

**Minutes of Land Use, Parks and Environment Committee
Tuesday, June 15, 2010**

Chair Fritz Ruf called the meeting to order at 8:26 a.m. and led the Committee in the Pledge of Allegiance.

Committee Present: Supervisors Fritz Ruf (Chair), Walter Kolb, James Jeskewitz, Michael Inda, Tom Schellinger, Ted Rolfs and Rob Hutton.

Also Present: Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Senior Planner Sandy Scherer, Senior Planner Jason Furth, Deputy Register of Deeds Chris Crouch, Programs and Projects Analyst Rob Dunn, Senior Financial Analyst Vince Masterson, SEWRPC Chief Environmental Engineer Mike Hahn, Jim Smith of the Village of Big Bend, and Bob Hultquist and Jeff Herrmann of the Town of Oconomowoc.

Approve Minutes of May 18, 2010

MOTION: Jeskewitz moved, second by Kolb, to approve the minutes of May 18, 2010.
Motion carried 7-0.

Executive Committee Report of June 14, 2010

Ruf stated the Executive Committee heard a presentation of the Department of Health and Human Services Billing and Accounts Receivable Function Audit.

Public Comment on Resolution 165-R-002

Smith spoke on behalf of the Village of Big Bend in support of proposed Resolution 165-R-002, to amend the sanitary sewer service area for the Village of Big Bend and environs. He presented an overview of the proposal as follows: In 2001, the Village began the process to determine how to address its lake water management situation and provide sewer service to the Village. A feasibility study was done in 2003 and in 2007 a wastewater facilities plan was submitted to the DNR and SEWRPC. The Village of Big Bend and SEWRPC worked jointly in the development of a new sanitary sewer service area which was completed in 2010. Several options were considered, including connecting to the City of Waukesha system; however, construction of a new wastewater treatment plant, discharging into the Fox River, proved to be the most cost effective option. The proposed sewer service area extends over the I-43 and Highway 164 intersection. The Village would like to get sewer pipes installed when road construction is done in the area. A TID would provide the financing for the construction of the interceptor sewer along Highway 164 and a treatment plant along the Fox River; the developers in the TID will pay the costs.

Ruf clarified that four or five alternatives were considered and this was the most economical option. The creation of a TID for the commercial area at the interchange means the Village residents will not incur any expenses as a result of this effort. Ruf asked for confirmation that residents had multiple opportunities to comment on this proposal. Smith stated that numerous public informational meetings and public hearings were held. Hahn gave an overview of the process and stated that written comments from surrounding municipalities and counties (including Waukesha County) and comments voiced at public hearings were documented and addressed.

Kolb asked whether there would be a set timeframe for mandatory residential hookup to the sewer system or could residents wait until their septic systems fail. Hahn stated there would not be any mandatory hook-ups.

Ruf stated an area of concern has been that the treatment plant would be built on parkland, possibly a ball diamond. Will the Village mitigate the parkland they take with additional parkland in the vicinity? Smith assured that there is sufficient land along the river for the treatment plant. The plant will take about 2 acres out of a 30-40 acre area. There have been some preliminary discussions about acquiring adjacent lands owned by Waukesha County for mitigation.

Fruth explained that although the Village has quite a bit of land, a good deal of it is floodplain and/or wetlands. Fruth had a conversation with Parks System Manager Duane Grimm, and Grimm indicated that conceptually he would be open to having a discussion with the Village if they need to relocate the ball diamond; however, this is all very preliminary and no such discussion has taken place.

Fruth and Hahn clarified that the County's approval on this resolution is only advisory. Further discussion ensued; items reviewed included annexation issues and environmental impacts.

Rolfs voiced concerns that there is no mitigation plan for the park area or the issues with Tichigan Lake and the effluent. Hahn explained that Tichigan Lake, being on a river system, has a residence time of only about 11 days so the impact is much different. The effluent limits for the plant are established by the DNR with the idea of not degrading water quality. Hahn provided additional technical information on this issue. Smith added that according to preliminary effluent limits provided by the DNR the standards for the new plant would be much more stringent, achieving only about one-third of the allowed effluent limits.

Jeskewitz raised concerns about prescription medications levels in effluent and asked if this issue was being addressed. Hahn stated that the way to address that problem is through public education and organized medication collection efforts.

Hutton asked, hypothetically, if all the alternatives were the same cost wise would SEWRPC's recommendation have been any different? Hahn said considering all of the factors involved, probably not.

Resolution 165-R-002: Amend The Sanitary Sewer Service Area For The Village Of Big Bend And Environs, Waukesha County, Wisconsin

As Smith and Hahn had presented a majority of the information, Fruth proceeded with an abbreviated version of his PowerPoint presentation. He defined and reviewed the DNR nonproliferation policy. Fruth presented an overview of the County's perspective, discussing pros and cons of the three alternatives for the proposed sewer service area for the Village of Big Bend as contained in the SEWRPC report. Fruth referred to a map showing the Village's Land Use Plan as compared to the County Development Plan. He pointed out the areas which are the focus of the proposal for clarification purposes. Fruth also noted that the Village is served by private wells and there is no intent to serve the Village with municipal water in the near future. He stated that as

residents' septic systems fail, having the ability to hook up to the municipal sewer system would be a positive thing.

