



**CALUMET COUNTY
RESOURCE MANAGEMENT DEPARTMENT
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**CALUMET COUNTY
PLANNING, ZONING, LAND AND WATER CONSERVATION COMMITTEE
May 7, 2014 MEETING MINUTES**

THESE MINUTES HAVE BEEN APPROVED

1. Meeting Announcement and Posting

Secretary/Recording Secretary Schmelzer called the meeting to order at 9:00 a.m.

2. Welcome New Member and Roll Call

The new committee was introduced to the public in attendance. James Mayer was welcomed as the new committee member.

Committee members present: Stillman, Laughrin, Prescott, Kleckner, Hofberger, Ruhland & Mayer

County Staff present for all or a portion of the meeting: Reali, Rohloff, Mooney & Schmelzer.

3. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

4. Approved Agenda

Motion by Hofberger, seconded by Mayer to approve the agenda. Motion carried unanimously.

5. Nomination and Election of Chair, Vice-Chair and Recording Secretary

Laughrin nominated Stillman for the position of Chair; Kleckner nominated Prescott. There were no other nominations for Chair. A paper ballot was cast. By a vote of 4-3, Prescott was elected Chair.

Kleckner nominated Stillman for Vice-Chair. No other nominations were made. By consensus, Stillman was elected Vice-Chair.

Historically the committee appointed the Department Head as Recording Secretary. However, with Schmelzer's resignation, and no one appointed to fill her vacancy, Reali, County Conservationist, was appointed Recording Secretary until such as time as a new Department Head was assigned. When the new Department Head is hired, he/she will assume the position of Recording Secretary. By consensus, the committee appointed their Recording Secretary.

6. Public Participation (if Honored by Committee Chair)

Members of the public were present, but there was no public comment under the Public Participation section of the agenda.

7. Communications

Lynn Clausing from FSA was present and discussed a disaster program that FSA is running in regard to honey bee colony collapse. Clausing stated that disasters in Calumet County were minimal. Clausing also reported on a new dairy insurance program, and, that most Farm Bill programs will now run in conjunction with crop

insurance. The new Farm Bill is awaiting conclusion of a 90 day waiting period before final program rules are known. Clausung reported that staffing is still short with FSA; she has one full time staff in Chilton, one full time staff in Sheboygan and one other staff member who is part-time between Chilton and Sheboygan.

- **DATCP Report**

Reali commented that a new DATCP report has not been released.

- **Thursday Note**

Reali reported on a few aspects of the Note involving the WLWCA Poster Contest and Conservation Training. Reali also reported that he helped with the judging of the speaking contest, and that Ben Kingery (Conservation Tech) has attended the Conservation Training at DATCP.

- **Other**

Reali distributed an e-mail from Jimmy Bramblett of NRCS regarding new alternatives for EQIP Local Workgroups. Reali reported that four alternatives were being considered, most of which grouped Calumet County with Manitowoc County. Reali explained that the grouping with Manitowoc County makes the most sense due to shared resource concerns and shared NRCS staff. Prescott suggested that a letter be drafted to submit to NRCS to recommend the grouping with only Manitowoc County.

Motion by Hofberger, seconded by Ruhland to draft a letter to be signed by Chair Prescott. Motion carried unanimously.

8. Convene Meeting and Enter Public Hearing

At 9:26 a.m. the Committee entered the public hearing.

- **Petition 1: Beach; Rezone; Chapter 82 (Zoning Code); Brillion**

Rohloff read the staff memo into the record. Kenneth Beach, Woody Garrow, Bob Stanell and John School were present and offered testimony with none in objection. Wayne Maile from the Town of Brillion was also present and recommended approval of the rezone.

Motion by Stillman, and seconded by Kleckner, to recommend the rezoning of the property to County Board. Motion carried unanimously. The property was recommended for rezoning for the following reasons:

1. The Town Board supports rezoning the property.
2. The Town Board deems the rezoning to be 'fairly consistent' with their adopted land use plan.
3. The area properties are used in a Light Industrial manner.
4. The map amendment is not considered spot zoning since it meets a public need. (Note: The concept of 'spot zoning' is addressed in a publication compiled by Kevin Struck, Growth Management Educator, University of Wisconsin-Extension. Quoting from parts of the material: The Wisconsin Supreme Court has defined spot zoning as a rezoning 'whereby a single lot or area is granted privileges which are not granted or extended to other land in the vicinity, in the same district.'" Further, "Spot zoning is not necessarily illegal but must be judged on individual circumstances...According to the courts, for a rezoning to be upheld, the spot zoning should be for a public purpose and result in public benefit, not solely for the personal benefit of the property owner requesting the rezoning. One way to show that the spot zoning will result in a public benefit is that the rezoning should be consistent with the long-range planning and based on considerations that affect the whole community.")

