

**SAUK COUNTY BOARD OF SUPERVISORS
LAND CONSERVATION and PLANNING, ZONING AND LAND RECORDS COMMITTEES
Thursday, November 10, 2011 - Room B30 West Square Building**

Land Conservation Committee (LCC) members present: L. Borleske, T. Kriegl, P. Murray, J. Smoke, L. Wiese

Planning, Zoning, & Land Records (PZLR) Committee members present: J. Ashford, J. Gaalswyk, F. Halfen, G. Lehman, D. Nobs

Others present: B. Bergstrom, B. Cunningham, L. Hasenbalg, P. Hasheider, A. Kleczek Bolin, M. Krueger, T. Liebman, T. McCormick, B. Michalek, P. Peterson, P. Pohle, K. Schauf, B. Simmert, M. Stanek, D. Wernecke, G. Zellmer

Absent: R. Puttkamer was excused.

At 10:01 a.m. Chair Lehman called the Planning, Zoning and Land Records Committee to order and certified to be in compliance with the Open Meetings Law.

Chair Wiese called the Land Conservation Committee to order and certified to be in compliance with the Open Meetings Law.

Adopt agenda: Motion Borleske/Smoke to adopt the agenda. Motion carried, all PZLR members in favor. Motion carried, all LCC members in favor.

Adopt minutes of previous meeting-October 13: Motion by Halfen/Nobs to adopt the minutes of the meeting on October 13 of the Planning, Zoning & Land Records Committee and Land Conservation Committee. Motion carried, all PZLR members in favor. Motion carried, all LCC members in favor.

Public comment: Lehman notified those present that public comment would be limited to three minutes; after further discussion the committees agreed to allow four minutes per person.

David Wernecke addressed the group on concerns that the need for the American Transmission Company (ATC) line has not been demonstrated. Asked both committees and County Board to request detailed information from the Public Service Commission (PSC) on the need for the line and alternative energy options. If the need is demonstrated, ask to weigh in on where the line is placed.

Terrence McCormick noted initial concern was that there be minimal damage to environment. Now asking that the PSC and ATC provide information that looks at the alternatives and real-time data.

Laurie Hasenbalg asked if her comments could be deferred until the agenda item for public hearings was discussed. All committee members in favor of deferring her comments until agenda item is heard.

Information was included in the committee packets from Bev Vaillancourt on the Badger Coulee Transmission Line.

Possible closed session pursuant to 19.85(1)(g) conferring 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. Petition 6-2011 by Garry Zellmer: The closed session is for the PZLR Committee, but the LCC members can attend but not participate. Motion read by Ashford to move into closed session at 10:14 a.m. Halfen seconded and a roll call vote was taken. Motion carried, all PZLR members in favor. Simmert was allowed to attend the closed session.

Reconvene in open session immediately following the closed session: Motion to reconvene into open session by Gaalswyk/Halfen at 10:26 a.m. Voice vote was taken and the motion carried, all PZLR members in favor.

Discussion and possible action on Petition 6-2011 by Garry Zellmer to change the zoning of his property from a Resource Conservancy 35 to a Commercial Zoning District. The land to be affected by the proposed rezone to Commercial is located in Section 21, T12N, R6E, Town of Baraboo. Said area to be rezoned contains .90 acres more or less: Motion by Halfen/Ashford to deny this request based on the information presented by Simmert on the zoning in this area to make zoning more uniform. Motion carried with Ashford, Gaalswyk, Halfen in favor; Nobs and Lehman opposed. Rezone will still move forward to the County Board.

Communications:

- a. Gaalswyk informed the committees that Richland County receives \$15 every third year for their county to enter the pumping information. He felt that Sauk County should be charging for the costs of checking and keeping up with all those records. The point is that a lot of county citizens do not use this county service and are paying for county staff to perform this duty. Currently we charge for a manual entry but not for an electronic entry.
- b. Murray presented a copy of a resolution from Sustain Sauk County on the Badger Coulee Line for the record and asked for it to be sent out with the minutes.
- c. Wisconsin Land & Water Conservation Association (WLWCA) Newsletter-Thursdays Note(s): Bergstrom highlighted the October 13 Thursday Note. He provided copies of resolutions for the LCC to review to make recommendations to Wiese. He will vote on behalf of the Sauk County LCC at the WLWCA Conference. LCC should send comments to Pohle before conference.

Establish 2011 crop damage price values: Peterson and the LCC discussed pricing values. There are no claims for corn and beans this year. Motion by Borleske/Murray to set the prices at: alfalfa-\$141.74/ton; apiary-comb frames-\$.96/each, bee colony-\$75, honey-\$1.75/lb.; chicken-\$15/each; eggs-\$2/dozen. Motion carried, all in favor.

Motion by Borleske/Smoke to set December 1 as the harvest deadline date for participation in the 2011 Wildlife Damage Program. Motion carried, all in favor.

Peterson noted there are no licensed processors in the county that will accept deer venison for the food pantry program.

Discussion and possible action on the County Farm (former Sauk County Health Care Center) cropland farm lease agreement: Michalek noted that the farm lease was printed as a legal notice in the Baraboo News and Reedsburg Times Press. Seven bid packets were distributed. Bid opening was on Friday, November 4, and two bid packets were received. Pertzborn's bid was for \$54,688.35/year, \$164,065.05/three years amounting to \$205.75/acre. His current lease goes until February 28, 2012. Stanek noted it is beneficial to have earlier deadline to help with fall tillage. Motion by Borleske/Murray to award bid to Marty Pertzborn in the amount of \$205.75 per acre for a three-year lease. Motion carried, all LCC members in favor. Recommendation for future bids to also place ad in the Shopper Stopper, suggest an ad that is 2 column by 2" instead of a legal notice, and to advertise in the Reedsburg Independent rather than the Reedsburg Times Press. It was noted that the rental money is higher than what would be received for property taxes.