Rolfs raised questions in regard to the opposition votes by two Park and Planning Commissioners. Ruf explained Supervisor Haukohl's initial concerns, but after certain points were clarified, she indicated that would probably support this resolution at the Board level. Rolfs said it still appears that shortcuts have been taken by SEWRPC and the Village in this process. He expected that more data would have been presented today to properly address the parkland mitigation and Tichigan Lake effluent questions raised at the Commission meeting, yet SEWRPC and the Village are still unprepared to present the proper data to back up the controversial issues. Hahn assured that issues were thoroughly scrutinized and considered and no shortcuts were taken. Hahn again reviewed and defended the contents and findings contained in the SEWRPC report and the attention given to the issues brought forth in an effort to address Rolf's concerns.

Schellinger agreed that it appears this project would benefit much of the County and it certainly would benefit the communities involved. Are there any other underlying issues this Committee should be aware of? Hahn said no, there are not, and referred to the project as a "slam dunk". It is an opportunity for the Village to have a sewer system paid for by the construction/development along the I-43 corridor without any tax burden on its residents.

Rolfs agreed to support this resolution at the Committee level; however, he cautioned that the current economic times might hamper the likelihood of obtaining a TID for this proposed project. Hahn clarified this project will not happen without the TID.

MOTION: Kolb moved, second by Jeskewitz, to approve Resolution 165-R-002.
Motion carried 7-0.

Ordinance 165-O-016: Approve Using Part Of New Recording Fee To Make Social Security Numbers Not Viewable Or Accessible On Previously Recorded Documents

Crouch and Dunn were present to discuss this ordinance which authorizes the Register of Deeds (ROD) to accept an additional \$5 fee on recorded documents. Wisconsin Act 314, which becomes effective June 25, 2010, changes the recording fee structure for real estate documents filed with the ROD and directs the ROD to redact social security numbers from electronically formatted records that are viewable or accessible on the internet. During the 2011 budget process, it is anticipated that a capital project request will be submitted to address the redaction of social security numbers. The capital project would be totally funded by the redaction fee. Crouch stated that the additional fee is projected to raise approximately \$220,000 for the remainder of 2010; however, the cost of redacting all viewable documents is not yet available.

Hutton voiced concern about the \$5 fee when it is unknown what the true cost of the project will be. Crouch stated there would be an RFP for the project, as there are several vendors who are able to provide this service. It is the intent to only collect the additional fee until sufficient funds are raised to complete the project.

MOTION: Jeskewitz moved, second by Kolb, to approve Ordinance 165-O-016.
Motion carried 7-0.

Public Comment on Ordinance 165-O-014

Herrmann and Hultquist were present to seek approval to use the subject property for the new Town of Oconomowoc Recycling Center and possible future Public Works buildings. Herrmann said concerns raised by neighbors on the proposed operation included increased traffic, noise, smells, backup alarms, etc. He stated a petition has been submitted to lower the speed limit from 55 mph to 45 mph south of the bypass to the City of Oconomowoc. Herrmann further explained that only yard waste recycling would be done at the site. Wood chips and compost would be available for residents use at no charge and would even be delivered for a nominal fee. He advised that the Park and Planning Commission did not vote unanimously. Commissioner Haukohl's concern was not with the recycling facility but rather that *all* of the neighbors were not notified in the beginning. He explained that by law only neighbors within 300 feet must be notified; however, additional neighbors across the street have now been notified as well. He assured that the neighbors concerns are being addressed, and a meeting is being held with neighbors at 6:00 p.m. tomorrow evening.

Hultquist clarified that no neighbors on the same side of the street have voiced concerns – only those across the highway. Additional trees will be planted to screen the neighbors from the operation. He added that the plant operates only on Mondays, Wednesdays and Saturdays during the daytime hours.

Ordinance 165-O-014: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The SW ¼ Of The NW ¼ Of Section 21, T8N, R17E, Town Of Oconomowoc, From The R-1 Residential And C-1 Conservancy Districts To The P-I Public And Institutional And C-1 Conservancy Districts (CZ-1703)

Scherer pointed out the of the subject property on an overhead map and drew attention to the locations of the neighboring properties and the old recycle center. To address Hutton's question about the noise concern, Hultquist stated the trucks only operate during normal business hours – even salt trucks are loaded during the day hours. A turnaround will be installed on the property so that trucks will not have to backup. With regard to any possibility of expanding the hours of operation, Scherer noted that any such changes to the Site Plan/Plan of Operation must be reviewed and approved again by the Town and the County. Hultquist added that the existing recycling center has been in operation for many years and the hours or days have not changed.

MOTION: Kolb moved, second by Jeskewitz, to approve Ordinance 165-O-014.
Motion carried 7-0

Ordinance 165-O-013: Amend The Text Of The Town Of Mukwonago Zoning Code To Repeal And Recreate Section 82-31 Relating To The Storage Of Mobile Homes And Recreational Vehicles (ZT-1704)

Fruth explained this is a minor change to the Mukwonago Zoning Ordinance relating to the outdoor storage of mobile homes and recreational vehicles. The existing regulation imposes a vehicle size limit of 26 feet. The proposed ordinance would allow a larger size vehicle, up to 35 feet, to be stored on a property as long as it does not become a nuisance to the neighborhood. This amendment is slightly more restrictive than the County Code, which does in specify a length restriction.

LUPE Committee
June 15, 2010

Motion: Inda moved, second Jeskewitz, to approve Ordinance 165-O-013.
Motion carried 7-0.

MOTION: Rolfs moved, second by Jeskewitz, to adjourn at 9:39 a.m.
Motion carried 7-0

Respectfully submitted,

Jim Jeskewitz,
Secretary