resolution would separate the director and county surveyor positions.

**Motion by Reabe/Lyon, unanimously carried on roll call (3-ayes, 0-nays), to approve Resolution 15-2016 and forward to the Personnel Committee for their approval before going to the County Board for final approval.**

**RESOLUTION NO. 15 –2016**

**Relating to Restructuring the Land Use Planning and Zoning Department as it Relates to the Director and County Surveyor**

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21<sup>st</sup> day of June, 2016, does resolve as follows:

**WHEREAS**, on October 15, 1996, by Resolution Number 39-96 the County Board of Supervisors created the position of County Land Use Planning and Zoning Director; and,

**WHEREAS**, on June 15, 2004, by Resolution Number 22-2004 the County Board of Supervisors combined the position of County Land Use Planning and Zoning Director and the position of County Surveyor into one position of a County Surveyor/Land Development Director; and,

**WHEREAS**, through attrition the position of County Surveyor/Land Development Director has become vacant as of April 4, 2016; and,

**WHEREAS**, this position has been reviewed by the Interim Planning and Zoning Director, the Administrative Coordinator, the Land Use Planning and Zoning Committee, and the Personnel Committee; and,

With recommendation/no recommendation Personnel Committee

Roll Call on Resolution No. 15-2016

Submitted by Land Use Planning and Zoning Committee

Aye \_\_, Nay \_\_, Absent \_\_, Abstain \_\_

\_\_\_\_\_  
Michael Starshak, Chair

Passed & Adopted/Rejected this \_\_\_\_\_  
day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Ben Moderow

\_\_\_\_\_  
County Board Chair

\_\_\_\_\_  
Attest: County Clerk

Approved as to form:

\_\_\_\_\_  
Corporation Counsel

\_\_\_\_\_  
*/s/ Robert Lyon*  
Robert Lyon

\_\_\_\_\_  
*/s/ Harley Reabe*  
Harley Reabe

\_\_\_\_\_  
*/s/ Rich Slate*  
Rich Slate

**i. Fill vacant code enforcement officer position if Land Use Planning & Zoning Director is filled internally**

Kirkman explained that he slightly modified the job description for the code enforcement officer position. The committee reviewed the description submitted by Kirkman. Corporation Counsel Klockow advised that Kirkman, as acting department head, can do the four-point analysis.

**Motion by Lyon/Reabe, unanimously carried, to approve the code enforcement officer job description.**

**Motion by Reabe/Lyon, unanimously carried, to fill the code enforcement officer position if the Land Use Planning and Zoning Director is filled internally.**

**j. Staff shortage: summer intern**

Slate explained that he asked this to be placed on the agenda in the event the hiring process is time consuming and help is needed now. There is money available due to the previous director's retirement. Reabe stated that it would have to be reviewed in 60 days. Kirkman stated that he would like to talk to Paul Gunderson about this since his department (Land Conservation) regularly hires interns. Slate advised that various parameters would need to be discussed; i.e., pay, hours, etc. Slate said that he is in favor of hiring an intern. Reabe added that it may be the way to screen someone for the code enforcement officer position.

**Motion by Slate/Lyon, unanimously carried, to allow the Interim Department Head to hire an intern at his discretion.**

**CLOSED SESSION PER WIS. STAT. S. 19.85(1)(G) TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED. RE: THIS CLOSED SESSION IS IN REFERENCE TO A RECENT BOARD OF ADJUSTMENT DECISION WHICH MAY ADVERSELY AFFECT THE COUNTY.**

**7:12 p.m.**

**Motion by Slate/Reabe, unanimously carried on roll call (3-ayes, 0-nays) to move to closed per Wis. Stat. S. 19.85(1)(G) To confer with legal counsel for the governmental body who is rendering**

oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Re: This closed session is in reference to a recent Board of Adjustment decision which may adversely affect the county.

**RECONVENE TO OPEN SESSION FOR FINDINGS OF CLOSED SESSION.**

**7:26 p.m. Motion by Lyon/Reabe, unanimously carried on roll call (3-ayes, 0-nays) to reconvene to open session for findings of closed session.**

The committee excused Corporation Counsel at 7:29 p.m.

**FUTURE COMMITTEE ACTIVITIES**

- a. Future agenda items**  
Chickens in residential areas of the zoned townships
- b. Meeting dates**  
August 4, 2016  
Business Meeting 4:30 p.m.  
Public Hearing 5:30 p.m.

**ADJOURN**

**7:44 p.m. On a motion by Lyon/Reabe, unanimously carried, to adjourn.**

**RECORDED BY**

Carole DeCramer, Committee Secretary

**APROVED ON:**