- **Petition 2: Calumet County; Text Amendments; Chapter 10; Articles II & III (Erosion Control & Stormwater)**

Reali reported that amendments were proposed not to change the intent of the ordinance but to help with clarification of the requirements of the ordinance for easier use by the public.

There were no public comments regarding the amendments.

Motion by Ruhland, and seconded by Kleckner, to recommend to the County Board approval of the amendments. Motion carried unanimously.

- **Petition 3: Calumet County; Text Amendments; Chapter 82 (Zoning Code)**

Schmelzer reported this spring Corporation Counsel was researching an ordinance for the Sherriff's Department and discovered that the definition of "Adult Cabaret" in the Zoning Code was unconstitutional. For legal reasons the Corporation Counsel recommended the definition be changed to the language in the ordinance being considered.

There were no public comments regarding the amendments.

Motion by Hofberger, and seconded by Stillman, to recommend to the County Board approval of the amendment. Motion carried unanimously.

9. Close Public Hearing and Reconvene Regular Committee Meeting

The public hearing was closed and the regular meeting reconvened at 10:05 a.m.

10. Items for Discussion and Possible Action

a. Old Business

- **Harrison Nutrient Management**

Mark Mommaerts from the Town/Village of Harrison was present to discuss the possibility of an Intergovernmental Agreement between the Village of Harrison and Calumet County to have the county carry out Manure Storage and Runoff Ordinance enforcement in the Village of Harrison. Calumet County does not have authority to carry out the activities in the Village due to the Village being an incorporated area. Reali explained what services could be provided by the county and the benefits that could be given to the Village farmers and residents.

Mommaerts asked that Reali attend a Village of Harrison meeting to assist with explanation of a Draft Intergovernmental Agreement and the fee schedule associated with it. Kleckner requested that he be notified when Reali plans on attending and would like to attend as well.

11. Agency and Association Reports

Reali gave a brief report on some NRCS programs:

- EQIP - funding decisions have not been made yet for FY 2014.
- CSP – 10 Million acre allocation nationwide for FY 2014; down from 12 million acres the past few years.
- Future program signups for the remainder of FY 2014 include: EQIP, GLRI Phosphorus Priority (Entire Lower Fox River Watershed), EQIP GLRI General, EQIP Cover Crop, Continuous CRP.

12. Department Report

Reali summarized the Land and Water Resource Management Programs Annual Report. A discussion was had regarding the land spreading of Industrial Wastes and Septage, and the coordination of spreading these wastes on the same fields as manure.

Committee members suggested that Heidi Schmitt-Marquez and Al Ott be invited to a committee meeting to discuss the issue.

Schmelzer reported on the POWTS Program Update and the Wisconsin Fund Private Sewage Replacement Grant Program Update.

Mooney discussed and distributed "The Power of Wisconsin Tourism Economic Impact Fact Sheet" as well as a spreadsheet outlining tourism impacts by county.

13. Past Meetings/Upcoming Events (Possible Action to Approve Registration and Per Diems)

- **Spring County Conservationist Meeting; May 8 and 9**

Reali reported that he would be attending the meeting and said a discussion on the NRCS Local Workgroups would be taking place, as well as a presentation by Marathon County regarding the organization changes in their Conservation, Planning and Zoning Department.

- **LWLWCA Summer Tour; July 25**

Reali did not have the meeting details but to save the date, if interested.

- **Glacierland RC & D; May 16**

Hofberger reported that he would be attending.

- **LWLWCA Training LCC Training/Area Rep. Election; June 18**

Reali reported more details to come but to save the date, if interested.

14. Discuss Next Meeting

- **June 4, 2014**

The meeting date and time were set for June 4, 2014 at 9:00 a.m.

15. Adjourn

Motion by Laughrin, seconded by Hofberger, to adjourn. Motion carried unanimously. The meeting adjourned at 11:17 a.m.

Respectfully Submitted:

Anthony Reali, Recording Secretary