Discussion and possible action authorizing a compliance deadline date of December 1, 2012, for the 2011 noncompliant field inspections: Stanek stated that all of the Farmland Preservation Program participants in Reedsburg Township were spot checked. It was found that 23 did not have a current nutrient management plan and were noncompliant with one or more standards. They will receive a letter giving 12 months to get the needed work done to get into compliance. Last year there were 13 that were noncompliant. They are making good progress and will report on them in December and see if action is needed. Committee has the authority to issue a notice of non-compliance denying tax credits if a person does not make a reasonable effort. Motion Borleske/Smoke to authorize the compliance deadline of December 1. Motion carried, all in favor.

Approval of attendance at Southern Area Association (SAA) meeting: Murray attended the meeting on October 27 with registration and meal costing \$20. Motion by Smoke/Kriegl to approve Murray's attendance at the SAA meeting. Motion carried, all LCC members in favor.

Approval of resolution for attendance at Wisconsin Land & Water Conservation Association (WLWCA) Conference: Wiese will attend both days of the WLWCA Conference at Chula Vista and Smoke will attend on Friday. Motion by Borleske/Murray to approve the resolution for Wiese and Smoke to attend the WLWCA Conference. Motion carried, all LCC members in favor.

Discussion and possible action on notification process for public hearings: There was discussion on the notification process used by the CPZ and other counties. Sauk County is updating their ordinance and this will be part of the rewrite.

Laurie Hasenbalg discussed the Board of Adjustment's (BOAs) meeting procedure and notification process. She gave a brief history of past meeting dates in relation to the number of applications.

In the past if there was only one application received during a month, then action was postponed until the next month. It was agreed that in the future that if the application meets the deadline, they will not be postponed. Definition of interested parties needs to be set. BOA sets their own policies for their own meeting dates. There needs to be consistency in the ordinance

for notification process. Can set different notification standards. The state sets the minimum standards. CPZ staff should put together recommendations. It was suggested that BOA meet at a time more convenient to the public.

There was a five-minute recess at 11:55 a.m.

Discussion and possible action regarding the Badger Coulee Transmission Line proposed by American Transmission Company: Motion by Halfen/Gaalswyk for CPZ staff to formulate a joint resolution recognizing that the County Board and our committees lack the expertise to determine the line's need, that there are federal and regional agencies that do, and to prevent this line from being placed in sensitive areas. The county already has environmentally sensitive areas analyzed. Murray/Ashford amend the motion to add that the Federal Energy Regulatory Commission (FERC) and Midwest Independent System Operator (MISO) provide us the information that shows that the line is needed. Need to identify what is a sensitive area. No vote was taken and asked that the resolution be sent to the committees in advance for review.

Discussion and possible action on Highway 12 Memorandum of Agreement (MOA) with the Wisconsin Department of Transportation (DOT): Briefly discussed the \$250,000 MOA and the \$200,000 match in the county's budget. Corporation Counsel is reviewing the draft resolution with DOT. The three priorities that the CPZ identified were approved, and it was recommended that the bike trail be called the Great Sauk Trail. More information will be brought to a future meeting and take to the County Board in December.

Discussion on sign ordinance: Simmert noted that the input received at the public meetings were incorporated into the ordinance, and it is being reviewed by Corporation Counsel. Copies will be mailed on November 11 or 14.

Discussion and possible action on AB 303/SB 225, Allowing Municipalities to Repeal their Comprehensive Plans: The committees were informed that this passed the Assembly on November 3 but failed to be sent on to the Senate and is dead for this legislative session. Need to keep an eye on this.

Conservation, Planning and Zoning Department:

- a. Department reports and updates: Michalek presented the LCD and P&Z departmental reports.
- b. Review and approval of vouchers: Motion by Ashford/Smoke to approve 2011 and 2012 vouchers in the amount of \$33,388.87. Motion carried, all PZLR members in favor. Motion carried, all LCC members in favor.
- c. Baraboo River floodplain/floodway study update: Cunningham is working on the shoreline zoning and updated the committees on the floodplain/floodway study. The information will be received in the next month and then there will be a three-month period to accept comments and appeals and funnel them to the DNR. Landowners have this time to prove via survey that they are not in the floodplain. CPZ staff is looking at contour maps and looking for mistakes. The Lake Redstone dam breach will go to the County Board in December.

Reports:

- a. Natural Resources Conservation Service (NRCS) report: None.
- b. Farm Service Agency (FSA) report: None.
- c. Foresters' report: None.
- d. Economic Development Committee report: Murray reported that at the last meeting information was received on a true county forest.
- e. Mirror Lake District report: None.
- f. Lake Virginia Management District report: Murray stated that a property owner wants to dissolve the district. Michalek will attend at their quarterly meeting on December 10.
- g. Lake Redstone Management District report: Borleske reported they are updating their aquatic plant management plans.

Next meeting of the Planning, Zoning & Land Records Committee will be held on Wednesday, November 30, and the meeting of both the Land Conservation Committee and Planning, Zoning & Land Records Committee will be held on Wednesday, December 7, at 9:00 a.m.

Motion by Nobs/Ashford to adjourn at 1:11 p.m. Motion carried, all PZLR members in favor. Motion carried, all LCC members in favor.

Respectfully submitted,

Peter Murray, Secretary
Land Conservation Committee

Joel Gaalswyk, Secretary
Planning, Zoning & Land Records
Committee