

DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
June 18, 2018

The Dodge County Land Resources and Parks Committee met on June 18, 2018 at 6:30 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

The following business was brought before the Committee for initiation, discussion, deliberation, and possible formal action subject to the rules of the Board, which may be inspected in the office of the County Clerk.

1. Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Joseph Marsik, William Muche, Tom Schaefer, Jeff Schmitt and Larry Schraufnagel. The staff present at the request of the Chairman were Bill Ehlenbeck, Terry Ochs and Joseph Giebel. Corporation Counsel Kimberly Nass and Assistant Corporation Counsel Julie Wilhelm were also present.
2. Motion by Joseph Marsik to convene in closed session for the purpose of conferring with legal counsel for Dodge County, who will render oral or written advice concerning strategy to be adopted by Dodge County with respect to the enforcement of a judgement entered against Ronald and Kristine Seeber, Defendants, in which it is involved, namely, Dodge County, Plaintiff v. Ronald and Kristine Seeber, Defendant, Dodge County, Wisconsin, Circuit Court Case No. 15 CV 188. The meeting is closed pursuant to Section 19.85(1)(g), of the Wisconsin Statutes.

Second by William Muche Vote: 5-0

The meeting was convened in closed session for the purpose of conferring with legal counsel for Dodge County, who will render oral or written advice concerning strategy to be adopted by Dodge County with respect to the enforcement of a judgement entered against Ronald and Kristine Seeber, Defendants, in which it is involved, namely, Dodge County, Plaintiff v. Ronald and Kristine Seeber, Defendant, Dodge County, Wisconsin, Circuit Court Case No. 15 CV 188.

The meeting was closed pursuant to Section 19.85(1)(g), of the Wisconsin Statutes.

3. Motion by Joseph Marsik to re-convene in open session.

Second by Jeff Schmitt Vote: 5-0 Motion carried.

4. Discuss, consider and take action regarding enforcement of a judgment entered in Dodge County, Plaintiff v. Ronald and Kristine Seeber, Defendant, Dodge County, Wisconsin, Circuit Court Case No. 15 CV 188.

Motion by Joseph Marsik to authorize the Corporation Counsel to meet with Mr. Seeber to discuss the resolution of the judgement and forfeiture issued in this case within the parameters discussed by the Committee in closed session.

Second by William Muche Vote 5-0 Motion carried.

5. The minutes from the June 4, 2018 meeting were reviewed by the Committee.

Motion by Larry Schraufnagel to approve the minutes as written.

Second by William Muche Vote: 5-0 Motion carried.

6. The hearing procedures were read into the record.

7. **Public Hearing:**

Tim Zedler, agent for Zedland Farm - Petition to rezone approximately 85-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District and an application for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the establishment of an event facility business for weddings, graduation parties and other celebrations and the establishment of a store front within an existing building for the sale of products produced on the farm. The site is located in part of the NE ¼ of the SE ¼, Section 34, Town of Lomira, the site address being N9873 State Road 175. The Committee decision on the rezoning petition and the conditional use permit request was laid over from the June 4, 2018 Committee meeting.

Mr. Giebel informed the Committee that the Town has recommended approval of the Rezoning petition and the conditional use permit request.

Rezoning Petition

Motion by Larry Schraufnagel to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 85-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District as proposed.

Second by Jeff Schmitt Vote 5-0 Motion carried.

Conditional use permit request:

Motion by Larry Schraufnagel to approve the conditional use permit request to allow the establishment of an event facility business for weddings, graduation parties and other celebrations and the establishment of a store front within an existing building for the sale of products produced on the farm subject to the following conditions:

1. The rezoning petition shall be approved by the County Board of Supervisors prior to the approval of the Conditional Use Permit;
2. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare, lighting or the risk of fire, explosion or other accident and shall not be detrimental to the public health and safety or general welfare of the immediate neighborhood or community;
3. The facility shall not be open after 12:00 midnight;
4. The applicant shall obtain a highway access permit from the Department of Transportation for the proposed parking lot access onto STH 67/175 prior to the issuance of the conditional use permit and prior to the issuance of a land use permit for the parking lots;

5. It shall be the responsibility of the applicant to obtain all Federal, State and/or local municipality permits, licenses and approvals that may be required for the construction and operation of the proposed private event facilities on this site, for the proposed store facilities, and for the bathroom facilities, prior to the use of the facilities by the public. The owner shall provide documentation to this Department that the applicable Federal, State and local municipality permits, licenses and approvals have been obtained to operate the proposed facilities and to document that the proposed facilities meet the applicable fire and building codes prior to use of the facilities for a public event.
6. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties. The lighting for the proposed parking area shall be shielded along the east side to prevent glare or other safety hazards along State Road 67/175;
7. A land use permit shall be obtained by the developer for the proposed construction of the parking lot(s), the proposed signs, the bathroom facilities, the deck and all other proposed construction projects prior to beginning construction of the facilities and prior to locating a sign on this property;
8. A code compliant private onsite wastewater treatment system or other approved method of sanitary sewage disposal facility shall be provided for the proposed facility prior to the issuance of the conditional use permit and prior to the use of the facility for a public event;
9. The aisles and spaces in the parking area shall be clearly marked and shall be maintained in a manner so as to be readily visible and accessible at all times the private event facility is in operation in accord with Section 8.2.9 of the Code;
10. There shall be no parking within the road right-of-way of State Road 67/175.
11. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
12. The decision of the Committee is valid for one year.

