

Richland County

Land & Zoning Standing Committee

April 28, 2022

NOTICE OF MEETING

Please be advised that the Richland County Land & Zoning Standing Committee will convene at 3:00 p.m., Monday, **May 2, 2022** in the Richland County Board Room 181 W. Seminary Street

Agenda:

1. Call to order
2. Proof of notification
3. Agenda approval
4. Previous meeting minutes
 - A) Land Conservation April 11, 2022 *
 - B) Zoning and Land Information April 4, 2022 *
5. Public comment

Consent Items:

6. None

Consent items are procedurally necessary and routine in nature. The committee may take action to approve consent items in one motion. Any committee member may object to a consent vote and request individual items or all items removed from a consent vote.

Action Items:

7. Zoning
 - A) Angell petition
 - B) Waldsmith petition
 - C) Chrisinger petition
 - D) Land Information request to use funds from fund #23

Administrative Report:

8. Quarterly Budget reports
 - A) Fund 10.5183 Zoning
 - B) Fund 10.5189 Failing Septics Systems
 - C) Fund 23 Records Grant
 - D) Fund 48 Land Records expenditures
 - E) Fund 10.5172 Surveyor
 - F) Fund 10.5740 Land Conservation
 - G) Fund 72 Planner/Technician
9. Land Conservation Responsibilities
10. Zoning Responsibilities
11. Mill Creek Fund 75
12. Mill Creek Dam Inspections
13. Land and Water Resource Plan Update
14. Southern Area Association of Land Conservation Committees

Personnel:

15. Conservation Technician Position Update
16. GIS/Sanitation Position

Closing:

17. Election of Vice-Chair of Land & Zoning Standing Committee
18. Election of Secretary of Land & Zoning Standing Committee
19. Election of representative to Rules & Strategic Planning Standing Committee

Richland County

Land & Zoning Standing Committee

- 20. Election of Representative to Southern Area Association of Land Conservation Committees
- 21. Future agenda items
- 22. Adjournment

*Meeting materials for items marked with an asterisk may be found at
<https://administrator.co.richland.wi.us/minutes/land-zoning/>

A quorum may be present from other Committees, Boards, or Commissions. No committee, board or commission will exercise any responsibilities, authority or duties except for the Finance and Personnel Committee.

CC: Committee Members, Richland Observer, WRCO, Courthouse Bulletin Board, County Clerk, County Administrator

**Land Conservation Committee
Meeting Minutes
April 11, 2022**

The April 11th, 2022, Land Conservation meeting was called to order 3:35 p.m. by Chair Steve Williamson. Present were Steve Williamson, Melissa Luck, Shaun Murphy-Lopez, Kent Marshall and Tammy Cannoy-Bender. Bob Frank and Lee Van Landuyt were absent.

Melissa Luck moved to approve the agenda and proof of notification. Seconded by Shaun Murphy-Lopez. Motion carried.

Chair Steve Williamson asked for any corrections or amendments to the March 14th, 2022, minutes. Motion made by Melissa Luck to approve the March minutes as sent out, second made by Shaun Murphy-Lopez. Motion carried.

#4 Ash Creek Community Forest. Melissa reported that she has gone hiking there and the trail markers are great even with some having bullet holes. She noticed coming down the green trail something that appeared to be trail cams. Kent suggested possible nesting boxes. She still would like to have mini maps noting you are here. Still would like to have a trail from the city to Ash Creek. Melissa would also like to have the highway 80 parking lot taken care of. Strategic plan, we need to put capitol funds into the property.

#5 Mill Creek – A. Dam Inspection – 7 counties are working together to get a proposal for all of the dams that need to be inspected of the next five years. NRSC will be doing inspection this year. The next inspection will be in 2 in 2024, 1 in 2025 and 2 in 2026 B. Capitol 75 funds – need to meet with landowners. This fund needs to be spent by March of 2023

#6 Conservation Technician Report – Ken has left employment with Richland County. Cathy is working with Clinton for the next step. While we are in that process, DATCP engineering staff offered to help however, one will be leaving on maternity leave in May, that will leave one person to cover 12 counties, we will need to be patient. Ken left a list of projects with status all. There are 3 contracts for approval at this point. Gerald McCauley for a cattle crossing for \$6,655.00, Tom Munz well abandonment for \$877.80 and well abandonment for Paul Deckert for \$1,745.45. Motion made by Shaun Murphy-Lopez to approve all three contracts. Second made by Melissa Luck. Motion carried.

#7 Working Lands Initiative/Farmland Preservation – Kent is working on Nutrient management plans, helped a lady with her soil test to get back into the program. Tammy is working on getting more people involved with the program.

#8 County Conservationist report – Kent reported that Cathy and Clinton are working on updating job descriptions for her position and for the Planner/Technician positions.

#9 Wildlife – nothing new to report.

#10 Land & Water Plan - Cathy will be sending in the 2022 work plan. She has been working with a variety to people to get the next plan updated. She has been working with Lisa Trumble from DATCP with the current plan. Lisa stated that it looks like most things were covered. We need the update to include a statement regarding climate change. Need to also include new data regarding well study results. All of this will need to be sent on to DNR by August, then there will be a public hearing in September this will go to County Board for their approval in October and then Cathy will present the new plan to Land + Water Board in December.

#11 DNR report – nothing to report.

#12 FSA (Farm Service Agency) COVID issues again.

#13 NRCS (Natural Resource Conservation Service) – Carlton is splitting time with Viroqua and Richland Count.

14 Committee Member Reports . Shaun Murphy-Lopez said it has been a pleasure working with everyone for the last 4 years, Melissa agreed and working with direction of Steve Williamson. With the new committee structure.

#15 Future agenda items.

#16 Bills. The following bills were presented: CK Norman Development, \$946.00; Greg Cerven, \$1,089.01; Premier Co-op, \$171.69; DNR Accounts Receivable, \$3,656.33. Shaun Murphy-Lopez moved to approve the bills, seconded by Melissa Luck. Motion carried.

Next meeting was set for May 2, 2022, at 9:00 am. This meeting is part of the new committee structure.

Shaun Murphy-Lopez moved to adjourn the meeting. Seconded by Melissa Luck. Motion carried.

The committee adjourned at 4:05 p.m.

Respectfully submitted,

Tammy Cannoy-Bender

Tammy Cannoy-Bender
Secretary pro temp
Land Conservation/Parks Secretary



Richland County Zoning & Land Information

Richland County Courthouse

181 W Seminary St

Richland Center, WI 53581

Michael Bindl
Zoning Administrator/Sanitarian

Lynn Newkirk
GIS Specialist/Zoning Technician

Jackie Nix
Office System Technician

Minutes of the Richland County Zoning & Land Information Committee Monday, April 4th, 2022

Item #1 CALL TO ORDER The Zoning & Land Information Committee meeting was called to order by at 3:00 pm by Supervisor Marc Couey. Those that were present or signed up to speak were:

Supervisors: Linda Gentes, Steve Williamson, Ingrid Glasbrenner, Chad Cosgrove and Marc Couey. Mike Bindl taking minutes

Absent: none

Public: none

Item #2 APPROVE AGENDA AND PUBLICATION Mike stated it had been posted in the paper for 2 weeks and on the bulletin board at the Courthouse. Moved by Gentes to approve the agenda, 2nd by Glasbrenner. Motion carried.

Item #3 APPROVE MINUTES OF THE LAST MEETING Marc asked if there were any corrections or additions to the minutes. Hearing none Couey moved to approve the minutes from the last meeting as presented, 2nd by Williamson. Motion carried.

Item #4 TO HEAR A PETITION OF CHAPTERS ON THE HORIZON/JENNIFER CHRISINGER FOR A CONDITIONAL USE PERMIT FOR RECREATIONAL RENTAL/BRIDAL SUITE IN SECTION 17, TOWN OF FOREST Due to Covid Concerns, Mike spoke on behave of Jennifer Chrisinger. The applicant recently rezoned part of their land to commercial for the use of having weddings and Commercial entertainment. The proposal is that they are building a residence and they want the allowance to use it for a bridal suite and also an ARBnB. Town Approved. Moved by Couey to approve a, 2nd by Williamson. Motion carried

Item #7 PAY BILLS None.

