

NOTICE OF MEETING

SHEBOYGAN COUNTY PLANNING, RESOURCES,
AGRICULTURE AND EXTENSION COMMITTEE

September 12, 2017

4:15 P.M.

UW Extension Office
UW Sheboygan Campus
5 University Drive
Sheboygan, WI
Room 5024

AMENDED AGENDA

Call Meeting to Order

Certification of Compliance with Open Meeting Law

Approval of Minutes

- PRAE Committee - Regular Meeting – August 8, 2017

Public Input and Comments on Agenda Items/Non-Agenda Items

Correspondence

NRCS

Update

Planning & Conservation

Consideration of 2nd Quarter Variance Report

Consideration of Utilizing Non-Lapsing Account Funds for Day of Caring Project

Discussion and Possible Consideration of Repealing Section 38.30 FEEDING OF DEER of the County Code Due to Recent State Rule Changes

Consideration of Marsh Drawdown

Consideration of Resolution No. 2017-49

Discussion on Invasive Species Control

Discussion on Town of Wilson Stormwater & Erosion Control Permitting

Other Department Project and Program Management Updates

Consideration and Approval of Attendance at Other Meetings/Functions

Travel Report and Report of Meetings and Functions Attended

Review and Approve Vouchers

Adjournment

Next scheduled meetings

- September 26, 2017 at 4:15 PM (UW Extension Focus)
- October 10, 2017 at 4:15 PM (Planning & Conservation Focus)

Prepared by:
Karsen Gosh, Recording Secretary
(920) 459-1370

Approved by:
Keith Ablor, Chairperson
(920) 876-2497

NOTE: The Committee welcomes all visitors to listen & observe, but only Committee members & those invited to speak will be permitted to do so, except for the Public Hearing portion of this meeting where any interested person can speak. Person with disabilities needing assistance to attend or participate should contact the County Planning & Conservation Department at 920/459-3060 prior to the meeting so that accommodations may be arranged.

NOTE: A majority of the members of the County Board of Supervisors or any of its committees may be present at this meeting to listen, observe and participate. If a majority of any such body is present, their presence constitutes a "meeting" under the Open Meeting Law as interpreted in *State ex rel. Badke v. Greendale Village Board*, Wis. 2d 553 (1993), even though the visiting body will take no action at this meeting.

**SHEBOYGAN COUNTY PLANNING, RESOURCES,
AGRICULTURE, & EXTENSION COMMITTEE MINUTES**

Sheboygan County
UW-Extension Office
5 University Drive
Sheboygan, WI
Room 5024

August 8, 2017

Called to Order: 4:16 PM

Adjourned: 6:25 PM

MEMBERS PRESENT: Supervisor Keith Abler, Supervisor Fran Damp, Supervisor Steven Bauer, Supervisor Jim Baumgart, and FSA Member Stanley Lammers

MEMBERS ABSENT: Supervisor Libby Ogea

OTHERS PRESENT: Aaron Brault, Jessica Lardin, Alyssa Van Engen, Karsen Gosh, Ellen Schleicher, Kathryn Fabian, Barry Huibregtse, Damon Huibregtse, Jane Jensen, Julie Krueger, Larry Krueger, Peter Mayer, Pam Rauwerdink, Glen Rauwerdink, Mary Ten Haken, Glenn Ten Haken, and Linda Baalke

Chairman Abler called the meeting to order at 4:16 PM and verified the meeting notice had been posted on August 4, 2017 at 1:45 PM and that the meeting was in compliance with the Wisconsin Open Meeting Law.

The Committee reaffirmed actions taken at the July 25th PRAE Committee meeting due to loss of quorum. The first action reaffirmed: Ellen Schleicher proposed to offer gift certificates to be purchased for vital records. Supervisor Baumgart moved to approve this proposal. Supervisor Damp seconded with the amendment that this should be approved by Carl Buesing. Amended motion carried. The second action reaffirmed: Supervisor Baumgart made a motion to approve vouchers and Supervisor Bauer seconded. Motion carried unanimously.

