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Zoning and Conservation 09/09/2010

Minutes

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Sawyer County Zoning and Conservation Committee

September 9, 2010

Committee Members Present: Jim Bassett, Bruce Paulsen, Warren Johnson, Fred Zietlow, Chuck Gunderson, Bernie Kadlec

Others Present: Hal Halwig – County Board, Walt Jaeger – County Board, Kris Mayberry – County Clerk, Dianne Ince – Sawyer County Treasurer, Dale Olson – ZAC Administrator, Tom Aartila – DNR, Dan Tyrolt – LCO Conservation, Phil Nies – Bass Lake, Len Eckerly – Hunter, Alan Reinman, Bill Cadogan – RLPOA, Jim Purdin – RLPOA, Linda Zillmer, Terrell Boettcher – SCR.

The meeting was called to order at 9:00 a.m. by Chair Bassett.

Motion by Bassett, second by Zietlow to approve the agenda with the addition of the item Price Dam Update and moving the item Round Lake Lawsuit up to the first item of business. Motion carried.

Motion by Zietlow, second by Bassett to approve the August minutes with a duplicate sentence correction. Motion carried.

Audience Recognition

Linda Zillmer would like to see cluster development discussed at an upcoming meeting and stated she would like to see more information coming to the towns regarding land divisions, zone districts, etc.

Round Lake Lawsuit

Kris Mayberry, County Clerk, gave an overview of the lawsuit and presented a handout with a map highlighting the key locations of 1) Tiger Cat Dam, 2) Placid Lake Dam, 3) Little Round Lake Dam, 4) NN Culverts and 5) Bill Boy Dam. The committee discussed the need to move forward with the process to amend/revise the 1941 order, evaluate the engineering, and control water levels in a reasonable way. A formal petition to the DNR with specific solutions included may be the best way to get results. Warren Johnson reviewed the bullet points from the November 13, 2007 County Board meeting minutes and questioned if the \$175,000 amount had been earmarked for this project. Bassett stated it would be coming from the Resource Development Fund and that it should be noted that the money is reserved for the Little Round Lake Dam project. Discussion on the length of time this issue has been ongoing and the order of proceeding. Olson stated that the issues have been on the agenda for several years, but there are other agencies that need to act in order for us to proceed. Tom Aartila, DNR, stated the middle of October should be the public hearing for the Placid Lake Diversion Canal issue. Phil Nies, Bass Lake, told the committee that the system is all 1 watershed and that residents downstream are keeping up with the issues. Bill Cadogan and Jim Purdin were present to represent the Round Lake Property Owners Association (RLPOA) and they stated they are open to finding a permanent, comprehensive, whole system solution and want to take a fresh look at the issue.

Tiger Cat Dam Failure Analysis

Olson stated the analysis is being reviewed by Bill Sturdevent at the DNR and that Corporate Council T.J. Duffy deserved credit for getting things rolling again.

Placid Lake Diversion Canal

The committee determined this issue was covered under the Round Lake Lawsuit item.

Highway E & Demon Creek Culvert Projects

The Demon Creek Culvert has been installed and the permits had been held up by the Voight Task Force which did not have jurisdiction as the projects were within Tribal boundaries. Dan Tyrolt stated permits involving the reservation are reviewed for wild rice impacts, but that the projects are not impacting wild rice in this instance. The permit has been received and the highway shop has plans in the end of September or October to complete the Highway E culvert installation in collaboration with their road work in the area.

Land Sale

Dianne Ince, County Treasurer, presented a handout of the 2010 Land Sale list. Four applications have been filed for the minimum bid amounts on parcels 16, 39, 50 & 51 that were not sold during the land sale, totaling an additional \$50,706. Motion by Johnson, second by Gunderson to approve the applications as submitted. Motion carried.

Kris Mayberry updated the committee on the 40 acre parcel that had the historic Portage Trail running through the property. The County Surveyor went out for a preliminary site visit and will go out again when the leaves are down to survey the centerline of the trail.

Olson stated the properties on the In-Rem list were visited and one more will be delayed to November 1 before the County takes it back. There are some environmental concerns on the property. Owners will have six months to pay the back taxes and take back their properties after the County took possession.