Item #10 ADJOURN After today, there will be a new committee name/date/time to be determined. Moved to adjourn by Williamson, 2nd by Cosgrove. Motion carried. Meeting adjourned at 4:08 pm

Minutes respectfully submitted by Mike Bindl

Customer # 6663

Petition # RZ2022-002

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Original Owner:

(I) (We) First Name(s) Georgia Last Name Angell Phone Owner

Address 1270 Lucerne Dr, Apt 104 City Verona State WI Zip 53593

First Name(s) Sandra Last Name Buxton Phone (608) 712-7263 Buyer

Address 7310 Secret Bluff Dr City Madison State WI Zip 53719-

hereby petition the Richland County Zoning Committee for a:

☒ Rezone from Agriculture/Forestry Rezone to Agriculture/Residential☐ CUP to permit☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 52018 1412-1000

Qtr NW Qtr NE Section 14 Town 11N Range 1W Township MAR # of acres 21.00

Lot Block Subdivision # of Acres Approved 0.00

Present Use Ag Crop Land

Present Improvements None

Proposed Use Single Family Residence

Legal Description

Petition Filed 3/17/2022 Petitioner Notified Rezone Decision Ordinance #

Category Rezoning Town Notified CUP Decision CB Date

Fee Amount \$500.00 ☐ Township Approval CUP Expires CB Decision

Meeting Date 6/6/2022 Decision Date SUP Decision Amendment #

Comments

5-2-22

County Clerk Approval

(Signed) Appellant(s) or Agent(s)

Georgia L Angell



Richland County Zoning & Land Information

Richland County Courthouse

181 W Seminary St

Richland Center, WI 53581

Harriet Pedley
Zoning Administrator/Sanitarian

Lynn Newkirk
GIS Specialist/Zoning Technician

Cheryl Dull
Program Assistant

REZONING REQUEST

Date:

To: MEMBERS OF THE Marshall TOWN BOARD

Your Town Board decision is an integral part of the decision making process for the Richland County Zoning and Land Information Committee. The Committee would like your cooperation in stating your reasons or comments as to why this request should be either approved or denied. *This form, with proper signatures, shall constitute the official resolution as required by Wisconsin State Statute 59.69(5)(e)3.

REZONING APPLICATION FOR: _____

REQUEST TO REZONE: _____

REASON: _____

PUBLIC HEARING: _____

TOWN DECISION (please mark one):

☒ Approve

☐ Approve, as request is consistent with Town Ordinances and/or Comprehensive Plan, if applicable.

☐ Deny

☐ Deny, as request is consistent with Town Ordinances and/or Comprehensive Plan, if applicable.

Comments (attach additional pages if necessary)

Chairman: Jerome Durst

Supervisor: Calvin Sebrank

Supervisor: David Burt

*TOWN CLERK CERTIFICATION: I am the keeper of the records for the Town of Marshall, and I certify that this resolution is an exact copy of, or the original resolution passed by the Town Board on the date indicated.

Town Clerk: R. Hills

Date

3-17-2022

Mike Bindl

From: Lynn Newkirk
Sent: Thursday, March 17, 2022 8:59 AM
To: Mike Bindl
Cc: Jackie Nix
Subject: Georgia Angell

She came in with her daughter (Sarah) and son-in-law. They had just come from the Marshall Town meeting. She is giving 018-1143-0000 to her daughter Sarah. They are building a house on this parcel and were thinking it would need to be rezoned. I told them that I didn't think it would need to be rezoned. Another daughter (Sandra) is being gifted 018-1412-1000. This 21 acre parcel will need to be rezoned to Ag-Res.

I told her we would verify the zoning on 018 1143-0000 and verify the meeting date by email and send them an agenda. Contact Sarah for any other questions or comments.

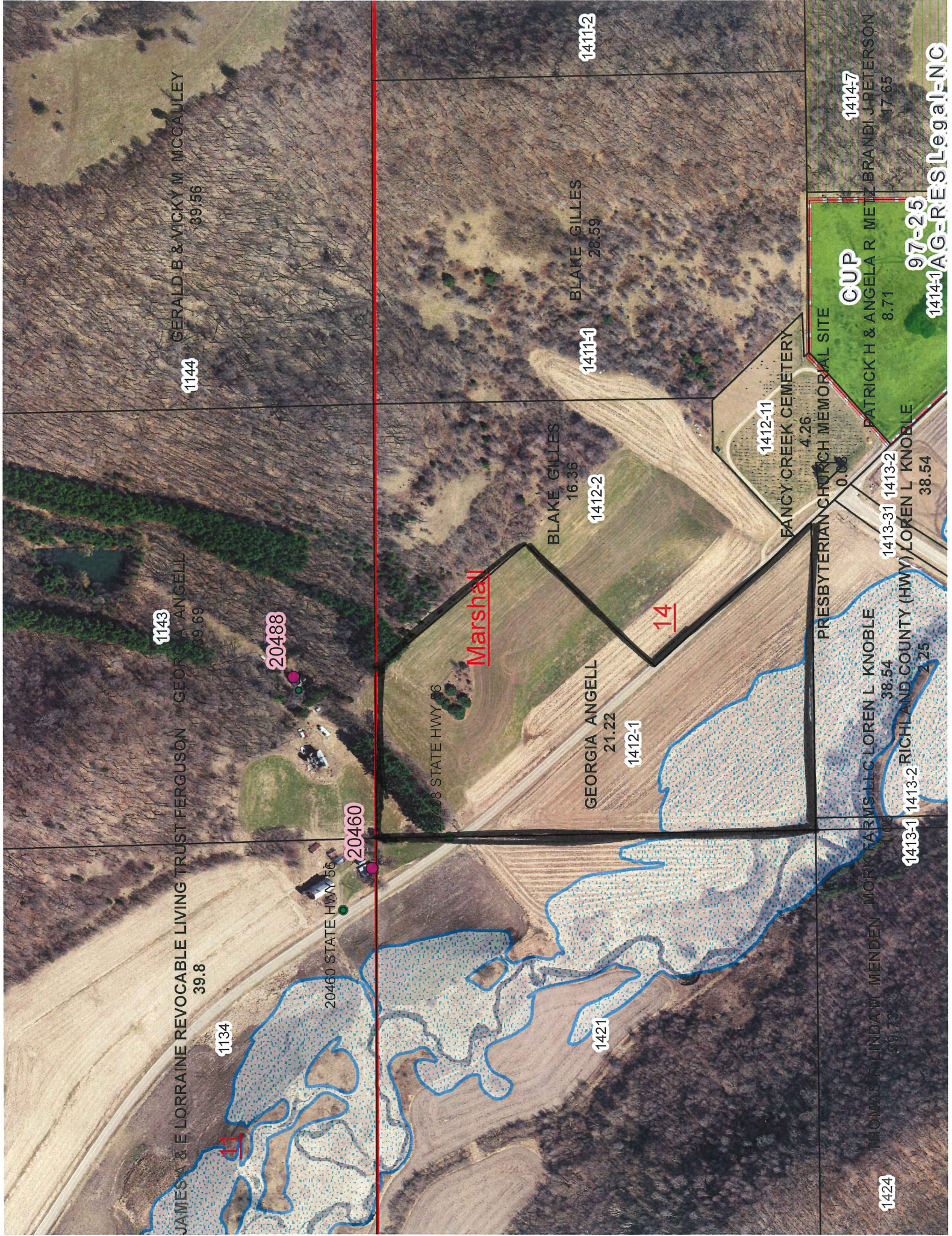
Lynn Newkirk

GIS Technician/Asst. Zoning Admin.- Sanitarian
Richland County Zoning
181 W Seminary St
Richland Center, WI 53581
608/647-2447

Visit us on the web at <http://co.richland.wi.us>

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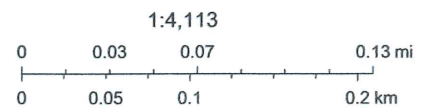


ArcGIS Web Map



3/16/2022, 7:07:20 PM

- Municipalities
- Sections
- Section Quarter Quarters
- Address Points
- Parcel Lines
- Roads
 - City Streets
 - Town Roads
 - US Hwy
 - County Highway
 - State Highway