Second by William Muche Vote 5-0 Motion carried.

8. PUBLIC HEARING

Michael and Kristin Nelson – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the establishment of an Auto body repair shop within the A-2 General Agricultural Zoning District. The site is located within part of the SW ¼ of the SE ¼, Section 6, Town of Rubicon, the site address being N4582 Moss Road.

Motion by Joseph Marsik to approve the conditional use permit request to allow the establishment of an Auto body repair shop within the A-2 General Agricultural Zoning District subject to the following conditions:

1. The business operation shall be conducted without offensive noise, vibration, dust, smoke, odor, glare or the risk of fire, explosion or other accident and shall not be detrimental to the public health, safety or general welfare of the immediate neighborhood;
2. The business shall be operated in accord with the business narrative submitted with the Conditional Use Permit application;

3. There shall be no motor vehicle sales or rentals on this site;
4. There shall be no outside storage of materials, parts, hazardous waste, equipment, machinery or vehicles associated with the business operation on this site;
5. The business shall comply with the off-street parking requirements of the code. A parking plan in accord with Section 8.2 of the Code shall be submitted to the Department for review and approval prior to the issuance of the conditional use permit;
6. The business shall have adequate and code-compliant sanitary accommodations to serve the employees and customers of the auto repair shop;
7. The applicant shall obtain a County Land Use permit for all construction projects for this site;
8. All exterior lighting shall meet the functional and security needs of the proposed development without adversely affecting adjacent properties;
9. All hazardous wastes used in the operation of the proposed business shall be disposed of in accord with the applicable regulations;
10. Any significant change to or expansion of the business operation and/or of its facilities may require that a new Conditional Use Permit be obtained.
11. The decision of the Committee is valid for one year.

Second by Jeff Schmitt Vote 5-0 Motion carried.

9. PUBLIC HEARING

Millikin Homes Inc. agent for Patrick and Joan Millikin – Request for a Conditional Use Permit under the Shoreland Protection Ordinance, Dodge County, Wisconsin to allow filling and grading within 300 feet of a navigable waterway associated with the construction of a residence on this site. The property is located in part of the SE ¼ of the NE ¼, Section 11, Town of Rubicon, the site address being N924 County Road N;

Motion by William Muche to approve the conditional use permit to allow filling and grading within 300 feet of a navigable waterway associated with the construction of a residence on this site subject to the following conditions:

1. It shall be the responsibility of the applicant to obtain all other permits or approvals that may be required (e.g., Wisconsin Department of Natural Resources and/or U.S. Army Corps of Engineers) for the proposed project.
2. All disturbed areas shall be leveled and graded (as needed) and seeded to permanent vegetation as soon as possible to prevent erosion of silt/sediment into the waterway.
3. All erosion control measures required by the applicable Federal, State, County and Local codes shall be in place and shall be maintained throughout the duration of the project in accordance with Best Management Practices.
4. All work shall be done in accord with the plans and specifications submitted on May 10, 2018.
5. The decision of the Committee is valid for one year.

Second by Jeff Schmitt Vote 5-0 Motion carried.

10. PUBLIC HEARING

Allen Thurow –Petition to rezone approximately 7.65-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District under the Land Use Code, Dodge County, Wisconsin to allow the creation of an approximate 3.4-acre and a 4.25-acre non-farm residential lot at this location. The property is located in part of the NE ¼ of the NE ¼, Section 12, Town of Lebanon along the west side of Kohler Road south of its intersection with County Road MM.

Motion by Jeff Schmitt to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 7.65-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District to allow the creation of an approximate 3.4-acre and a 4.25-acre non-farm residential lot at this location.

Second by Larry Schraufnagel Vote 5-0 Motion carried.

11. PUBLIC HEARING

Thomas Timmel – Petition to rezone approximately 2.5-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the creation of a non-farm residential lot on this site. The property is located in part of the NW ¼ of the SW ¼, Section 28, Town of Lebanon along the northeast end of Phillip Road.

Motion by Joseph Marsik to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 2.5-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District to allow for the creation of a non-farm residential lot on this site

Second by William Muche Vote 5-0 Motion carried.