AIS Intern Update & Extension

Kristy Maki, Sawyer County Aquatic Invasive Species (AIS) Coordinator, presented a summer summary sheet detailing projects and activities the AIS program has completed. A binder with maps of lake surveys, invasive species treatment areas, year to year comparisons, and boat landings was also shown. Maki requested an extension in hours for the summer intern, Jeremy Bates, who graduated from college last spring. The grant is written with a budget item for secretary and intern salaries in one line, and there is \$11,000 remaining in that line. Maki requested the intern be allowed to keep working as there are 8 lakes left to survey and more GIS mapping work could be completed. Discussion on hours and budget. Motion by Paulsen, second by Johnson to continue the services of the summer intern up to \$10,500. Motion carried.

Town of Bass Lake Resolution – Impervious Surfaces

A letter from the Town of Bass Lake was passed out to the committee which requested the County: *codify within the Sawyer County Zoning Ordinance that publicly held parcels cannot be used for calculation purposes to meet any requirements of the ordinance (impervious surface, e.g.). The Town further requests that at a minimum, the last line of the (47) Impervious Surface definition be change to read, "Any portion of a Town road traversing a lot, publicly held parcels (parks, e.g.) or the public reserve strip in Northwoods Beach cannot be included as part of the impervious surface, for calculation purposes."* Phil Nies also requested the committee amend the second request to read: *"...included as part of the impervious surface, for calculation purposes for non-publically held properties."* Nies also stated this change could wait to be incorporated into the ordinance at the time the NR115 ordinance updates are added this winter.

Proposed Ordinance Amendments for F-1 & A-1

Olson distributed a copy of the letter that will be mailed to Towns on September 13, along with the proposed changes. Motion by Paulsen, second by Johnson to table the proposal until next month's meeting. Motion carried.

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Wolf Resolution

The committee requested and was mailed the wolf resolution example from Ashland County. This is the resolution other counties have been using and the draft was modified to reflect Sawyer County. Discussion on wolf levels, and suggestion for the DNR to take a survey of wolf sightings along with their deer survey. Motion to table the draft resolution for more information by Johnson, second by Paulsen. Motion carried. Discussion on inviting a representative to bring more information to the next committee meeting. The committee requested a copy of the draft resolution be sent to Louis Taylor, LCO, for their input and information.

NRCS

No representative present.

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LCO

Dan Tyrolt, LCO Conservation, gave updates on water quality data collection, beaver dams in the Eddy Creek complex, that they are waiting for the culverts projects to wrap up, and that the fish hatchery looks good with 6 inch walleyes in stock. Discussion on the beaver population.

DNR

Issues have been covered. Tom Aartilla stated he is the primary contact for Round Lake issues. Discussion on wolf populations & interpretation.

County Monthly Work Report

Olson provided a copy of the last month's staff calendar and a handout of the permit numbers. Permits are on track to be the same as last year. Currently there are 145 CST's, 183 SAN's, 19 Privy Permits, 236 LUP's, 9 Sign Permits, 21 Conditional Use permits, and 100 fire number applications. Olson also provided an update on: 1) Wildlife Damage, 2) Boat Landings, and 3) AIS Update. There were 3,700 overdue septic system servicing postcards sent out in the last month. This met the requirement of the Department of Commerce for the Wisconsin Fund program and funding was restored for the program. The County distributed \$45,997 in state aid to sixteen 2009 Wisconsin Fund applicants.

Price Dam Update

Olson reported the data logger has been reinstalled but the battery was dead. A new battery is on order and should be installed soon. Discussion on solar chargers, electrical service.

Monthly Vouchers

Olson noted that cell phones have not yet been received but there are no cell phone bills submitted. Staff continues to use personal cell phones until the new county plan phones are received.

Motion by Zietlow, second by Bassett to approve the monthly expenditures as presented. Motion carried.

Other Business for Discussion

The committee recommended setting the date for the Placid Lake Diversion Canal public hearing on Thursday, October 14th at 6:00 in the large courtroom in the Sawyer County Courthouse. The department will receive a draft of the public notice from Dave Kafura to publish. The DNR will give a summary of the project and take comment from the public at the hearing.

Motion by Zietlow second by Bassett to convene into closed session, pursuant to section 19.85(1)(g), Wisconsin Statutes, for the purpose of discussing Round Lake Property Owners v. Sawyer County.

Motion by Paulsen, second by Bassett to return to open session. Motion carried.

Motion by Paulsen, second by Johnson to adjourn the meeting. Motion carried.

Meeting was adjourned at 11:30 p.m.

Kelly Nechuta, Recorder

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