Richland County, WI

GEORGIA ANGELL
1270 LUCERNE DR UNIT 104
VERONA WI 53593

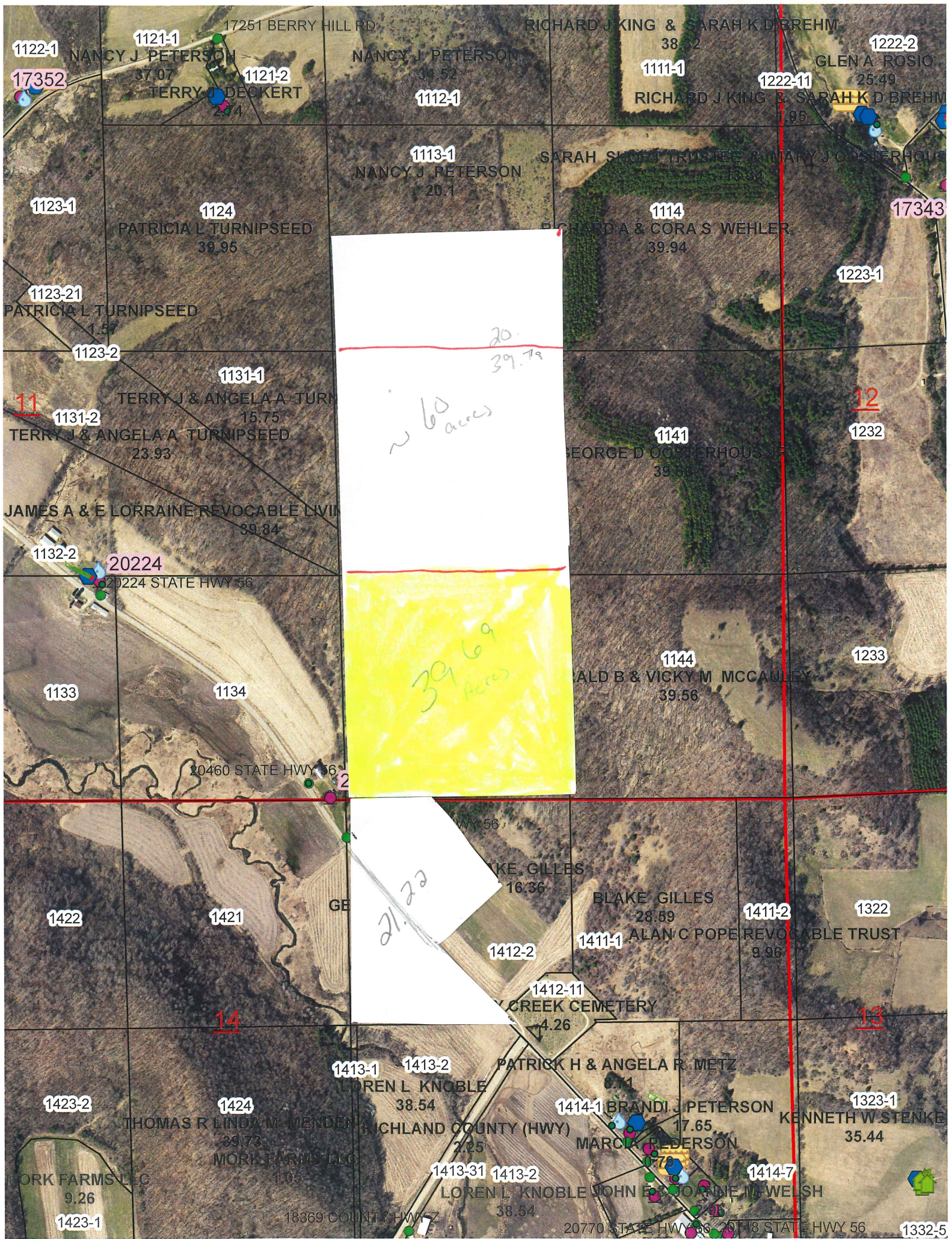
JAMES A & E LORRAINE REVOCABLE LIVING TRUST FERGUSON
20224 STATE HWY 56
RICHLAND CENTER WI 53581

THOMAS R LINDA M MENDEN
1213 EMERALD DR
HARTFORD WI 53027

LOREN L KNOBLE
20110 HIDDEN VALLEY RD
RICHLAND CENTER WI 53581

BLAKE GILLES
12002 S GATE RD
ROSCOE IL 61073

Town Marshall #5 Richard Mokee



Customer # 4835

Petition # RZ2022-003

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITIONOriginal Owner:

(I) (We) First Name(s) Francis Last Name Waldsmith Phone (608) 647-4174

Address 25852 Palmer St City Richland Center State WI Zip 53581

First Name(s) Tad Last Name McGlynn Phone (608) 647-2427

Address City State WI Zip

hereby petition the Richland County Zoning Committee for a:

☒ Rezone from Agriculture/Forestry Rezone to Residential 2☐ CUP to permit ☐ SUP to permit ☐ Other

Authorized by Section(s) II D of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 52014 3440-0100

Qtr SE Qtr SW Section 34 Town 12N Range 1E Township HRN # of acres 3.00

Lot Block Subdivision # of Acres Approved 0.00

Present Use residence and 60 acres

Present Improvements Residence

Proposed Use Split off house and 2 acres

Legal Description CSM to come by Sean Walsh

Petition Filed 3/23/2022 Petitioner Notified Rezone Decision Ordinance # Category Rezoning Town Notified CUP Decision CB Date Fee Amount \$500.00 ☐ Township Approval CUP Expires CB Decision Meeting Date 5/2/2022 Decision Date SUP Decision Amendment #

Comments Splitting parts of 014-3440-0100 and 014 3441-1000

County Clerk Approval

(Signed) Appellant(s) or Agent(s)

X [Signature]

Town of Henrietta

Meeting Minutes

March 10, 2022

Town Officers present: Verlin Coy, Jim Klang, Kenny Dvorak, Diane Brown, Rachael Aide

Town Officer(s) excused absent: None

Citizen(s) present: None

Guest(s) present: None

Chairman Coy called the meeting to order at 7:00 P.M.

Agenda read by Coy. Klang makes motion to approve agenda with no additions or corrections, Dvorak seconds, no discussion, motion carried.

Aide reads 2.10.22 meeting minutes. Dvorak makes motion to approve 2.10.22 meeting minutes with no additions or corrections, Klang seconds, no discussion, motion carried.

Brown gives March 2022 financial report. Brown reported she received \$710.00 in cash from Jerry Stenli paying for his fire bill. Klang makes motion to approve March 2022 financial report, Dvorak seconds, no discussion, motion carried.

Chairman Coy opened the meeting up for citizen comments. No citizens present for comments.

Coy presented to the board Craig and Nancy Brost request to rezone acreage located in Hub City in their absence. Klang makes motion to approve Craig and Nancy's request to rezone acreage to residential, Dvorak seconds, no discussion, motion carried.

2021 Clean-up Day is scheduled for Saturday, April 30, 2022, from 8 AM – 1 PM.



3441-2

3442-3

3442-4

3442-41

3441-1

FRANCIS P WALDSMITH
16.25

FRANCIS P WALDSMITH
1.58

STATE OF WISCONSIN (DOT)
1.64

TOWN OF HENRIETTA - PARK
14.04

3442-2

3440-201

STATE OF WISCONSIN (DOT) EDWARD W BERRY
0.03

EDWARD W BERRY & RITA THIELMANN
0.26

3440-031

EDWARD W BERRY
0.32

R-1

TOWN OF HENRIETTA - PARK
1.09

EDWARD W BERRY & RITA THIELMANN
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3440-203

3440-2011 3440-2001

EDWARD W BERRY & RITA THIELMANN
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GARRY M PERKINS
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FRANCIS P WALDSMITH
25852 PALMER ST
RICHLAND CENTER WI 53581

THADDEUS & SUSAN MCGLYNN
25840 PALMER ST
RICHLAND CENTER WI 53581

REGENTS OF THE UNIVERSITY OF WISCONSIN
1220 LINDEN DR 1860 VAN HISE HALL
MADISON WI 53706

EDWARD W BERRY
15625 STATE HWY 80
RICHLAND CENTER WI 53581

SARAH J BANKER
25822 MANDT ST
RICHLAND CENTER WI 53581

Town Henriette

Supervisor #3 - Marty Brewer

DRAFT COPY

MAR 3 1 2022

pd

RICHLAND COUNTY CERTIFIED SURVEY MAP NO.

BEING A PART OF DISCONTINUED ONEIL STREET, DISCONTINUED J. A. JOHNSON STREET AND PART OF THE DISCONTINUED UN-NAMED ALLEY IN BLOCK 2, ORIGINAL PLAT OF HUB CITY DISCONTINUED BY ORDER OF THE TOWN BOARD AND RECORDED AS DOCUMENT NUMBER 328576, AND PART OF LOTS 3, 4, 5, 6, 7 AND 8 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY, AND OTHER UNPLATTED LANDS, ALL LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN.

SURVEY PREPARED FOR:

FRANCIS P. WALDSMITH

ESTATE

SUSAN MCGLYNN, P.R.

