

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting – 4:30 p.m.
Public Hearing Minutes – 6:00 p.m.
March 3, 2010**

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:32 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wis. The requirements of the open meeting law were certified as being met.

Present: **Roberta Erdmann, Eugene Henke, Susan McConnell, Howard Sell, Thomas Traxler, Jr.**

Absent:

Also Present: **Al Shute, County Surveyor/Land Development Director
Carole DeCramer, Committee Secretary
Jeff Haase, Assistant Corporation Counsel
Orrin Helmer, County Board Chairman**

APPROVAL OF AGENDA

Motion by Erdmann/Sell, unanimously carried, to approve the amended agenda. Motion carried.

APPROVAL OF MINUTES

Motion by Erdmann/Henke, unanimously carried, to approve the February 3, 2009, minutes. Motion carried.

PUBLIC APPEARANCES – None

PUBLIC COMMENT – None

CORRESPONDENCE

Shute – Made the committee aware of the Department of Natural Resources (DNR) updating Chapter NR115, the shoreland regulations. The Land Use Planning and Zoning Department received notification that there is a two-year period to update the county's regulations. All of the new changes must be incorporated. Shute recommended that the committee continue to review the agricultural districts until the DNR creates a model ordinance for the shoreland regulations. The deadline for adopting new shoreland regulations is February 1st, 2012.

PURCHASES

Shute – Reported that the Property and Insurance Committee approved the disposal of the Safari.

CLAIMS

Claims totaling \$767.06 were submitted.

Motion by Traxler/Henke, unanimously carried, to approve the claims in the amount of \$767.06 for payment. Motion carried.

APPROVAL OF DEPARTMENT ACTIVITY REPORT

**Motion by Erdmann/Sell, unanimously carried, to approve the January, 2010, monthly report.
Motion carried.**

CREATE POLICY FOR COLLECTION OF AGRICULTURAL CONVERSION FEES

Shute – A sample policy for collecting agricultural conversion fees was passed out to the committee members. This will put in place the manner in which the department collects the fees, which should be in hand before action is taken on the rezone request at the public hearing. The payment will be made by the bank by means of a cashier's check.

The committee reviewed the draft policy and discussed possible changes.

On a motion by Erdmann/Henke, unanimously carried on roll call (5-ayes, 0-nays), that the agricultural conversion fee policy be adopted as follows:

**Policy #1 – 2010
Relating to the Code of Green Lake County,
Chapter 350 Zoning; Article XII Fee Schedule**

The Land Use Planning and Zoning Committee of Green Lake County, Wisconsin, duly assembled on the 3rd day of March, 2010, takes action as follows:

That the Code of the County of Green Lake, Chapter 350 Zoning; Article XII has the need for a policy to execute a provision in Article XII as described herein, being:

The purpose of the policy described herein is to create an operating procedure for Chapter 350, more specifically to establish a collection procedure for the agricultural conversion fee as required in §350-76.B.(1)

Payment of Agricultural Conversion Fees Policy

Pursuant to Chapter 91 Wis. Stats., as of January 1, 2010, the rezoning of lands zoned A-1 Exclusive Agricultural to any other zoning District, including another agricultural district, shall pay to Green Lake County the conversion fee that applies to those lands rezoned out of A-1 Exclusive Agricultural zoning. This agricultural conversion fee shall be collected as follows:

- 1. Payment shall be made by a bank cashier's check.***
- 2. Payment shall be delivered to the County Land Use Planning and Zoning Department prior to the public hearing date of the land to be rezoned.***
- 3. If said check is not received within this time frame, the Land Use Planning and Zoning Committee shall consider the request for rezone incomplete and postpone the public hearing until the next month, subject to another Class 2 notification and the \$250 postponement fee as required by County Zoning Ordinance.***
- 4. The bank cashier's check shall be dated so that it is negotiable the day after County Board action to enact the rezone request.***
- 5. In a case where the County Board rejects a proposed rezone request, the bank cashier's check will not be negotiated and the County shall return the check to the applicant after the County Board action to reject the rezone request.***

Motion carried.

Motion by McConnell/Erdmann, unanimously carried, to move ahead to item #15 on the agenda before #13. Motion carried.

