

**SAUK COUNTY BOARD OF SUPERVISORS
CONSERVATION, PLANNING, AND ZONING COMMITTEE
Thursday, July 10, 2014 – County Board Room/Gallery
West Square Building**

Conservation, Planning, and Zoning (CPZ) Committee members present: J. Ashford, J. Dietz, N. Johnson, G. Lehman, E. Peterson, D. Polivka, R. Puttkamer

Others present: T. Broughton, R. Clyde, B. Cunningham, C. Ecklund, L. Erbs, M. Keenan, R. Klipp, S. Koenig, M. Krueger, T. Liebman, B. Michalek, C. Miller, P. Pohle, F. Reinecke, E. Remus, B. Sadler, K. Schauf, M. Schober, C. Shanahan, B. Simmert, B. Vaillancourt

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

Adopt agenda: Motion by Polivka/Puttkamer to adopt the amended agenda. Motion carried, all in favor.

Adopt minutes of previous meeting-June 24: Motion by Polivka/Ashford to adopt the minutes from the June 24 Conservation, Planning, and Zoning Committee meeting and to amend the May 27, 2014, minutes from Town of Winfield to Town of Woodland having adopted the Chapter 7 ordinance. Motion carried, all members in favor.

Peterson arrived at 9:04 a.m.

Public Comment: Vaillancourt commented on the Chapter 7 draft single family residential zoning districts amendment.

Communications:

- a. Pilot statewide lakeshore habitat restoration training. This is a three-day training. Johnson requested the information be forwarded to him.
- b. Conditional use permit training update. Michalek noted that training will be provided through UW-Stevens Point at a future evening meeting.
- c. Michalek mentioned that "Field and Stream" is looking at doing an article this winter on the trout stream restoration projects being done by Trout Unlimited and our department on Bear Creek.
- d. Letter received from Attorney Schober regarding Robert Klipp matter. Will discuss with agenda item.
- e. Lehman distributed the On-the-Farm Meeting and Tour announcement. Will put on the next CPZ Committee meeting for approval of attendance.
- f. Lehman reported on the frac sand mining tour.
- g. Polivka discussed the court decision on permitting for high capacity wells and the potential effects of this decision.

Possible closed session pursuant to Wisc. Stats. 19.85 (1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Performance evaluation of CPZ Director: Motion by Polivka/Ashford to adjourn into closed session. Roll call vote taken with all in favor to go into closed session at 9:13 a.m.

Reconvene in open session immediately following the closed session: Motion by Polivka/Ashford to reconvene in open session at approximately 9:40 a.m. Motion carried, all in favor.

Discussion and possible action on purchase of streambank easement for the Patrick Anderson property in the Town of Dellona: Michalek briefed the CPZ Committee on the perpetual easement and noted that there are 15 more parties interested in streambank easements. The funds need to be distributed by December 31, 2015. Motion by Polivka/Ashford to approve the streambank easement for Patrick Anderson. Motion carried, all in favor.

Soil health demonstration: Koenig and Miller gave a soil health demonstration.

Discussion of cover crops demonstration at Randy Puttkamer's farm: Brief discussion based on soil health demonstration.

Discussion of county farm lease and the use of no-till farming and cover crops: Consensus of Committee to require no-till farming and cover crops on all cropped land at the county farm in the new lease and to bring the draft lease for review at a future meeting.

Update on the change to the Rules of the Board regarding the number of members for the Conservation, Planning, and Zoning Committee: Michalek informed the CPZ Committee that the Executive & Legislative Committee approved adding another member to the CPZ Committee in order to avoid tie votes on zoning matters. This change will require amending the Rules of the Board at the upcoming County Board meeting. The County Board Chair can appoint a new member immediately, and then final approval will be taken at the next County Board meeting.

Consideration of county support to the Badger Oversight Management Commission (BOMC): Michalek updated the CPZ Committee on the Executive & Legislative Committee's decision to withdraw all CPZ Department staff assistance to the BOMC except posting agendas. It does not require that we post minutes, but Michalek still proposes that the CPZ Department will post minutes. Motion by Polivka/Ashford to approve that the only assistance CPZ Department staff will provide to the BOMC is posting agendas and possibly posting the minutes. Motion carried, all in favor.

Public hearing: To begin at approximately 10:00 a.m. (Committee to consider and take possible action at the conclusion of the respective hearing)

a. Petition #4-2014. A petition to rezone certain land located in S1, T11N. R4E, Town of Westfield, Sauk County, from an Exclusive Agriculture to an Agriculture zoning district by Robert Klipp et al.

Lehman called the public hearing to order at 10:08 a.m. He explained the procedures for the public hearing and introduced the committee and staff members.

Simmert appeared and presented a staff report.

