



**Wisconsin  
County Code  
Administrators**

**WCCA Executive Board Meeting Minutes**  
Friday, August 8, 2014  
Schmeckle Reserve Visitor Center  
Stevens Point, WI

1. Call to Order at 10:00 AM  
President Miller-Lutze called the meeting to order at 10:09 am. Members present were Kay Miller-Lutze (Door County), Matthew Bremer (Adams County), Scott Godfrey (Iowa County), Kevin Grabau (St. Croix County), Dawn Schmidt (Vilas County), Bill Bosiacki (Brown County), Terry Ochs (Dodge County), Jay Kozlowski (Sawyer County), Terri Dopp-Paukstat (Waushara County) and Michelle Staff (Jefferson County). Members absent were Brian Jensen and Steve Rannenbergl. Others present were Dale Rezabek (DNR), Gary Heinrichs (DNR), Alison Volk (DATCP), Mike Koles (Wisconsin Towns Association) and Lynn Markham (CLUE).
2. Changes or additions to the agenda  
Lutze stated that as state agencies arrive their items will be moved up on the agenda.
3. Review and approval of the minutes of the June 6, 2014 Executive Board Meeting  
Motion made by Dopp-Paukstat, seconded by Ochs, to approve the June 6, 2014 minutes. Motion carried on a voice vote with no objections.
4. Treasurer's Report: Michelle Staff, Secretary/Treasurer  
Staff e-mailed out the report to the Executive Board before the meeting. She briefly explained the report. Staff paid the scholarship awarded in spring. There were no further questions. Motion by Bremer, seconded by Schmidt, to approve the Treasurer's report. Motion carried on a voice vote with no objections.
5. Committee and Project Reports
  - a) Program/Conference Report: CeCe Tesky, Coordinator and Terri Dopp-Paukstat, 1<sup>st</sup> VP  
Dopp-Paukstat passed out a draft agenda for the fall conference. There was discussion on the OHWM training and who would be available to present. She explained the agenda. Godfrey looked into the Holiday Inn-Wausau but there might be additional charges and he will look into it more closely for next spring.
  - b) Webpage/Decoder Coordinator Report: Dusty Grant, Coordinator  
Bosiacki's only comment was that he wants things to be clear and he has some problems finding items. Dopp-Paukstat likes the new site. Godfrey recommended that Bosiacki e-mail Grant any suggestions to make it easier for him to find the information.
  - c) Legislation/Education Committee Report: Terry Ochs, 2nd VP  
Staff handed out Ochs' report. There was no questions due to the fact that Ochs had to leave the meeting early.

d) NR 115 Advisory Committee Report - Tom Onofrey

Rezabek stated that revised NR115 will be published on October 1. He has a copy and noted that the new deadline is October 1, 2016 to adopt NR115. DNR is working on guidance on NR115 such as impervious surface, non-conforming, mitigation and recording standards. There was discussion on the new added language between the Board members.

Rezabek stated that the DNR had a Shoreland Management meeting and discussed all of the concerns of the Counties. He explained the new shoreland management coverage. The DNR is hiring a new Shoreland Policy Coordinator. Rezabek stated that the DNR is looking into a shared point electronic system where counties can send notice and packets to a central location. Currently, the DNR does this for waterway permits.

There was discussion on how to apply impervious surface standards to riparian owners vs non-riparian owners.

e) Outreach Committee Report - Scott Godfrey

None

f) Shoreland/Wetland Zoning Ad Hoc Committee Report - Kay Miller Lutze and Dan Bowers

Lutze stated that WWA has a new workshop training called Reading Wetland Landscape. It will involve evaluating the wetland, site assessment methods, potential impacts to the wetlands, how wetlands function and the role of the wetlands. The target audience is zoning administrators. The two first workshops are August 19<sup>th</sup> in Dane County and September 11 in Portage County. WWA has a project funding and will be setting up a committee where the WCCA will have two representatives. Kay Lutze will be one of them and it was suggested that Dan Bowers be asked also. Lutze will be e-mailing Bowers to see if he would be interested. My Wealthy Wetland publications are available for counties.

g) Other Standing Committee or Ad Hoc Committee Reports

h) Agency reports: WCA, DNR, DATCP, CLUE, WWA, etc.

