

# MINUTES

## PLANNING AND DEVELOPMENT MINUTES

**August 13, 2014**

Members present: Ken Capelle, Steve Gueths, Marlin Noffke, Gene Hoppe, and Tom Kautza

Members absent:

Others present: Tim Reed, Robert Jacobson, Dave Poffinbarger, and Dave Yurk

Location & Time: Room A & B, Shawano County Courthouse at 8:30 AM

Chairman Capelle opened the public hearing at 8:30 AM

**CU-13-14:** Patrick Trinko appeared to request a shoreland conditional use permit for filling and grading activities on slopes in excess of 20% within 300' of the ordinary high water mark of the Wolf River located in Section 13 of the Town of Wescott. Mr. Trinko explained his project involves the construction of a new single-family dwelling with a cutout of the bank for access to the waterfront. Mr. Trinko explained the cutout to the waterfront will be 10' wider than what is permissible so a special cutting plan is also a consideration for the Committee to approve. He stated discussions he has had with the WI DNR were they wanted the side slopes to be replanted instead of using riprap by installing rain gardens and terracing. A site development plan was made available for review. Questions from the Committee were answered. Robert Jacobson reported the Town has no objections to this request. No other correspondence, either oral or written was presented at the public hearing.

**CU-14-14:** Donald Fehrman appeared to request a conditional use permit to establish an agricultural related use on his property located in Section 23 of the Town of Seneca. Mr. Fehrman stated a seasonal green house and garden center is proposed where he would sell perennials, annuals, garden transplants, hanging baskets and mulch products. Questions from the Committee were answered. Robert Jacobson reported the Town Plan Commission and Town Board have made recommendation of approval. No other correspondence, either oral or written was presented at the public hearing.

**Amendment's to the County Land Division Ordinance:** County Surveyor, Dave Yurk, discussed and reviewed the proposed amendments with the Committee. Mr. Yurk stated the amendments will make the ordinance more compliant with the State Surveying Statutes by making the ordinance less restrictive. Mr. Yurk mentioned several items within the proposed ordinance are above state minimums and explained the need why these are being proposed. Mr. Yurk answered questions from the Committee. Wayne Reuter from Nordin Surveying asked a question about the exemption section of the ordinance. No other correspondence, either oral or written was presented at the public hearing.

Chairman Capelle closed the public hearing at 9:01 AM.

- 1) Chairman Capelle called the meeting to order at 9:02 AM
- 2) Motion by Marlin Noffke, second by Steve Gueths to deviate from order of items listed on agenda if deemed necessary. Motion carried.
- 3) Public comments: None.
- 4) Committee reviewed minutes from the June 26, 2014 and July 2, 2014 Planning, Development, and Zoning Committee meetings. Motion by Gene Hoppe, second by Tom Kautza to approve the minutes as submitted. Motion carried.
- 5) Public hearing request: Committee reviewed, discussed and took action as follows.

\*CU-13-14: Motion by Gene Hoppe, second by Ken Capelle to recommend approval with conditions. Vote: 5 Yes 0 No. Motion carried.

Conditions for CU-13-14

- 1) Development shall occur in compliance with the site development plan presented at the public hearing prepared by Nordin Group Inc.
- 2) Before construction begins a land use permit must be obtained from the County Zoning Office.
- 3) As a condition of approving the alternative plan for the walking path and view corridor to the shoreline no other view corridor or walking path is allowed to be constructed on this property.
- 4) The maximum width of access to the waterfront and view corridor is 60' based on existing slope and recommendation of DNR to replant area through rain gardens and terracing instead of using riprap on the side slopes.

\*CU-14-14: Motion by Tom Kautza, second by Steve Gueths to recommend approval with conditions. Vote: 5 Yes 0 No. Motion carried.

Conditions for CU-14-14

- 1) Prior to the establishment of this use the required sellers permit and tax certificates must be procured from the State of Wisconsin Department of revenue. This information can be found at [www.revenue.wi.gov](http://www.revenue.wi.gov).
- 2) During the operation of this use a Porta Potty must be provided for customer use. A one-time permit must be procured from the County Zoning Department.
- 3) Prior to erection of the green house and any other structural development associated with this use a Land Use Permit(s) must be procured.
- 4) Any signage must comply with County Zoning and State of Wisconsin DOT regulations including required permits prior to erection of any signs.
- 5) Driveway access permit application is required by the WI DOT. Owner must confer with the DOT from Rhinelander for permit requirements. Contact phone number is 715.365.3490.