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(G) CONFERRING WITH LEGAL COUNSEL REGARDING LITIGATION, WHICH THE COUNTY IS INVOLVED AND/OR IS LIKELY TO BECOME INVOLVED. (DISCUSSION OF LEGAL ISSUES)

5:24 p.m. Motion by Erdmann/Sell, unanimously carried on roll call (5-eyes, 0-nays), to move to closed session per Wisconsin State Statute 19.85 (1)(G) Conferring with Legal Counsel regarding litigation, which the County is involved and/or is likely to become involved. Motion carried.

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

5:51 p.m. Motion by Traxler/Henke, unanimously carried on roll call (5-eyes, 0-nays), to resume into open session. Motion carried.

Findings:

McConnell - We are directing Corporation Counsel to continue on the course he is currently on.

DEPARTMENT/COMMITTEE ACTIVITY

a. Agricultural Zoning Districts

b. Rural Residential Zoning Districts

The committee discussed the proposed rural residential zoning district. This is the proposed bridge between the current 20,000 square foot and ten-acre lot sites. It will have some residential and some agricultural uses.

c. R-3 and R-4 Districts

The committee also discussed amendments to the R-3 and R-4 zoning districts. Right now there is no difference between the two districts. The proposed R-4 district could be used as a rural residential district.

d. Flood Ordinance Amendment

Shute – When the committee adopted the floodplain ordinance in December, 2009, there were a couple of errors. The first error was the effective date; it was one day off. The second error was a missing panel. The errors have been corrected and I would recommend that you approve these amendments/corrections and send them on to the county board for final action.

Motion by Erdmann/Sell, unanimously carried on roll call (5-eyes, 0-nays), to recommend approval of the amendments as presented and forward to the county board for final action. Motion carried.

GENERAL COMMITTEE DISCUSSION

- a. Such other matters as authorized by law**
- b. Future activities**

Shute – Every five years since 2000, Green Lake County has done aerial photography. This is the year that we are scheduled to do the straight-down image update. Another type of photography that is available is the bird’s eye oblique photography. Several departments have said that they would benefit from that type of photography (Planning and Zoning, the Sheriff’s Department, and the Highway Department). The vendor has offered to do that for \$35,000; other vendors are two to three times that.

Traxler - If each department will benefit from it, we should spread the expense.

Shute - In reality, I don’t think it’s going to work that way. If we require it, they won’t participate. Jim Hebbe and I approached the Land Information Committee and they agreed to \$20,000, and we’d pay for the rest. \$5,000 would come from Planning and Zoning and \$5,000 from Land Conservation. I’ll bring this to you by our next meeting. The vendor is looking to fly in March or April.

Erdmann – Do you have money in your budget to do this?

Shute – Yes.

6:01 p.m. Motion by Erdmann/Sell, unanimously carried, to take a five-minute recess. Motion carried.

PUBLIC HEARING MATTERS

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

Committee Chair Sue McConnell reconvened the meeting of the Land Use Planning and Zoning Committee at 6:08 p.m. for the public hearing item and read the rules of public hearing.

Item I: Owner/Applicant: Cedar Ridge Real Estate Investments, LLC **Agent:** Mary Avery **Site Address:** Brooklyn G Rd, Parcel #004-00585-0000, Part of the SE¼ of Section 24, T16N R13E in the Town of Brooklyn, (±16.5 Acres) **Explanation:** The owners/applicants are requesting a rezone from A-1 Exclusive Agriculture District to A-3 Light Agriculture District.

- a) Public Hearing

Tom Avery, W14460 Dartford Road, Ripon – Spoke in favor of the request.

No one else appeared.

Public hearing closed.

- b) Committee Discussion and Deliberation
- c) Committee Decision

Motion by Henke/Traxler, unanimously carried on roll call (5-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to the county board for action. Motion carried.

d) Execute Determination Form/Ordinance

NEXT MEETING DATE

April 7, 2010

– Business Meeting 4:30 p.m.

– Public Hearing 6:00 p.m.

ADJOURN

Motion by Erdmann/Sell, unanimously carried, to adjourn. Motion carried.

Time: 6:46 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

April 7, 2010