

**GREEN LAKE COUNTY**  
**LAND USE PLANNING AND ZONING COMMITTEE**  
**Business Meeting Minutes – October 24, 2007 – 6:00 p.m.**

**CALL TO ORDER**

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 6:00 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wisconsin. The requirements of the open meeting law were certified as being met.

Present: **Sue McConnell, Gus Mueller, Howard Sell, Wallace Williams**

Absent: **Orville Biesenthal**

Also Present: **Al Shute**, County Surveyor/Land Development Director  
**Carole DeCramer**, Committee Secretary  
**Orrin Helmer**, County Board Chairman  
**Jeff Haase**, Assistant Corporation Counsel

**APPROVAL OF AGENDA**

**Motion by Williams/Mueller, unanimously carried, to approve the agenda. Motion carried.**

**APPROVAL OF MINUTES**

**Motion by Mueller/Sell, unanimously carried, to approve the minutes of September 26, 2007, and October 3, 2007. Motion carried.**

**PUBLIC APPEARANCES** – None

**PUBLIC COMMENT** – None

**CORRESPONDENCE**

**Approve 2008 Calendar**

**Motion by Williams/Mueller, unanimously carried, to approve the 2008 business meeting and public hearing calendar. Motion carried.**

**PURCHASES**

**Metal Locator**

Shute – Discussed purchasing a metal locator for use in finding lot corners, manhole covers, and figuring out setbacks. Two quotes were given: Ben Meadows - \$735, Valley Surveying Instruments - \$720. Money is available in the budget for this purchase.

**Motion by Mueller/Sell, unanimously carried, to approve the purchase of the metal locator through Valley Surveying Instruments for \$720. Motion carried.**

**CLAIMS**

Claims totaling \$1,683.51 were submitted.

**Motion by Mueller/Williams, unanimously carried, to approve the claims in the amount of \$1,683.51 for payment. Motion carried.**

**APPROVAL OF DEPARTMENT ACTIVITY REPORT – SEPTEMBER, 2007**

**Motion by Mueller/Sell, unanimously carried, to approve the September report. Motion carried.**

**DEPARTMENT/COMMITTEE ACTIVITY**

**a. Update on wind energy system standards and**

**c. Discussion/Review Article V, amend to non-building structures.**

Shute – The current Article V in the ordinance is a section that just deals with signs. The proposal is to create sections for non-building structures. Some of the non-building structures we deal with are fences, retaining walls, patios, decks, stairways, pools and spas, yard lights on poles, mechanicals (air conditioners), and driveway pillars. The committee should discuss this before scheduling it for a workshop. Within the non-building structure section is where the wind energy section 350-43.2 will go. A draft copy was given to each of the committee members. The committee requested that the proposed amendments be scheduled for December 5<sup>th</sup> for further discussion.

**b. Discuss definition ordinance**

Shute – A couple of years ago, staff proposed taking all of the definitions out of the various ordinances and creating a definition ordinance. I would like to go back and revive the definition ordinance and figure out a way to satisfy the DNR because they were the ones who objected.

**GENERAL COMMITTEE DISCUSSION**

**a. Such other matters as authorized by law**

Department Vehicle – The committee discussed the department’s 1998 Wind Star vehicle. The highway commissioner has another vehicle that he will replace in January. It has 80,000 miles and is reliable in the way of maintenance. This vehicle would fit the department’s needs. In January, the department will have budgeted \$17,500 for vehicle replacement. Rather than put more money into the Wind Star, the department would like to purchase the used highway vehicle. Staff will continue to research used vehicles.

Lake Maria Development – Williams inquired as to whether or not there was anything new with the proposed Lake Maria development. Shute responded that he had not heard anything but would give the developer a call.

Board of Adjustment Legal Counsel – Shute explained that it is becoming necessary for the board of adjustment to have their own legal counsel. Jeff Haase is the attorney for the department and can no longer represent both staff and the board. Attorney John Blazel was only retained for one specific issue. The board feels that they should have their own legal counsel at all times. Attorneys Selsing and Haase are researching what other counties are doing. The committee directed Attorney Haase to continue the research and report back to them.

Board of Adjustment Decision Updates

– Shute updated the committee on the two decisions made by the board of adjustment on October 19<sup>th</sup>. One was an appeal of the director’s decision on a structure on Horners Landing. The board upheld the director’s decision. The second request was an item that was laid over from April, 2007. The original decision was that the applicants didn’t have standing. The court said that they do. The board, on October 19<sup>th</sup>, decided that the department should not have issued the land use permit. The house has now been built without a permit. They do have the opportunity to appeal.

- The board of adjustment made two decisions at the September public hearing: 1) the board granted a 15' setback to a road right-of-way, and 2) one where they allowed for an addition to the back of the house that would not meet the 25' rear yard setback. After consulting with the Assistant Corporation Counsel, the department has decided to appeal both of these board of adjustment decisions.

**Closed Session per Wisconsin State Statute 19.85 (1)(g) Conferring with Legal Counsel regarding litigation, which the County is involved and/or is likely to become involved.**

**(Discussion of legal issues), and**

**Wisconsin State Statute 19.85(1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Annual Review for Code Enforcement Officer and GIS Specialist)**

**7:10 p.m. - Motion by Mueller/Williams, unanimously carried on roll call (4-ayes, 0-nays), to move to closed session per Wisconsin State Statute 19.85 (1)(g) Conferring with Legal Counsel regarding litigation, which the County is involved and/or is likely to become involved.**

**(Discussion of legal issues), and Wisconsin State Statute 19.85(1) (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Annual Review for Code Enforcement Officer and GIS Specialist). Motion carried.**

**Resume into open session to discuss findings of closed session.**

**7:42 p.m. - Motion by Mueller/Sell, unanimously carried on roll call (4-ayes, 0-nays), to resume into open session. Motion carried.**

**Motion by Mueller/Williams, unanimously carried on roll call (4-ayes, 0-nays), to accept the personnel evaluations of Matt Kirkman and Gerald Stanuch and to forward them to the clerk's office to be placed in their personnel files.**

**NEXT MEETINGS DATES**

November 7, 2007 – Public Hearing – 6 pm

November 28, 2007 – Business Meeting – 6 pm

**ADJOURN**

**Motion by Sell/Mueller, unanimously carried, to adjourn. Motion carried.**

Time: 7:43 p.m.

**Recorded by:**

Carole DeCramer

Committee Secretary

**APPROVED:**

11/28/07