



MINUTES
NATURAL RESOURCES COMMITTEE
REGULAR MEETING
THURSDAY, SEPTEMBER 5, 2019 – 8:30 AM
ADMINISTRATION CENTER - ROOM A-200
121 W. MAIN STREET, PORT WASHINGTON, WI 53074

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, Communities Extension Educator Ward, Finance Director McMahon, Assistant Finance Director Pezanoski, DOA Intern Uselding, Policy & Budget Analyst Wittek (8:46am), Register of Deeds Voigt (8:54am), Land Information Coordinator Richards (8:54am) and County Clerk Winkelhorst.

Others present: Dan Benson, Ozaukee Press and Donald Thoma, Accurate Surveying.

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. August 8, 2019

Motion to approve the August 8, 2019 minutes as submitted.

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

5. ACTION ITEM:

- a. Appointment of a Natural Resources Committee Member to the Energy Action Commission

Motion to approve the appointment of Supervisor Rothstein as the Natural Resources Committee representative on the Energy Action Commission.

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

6. PUBLIC HEARING

- a. Public Hearing

Chairperson Rothstein opened the public hearing at 8:32 AM.

Mr. Holschbach noted that the correct size of the area to be filled is .008 acres (20 feet by 18 feet wide). The Wisconsin Department of Natural Resources has approved the culvert placement and filling of wetland.

Donald Thoma addressed the committee reviewing the request for a Zoning Classification change from Shoreland-Wetland to Shoreland to construct a driveway to provide access for new home construction for the owners, Pumpkin Farm LLC.

In response to a question if there is an impact on the Fish Passage Program, Mr. Struck noted that he would like to look at the tributary to be sure the culvert is set right. There is no impact on the approval for a Zoning Classification change. Mr. Thoma will work with Mr. Struck if there are any adjustments needed to the culvert.

Chairperson Rothstein closed the public hearing at 8:38 AM.

7. LAND AND WATER MANAGEMENT DEPARTMENT

- a. *Action Items:*

1. Ordinance: Shoreland and Floodplain Zoning Map Amendment Section 33 Town of Cedarburg

Motion to approve the resolution to amend the Shoreland and Floodplain Zoning Map to reflect the changes to Section 33, Town of Cedarburg. The ordinance will move forward to the County Board for final action.

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

2. Submittal of 2020 Wisconsin Clean Sweep Grant Application for Agricultural and Household Hazardous Waste Collection*

Motion to approve the submittal of 2020 Wisconsin Clean Sweep Grant Application.

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

b. Management/Financial/Informational Reports

1. Land & Water Management Reports*

Village of Grafton to provide \$20,000 for landowners in the Clean Farm Families Project area as incentive for installing cover crops, no-till, and nutrient management planning.

September 10 - *Conservation in Ozaukee* event

September 13 - *Know Your Watershed Bus Tour* (information distributed)

September 27, 2019 - Great Lakes Committee Fall Tour - *Fish Passage Along the Milwaukee River* (information distributed)

8:46 AM Policy & Budget Analyst Wittek joined the meeting.

8. UNIVERSITY EXTENSION OFFICE

a. Management/Financial/Informational Reports

1. Extension Ozaukee County - Written & Financial Reports

Ms. Ward reported on her participation in the yearly planning retreat of Extension's Community Vitality + Placemaking Team.

8:54 AM Register of Deeds Voigt and Land Information Coordinator Richards joined the meeting.

Ms. Sarkady reported on the area all staff meeting which will be focusing on programming across all four counties.

9. REGISTER OF DEEDS/LAND INFORMATION

a. Action Items:

1. Vendor Selection for Transitioning to ArcGIS Online

Ms. Richards sent the information to the Land Records Advisory Council for their recommendation; however, only 6 out of 30 responded. Of those responding, their support was for contracting with Symbiont. Symbiont is more expensive; however, they are local and are working with some of our local municipalities. Symbiont is Ms. Richards recommendation.

Pro West - \$8,730.93 Symbiont - \$17,100

Funds are allocated under a 2020 grant with both quotes coming in under budget.

Motion to contract with Symbiont to assist the Land Information Office with a software upgrade, installation and configuration of ArcPortal and the development of a public parcel viewer and a Shoreland Zoning application in ArcGIS Online.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: D. Gall, Supervisor District 16

SECONDER: B. Jobs, Vice-Chairperson

AYES: Rothstein, Jobs, Gall, Holyoke, Ross

b. Discussion Items:

1. GIS Update

Upcoming training opportunity in St. Paul, MN that Ms. Richards, GIS Technician Lewis and a staff member from Planning & Parks are invited to attend.

c. Management/Financial/Informational Reports

1. Register of Deeds Reports

There were no questions.

9:09 AM John Wallenkamp, Kueny Architects joined the meeting.

10. PLANNING AND PARKS DEPARTMENT

a. Action Items:

1. Resolution: Approving Intergovernmental Cooperation Agreement Between the Milwaukee Metropolitan Sewerage District and Ozaukee County for the Little Menomonee River Corridor Ecosystem Restoration Project and Ozaukee County Acceptance of Title to the Property Located at 9104 Mequon Road, Mequon, WI 53097 (Parcel ID 140201500100)

Mr. Stuck updated the committee on the productive meeting staff had with City of Mequon staff regarding concerns on the timing and use of the funding by the end of the year. Agreement reached with beginning work that does not require permitting, phasing of permitting on the wetland work, and subsequently permitting the stream work pending the Intergovernmental Cooperative Agreement (ICA).

Mr. Struck reviewed language Milwaukee Metropolitan Sewerage District (MMSD) reinserted, after the packet was sent out, in the ICA relating to the transfer of the property and the conservation easement.

