



MINUTES
NATURAL RESOURCES COMMITTEE
REGULAR MEETING
THURSDAY, AUGUST 8, 2019 – 8:30 AM
ADMINISTRATION CENTER - ROOM A-200
121 W. MAIN STREET, PORT WASHINGTON, WI 53074

Draft Minutes Pending Committee Approval

1. CALL TO ORDER

A regular meeting of the Natural Resources Committee was held in room A-200 at the Administration Center.

| Attendee Name | Title | Status | Arrived |
|-----------------|------------------------|---------|---------|
| J. Rothstein | Chairperson | Present | |
| B. Jobs | Vice-Chairperson | Present | |
| D. Gall | Supervisor District 16 | Present | |
| R. Holyoke | Supervisor District 22 | Present | |
| B. Ross | Supervisor District 19 | Present | |
| Mark Hilgendorf | FSA Representative | Absent | |

Staff present: County Administrator Dzwinel, Land & Water Management Director Holschbach, Planning & Parks Director Struck, UW Extension Director Sarkady, 4-H Program Coordinator Hintz, Land Information Coordinator Richards (8:35am) and County Clerk Winkelhorst.

2. PROPER NOTICE

Chairperson Rothstein called the meeting to order at 8:30 AM. The clerk noticed the meeting as required.

3. PUBLIC COMMENTS, CORRESPONDENCE, COMMUNICATIONS

There were none.

4. APPROVAL OF MINUTES

a. July 2, 2019

Motion to approve the July 2, 2019 minutes as submitted.

| | |
|-----------------------------|--------------------------------------|
| NATURAL RESOURCES COMMITTEE | |
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | R. Holyoke, Supervisor District 22 |
| SECONDER: | B. Ross, Supervisor District 19 |
| AYES: | Rothstein, Jobs, Gall, Holyoke, Ross |
| ABSENT: | Hilgendorf |

5. PUBLIC HEARING

a. Public Hearing

Chairperson Rothstein opened the public hearing at 8:31 AM.

Town of Cedarburg

Mr. Holschbach reviewed the request for a zoning classification change from Shoreland-

Wetland to Shoreland to recognize the results of the wetland delineation.

No one present to address the committee.

Town of Belgium

Mr. Holschbach reviewed the request for a zoning classification change from Floodplain District to Non-Floodplain to reflect the results of a fill project for new home construction.

No one present to address the committee.

8:35 AM Land Information Coordinator Richards joined the meeting.

Chairperson Rothstein closed the public hearing at 8:39 AM.

6. LAND AND WATER MANAGEMENT DEPARTMENT

a. Action Item:

1. Ordinance: Shoreland and Floodplain Zoning Map Amendment Section 15, Town of Cedarburg and Section 6, Town of Belgium

Motion to approve the resolution to amend the Shoreland and Floodplain Zoning Map to reflect the changes to Section 15, Town of Cedarburg and Section 6, Town of Belgium. The resolution will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: R. Holyoke, Supervisor District 22

SECONDER: B. Jobs, Vice-Chairperson

AYES: Rothstein, Jobs, Gall, Holyoke, Ross

7. UNIVERSITY EXTENSION OFFICE

a. Management/Financial/Informational Reports

1. Extension Ozaukee County - Written & Financial Reports

Ms. Sarkady recognized the effort of the support staff during the transition time with the 4-H Program Coordinator position, update on four county area meeting and training, and mid-year performance reviews for leadership staff.

Ms. Hintz provided an update on the different opportunities she has taken to meet the 4-H community.

8. REGISTER OF DEEDS/LAND INFORMATION

a. Action Items:

1. Southeastern Wisconsin Regional Planning Commission (SEWRPC) Contract for Historical Orthophotography

Motion to approve the contract with the Southeastern Wisconsin Regional Planning Commission to convert the historical orthophotography to the new coordinate system, NAD83, for \$4,000.

NATURAL RESOURCES COMMITTEE
RESULT: APPROVED [UNANIMOUS]
MOVER: B. Ross, Supervisor District 19
SECONDER: D. Gall, Supervisor District 16
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

b. Management/Financial/Informational Reports

1. Register of Deeds Reports

There were no questions.

9. LAND AND WATER MANAGEMENT DEPARTMENT (CONT.)

a. Action Items:

1. Ordinance: Amending Section 7.0808, 7.0809, 7.0902, 7.1206, 7.1208 and 7.1502 of Chapter 7 of the Ozaukee County Code of Ordinances pertaining to Floodplain Districts, Non-Conforming Uses and Structures, Board of Adjustment and Definitions
- At the June committee meeting, the motion for the previous ordinance for amendments to the accessory structures in the floodfringe district, approved by the committee, allowed Mr. Holschbach to make tweaks to the ordinance as long as the substance did not change. This motion based on comments that were not received prior to the June meeting from the Wisconsin Department of Natural Resources. (WDNR)

Subsequently, comments have been received from the WDNR, which required a substantial change to the ordinance. Mr. Holschbach reviewed the new ordinance with the recommended changes.