Koles introduced himself to the Board, listed his educational background, his professional experience and explained his role at WTA. Koles explained that there will be a sand mind bill next session. The Town's Association is very concerned about this issue. Another issue that may come up in the legislation is a high-capacity well issue. Finally, he stated that WTA would be interested in a withdrawn county-wide zoning. Lutze stated that WCCA wanted to sit down with WTA and work on a definition of what a comprehensive revision is in the State rule. Koles wants to talk about this issue with Wisconsin Counties Association. There was discussion with Koles about the advantage of having county-wide zoning. Heinrichs informed Koles of several enforcement cases he has had where the Town issued building permits but did not tell applicants to go to the County for floodplain permits. Godfrey stressed that all of our organizations should be working together because we have the same goals and want to get the legislature to listen to us. WTA will be working on strengthening AEA's on the State level.

Heinrichs informed the Board about the new FEMA maps that are across the state. There was a discussion about LOMA's and LOMF's and how FEMA handles them. It was agreed upon that they aren't done properly on the FEMA level. Heinrichs informed the Board that DNR is currently appealing a floodplain permit. There was a discussion among the Board members about this case that the DNR is going to appeal. It was noted that the northwest corner of the state is having problems keeping zoning administrators. Heinrichs explained that the DNR "good neighbors" policy between counties and the DNR is no longer in effect. The DNR is relying on a court case from 1994 from DOT that said that the State doesn't have to comply with zoning regulations. There was discussion between the Board and Heinrichs on cases and instances where DNR has disregarded local zoning. Heinrichs said the DNR memo states that the expectation is for DNR to comply with local zoning and will allow the locals to comment on the proposed projects. Heinrichs explained the floodplain campground requirements and that the Department will be coming out with guidance on campground accessory structures. Heinrichs stated that he will be discussing the new guidance at the Fall Conference with the membership. Heinrichs stated that work maps from FEMA will be introduced in the Great Lakes Regions. Heinrichs quickly explained the velocity zones on the maps. Heinrichs noted that on projects using old outdated models, the engineer may be required to update the model to FEMA standards.

6. Old Business

None

7. New Business

None

a) Statewide lakeshore habitat restoration training – update

Pat Goggings reported that there were still spaces available for the August 27-28 training. Next year there will be two more training sessions.

b) Zoning Leadership Program – assignment of mentors, registration, etc...

Markham would like mentors assigned for the training. Lutze assigned Executive Members to act as mentors for the leadership program. This program will be taking place the morning before the conference.

c) Hegwood vs. Town of Eagle – discussion with Dale Rezabek and members.

Bosiacki commented that Brian Ohm recently e-mailed an opinion of the case and is wondering if this is the position of the DNR. Bosiacki stated that all Towns are under town zoning in Brown County and the County Shoreland Ordinance does not have any use requirements. Godfrey stated he was recently at a meeting with the Wisconsin Planners Association and met with Brian Ohm; the conclusion of the meeting was that the Wisconsin Town's Association will be introducing legislation. There was a brief discussion on the ruling and how it affects counties with only shoreland zoning. Rezabek stated that DNR legal staff is working on a position on this case and in the meantime, each county needs to work with their towns. Rezabek stated that counties should work

with their Corporation Counsels and the DNR does not have a guidance or interpretation. There was a discussion on the impact this decision has on counties.

Volk stated that DATCP forwarded a memo on how this decision would impact the Farmland Presentation Program. Volk stated that this decision will have an impact on FPP, and landowners in town zoning can only claim tax credits up until the shoreland district. There was a discussion amongst the Board on how this would impact land owners in these Towns and their ability to get a tax credit. Volk stated that the Land Conservation Department is helping landowners with how many acres are in the shoreland area. Ochs stated that their Land Conservationists are very upset that they are the middlemen to figure out the acreage and tell landowners that they can't claim tax credits in the shoreland area. There was more discussion on the impact of this case on farmland programs, and that it is not the county's responsibility to tell what the landowner should or should not claim; that was responsibility of DOR.

Koles stated that the Town's Association will be working on a legislative fix to this court case. He stated it probably will be introduced in the budget process in the spring. Koles stated that he will be talking to DOR in regards to farmland tax credit claims. Koles stated that WTA will have workshops this fall where they will be discussing this issue with the towns. He stated if there isn't a legislative fix that Town Zoning will not be in effect in the shoreland areas, they may recommendation of licenses ordinances to the Town. There was discussion between the Board and Koles on the impact to the towns. There was discussion on solutions that could be accomplished on the county level to help the towns with the zoning of shorelands and still keep the intent of the Town ordinances. This new court case only effects Counties with Town Zoning.

Markham gave Lutze a list of BOA training sessions. Markham will be at the Wisconsin Town's Association conference. Markham will be doing the Zoning workshop leadership program at Fall Conference.

8. District Reports

No district reports this meeting.

9. Adjourn

Motion by Bremer, seconded by Dopp-Paukstat, to adjourn the meeting. Motion passed on a voice vote with no objection.