Mr. Dzwinel explained that the County Board will debate the acceptance of the property on October 2. If the property is accepted, it should be as a park for park purposes as there is a conservation easement and the property was purchased with Stewardship funds that require public access to the land.

Mr. Struck explained the authority of the County under Wisconsin Statutes when property is owned as parkland, which guarantee recreational immunity, and allows ordinance enforcement of property. He further explained general differences in property defined as a park held by the county in comparison with other governmental entities and the different categories used for Ozaukee County parks.

Discussion and questions on limitations with conservation agreements; when the county was notified of the transfer and the motion from previous committee meeting; items that are not identified clearly in the resolution; duplication of language in ICA and resolution; concern on liability of ownership when the original use intended by MMSD was for water storage; Mequon's authority on the permitting and the agreement; potential legal concerns; and effective dates included in the ICA.

Questions for Corporation Counsel include:

- 1) Definition of Conservation Easement
- 2) Legal explanation of what occurs if County accepts property
- 3) A review of all grant acceptances to this point from owner perspective versus non-owner perspective

The resolution should be reworked to include:

- 1) Language to not exasperate flooding
- 2) Define vision of park and what is and is not possible legally
- 3) Long term maintenance
- 4) Simplify "whereas" language

Motion to postpone action until a special meeting of the committee on Monday, September 16 at 8:30 AM to incorporate revisions to the resolution and the ICA and to have Corporation Counsel present to address legal concerns.

NATURAL RESOURCES COMMITTEE

RESULT: POSTPONED [UNANIMOUS] Next: 9/16/2019 8:30 AM

MOVER: B. Ross, Supervisor District 19

SECONDER: D. Gall, Supervisor District 16

AYES: Rothstein, Jobs, Gall, Holyoke, Ross

2. Purchase of Two Out-Front 72" Rotary Mowers for the Golf Division

10:31 AM Recess

10:39 AM Reconvene

Motion to approve the purchase of two 72" rotary mowers for the Planning and Parks Department Golf Division from John P. Lochen Inc. for \$37,320.

NATURAL RESOURCES COMMITTEE

RESULT: ADOPTED [UNANIMOUS]

MOVER: B. Jobs, Vice-Chairperson

SECONDER: R. Holyoke, Supervisor District 22

AYES: Rothstein, Jobs, Gall, Holyoke, Ross

3. Resolution: We Energies Underground Easement for Electrical Service Replacement at Mee-Kwon County Park

Mr. Struck distributed a map showing the location of the proposed easement area. Corporation Counsel has reviewed the easement.

The County is requesting of We Energies replacement of the current electrical service plus modifications to the building. The cost, estimated at \$25,000 plus, is still being worked through. If the project does not move forward, the easement will not proceed.

Motion to approve the resolution for a We Energies underground easement at Mee Kwon County Park Golf Course for required replacement of electric service. 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: R. Holyoke, Supervisor District 22
AYES: Rothstein, Jobs, Gall, Holyoke, Ross

4. Modification to the County-Owned Lands Zoning Ordinance for the Building Setback Requirement for the Bathrooms, Picnic Shelter, and Storage Area at Covered Bridge County Park

Mr. Struck distributed a copy of the survey plat and site plan.

As outlined in the support documentation, the request is for a modification to the 10 feet Yard Requirement setback.

In response to a question on outreach to the neighborhood, Mr. Struck noted that he has reached out to the neighbor to the immediate south and the Town of Cedarburg, but they have not seen the design as of yet. There was outreach when the well and building pad were put in five years ago. Discussion on concern that the neighbors have not seen the design and the pushback that could follow.

Motion to approve setback modification request, per 5.0112 (B) of the Ozaukee County-Owned Lands Zoning Ordinance, for final design of the bathroom facility with a small open air picnic shelter, indoor bathrooms and a small storage area at Covered Bridge County Park in the Town of Cedarburg.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [4 TO 1]**
MOVER: R. Holyoke, Supervisor District 22
SECONDER: D. Gall, Supervisor District 16
AYES: Rothstein, Jobs, Gall, Holyoke
NAYS: Ross

5. Grant Submittal and Acceptance of an American Transmission Company Community Tree Planting Program Grant for Tree Planting Activities at Tendick Nature County Park

Motion to approve the submittal, acceptance and implementation of a grant to the American Transmission Company Community Tree Planting Grant Program to support tree planting activities at Tendick Nature County Park.

NATURAL RESOURCES COMMITTEE

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

6. Grant Submittal and Acceptance of an American Transmission Company Pollinator Planting Program Grant for Prairie Restoration Activities at Tendick Nature County Park

Motion to approve the submittal, acceptance and implementation of a grant to the American Transmission Company Pollinator Planting Grant Program to support prairie/savannah restoration activities at Tendick Nature County Park.

NATURAL RESOURCES COMMITTEE

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

1. Review Draft Engineering and Design Plans for the Bathrooms, Picnic Shelter, and Storage Area at Covered Bridge County Park

Mr. Wallenkamp reviewed the engineering and design plans and responded to questions regarding requirements for number of toilets, size of utility room, access to well, roof construction material and pitch, four-season design for future possibility, security cameras, and budget.

c. Management/Financial/Informational Reports

1. Planning & Parks Dept Reports

Update on revenues in parks and golf courses.

Wisconsin Department of Natural Resources training with staff on coastal processes on October 8 and 9.

A site visit from the U.S. Forest Service regarding three grants will be in October.

11. NEXT MEETING DATE

Special Meeting Monday, September 16, 2019 - 8:30 AM

TUESDAY, October 1, 2019

12. ADJOURNMENT

Motion made by Supervisor Jobs, seconded by Supervisor Ross to adjourn. Motion carried. Meeting adjourned at 11:30 AM.

Julianne B. Winkelhorst, County Clerk

* FSA Representative Item