Discussion and questions on whether or not changes effect current landowners.

Motion to approve the ordinance with the amendments pertaining to Floodplain Districts, Non-Conforming Uses and Structures, Board of Adjustment and Definitions. The ordinance will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE
RESULT: APPROVED [UNANIMOUS]
MOVER: R. Holyoke, Supervisor District 22
SECONDER: B. Jobs, Vice-Chairperson
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

b. Management/Financial/Informational Reports

1. Land and Water Management Report*

Update on Inter-seeder planter program, Village of Grafton meeting regarding adaptive management program to improve water quality, Field Days with Demonstration Farm Network on September 10, Community Rivers Program tour September 13, and Great Lakes Committee tour September 27.

10. PLANNING AND PARKS DEPARTMENT

a. Action Items:

1. Appointment of an Natural Resources Committee Representative to the Ozaukee Interurban Trail Advisory Council

Motion to appoint Rob Holyoke to the Ozaukee Interurban Trail Advisory Council.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: D. Gall, Supervisor District 16

SECONDER: B. Jobs, Vice-Chairperson

AYES: Rothstein, Jobs, Gall, Holyoke, Ross

2. Contract with Milwaukee B&E Partners for a Mobile Beer Garden in the Ozaukee County Park System

Mr. Struck reviewed the request from our golf course concessionaire, Milwaukee B&E Partners, for a mobile beer garden at Virmond, Tendick and Waubedonia County Parks.

Questions on liability, security and any neighborhood concerns.

Mr. Struck did discuss with Corporation Counsel and will discuss potential liability further.

Concerns raised by constituents living in the area regarding Tendick County Park and complaints on quality of food at Hawthorne Hills.

9:47 AM Policy & Budget Analyst Wittek and Budget Manager Balke joined the meeting.

Discussion on whether or not this should be a five-year contract.

Comments of waiting until the end of season to see how Milwaukee B&E Partners perform as concessionaires at the golf courses.

Motion to approve negotiation and signing of Concessionaire contract addendum with Milwaukee B&E Partners for a mobile beer garden in the Ozaukee County Park System, specifically Virmond, Tendick and Waubedonia County Parks and possibly Covered Bridge County Park, from 2019 to 2023 with the proposed fee schedule as recommended by Department staff. This contract is contingent upon negotiation of contract terms satisfactory to the Planning and Parks Department and review by Corporation Counsel.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [3 TO 2]
MOVER: R. Holyoke, Supervisor District 22
SECONDER: B. Ross, Supervisor District 19
AYES: Rothstein, Holyoke, Ross
NAYS: Jobs, Gall

3. Bid for Construction Related Services for Lake Michigan Access at Virmond County Park

9:56 AM Recess

10:04 AM Reconvene

One bid received for this pilot project from About Nature LLC for a base bid of \$266,500. Due to the engineering and design needed to meet International Design Standards the bid was significantly higher than anticipated.

Staff feels that rebidding the project will not produce a significantly different result. Funding for some of the project has been extended several times to get through engineering, design and agency review.

The intent is to award partial contract with About Nature, LLC up to \$172,500. The construction can be done in phases due to unit pricing included for staircase section, rest area and landing platforms.

The first phase would include a platform lookout until there are funds available to finish the project to the beach. Staff will pursue additional grant funding or fundraising.

Motion to approve negotiation of a contractual services contract with About Nature, LLC, for a not to exceed sum of \$172,500, which includes a 15% contingency to cover any potential change orders, for phase I construction of an ecologically sensitive low-impact public access to Lake Michigan at Virmond County Park.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]
MOVER: R. Holyoke, Supervisor District 22
SECONDER: B. Ross, Supervisor District 19
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

4. Grant Submittal for Fund For Lake Michigan Funding for Lake Michigan Access at Virmond County Park

Motion to approve the submittal, acceptance, and implementation of a grant to the Fund for Lake Michigan grant program for ecologically sensitive Lake Michigan Public Access at Virmond County Park.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** R. Holyoke, Supervisor District 22**SECONDER:** B. Ross, Supervisor District 19**AYES:** Rothstein, Jobs, Gall, Holyoke, Ross

5. Increase of Revenue Budget Amendment for a U.S. Fish and Wildlife Service North American Wetlands Conservation Act Agreement for Prairie Restoration Activities at Tendick Nature County Park

Mr. Struck indicated that this is a pass through grant awarded to Ducks Unlimited whereas; the County is the subcontractor for the Federal financial reporting requirements.