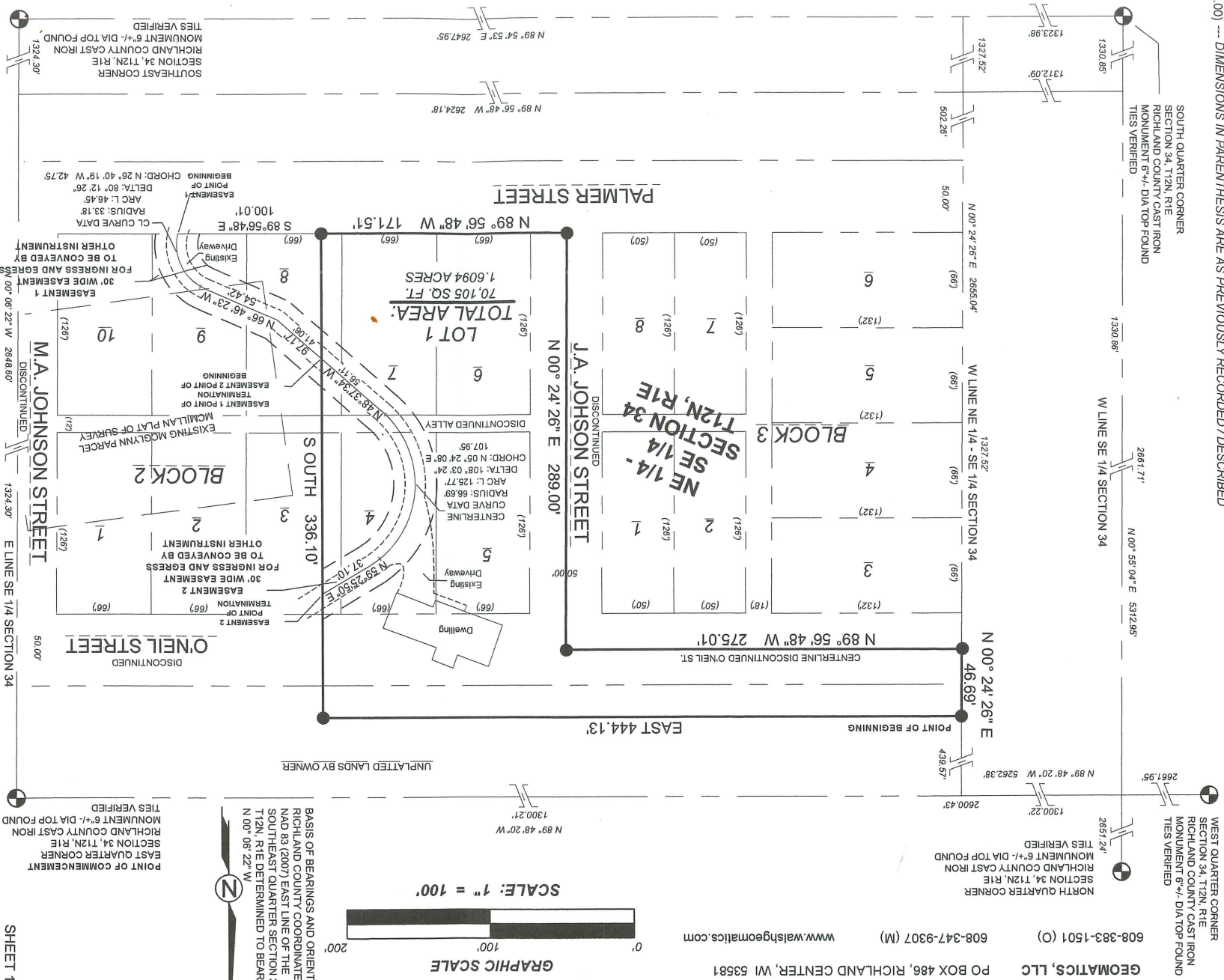
25840 PALMER STREET

HUB CITY, WI 53581

LEGEND:

- INDICATES 3/4" X 1/8" IRON REBAR, WEIGHT 1.5 LBS/FT PLACED BY THIS SURVEY (000.00) --- DIMENSIONS IN PARENTHESES ARE AS PREVIOUSLY RECORDED / DESCRIBED

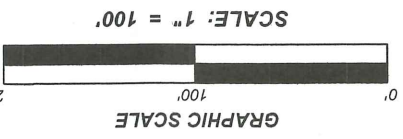
RESERVED FOR REGISTER OF DEEDS



SURVEY PREPARED BY:
SEAN M WALSH, PLS 2016

WALSH
GEOMATICS, LLC

PO BOX 486, RICHLAND CENTER, WI 53581
SURVEYING - MAPPING
www.walshgeomatics.com



BASIS OF BEARINGS AND ORIENTATION:
RICHLAND COUNTY COORDINATES
NAD 83 (2007) EAST LINE OF THE
SOUTHEAST QUARTER SECTION 34,
T12N, R1E DETERMINED TO BEAR
N 00° 06' 22" W



POINT OF COMMENCEMENT
EAST QUARTER CORNER
SECTION 34, T12N, R1E
RICHLAND COUNTY CAST IRON
MONUMENT 6" +/- DIA TOP FOUND
TIES VERIFIED

Less than 2 acres is due to will / Subdivision lbb

RICHLAND COUNTY CERTIFIED SURVEY MAP cont'd

BEING A PART OF DISCONTINUED ONEIL STREET, DISCONTINUED J. A. JOHNSON STREET AND PART OF THE DISCONTINUED UN-NAMED ALLEY IN BLOCK 2, ORIGINAL PLAT OF HUB CITY DISCONTINUED BY ORDER OF THE TOWN BOARD AND RECORDED AS DOCUMENT NUMBER 328576, AND PART OF LOTS 3, 4, 5, 6, 7 AND 8 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY AND OTHER UNPLATTED LANDS, ALL LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, SEAN M. WALSH, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY: THAT I HAVE SURVEYED, DIVIDED, MAPPED AND MONUMENTED THE LANDS SHOWN HEREON, BEING PART OF DISCONTINUED ONEIL STREET, DISCONTINUED J. A. JOHNSON STREET AND PART OF THE DISCONTINUED UN-NAMED ALLEY IN BLOCK 2, ORIGINAL PLAT OF HUB CITY DISCONTINUED BY ORDER OF THE TOWN BOARD AND RECORDED AS DOCUMENT NUMBER 328576, AND PART OF LOTS 3, 4, 5, 6, 7 AND 8 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY, AND OTHER UNPLATTED LANDS, ALL LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34;
THENCE NORTH 89°48'20" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 1300.21 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00°24'26" WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 439.57 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREINAFTER DESCRIBED;
THENCE EAST, 444.13 FEET;
THENCE SOUTH 336.10 FEET TO A POINT ON THE NORTH LINE OF PALMER STREET;
THENCE NORTH 89°56'48" WEST, ALONG THE NORTH LINE OF PALMER STREET, 171.51 FEET TO A POINT ON THE CENTERLINE OF SAID VACATED J.A. JOHNSON STREET;
THENCE NORTH 00°24'26" EAST, ALONG SAID CENTERLINE, 289.00 FEET TO A POINT ON THE CENTERLINE OF SAID VACATED ONEIL STREET;
THENCE NORTH 89°56'48" WEST, ALONG SAID CENTERLINE, 275.01 FEET TO A POINT ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 00°24'26" EAST, ALONG SAID WEST LINE, 46.69 FEET TO THE POINT OF BEGINNING.

THAT I HAVE MADE THIS SURVEY AND LAND DIVISION UNDER THE DIRECTION OF SUSAN MCGLYNN, PERSONAL REPRESENTATIVE OF THE FRANCIS P. WALDSMITH ESTATE, OWNER OF SAID LANDS;

THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION OF SAID LAND.

THAT I HAVE FULLY COMPLIED WITH CHAPTER A-ET OF THE WISCONSIN ADMINISTRATIVE CODE, CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND DIVISION ORDINANCES OF RICHLAND COUNTY AND THE TOWNSHIP OF HENRIETTA IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DESCRIPTION OF EASEMENT NUMBER 1 TO BE CONVEYED BY OTHER INSTRUMENT:

A 30 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS BEING PART OF LOTS 8 AND 9 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY, LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34;
THENCE NORTH 89°48'20" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 1300.21 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00°24'26" WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 439.57 FEET;
THENCE EAST, 444.13 FEET;
THENCE SOUTH 336.10 FEET TO A POINT ON THE NORTH LINE OF PALMER STREET;
THENCE SOUTH 89°56'48" EAST, ALONG SAID NORTH LINE, 100.01 FEET TO THE POINT OF BEGINNING OF THE EASEMENT CENTERLINE HEREINAFTER DESCRIBED, SAID POINT BEING THE POINT OF CURVATURE OF A 33.18 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST;
THENCE NORTHWESTERLY, 46.45 FEET ALONG SAID CENTERLINE AND THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 80°12'26" AND A CHORD BEARING NORTH 26°40'19" WEST, 42.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
THENCE NORTH 66°46'23" WEST, ALONG SAID CENTERLINE, 54.42 FEET;
THENCE NORTH 48°37'34" WEST, ALONG SAID CENTERLINE, 41.06 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT CENTERLINE.