12. PUBLIC HEARING

Deven Fink, agent for David Kindschuh – Petition to rezone approximately 0.45-acres of land from the A-1 Prime Agricultural Zoning District to the R-1 Single Family Residential Zoning District under the Land Use Code, Dodge County, Wisconsin to allow for the transfer of land to an adjoining landowner located within a platted subdivision at this location. The property is located in part of the SE ¼ of the SW ¼, Section 6, Town of Lomira, the site address of the adjacent property being N11787 Lettau Drive.

Motion by William Muche to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 0.45-acres of land from the A-1 Prime Agricultural Zoning District to the R-1 Single Family Residential Zoning District to allow for the transfer of land to an adjoining landowner located within a platted subdivision at this location.

Second by Larry Schraufnagel Vote 5-0 Motion carried.

13. MINOR LAND DIVISION REQUEST

Deven Fink, agent for David Kindschuh – Request to allow the transfer of approximately 1-acre of land from an adjacent land owner to a land owner that is located within a platted

residential subdivision. The property is located in part of the SE ¼ of the SW ¼, Section 6, Town of Lomira, the site address of the adjacent property being N11787 Lettau Drive.

Motion by Larry Schraufnagel to allow the transfer of approximately 1-acre of land from an adjacent land owner to a land owner that is located within a platted residential subdivision subject to the following conditions:

1. A 1-lot certified survey map is submitted and approved for the proposed lot;
2. The following statement shall appear on the approved certified survey map: "This lot shall not be further divided for the purpose of residential use."
3. The rezoning petition for this lot shall be approved by the County Board of Supervisors prior to the approval of the Certified Survey Map.
4. The following highway/road setback line shall be shown on the certified survey map;
5. Town Road: 75 feet from the centerline or 42 feet from the road right-of-way, whichever distance is greater;
6. The lots shall be monumented in accord with s. 236.15(1) Wisconsin Statutes;
7. The Certified Survey Map shall contain owner's and mortgagees' certificates in accord with s. 236.21(2)(a) Wis. Stats.
8. The following statement shall be shown on the certified survey map: "The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.1, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations";
9. The site address (if one is already assigned to the lot) shall be shown on the certified survey map;

Waivers:

- Soil tests for both lots;
- Surveying of the remnant lands.

Second by William Muche Vote 5-0 Motion carried.

14. TOWN REZONING REQUEST

Daniel and Lori Schey – Part of the NE ¼ of the SEW ¼, Section 26, Town of Portland, the site address being W10445 Hubbleton Road, Dodge County, Wisconsin. Petition to rezone approximately 0.5-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board to the Dodge County Board of Supervisors for approval.

Motion by Jeff Schmitt to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 0.5-acres of land under the Town of Portland Zoning Ordinance, from the A-1 Farmland Preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Portland Town Board.

Second by William Muche Vote 5-0 Motion carried.

PARK SYSTEM BUSINESS

15. Online reservation system update.

Bill Ehlenbeck provided the Committee with an update on the new online reservation system for the parks. The reservation system will allow customers to book reservations online at any time. Reservations in the office or by phone will still be available. The go-live date for the new reservation system is tentatively planned for Wednesday, June 27, 2018, but could be pushed back 2 weeks because of July 4th and some final system adjustments.

16. Agreement for Ledge Ranger Station rental

Bill Ehlenbeck indicated that the current attendant has requested to rent the living quarters of the Ranger station at Ledge Park. The committee directed staff to proceed with developing a lease/rental agreement to allow the attendant to rent the living quarters.

17. Gold Star Trail update

Bill provided the Committee with an update on the Gold Star Trail construction. Most of the trail has been roughed in and graveled with work on the rip rap hillside starting. The main trail work should be completed by the end of July or August with asphalt paving planned for late September. Staff have been alerted to some drainage issues and observed some retaining wall alignments that need to be adjusted. Bill will be meeting with the State DOT on Tuesday to review their drainage concerns and working with engineer and contractor to make necessary corrections. Trail completion and opening is expected by fall with the grand opening/dedication being planned for June 1, 2019, to coincide with National Trails Day.

No Committee Member Reports

No additional per diems.

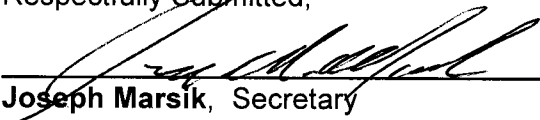
FUTURE MEETING SCHEDULE

1. Monday, July 2, 2018 – 7:00 p.m. • Rooms 1H/11 • 1st Floor, Administration Building • Juneau, WI – Public Hearings
2. Monday, July 16, 2018 – 7:00 p.m. • Rooms 1H/11 • 1st Floor, Administration Building • Juneau, WI – Public Hearings

Motion by order of the chairman to adjourn the meeting.

Meeting adjourned at 8:55 PM

Respectfully Submitted,



Joseph Marsik, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.