Motion to approve the increase of revenue budget amendment for Ducks Unlimited for United States Fish and Wildlife North American Wetlands Conservation Act Grant Program for \$30,000 to support prairie and wetland restoration activities at Tendick Nature County Park in the Town of Saukville. The budget amendment will move forward to the Finance Committee for further action.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED AND FORWARDED [UNANIMOUS] Next: 8/29/2019 8:30 AM**MOVER:** B. Ross, Supervisor District 19**SECONDER:** B. Jobs, Vice-Chairperson**AYES:** Rothstein, Jobs, Gall, Holyoke, Ross

6. Resolution: Submittal and Acceptance of a Wisconsin Department of Natural Resources County Conservation Aids Grant for Prairie Restoration Activities at Tendick Nature County Park

Motion to approve the resolution for submittal and acceptance of a grant to the Wisconsin Department of Natural Resources - County Conservation Aids Program to support prairie restoration activities at Tendick Nature County Park in the Town of Saukville. The resolution will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** B. Ross, Supervisor District 19**SECONDER:** D. Gall, Supervisor District 16**AYES:** Rothstein, Jobs, Gall, Holyoke, Ross

7. Resolution: Submittal and Acceptance of a Wisconsin Department of Natural Resources Regular Urban Forestry Grant For Tree Planting, Emerald Ash Borer Management and Education/Outreach Activities in the Hawthorne Hills County Park Project Area

Supervisor Jobs disclosed to the committee that she lives in the project area and there is no financial benefit to her. There were no objections to Ms. Jobs voting.

Motion to approve the resolution for submittal and acceptance of a grant to the Wisconsin Department of Natural Resources Regular Urban Forestry Grant program for Tree Planting Activities, Emerald Ash Borer Management and Education/Outreach in the Ozaukee County Park System. The resolution will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**
MOVER: R. Holyoke, Supervisor District 22
SECONDER: B. Ross, Supervisor District 19
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

8. Grant Submittal for Fund for Lake Michigan Funding for Fish Passage Activities on Tendick Creek

Motion to approve the submittal, acceptance, and implementation of a grant to the Fund for Lake Michigan grant program to support fish passage activities on Tendick Creek in the Town of Saukville.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**
MOVER: B. Jobs, Vice-Chairperson
SECONDER: R. Holyoke, Supervisor District 22
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

9. Increase of Revenue Budget Amendment for a U.S. Fish and Wildlife Service Coastal Program Grant to Support Stormwater Management, Fish and Wildlife Enhancement, and Wetland Habitat Restoration Activities adjacent to the Little Menomonee River

Motion to approve the increase of revenue budget amendment for the U.S. Fish and Wildlife Service Coastal Program grant for \$100,000 to support stormwater management and wetland habitat construction activities near the Little Menomonee River in the City of Mequon. This budget amendment will move forward to the Finance Committee for further action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED AND FORWARDED [4 TO 1] Next: 8/29/2019**
 8:30 AM
MOVER: B. Ross, Supervisor District 19
SECONDER: R. Holyoke, Supervisor District 22
AYES: Rothstein, Jobs, Holyoke, Ross
NAYS: Gall

10. Intergovernmental Cooperation Agreement with the Milwaukee Metropolitan Sewerage District for the Little Menomonee River Corridor Ecosystem Restoration Project

Mr. Struck explained the agreement from Milwaukee Metropolitan Sewerage District (MMSD) was drafted by county staff to clarify roles and responsibilities of the county and MMSD. The agreement was reviewed by MMSD at which time they proposed in the agreement to deed the property to the county.

Mr. Struck provided background on the County Park and Open Space Plan and clarification on comments incorrectly stated at the County Board meeting the day before.

Discussion, questions and concerns on the following: impact of decision on the City of Mequon permit approvals, separating issues of maintenance and property transfer, grant obligations and impact on staffing, adjacent property owner's concerns, MMSD's role if property transferred and future maintenance by County.

Motion to direct staff to work with Milwaukee Metropolitan Sewerage District to develop an intergovernmental agreement that established firm responsibility for maintenance during project and post project periods and to address any land transfer in another agreement before end of project period estimated to be September 2021.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [4 TO 1]

MOVER: B. Ross, Supervisor District 19

SECONDER: R. Holyoke, Supervisor District 22

AYES: Rothstein, Gall, Holyoke, Ross

NAYS: Jobs

b. Management/Financial/Informational Reports

1. Planning & Parks Reports

12:11 PM Supervisors Rothstein and Jobs excused. Supervisor Gall assumed the Chair.

Update on booth at County Fair, golf course revenue, Lake Michigan Day, tree planting and invasive species, reimbursements from FEMA disaster requests, marketing for the Interurban Trail, and 12th Annual Autumn Open on September 6.

11. NEXT MEETING DATE

Thursday, September 5, 2019

12. ADJOURNMENT

Motion made by Supervisor Ross, seconded by Supervisor Holyoke to adjourn. Motion carried. Meeting adjourned at 12:17 PM.

Julianne B. Winkelhorst, County Clerk

* FSA Representative Item