DESCRIPTION OF EASEMENT NUMBER 2 TO BE CONVEYED BY OTHER INSTRUMENT:

A 30 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS BEING A PART OF DISCONTINUED ONEIL STREET AND PART OF THE DISCONTINUED UN-NAMED ALLEY IN BLOCK 2, ORIGINAL PLAT OF HUB CITY DISCONTINUED BY ORDER OF THE TOWN BOARD AND RECORDED AS DOCUMENT NUMBER 328576, AND PART OF LOTS 3, 4, 7 AND 8 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY, ALL LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 34;
THENCE NORTH 89°48'20" WEST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 1300.21 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 00°24'26" WEST, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 439.57 FEET;
THENCE EAST, 444.13 FEET;
THENCE SOUTH 336.10 FEET TO A POINT ON THE NORTH LINE OF PALMER STREET;
THENCE SOUTH 89°56'48" EAST, ALONG SAID NORTH LINE, 100.01 FEET TO A POINT OF CURVATURE OF A 33.18 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHWEST, 42.75 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
THENCE NORTH 66°46'23" WEST, 54.42 FEET;
THENCE NORTH 48°37'34" WEST, 41.06 FEET TO THE POINT OF BEGINNING OF THE EASEMENT CENTERLINE HEREINAFTER DESCRIBED;
THENCE CONTINUING NORTH 48°37'34" WEST, ALONG SAID CENTERLINE, 56.11 FEET TO THE POINT OF CURVATURE OF A 66.69 FOOT RADIUS CURVE CONCAVE TO THE EAST;
THENCE NORTHERLY, 125.77 FEET ALONG SAID CENTERLINE AND THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 108°03'24" AND A CHORD BEARING NORTH 05°24'08" EAST, 107.95 FEET TO THE POINT OF TANGENCY OF SAID CURVE;
THENCE NORTH 59°23'50" EAST, ALONG SAID CENTERLINE, 37.10 FEET TO THE POINT OF TERMINATION OF SAID EASEMENT CENTERLINE.

DRAFT COPY

RICHLAND COUNTY CERTIFIED SURVEY MAP _____ cont'd

BEING A PART OF DISCONTINUED ONEIL STREET, DISCONTINUED J. A. JOHNSON STREET AND THE DISCONTINUED UN-NAMED ALLEY IN BLOCK 2, ORIGINAL PLAT OF HUB CITY DISCONTINUED BY ORDER OF THE TOWN BOARD AND RECORDED AS DOCUMENT NUMBER 328576, AND PART OF LOTS 3, 4, 5, 6, 7 AND 8 OF BLOCK 2, OF THE ORIGINAL PLAT OF HUB CITY, AND OTHER UNPLATTED LANDS, ALL LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 12 NORTH, RANGE 1 EAST, TOWNSHIP OF HENRIETTA, RICHLAND COUNTY, WISCONSIN.

OWNERS CERTIFICATE:

AS REPRESENTATIVE OF THE FRANCIS P. WALDSMITH ESTATE, OWNER OF THE LANDS SHOWN HEREON, I, SUSAN MCGLYNN, PERSONAL REPRESENTATIVE DO HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY SECTIONS 236.10 OR 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:
RICHLAND COUNTY ZONING

SUSAN MCGLYNN, PR _____ DATE _____

NOTARY CERTIFICATE:

STATE OF WISCONSIN)

COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2022, THE ABOVE NAMED SUSAN MCGLYNN, KNOWN BY ME TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NAME _____

NOTARY PUBLIC, _____ COUNTY, WISCONSIN

MY COMMISSION EXPIRES _____

RICHLAND COUNTY APPROVAL CERTIFICATE:

RESOLVED THAT THIS CERTIFIED SURVEY MAP LOCATED IN THE TOWN OF HENRIETTA, RICHLAND COUNTY WISCONSIN, FRANCIS P. WALDSMITH ESTATE, OWNER, IS HEREBY APPROVED BY RICHLAND COUNTY.

APPROVED THIS _____ DAY OF _____, 2022

MIKE BINDL, RICHLAND COUNTY ZONING ADMINISTRATOR _____

Customer # 10010

Petition # RZ2022-004

**COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION**

Original Owner: Tyler & Jennifer Chrising

(I) (We) First Name(s) Tyler & Jennifer Last Name Chrisinger Phone Owner

Address 804 W Kickapoo St City Readstown State WI Zip 54652

First Name(s) Last Name Phone

Address City State WI Zip

hereby petition the Richland County Zoning Committee for a:

☐ Rezone from Rezone to☒ CUP to permit Recreational Rental☐ SUP to permit☐ Other

Authorized by Section(s) of the Richland County Zoning Ordinance.

Present description of the property involved in this petition is as follows: Parcel # 52012 1524-0000

Qtr Qtr NW Section 15 Town 12N Range 2W Township FOR # of acres 0.00

Lot Block Subdivision # of Acres Approved 0.00

Present Use residence/farmbuildings and cabin

Present Improvements same as above

Proposed Use have two recreational rentals for the future

Legal Description current lot

Petition Filed 4/4/2022 Petitioner Notified Rezone Decision Ordinance #

Catagory CUP Town Notified CUP Decision CB Date

Fee Amount \$500.00 ☐ Township Approval CUP Expires CB Decision

Meeting Date 5/2/2022 Decision Date SUP Decision Amendment #

Comments two residence on two 40's (same property). 13159 Welker Hollow and 12284 County Hwy MM

County Clerk Approval

(Signed) Appellant(s) or Agent(s)

Customer # 10010

Petition #

COUNTY OF RICHLAND ZONING COMMITTEE
NOTICE OF PETITION

Address 13159 Wellak Hollow City Viola State WI Zip 54644
First Name(s) Jannik Last Name Chisinger Phone 608-790 1477
Address 13159 Wellak Hollow City Viola State WI Zip 54644

☐ Rezone from _____ Rezone to _____
☐ CUP to permit _____
☐ SUP to permit _____
☐ Other _____

Parcel # 012 1524 0000
Qtr E 1/2 Qtr NW Section 15 Town 12 Range 2 W Township FOR # of acres _____
Lot _____ Block _____ Subdivision _____ # of Acres Approved _____

Present Use _____
Present Improvements ~~Permitted~~
Proposed Use Rental VRBO
Legal Description _____

Petition Filed		Petitioner Notified		Rezone Decision		Ordinance #	
Category	Rezoning	Town Notified		CUP Decision		CB Date	
Fee Amount	\$500.00	<input type="checkbox"/> Township Approval		CUP Expires		CB Decision	
Meeting Date		Decision Date		SUP Decision		Amendment #	

Comments

County Clerk Approval

(Signed) Appellant(s) or Agent(s)