Liebman appeared and presented his legal opinion. The applicant has taken some action to change the nature of the action. Liebman gave the criteria the CPZ Committee should use in making their decision.

Attorney Mike Schober, appearing in favor, provided background on the sale and rezone being requested.

Robert Klipp, appearing in favor, gave the history of the family's property.

Tom Broughton, appearing in favor, representing the Town of Westfield, stated the Town Board approved the rezone.

Fred Reinecke, registered in favor, did not wish to speak.

Robert Clyde, registered in favor, did not wish to speak.

Seeing no one else wished to appear, Lehman closed the public hearing at 10:39 a.m.

Motion by Ashford/Polivka to approve the rezone. Motion carried with Ashford, Lehman, Polivka in favor; Dietz and Johnson opposed; Peterson abstained which is a no vote per Corporation Counsel. Puttkamer unable to vote on zoning matters.

After discussing Peterson's abstention, motion by Polivka/Ashford to bring back the rezone for reconsideration. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

CPZ Committee discussed the rezone.

Motion by Polivka/Ashford to approve the rezone. Roll call vote: In favor-Ashford, Lehman, Peterson, Polivka; Opposed-Dietz and Johnson. Motion passed. Puttkamer unable to vote on zoning matters.

Discussion and possible action on an amendment to the Town of Delton zoning ordinance pursuant to Wis. Stat. 60.10(2)(c) to rezone land from an Agriculture to a Single Family Residential located in S 33, T13N, R6E, Town of Delton: Information was provided to the CPZ Committee. Motion by Johnson/Ashford to approve the amendment. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

Petition #6-2014. A petition to consider a final plat pursuant to Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance for a 12-lot subdivision in S33, T13N, R6E, Town of Delton, Sauk County, by the Ho-Chunk Nation: Motion by Ashford/Peterson to approve the final plat. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

Discussion and possible action on a conditional use permit for a Planned Rural Development (PRD) lot for Larry & Lucinda Erbs located in S19, 20 and 29, T.10N, R.4E, Town of Franklin, Sauk County pursuant to Subchapter IX of the Sauk County Code of Ordinances: Erbs discussed the conditional use permit and asked the CPZ Committee for approval. The Town Board did approve as presented. Motion by Ashford/Peterson to approve the conditional use permit based on the standards and findings in the conditional use permit being met and the

PRD is in the public interest. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

Discussion and possible action on a conditional use permit for a Planned Rural Development (PRD) lot for Tonyes Garrelts located in S31 T.9N.R.3E, Town of Spring Green, Sauk County pursuant to Subchapter IX of the Sauk County Code of Ordinances: Motion made by Polivka/Johnson to approve the conditional use permit based on the standards and findings in the conditional use permit being met and the PRD is in the public interest. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

Discussion and possible action on a conditional use permit for a Planned Rural Development (PRD) lot for John Ederer located in S20 T.10N.R.4E, Town of Franklin, Sauk County pursuant to Subchapter IX of the Sauk County Code of Ordinances: Simmert noted this is the first one where there is a conversion out of ag use. Motion by Johnson/Ashford to approve the conditional use permit based on the standards and findings in the conditional use permit being met and the PRD is in the public interest. Motion carried, all in favor. Puttkamer unable to vote on zoning matters.

Review draft single family residential zoning districts amendment: LaValle has been reviewing and providing input on the amendment.

Land Records Modernization:

- a. Department reports and updates: Felton presented the department report.
- b. Review and approval of vouchers: Motion by Polivka/Johnson to approve vouchers in the amount of (\$7,483.30). Motion carried, all in favor.

Conservation, Planning, and Zoning Department:

- a. Department report and updates: Michalek presented the department report.
- b. Review and approval of vouchers: Motion by Ashford/Polivka to approve the vouchers totaling \$18,761.97. Motion carried, all in favor.
- c. Regional Conservation Partnership Program (RCPP) update: Michalek noted this is a funding pool and not a grant. If the funding is received, the CPZ Department would need to hire a new employee to handle this funding pool.

Reports:

- a. Natural Resources Conservation Service (NRCS): None.
- b. Farm Service Agency (FSA) report: None.
- c. Foresters' report: None.
- d. Economic Development Committee report: Johnson reported their last meeting was related to internet.
- e. Mirror Lake District report: Lehman attended the management meeting.

f. Lake Virginia Management District report: Dietz was not notified of a meeting; Michalek will check on the meeting status.

g. Lake Redstone Management District report: Johnson informed the Committee that their annual meeting will be at the town hall on August 2.

Next meetings of the Conservation, Planning, and Zoning Committee will be held on Tuesday, July 22, Wednesday, July 30, and Thursday, August 14, at 9:00 a.m. Motion by Johnson/Puttkamer to adjourn at 12:39 p.m. Motion carried, all members in favor.

Respectfully submitted,

Dennis Polivka, Secretary