Supervisor Bauer made a motion to approve the June 13, 2017 Planning, Resources, Agriculture and Extension committee minutes. Mr. Lammers seconded the motion. Motion carried unanimously.

UW Extension – Jane Jensen presented the proposed 2018 budget for UW Extension and answered questions from the Committee. Supervisor Bauer made a motion to approve the proposed budget and Supervisor Damp seconded the motion. Motion carried unanimously. It will now go to the Finance Committee for approval.

Register of Deeds – Ellen Schleicher presented the proposed 2018 budget for the Register of Deeds Department and answered questions from the Committee. Supervisor Baumgart made a motion to approve the proposed budget and Mr. Lammers seconded the motion. Motion carried unanimously. It will now go to the Finance Committee for approval.

Ellen Schleicher discussed the Second Quarter Variance for the Register of Deeds Department. Supervisor Damp made a motion to approve the Variance Report and Supervisor Bauer seconded the motion. Motion carried unanimously.

Public Hearing opened at 4:45 pm.

To consider an application from Barry and Judith Huibregtse for a Conditional Use Permit to allow a warehouse for storage on property that is within the Shoreland District of the Hingham Mill Pond and an Onion River tributary stream. Property located on County Road IW in the NW ¼, SW ¼, Section 31, Town of Lima, pursuant to Section 72.10(4)(n) of the *Sheboygan County Shoreland Ordinance*.

Kathryn Fabian, of the Planning & Conservation Department, gave an overview of the proposed project and staff recommendations. Attorney Peter Mayer, representing Larry and Julie Krueger, stated concerns regarding the application to the Committee and requested that the application be denied. Neighbors Pam and Glen Rauwerdink, Mary and Glen Ten Haken, and Linda Baalke expressed support of the project.

Public Hearing closed at 5:25 pm.

Supervisor Damp made a motion to approve a Conditional Use Permit to allow a warehouse for storage per the recommendations from the staff as well as an additional condition of the permit be that the existing garage/shed structure on the property be razed prior to the expiration of the Shoreland/Floodplain Permit. Mr. Lammers seconded the motion. Motion carried with Supervisor Baumgart opposing.

Supervisor Abler left the meeting at 5:37 PM.

Planning and Conservation – Mr. Brault presented the proposed 2018 budget for the Planning & Conservation Department and answered questions from the Committee. Mr. Lammers made a motion to approve the proposed budget and Supervisor Bauer seconded the motion. Motion carried with Supervisor Baumgart opposing. It will now go to the Finance Committee for approval.

Mr. Brault explained the resolution regarding the Great Lakes Restoration Initiative and answered questions from the Committee. The Committee accepted the resolution for information.

Mr. Brault gave an update on the proposed Southside Utility Corridor Project.

Mr. Brault gave a brief departmental update.

Supervisor Baumgart and Supervisor Damp gave an update on the Lake Michigan Area Land and Water Conservation Association that they attended on July 28, 2017.

Supervisor Bauer motioned to approve the vouchers and Supervisor Baumgart seconded the motion. Motion carried unanimously.

Mr. Lammers moved and Supervisor Bauer seconded to adjourn. Motion carried unanimously with adjournment at 6:25 p.m.

Next meeting (UW-Extension focus) is scheduled for Tuesday, August 22, 2017. The next meeting (Planning & Conservation and Register of Deeds focus) is scheduled for Tuesday, September 12, 2017.

PRAE Committee Minutes – August 8, 2017
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Karsen Gosh
Recording Secretary