MAR - 3 2022



Applicant

**TYLER CHRISINGER
JENNIFER CHRISINGER
804 W KICKAPOO ST**

Readstown WI 54652

MICHAEL D & ANGELA M ALEXANDER
13322 WELKER HOLLOW ROAD
VIOLA WI 54664 READSTOWN WI 54652

STEVEN W SVACINA
840 SUNSET LN APT 10
RICHLAND CENTER WI 53581

RAYMOND W JR WRIGHT
601 WISCONSIN AVE
TWIN LAKES WI 53181

HARMONY VALLEY HOMES LLC
12192 COUNTY HWY MM
VIOLA WI 54664

CHARLES J CONNELL
3824 N COBBLECREEK DR
APPLETON WI 54913

KIMBERLY A S FREDERICKSON
12192 COUNTY HWY MM
VIOLA WI 54664

Town Forest

Supervisor #1 Steve ~~Camp~~

Expenditure Guideline
FOR THE PERIOD(S) JAN 01, 2022 THROUGH MAR 31, 2022

	ANNUAL REVISED BUDGET	ENCUMBERED	ACT MTD POSTED AND IN PROCESS	ACT YTD POSTED AND IN PROCESS	REMAINING BALANCE	PCT
10 GENERAL FUND						
5183 ZONING						
0000 PROJECT						
5111 SALARIES - REGULAR	106,568.80	0.00	0.00	0.00	106,568.80	0
5141 PER DIEM	1,080.00	0.00	120.00	330.00	750.00	30 ---
5150 SECTION 125 PLAN-CO SHARE	50.00	0.00	12.60	37.80	12.20	75 -----
5151 FICA - COUNTY SHARE	8,152.49	0.00	9.20	25.29	8,127.20	0
5152 RETIREMENT - COUNTY SHARE	6,926.97	0.00	0.00	0.00	6,926.97	0
5153 DENTAL INSURANCE-CO SHARE	1,320.11	0.00	0.00	0.00	1,320.11	0
5154 HEALTH INSURANCE - COUNTY SH	43,673.84	0.00	0.00	0.00	43,673.84	0
5155 LIFE INSURANCE - COUNTY SHAR	75.11	0.00	0.00	0.00	75.11	0
5157 TRAINING	190.00	0.00	0.00	0.00	190.00	0
5161 HEALTH INS REIMBURSEMENT DED	4,200.00	0.00	0.00	0.00	4,200.00	0
5225 TELEPHONE	700.00	0.00	22.75	75.13	624.87	10 -
5248 SERVICES ON MACHINES	250.00	0.00	0.00	0.00	250.00	0
5305 NOTARY FEES	0.00	0.00	0.00	0.00	0.00	0
5311 POSTAGE AND ENVELOPES	2,000.00	0.00	8.55	24.13	1,975.87	1
5315 COPY PAPER AND EXPENSE	2,000.00	0.00	0.00	118.84	1,881.16	5
5319 OFFICE SUPPLIES	700.00	0.00	0.00	207.37	492.63	29 --
5326 PUBLIC NOTICES	750.00	0.00	31.20	100.80	649.20	13 -
5329 DUES	40.00	0.00	0.00	40.00	0.00	100 -----
5334 REGISTRATION	250.00	0.00	0.00	150.00	100.00	60 -----
5335 MEALS	25.00	0.00	0.00	0.00	25.00	0
5336 LODGING	164.00	0.00	0.00	0.00	164.00	0
5339 MILEAGE	3,700.00	0.00	51.00	114.24	3,585.76	3
5593 LICENSING	340.00	0.00	0.00	20.00	320.00	5
5815 COMPUTER SOFTWARE	205.00	0.00	0.00	0.00	205.00	0
5817 COUNTY ADDRESS SIGNS	1,000.00	0.00	0.00	0.00	1,000.00	0
5819 NEW EQUIPMENT	800.00	0.00	0.00	800.00-	1,600.00	100 -----
5906 UNEMPLOYMENT INSURANCE	0.00	0.00	0.00	0.00	0.00	0
5998 DEFICIENCY APPROPRIATION	0.00	0.00	0.00	0.00	0.00	0
5999 BILLS-NO-LINE DETAIL	0.00	0.00	0.00	0.00	0.00	0
TOTAL: PROJECT	185,161.32	0.00	255.30	443.60	184,717.72	0
TOTAL: ZONING	185,161.32	0.00	255.30	443.60	184,717.72	0
TOTAL: GENERAL FUND	185,161.32	0.00	255.30	443.60	184,717.72	0

Expenditure Guideline
FOR THE PERIOD(S) JAN 01, 2022 THROUGH MAR 31, 2022

		ANNUAL		ACT MTD POSTED	ACT YTD POSTED	REMAINING	
		REVISED BUDGET	ENCUMBERED	AND IN PROCESS	AND IN PROCESS	BALANCE	PCT
-----		-----	-----	-----	-----	-----	---
10	GENERAL FUND						
5189	FAILING SEPTIC SYSTEMS						
0000	PROJECT						
5999	FAILING SEPTIC SYSTEMS	30,000.00	0.00	0.00	0.00	30,000.00	0
TOTAL:	PROJECT	30,000.00	0.00	0.00	0.00	30,000.00	0
TOTAL:	FAILING SEPTIC SYSTEMS	30,000.00	0.00	0.00	0.00	30,000.00	0
TOTAL:	GENERAL FUND	30,000.00	0.00	0.00	0.00	30,000.00	0

		ANNUAL		ACT MTD POSTED	ACT YTD POSTED	REMAINING		
		REVISED BUDGET	ENCUMBERED	AND IN PROCESS	AND IN PROCESS	BALANCE	PCT	
23	LAND RECORDS GRANT							
5463	LAND INFORMATION							
0000	PROJECT							
5111	SALARIES - REGULAR	38,180.48	0.00	11,424.00	34,272.00	3,908.48	89	-----
5150	SECTION 125 PLAN-CO SHARE	0.00	0.00	10.00	30.00	30.00	- 9999	-----!!!!
5151	FICA - COUNTY SHARE	2,920.81	0.00	835.14	2,505.42	415.39	85	-----
5152	RETIREMENT - COUNTY SHARE	2,481.73	0.00	742.58	2,227.74	253.99	89	-----
5153	DENTAL INSURANCE-CO SHARE	502.89	0.00	123.09	369.27	133.62	73	-----
5154	HEALTH INSURANCE - COUNTY SH	15,881.38	0.00	3,974.18	11,922.54	3,958.84	75	-----
5155	LIFE INSURANCE - COUNTY SHAR	44.54	0.00	8.25	24.75	19.79	55	-----
5157	TRAINING & EDUCATION	1,000.00	0.00	0.00	0.00	1,000.00	0	
5161	HEALTH INS REIMBURSEMENT DED	1,800.00	0.00	0.00	0.00	1,800.00	0	
5269	CORNER SECTION COORDINATES	0.00	0.00	0.00	0.00	0.00	0	
5324	DUES & SUBSCRIPTIONS	0.00	0.00	0.00	0.00	0.00	0	
5334	REGISTRATION	0.00	0.00	0.00	0.00	0.00	0	
5335	MEALS	0.00	0.00	0.00	0.00	0.00	0	
5336	LODGING	164.00	0.00	0.00	0.00	164.00	0	
5339	MILEAGE	0.00	0.00	0.00	0.00	0.00	0	
5340	PARKING FEES	0.00	0.00	0.00	0.00	0.00	0	
5815	COMPUTER SOFTWARE	5,000.00	0.00	0.00	0.00	5,000.00	0	
5822	ORTHOPHOTOGRAPHY	0.00	0.00	0.00	0.00	0.00	0	
5939	DATABASE DEVELOPMENT	7,024.17	0.00	280.00	550.00	6,474.17	7	
5952	INTERNET	0.00	0.00	0.00	0.00	0.00	0	
5970	CONTRACT MAPPING	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	PROJECT	75,000.00	0.00	17,397.24	51,901.72	23,098.28	69	-----
2014	2014 GRANT							
5992	CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	2014 GRANT	0.00	0.00	0.00	0.00	0.00	0	
2015	2015 GRANT RES 14-142							
5992	CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	2015 GRANT RES 14-142	0.00	0.00	0.00	0.00	0.00	0	
2016	2016 GRANT RES #15-137							
5992	CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	2016 GRANT RES #15-137	0.00	0.00	0.00	0.00	0.00	0	
2017	2017 GRANT RES #16-143							
5992	CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	2017 GRANT RES #16-143	0.00	0.00	0.00	0.00	0.00	0	
2018	2018 GRANT RES #17-97							
5992	CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0	
TOTAL:	2018 GRANT RES #17-97	0.00	0.00	0.00	0.00	0.00	0	
2019	2019 GRANT RES #18-175							

	ANNUAL REVISED BUDGET	ENCUMBERED	ACT MTD POSTED AND IN PROCESS	ACT YTD POSTED AND IN PROCESS	REMAINING BALANCE	PCT
23 LAND RECORDS GRANT						
5463 LAND INFORMATION						
2019 2019 GRANT RES #18-175						
5992 CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0
TOTAL: 2019 GRANT RES #18-175	0.00	0.00	0.00	0.00	0.00	0
2020 2020 GRANT RES #19-156						
5992 CONTRACT SERVICES	0.00	0.00	0.00	0.00	0.00	0
TOTAL: 2020 GRANT RES #19-156	0.00	0.00	0.00	0.00	0.00	0
TOTAL: LAND INFORMATION	75,000.00	0.00	17,397.24	51,901.72	23,098.28	69 -----
TOTAL: LAND RECORDS GRANT	75,000.00	0.00	17,397.24	51,901.72	23,098.28	69 -----