\*Amendments to the County Land Division Ordinance: Motion by Steve Gueths, second by Tom Kautza to recommend approval and forward to the County Board on August 27, 2014. Vote: 5 Yes 0 No. Motion carried.

- 6) Request from Register of Deeds Office to purchase software/hardware from TriMin for the ongoing Social Security Redaction project: Robert Jacobson reported Amy Dillenburg, Register of Deeds, is unavailable for this meeting and has asked this request be postponed until the September 3, 2014 Committee agenda.
- 7) Discuss and take possible action on entering into a contract with Mapping Specialists to prepare a county wide road map: Dave Poffinbarger presented a final contract for this work for Committee review. Questions from the Committee were answered. Mr. Poffinbarger stated the final contract cost is \$7,100 for 5,000 maps. Mr. Poffinbarger also provided an addendum to the contract stating the product is the property of Shawano County and is not available for reprint without our permission. Mr. Poffinbarger provided signatures of the vendor agreeing to this. Motion by Marlin Noffke, second by Gene Hoppe, to recommend approval of the contract not to exceed \$7,100. Vote 5 Yes, 0 No. Motion carried.
- 8) Discuss and consider a property owner complaint regarding the County Health, Junk and Environmental Hazard Ordinance: Robert Jacobson explained a property owner in the Tilleda area filed a written complaint with the Town of Seneca on October 4, 2013 and did not feel the Town took the appropriate action regarding his complaint. He has now filed a written complaint with the County. The complainant, Jerry Bechard, spoke to the Committee and explained his concerns. He answered questions from the Committee. Consensus of the Committee is to have the Zoning Department visit the site and make a list of materials and file a report, for Committee consideration, on how what is found on the property violates ordinance standards. Said report to be submitted for Committee Consideration at their September 3, 2014 meeting agenda.

**Addendum to the Agenda:**

- 11) *Update, discuss and take possible action on evaluation process of employees in general: Tom Madsen explained where the county is in this process. He stated the consultant for the wage study has agreed to assist the county in developing the forms and suggested evaluations not be done until the wage study is completed. Discussion was had as to why waiting is necessary and that an evaluation can be done whenever the Committee deems it appropriate per the Employee Handbook/Manuel. Motion by Tom Kautza, second by Marlin Noffke to place a closed session item on the September 3, 2014 agenda for Tim Reeds evaluation. Vote: 4 Yes 1 No (Hoppe). Tom Madsen is to provide the Committee with two variations of evaluation forms for Committee consideration.*
- 12) *Motion by Tom Kautza, second by Marlin Noffke to enter into closed session pursuant to Section 19.85 (1) ( c ), Wi. Stats., to analyze personnel matters concerning an employee or worker over which the County has Jurisdiction and/or exercises responsibility. Role Call Vote: Marlin Noffke-yes Steve Gueths-yes Tom Kautza-yes Gene Hoppe-yes Ken Capelle-yes. Motion carried. Time was 10:10 AM.*
- 13) *Motion by Tom Kautza, second by Gene Hoppe to come out of closed session and take any action deemed appropriate concerning the closed session item, if any, and to continue with the agenda. Role Call Vote: Marlin Noffke-yes Steve Gueths-yes Tom Kautza-yes Gene Hoppe-yes Ken Capelle-yes. Time was 10:37 AM.*
- 9) New business that is requested for upcoming Committee consideration: Consider approving a per diem for Ken Capelle and Steve Gueths for sitting on the interview panel for the County Planner position. To be placed on the September 3, 2014 meeting agenda.
- 10) Review of Board of Adjustment minutes, accounts payable, and any other operational issues: No comments.
- 11) Motion by Gene Hoppe, second by Steve Gueths, to adjourn the meeting at 10:55 AM. Motion carried.

Respectively submitted by,

Marlin Noffke, Secretary

Robert Jacobson, Acting

The next scheduled meeting of the Planning, Development and Zoning Committee will be held on September 3, 2014 beginning at 8:30 AM in Room A&B located at the Shawano County Courthouse.