

**SAUK COUNTY BOARD OF SUPERVISORS
CONSERVATION, PLANNING, AND ZONING COMMITTEE
Tuesday, October 23, 2012 – County Board Room/Gallery, West Square Building**

Conservation, Planning, and Zoning (CPZ) Committee members present: J. Ashford, J. Dietz, F. Halfen, J. Lehman, D. Nobs, D. Polivka, R. Puttkamer

Others present: B. Cunningham, J. Godfriaux-Leystra, R. Grant, D. Harder, L. Harder, C. Karr, A. Kleczek Bolin, M. Krueger, B. Michalek, P. Pohle, E. Robkin, K. Schauf, B. Simmert, B. Wenzel

At 9:00 a.m. Vice Chair Ashford called the Conservation, Planning, and Zoning Committee to order and certified to be in compliance with the Open Meetings Law.

Adopt agenda: Motion by Halfen/Dietz to adopt the agenda. Motion carried, all members in favor.

Lehman arrived at 9:01 a.m.

Adopt minutes of previous meeting-October 11: Motion by Polivka/Nobs to adopt the minutes from the October 11 Conservation, Planning, and Zoning Committee meeting. Motion carried, all members in favor.

Public comment: None

Communications: Ashford reviewed an email from Bev Vaillancourt regarding “The Role of Board of Adjustment on Special Exception Permits” of which copies were provided to members.

Discussion regarding the Badger Oversight Management Commission (BOMC): Motion by Halfen/Dietz to allow interested parties to participate. Motion carried, all members in favor.

Puttkamer arrived at 9:10 a.m.

Grant stated he has been a representative in all matters pertaining to Badger since 1998. He contacted CPZ Department staff on how to be placed on the agenda. Gave history of BOMC. The Badger Intergovernmental Group (BIG) developed the Badger Reuse Plan. He feels that the interim BOMC primary task has been to bring groups together. The Badger Reuse plan will be incorporated in the Sauk Prairie Recreation Area master plan, and then the BOMC should have completed its task. Do not feel we as local government or interested parties should walk away from this, and some group should continue the Badger Reuse Plan. Should be looking for some manner to disband the BOMC and form an additional body to perform its work. Need to continue to have local input by forming a five-member (CPZ Department, Town of Sumpter, Town of Merrimac, and USDA-Dairy Forage Research Center, DNR) group. Not suggesting that the Badger Reuse Plan should not be supported, but in some different format than the interim BOMC.

Wenzel provided some of his history with the BOMC and about the document’s signatures. The focus for the BOMC is important, he would not like to see it disbanded, and the local input is very important.

Robkin discussed the how the federal money was utilized and there was \$20,000 left which was given to the county for the BOMC. Do not know what benefit it would be to form a different group. It is the only group keeping the Badger Reuse Plan alive.

Kleczek Bolin noted that the original resolution was signed by this committee and the Executive & Legislative (E&L) Committee. The County Board representative to the BOMC is appointed by the County Board Chair. Intergovernmental committee is where E&L comes in. The intergovernmental agreement had an initial term of 25 years and successive terms of five years, etc. The first chance the county can withdraw is in 2027.

The resolution did not address what would happen if all the parties did not sign.

Consensus of the Committee is that this should go before the E&L Committee and that it come back to this Committee for review/input.

Discussion and possible action on a conditional use permit for a farm consolidated lot located in S24,T.12N.R.4E, Town of Reedsburg, Sauk County by Douglas and Lori Harder pursuant to Section 7.12 of the Sauk County Code of Ordinances: Simmert presented a staff report and background on the farm consolidation. The Town of Reedsburg approved the farm consolidation on October 8.

It was noted that there is room for a replacement septic system, there is only a house and garage left and all the other buildings are gone, and the location of the well in relation to the septic.

Halfen stated that this is not a farm consolidation.

Another option is to have a Planned Unit Development (PUD) and a conservation easement.

Farm consolidations are coming to an end when we adopt the ordinance.

Motion by Polivka/Nobs to approve the farm consolidation. Motion carried with Ashford, Dietz, Lehman, Nobs, Polivka in favor and Halfen opposed. Puttkamer abstained due to this being a zoning issue.