Expenditure Guideline
 FOR THE PERIOD(S) JAN 01, 2022 THROUGH MAR 31, 2022

	ANNUAL REVISED BUDGET	ENCUMBERED	ACT MTD POSTED AND IN PROCESS	ACT YTD POSTED AND IN PROCESS	REMAINING BALANCE	PCT
-----	-----	-----	-----	-----	-----	---
48 LAND RECORDS FUND						
5480 LAND RECORDS INFORMATION						
0000 PROJECT						
5111 SALARIES - REGULAR	6,383.52	0.00	0.00	0.00	6,383.52	0
5151 FICA - COUNTY SHARE	488.34	0.00	0.00	0.00	488.34	0
5152 RETIREMENT - COUNTY SHARE	414.93	0.00	0.00	0.00	414.93	0
5153 DENTAL INSURANCE-CO SHARE	62.86	0.00	0.00	0.00	62.86	0
5154 HEALTH INSURANCE - COUNTY SH	1,831.15	0.00	0.00	0.00	1,831.15	0
5157 TRAINING	0.00	0.00	0.00	0.00	0.00	0
5225 TELEPHONE	0.00	0.00	0.00	0.00	0.00	0
5248 SERVICES ON MACHINES	500.00	0.00	0.00	0.00	500.00	0
5311 POSTAGE AND ENVELOPES	0.00	0.00	0.00	0.00	0.00	0
5319 OFFICE SUPPLIES	600.00	0.00	0.00	0.00	600.00	0
5324 DUES	0.00	0.00	0.00	0.00	0.00	0
5326 ADVERTISING	0.00	0.00	0.00	0.00	0.00	0
5334 REGISTRATION	0.00	0.00	0.00	0.00	0.00	0
5335 MEALS	0.00	0.00	0.00	0.00	0.00	0
5336 LODGING	200.00	0.00	0.00	0.00	200.00	0
5339 MILEAGE	0.00	0.00	0.00	0.00	0.00	0
5354 COMPUTER SERVICE & MAINT	5,500.00	0.00	0.00	0.00	5,500.00	0
5813 COMPUTER MAINT & UPGRADES	5,000.00	0.00	0.00	0.00	5,000.00	0
5814 NEW EQUIPMENT OVER \$5000	0.00	0.00	0.00	0.00	0.00	0
5815 COMPUTER SOFTWARE	0.00	0.00	0.00	0.00	0.00	0
5819 NEW EQUIPMENT	3,817.41	0.00	0.00	711.06-	4,528.47	18 -
5822 ORTHOPHOTOGRAPHY	0.00	0.00	0.00	0.00	0.00	0
5939 DATABASE DEVELOPMENT	201.79	0.00	0.00	0.00	201.79	0
5970 MAPPING & CONSULTING SVCS	0.00	0.00	0.00	0.00	0.00	0
5999 BILLS - NO LINE DETAIL	0.00	0.00	0.00	0.00	0.00	0
TOTAL: PROJECT	25,000.00	0.00	0.00	711.06-	25,711.06	2
TOTAL: LAND RECORDS INFORMATION	25,000.00	0.00	0.00	711.06-	25,711.06	2
TOTAL: LAND RECORDS FUND	25,000.00	0.00	0.00	711.06-	25,711.06	2

Account Activity by Trans Date
SORTING BY TRANS DATE.....

SRC/JE/ID	DIRCTY	VEN/CUS/EXPL	DATE	REFER	INVOICE	AMOUNT	DETAIL DESCR
		10	GENERAL FUND				
		10.5172	SURVEYOR				
		10.5172.0000	PROJECT				
		10.5172.0000.5258	SURVEYOR FEES				
D-062121-831	4345	DRIFTLESS AREA PROFESSIO	062121	18466	1436	2,135.00	INV 06/01
D-122021-465	4345	DRIFTLESS AREA PROFESSIO	122021	21577	1527	1,330.00	12/17
.....		10.5172.0000.5258	SURVEYOR FEES			3,465.00	*TOTAL.....
.....		10.5172.0000	PROJECT			3,465.00	*TOTAL.....
.....		10.5172	SURVEYOR			3,465.00	*TOTAL.....
.....		10	GENERAL FUND			3,465.00	*TOTAL.....

ACS FINANCIAL SYSTEM
04/27/2022 13:23:52

Account Activity by Trans Date
SORTING BY TRANS DATE.....

RICHLAND COUNTY
GL540R-V08.17 PAGE 2

SRC/JE/ID	DIRCTY VEN/CUS/EXPL	DATE	REFER	INVOICE	AMOUNT	DETAIL DESCR
REPORT TOTALS:					3,465.00	

RECORDS PRINTED - 000002

Expenditure Guideline
FOR THE PERIOD(S) JAN 01, 2022 THROUGH MAR 31, 2022

	ANNUAL REVISED BUDGET	ENCUMBERED	ACT MTD POSTED AND IN PROCESS	ACT YTD POSTED AND IN PROCESS	REMAINING BALANCE	PCT
-----	-----	-----	-----	-----	-----	---
10 GENERAL FUND						
5741 LAND CONSERVATION						
0000 PROJECT						
5111 SALARIES - REGULAR	86,371.74	0.00	6,643.98	19,931.94	66,439.80	23 --
5141 PER DIEM - ASCS MEMBER	360.00	0.00	90.00	240.00	120.00	66 -----
5150 SECTION 125 PLAN-CO SHARE	132.00	0.00	18.40	55.20	76.80	41 ----
5151 FICA - COUNTY SHARE	6,634.98	0.00	462.67	1,385.69	5,249.29	20 --
5152 RETIREMENT - COUNTY SHARE	5,614.16	0.00	431.86	1,295.60	4,318.56	23 --
5153 DENTAL INSURANCE-CO SHARE	1,194.38	0.00	99.54	298.63	895.75	25 --
5154 HEALTH INSURANCE - COUNTY SH	37,718.31	0.00	3,143.17	9,429.51	28,288.80	24 --
5155 LIFE INSURANCE - COUNTY SHAR	27.80	0.00	2.31	6.93	20.87	24 --
5157 CONTESTS AND EDUCATIONAL MAT	200.00	0.00	0.00	0.00	200.00	0
5161 HEALTH INS REIMBURSEMENT DED	3,800.00	0.00	0.00	1,000.00	2,800.00	26 --
5225 TELEPHONE	300.00	0.00	22.59	67.69	232.31	22 --
5305 NOTARY FEES	0.00	0.00	0.00	0.00	0.00	0
5311 POSTAGE AND ENVELOPES	600.00	0.00	0.00	0.00	600.00	0
5315 COPY PAPER AND EXPENSE	325.00	0.00	0.00	0.00	325.00	0
5319 OFFICE SUPPLIES	400.00	0.00	16.38	57.68	342.32	14 -
5324 DUES & SUBSCRIPTIONS	1,536.00	0.00	0.00	1,513.99	22.01	98 -----
5326 ADVERTISING	0.00	0.00	0.00	0.00	0.00	0
5334 REGISTRATION	300.00	0.00	0.00	0.00	300.00	0
5335 MEALS	100.00	0.00	0.00	0.00	100.00	0
5336 LODGING	175.00	0.00	0.00	0.00	175.00	0
5339 MILEAGE	1,500.00	0.00	32.13	76.50	1,423.50	5
5351 GASOLINE	900.00	0.00	73.33	168.35	731.65	18 -
5352 REPAIRS AND MAINTENANCE	200.00	0.00	9.99	9.99	190.01	4
5532 RENT	11,376.00	0.00	946.00	3,784.00	7,592.00	33 ---
5901 GENERAL LIABILITY INSURANCE	25.00	0.00	0.00	0.00	25.00	0
5903 BUSINESS AUTO INSURANCE	700.00	0.00	0.00	0.00	700.00	0
5905 AUDIT ADJUSTMENTS - INSURANC	0.00	0.00	0.00	0.00	0.00	0
5906 UNEMPLOYMENT INSURANCE	0.00	0.00	0.00	0.00	0.00	0
5998 DEFICIENCY APPROPRIATION	0.00	0.00	0.00	0.00	0.00	0
5999 BILLS-NO-LINE DETAIL	500.00	0.00	0.00	0.00	500.00	0
TOTAL: PROJECT	160,990.37	0.00	11,992.35	39,321.70	121,668.67	24 --
0125 LAKE MONITORING GRANT						
5111 SALARIES - REGULAR	0.00	0.00	0.00	0.00	0.00	0
TOTAL: LAKE MONITORING GRANT	0.00	0.00	0.00	0.00	0.00	0
TOTAL: LAND CONSERVATION	160,990.37	0.00	11,992.35	39,321.70	121,668.67	24 --
TOTAL: GENERAL FUND	160,990.37	0.00	11,992.35	39,321.70	121,668.67	24 --