**VARIANCE REPORT FOR DEPARTMENT -- COUNTY PLANNING & RESOURCES
FOR THE QUARTER ENDING 06/30/2017**

G/L CATEGORY	VARIANCE FROM BUDGET	EXPLANATION OF VARIANCE	POSITIVE/ NEGATIVE
Intergovernmental Revenues			
Federal Grants	2,926.85	Positive variance due to more revenue received for Brownfields grant than budgeted.	Positive
State Grants	(51,972.52)	Negative variance due to Land & Water Resource Management (LWRM) and snowmobile revenue not received yet.	Negative
Licenses & Permits			
Other Permits and Fees	20,386.98	Positive variance due to boat landing fees, household hazardous waste fees, and permit fees are more than budgeted.	Positive
Public Charges for Services			
General Government	2,284.92	Positive variance due to snowmobile admin fee revenue and higher than anticipated rural numbering sign sales.	Positive
Conservation and Development	62,996.05	Positive variance due to tree and shrub sales received in 1st quarter, budget spread over 12 months.	Positive
Interest and Other Revenue			
Rent Revenue	2,300.00	Positive variance due to rent received for Shoreland 400 trail.	Positive
Other Misc. Revenue	9,130.46	Positive variance due to unspent money for awarded project returned to Stewardship fund.	Positive
Personnel Related Expenditure			
Wages	13,930.71	Positive variance due to less wage expense and comp time than budgeted.	Positive
Benefits	2,889.97	Positive variance due to less benefit expense than budgeted for.	Positive
Operating Expenses			
Purchased Services	9,963.82	Positive variance due to less client services expense than budgeted during this quarter.	Positive

Repairs and Maintenance	(10,419.20)	Negative variance due to household hazardous waste disposal fees paid out which budget is spread out over 12 months, snowmobile expenses paid out but revenue not received yet, and more plumbing expense at the Marsh than budgeted.	Negative
General Operating	(56,536.75)	Tree sale expenses paid out, budget spread out over 12 months.	Negative
Interdepartmental Charges			
Employee Related Insurance	(14,045.75)	Negative variance due to higher health and dental insurance expense than budgeted.	Negative
Repairs & Maintenance Charges	(41,266.27)	Negative variance due to higher than budgeted highway expenses at the Marsh due to bog removal, Shoreland 400 Trail, and Amsterdam Dunes work.	Negative
Capital Outlay	32,808.00	Positive variance due to Land Information money not spent yet.	Positive
TOTAL	(45,338.14)		Negative



Sheboygan County

Planning & Conservation Department

Administration Building

508 New York Avenue

Sheboygan, WI 53081-4126

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P: (920) 459-1370

F: (920) 459-1371


E: plancon@sheboygancounty.com

Director

Aaron C. Brault

Memo

TO: PRAECom Members

FROM: Aaron Brault 

DATE: September 12, 2017

RE: Non-lapsing account use of funds

The County's annual Day of Caring event is on Thursday, September 14 this year. Our office submitted a project to construct two small boardwalks over some wet areas on the Sheboygan Marsh Disc Golf Course. We will also be installing some signage at each of the holes for wayfinding. I would like to utilize the non-lapsing campground fund account for the expenses incurred for the project. Our estimated expenses for the lumber, signage and associated supplies is \$1200 so my request is not to exceed \$1500. The current balance of the account is \$15,865.30.

Thank you for your consideration.

38.30 FEEDING OF DEER.

(a) Prohibition.

(1) No person may place or allow any device or any fruit, grain, mineral, plant, salt, vegetable, or other material to be placed outdoors on any public or private property for the purpose of attracting or feeding deer.

(2) Each property owner shall have the duty to remove any materials placed on the owner's property in violation of this Ordinance. Failure to remove such materials within twenty-four (24) hours after notice from the County shall constitute a separate violation of this Ordinance.

(3) Each property owner shall have the duty to remove any device placed on the owner's property to which deer are attracted or from which deer actually feed. Alternatively, a property owner may modify such a device or make other changes to the property that prevent deer from having access to or feeding from the device. Failure to remove such a device or to make such modifications within twenty-four (24) hours after notice from the County shall constitute a separate violation of this Ordinance.

(b) Rebuttable Presumptions.

(1) There is a rebuttable presumption that the placement of fruit, grain, mineral, plant, salt, vegetable, or other materials in an aggregate quantity of more than two (2) quarts at the height of less than five (5) feet off the ground is for the purpose of feeding deer.

(2) There is a rebuttable presumption that the placement of fruit, grain, mineral, plant, salt, vegetable, or other materials in an aggregate quantity of more than two (2) quarts in a drop feeder, automatic feeder, or similar device regardless of the height of the fruit, grain, mineral, plant, salt, vegetable, or other material is for the purpose of feeding deer.