Discussion and possible action on an amendment to the Town of Merrimac zoning ordinance pursuant to Wis Stat. 60.62(3) to permit the keeping of chickens: Motion by Ashford/Halfen to approve the ordinance.

Simmert informed the Committee that when a town has their own zoning, they need County Board approval for change in local code. Merely a pass through of the CPZ Committee.

Grant gave history/background on the town's ordinance.

Motion failed with Ashford, Halfen, Nobs in favor; Dietz, Lehman, Polivka opposed; Puttkamer abstained due to this being a zoning issue. Simmert presented a revised resolution with changes made to reflect the failed motion for appropriate signatures.

Discussion of Chapter 7 and the role the CPZ Committee or Board of Adjustment (BOA) should play in Special Exception and Conditional Use Permit requests: The Committee was informed that decisions made by the CPZ Committee for conditional use permits will not be required to go

to County Board for approval if the County Board designated final approval authority to the CPZ Committee. The Committee discussed a concern by towns regarding the BOA overriding what the towns and County Board have approved. The BOA members are appointed versus elected which is of concern to some people. Felt this committee has a better understanding of the issues, and better decisions will be made by the CPZ Committee. It may be a faster track going through the CPZ Committee versus BOA. None of our neighboring counties utilize a BOA for the purpose of considering conditional uses. The BOA would still consider variances, special exceptions for non-metallic mining, and appeals to the CPZ administrator's ordinance interpretation. The BOA will be the venue for appeals from this committee. Filling and grading will be handled in Chapter 8 which will be updated after Chapter 7 is done. Will try to have only two CPZ Committee meetings per month and not add another monthly meeting. The ordinance rewrite also creates an opportunity for the CPZ Committee to define the criteria standards for the CPZ Department to follow and approve requests without taking them to the CPZ Committee. The Committee's consensus was to move forward in this direction.

Farmland Preservation Plan update: Simmert briefly reviewed the timeframe for the Farmland Preservation Plan which included making the initial stakeholder contacts in late November/early December, meetings starting in January and ending in March. Anticipating taking polished draft of Zoning Ordinance to the towns in November/December to get their feedback and then bringing that feedback back to the CPZ Committee to set policy directives.

Simmert noted that he has been in contact with Representative Brooks office regarding ATCP 49 and the potential impacts on the Conditional Use Permit/Planned Unit Development cluster lot program and ordinance certification. There has been no response from DATCP on this issue.

Discussion on scenic and recreational waysides: It is a statewide policy to close all waysides at a specific time. The Highway Department acts on behalf of local governments to reopen waysides if requested. The CPZ Committee will recommend to the Highway & Parks Committee to allow access to all waysides and close waysides by November 1.

Report on the 59th Wisconsin Land and Water Conservation Association Annual meeting: Michalek updated on the two resolutions that were acted on at the annual meeting. The resolution requesting charging for trailer registrations to help fund the Aquatic Invasives Species programs was amended to only include boat trailers. The other resolution for staffing dollars in order to fulfill Wisconsin's Land and Water quality commitment by DATCP was passed.

Update on CPZ Department budget: Michalek noted that the 2013 budget was amended to include an additional \$54,000 for a second Clean Sweep. Briefly discussed the possibility of having towns collect hazardous waste and then transporting waste to Clean Sweep. Discussion determined that it may not be logistically possible. The total budget was \$763,906 but after the 1.5 percent change for not granting a cost-of-living adjustment to non-represented employees, the CPZ Department's impact to the levy is \$751,971.

Approval of attendance at Southern Area Association meeting: Meeting being held today, and no one from the CPZ Committee was able to attend. No action necessary.

Next meetings of the Conservation, Planning, and Zoning Committee will be held at 9:00 a.m. on Thursday, November 8, and Tuesday, November 27. The meeting on December 18 was cancelled due to it being too close to the December 13 meeting.

Motion by Ashford/Halfen to adjourn at 11:15 a.m. Motion carried, all members in favor.

Respectfully submitted,

Don Nobs, Secretary