(c) Exceptions.

(1) Naturally Growing Materials. This Ordinance does not apply to naturally growing materials, including but not limited to fruit, grain, nuts, seeds, and vegetables.

(2) Planted Materials. This Ordinance does not apply to planted materials growing in gardens, such as standing crops, or in a wildlife food plot.

(3) Stored Crops. This Ordinance does not apply to stored crops provided that the stored crop is not intentionally made available to deer.

(4) Incidental Spills. This Ordinance does not apply to spills of seed materials intended for planting or to crop materials that have been harvested if the spills are incidental to normal agricultural operations and such materials are not intentionally made available to deer.

(5) Captive Wildlife. This Ordinance does not apply to property where farm-raised deer are held in captivity subject to regulation under Wis. Stat. ch. 169.

(6) Authorized by County Board. This Ordinance does not apply to feeding that is authorized by County Board Resolution on a temporary basis for a specific public purpose.

(d) Penalty. Any person violating any provision of this Section shall forfeit not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense, together with the costs of prosecution. A separate offense shall be deemed committed on each day or part of each day during which a violation occurs or continues. Any person who defaults in the payment of a forfeiture or the costs of prosecution may be imprisoned in the County Jail until the forfeiture and costs are paid, but such imprisonment shall not exceed thirty (30) days. This Subsection does not preclude the County from taking any appropriate action to abate, prevent, or remedy a violation of any provision of this Section.



DOOR COUNTY

Resolution No. 2017-49

**IN OPPOSITION TO THE AQUILA RESOURCES, INC.
PROPOSED BACK FORTY MINE PROJECT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
MOELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted
 1st: Kohout Defeated
 2nd: Sohns
 Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel
 Reviewed by: _____, Administrator

FISCAL IMPACT: There is no fiscal impact to County of Door or its annual budget associated with the adoption of this resolution.
MEJ

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 25th day of July, 2017 by the Door County Board of Supervisors.
 Jill M. Lau
 County Clerk, Door County

1 **WHEREAS**, Aquila Resources, Inc. Back Forty Project, a proposed open
 2 pit metallic sulfide mine, would be located on the banks of the Menominee
 3 River, which empties into Lake Michigan and is one of the largest watersheds
 4 in Northern Wisconsin and Michigan's Upper Peninsula and;

6 **WHEREAS**, the Menominee River provides a unique habitat for species of
 7 special concern such as lake sturgeon and freshwater mussels, which would
 8 be negatively impacted by discharges into the water and;

10 **WHEREAS**, the potential impacts of the mine include long term leaching of
 11 acid-producing wastes into the groundwater and the river and;

13 **WHEREAS**, the hazardous wastes generated by the mine would potentially
 14 degrade water quality and present risks to human health and the environment
 15 in Wisconsin as well as Michigan and;

17 **WHEREAS**, potential economic losses including reduction in property
 18 values and loss of tourism revenue are not factored into the permitting review
 19 process and;

21 **WHEREAS**, the approval of this mine will result in the irreversible loss of
 22 significant cultural resources of the Menominee Tribe of Indians of Wisconsin,
 23 including Native American gravesites and other areas of historical significance.

25 **NOW, THEREFORE, BE IT RESOLVED**, that the Door County Board of
 26 Supervisors opposes Aquila Resources, Inc. Back Forty Mine Project and
 27 urges the Michigan Department of Environmental Quality to deny any further
 28 permitting for the project.

30 **BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to
 31 transmit a copy of this Resolution to the Governor of the State of Wisconsin,
 32 to the Department of Natural Resources Secretary Cathy Stepp, to legislators
 33 representing Door County constituents, to the Wisconsin Counties Association
 34 and all Wisconsin Counties, to the Governor of Michigan Rick Snyder, to the
 35 Michigan Department of Environmental Quality and to the Michigan
 36 Department of Natural Resources.

SUBMITTED BY: LEGISLATIVE COMMITTEE

Susan Kohout Susan Kohout, Chairman
Helen Bacon Helen Bacon
Roy Englebert Roy Englebert
David Enigl David Enigl
Steve Sohns Steve Sohns