Expenditure Guideline
FOR THE PERIOD(S) JAN 01, 2022 THROUGH MAR 31, 2022

	ANNUAL REVISED BUDGET	ENCUMBERED	ACT MTD POSTED AND IN PROCESS	ACT YTD POSTED AND IN PROCESS	REMAINING BALANCE	PCT
72	CONSERV PLANNER TECHNICIAN					
5750	PLANNER TECHNICIAN					
0000	PROJECT					
5111	SALARIES - REGULAR	84,266.00	0.00	6,479.20	19,437.60	64,828.40 23 --
5150	SECTION 125 PLAN-CO SHARE	20.00	0.00	4.20	12.60	7.40 63 -----
5151	FICA - COUNTY SHARE	6,446.35	0.00	474.41	1,423.23	5,023.12 22 --
5152	RETIREMENT - COUNTY SHARE	5,477.29	0.00	421.16	1,263.48	4,213.81 23 --
5153	DENTAL INSURANCE-CO SHARE	628.62	0.00	52.39	157.17	471.45 25 --
5154	HEALTH INSURANCE - COUNTY SH	19,851.74	0.00	1,654.30	4,962.90	14,888.84 24 --
5155	LIFE INSURANCE - COUNTY SHAR	69.86	0.00	5.82	17.46	52.40 24 --
5161	HEALTH INS REIMBURSEMENT DED	2,000.00	0.00	0.00	32.65	1,967.35 1
5311	POSTAGE AND ENVELOPES	0.00	0.00	0.00	0.00	0
5334	REGISTRATION	900.00	0.00	0.00	0.00	900.00 0
5335	MEALS	100.00	0.00	0.00	0.00	100.00 0
5336	LODGING	400.00	0.00	0.00	0.00	400.00 0
5339	MILEAGE	0.00	0.00	0.00	0.00	0.00 0
5819	NEW EQUIPMENT-UNDER 5000	0.00	0.00	0.00	0.00	0.00 0
5999	BILLS - NO LINE DETAIL	0.00	0.00	0.00	0.00	0.00 0
TOTAL:	PROJECT	120,159.86	0.00	9,091.48	27,307.09	92,852.77 22 --
TOTAL:	PLANNER TECHNICIAN	120,159.86	0.00	9,091.48	27,307.09	92,852.77 22 --
5920	TRANSFERS TO OTHER FUNDS					
0000	PROJECT					
1719	TRANS-WATERSHED MAINTENANCE	0.00	0.00	0.00	0.00	0.00 0
1729	TRANS TO DEBT SERVICE FUND	0.00	0.00	0.00	0.00	0.00 0
1742	TRAN TO INS REIMBURSE FUND	0.00	0.00	0.00	0.00	0.00 0
TOTAL:	PROJECT	0.00	0.00	0.00	0.00	0.00 0
TOTAL:	TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00	0.00 0
TOTAL:	CONSERV PLANNER TECHNICIAN	120,159.86	0.00	9,091.48	27,307.09	92,852.77 22 --

CHAPTER 92

SOIL AND WATER CONSERVATION AND ANIMAL WASTE MANAGEMENT

92.02	Legislative intent.
92.025	State soil erosion control goals.
92.03	Definitions.
92.04	Land and water conservation board.
92.05	Department.
92.06	Land conservation committees.
92.07	Land conservation committee; powers.
92.09	Land conservation committee staff.
92.10	Land and water resource management planning program.

92.11	Regulation of local soil and water resource management practices.
92.115	Municipal soil conservation on private lands.
92.12	Intergovernmental cooperation.
92.13	State and local agencies to cooperate.
92.14	Soil and water resource management program.
92.15	Local regulation of livestock operations.
92.16	Manure storage facilities.
92.17	Shoreland management.
92.18	Training and certification.

Cross-reference: See also ch. [ATCP 50](#), Wis. adm. code.

92.02 Legislative intent. (1) The legislature finds that the soil resources of this state are being depleted by wind and water erosion and that the waters of this state are being polluted by non-point sources of pollution. The legislature further finds that these are statewide problems endangering the health and welfare of the state's citizens, its recreational resources, agricultural productivity and industrial base.

(2) The legislature declares it to be the policy of this state to halt and reverse the depletion of the state's soil resources and pollution of its waters.

(3) It is the intent of the legislature to implement this policy by enacting this soil and water conservation law to:

- (a) Establish goals and standards for conservation of soil and water resources;
- (b) Provide for cost sharing, technical assistance, educational programs and other programs to conserve soil and water resources;
- (c) Encourage coordinated soil and water conservation planning and program implementation; and
- (d) Enable the regulation of harmful land use and land management practices by county ordinance where necessary to achieve the purposes of this chapter.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8).

92.025 State soil erosion control goals. It is the intent of the legislature that:

(1) **STATUTORY GOAL.** The soil erosion rate on each individual cropland field in the state does not exceed the tolerable erosion level on or after January 1, 2000.

(2) **INTERIM GOALS; COUNTIES.** The soil erosion rate in each county in the state does not exceed 1.5 times the tolerable erosion level on or after July 1, 1990 and does not exceed the tolerable erosion level on or after July 1, 1993.

(3) **INTERIM GOALS; INDIVIDUAL CROPLAND FIELDS.** The soil erosion rate in each individual cropland field in the state does not exceed 3 times the tolerable erosion level on or after July 1, 1990, and does not exceed 2 times the tolerable erosion level on or after July 1, 1995.

(4) **INTERIM GOAL; STATE-RUN FARMS.** The soil erosion rate on individual cropland fields of farms owned by the University of Wisconsin System or any other department or agency of state government does not exceed the tolerable soil erosion level on or after July 1, 1990.

History: 1985 a. 29.

92.03 Definitions. In this chapter:

(1) "Agency" means any department, agency, board, commission, committee, council, officer, subdivision or instrumentality, corporate or otherwise, of this state.

(2) "Board" means the land and water conservation board created under s. [15.135 \(4\)](#).

(3) "Department" means the department of agriculture, trade and consumer protection.

(4) "Landowner" means any person over 18 years of age and any partnership, limited liability company, firm, or corporation that holds title to land lying within a county, whether or not this land is subject to easement, mortgage, lien, lease, or restrictive covenant, except that this term does not include any person who is under guardianship, a person who is adjudicated incompetent, or a person who is mentally ill. A person, partnership, limited liability company, firm, or corporation is deemed to hold title to land if the person, partnership, limited liability company, firm, or corporation has any of the following:

- (a) Title as sole owner.
- (b) Title as a joint owner.
- (c) Title as owner of an undivided interest.
- (d) Title as sole or joint trustee or as sole or joint assignee.
- (e) A land contract vendee's interest therein.

(5) "Land user" means any person who uses land as an operator, lessor or renter.

(6) "Secretary" means the secretary of the department.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8); 1993 a. 16, 112; 2005 a. 387.

92.04 Land and water conservation board. (1) **POWERS.**

(a) *Hearings.* The board may hold public hearings in the performance of its functions.

(b) *Delegation.* The board may delegate to its chairperson or to one or more of its members any of its powers or duties.

(c) *Soil and water conservation studies and recommendations.* The board may make studies and recommendations on matters relating to soil and water conservation.

(2) **DUTIES.** (a) *Advise secretary and department.* The board shall advise the secretary and department on matters relating to exercise of the department's authority under this chapter.

(b) *Review land and water resource management plans.* The board shall review land and water resource management plans prepared under s. [92.10](#) and make recommendations to the department on approval or disapproval of those plans.

(d) *Review plans.* The board shall review annual grant allocation plans developed under s. [92.14 \(6\) \(b\)](#) and make recommendations to the department on approval, modification or disapproval of the plans.

(e) *Review joint evaluation plan.* The board shall review the evaluation plan prepared under s. [92.14 \(13\)](#). After its review, the board shall make recommendations on the plan to the department and to the department of natural resources.

(f) *Review annual reports.* The board shall review the annual reports under ss. [92.14 \(12\)](#) and [281.65 \(4\) \(o\)](#).

(g) *Advise the University of Wisconsin System.* The board shall advise the University of Wisconsin System annually on needed research and educational programs relating to soil and water conservation.

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Updated 17–18 Wis. Stats. 2

(h) *State erosion control goals; compliance and evaluation.* The board shall review compliance with state soil erosion control goals established under s. 92.025. The board shall notify the department and the legislature if these goals are not achieved or if it is unlikely that these goals will be achieved.

(i) *Tolerable erosion levels.* The board shall establish a tolerable erosion level based on an erosion rate which is acceptable and maintains long-term soil productivity.

(j) *Records.* The board shall keep a full and accurate record of all proceedings before it and all actions taken by it.

(k) *Review of pollution abatement determinations.* The board shall review and affirm or reverse decisions of county land conservation committees under s. 281.20 (3) (b) when review is requested under s. 281.20 (5). The board may conduct an informal hearing that is not a contested case under ch. 227.

(L) *Review of critical site determinations.* The board shall review and affirm or reverse decisions of county land conservation committees under s. 281.65 (7) (a) 2. when review is requested under s. 281.65 (7) (b). The board may conduct an informal hearing which is not a contested case under ch. 227.

(3) RULES REVIEW. (a) *Board review.* The board shall review all rules of the department relating to implementation of this chapter prior to promulgation.

(b) *Submission for review.* Before submitting proposed rules to the legislative council staff under s. 227.15, the department shall submit the proposed rules to the board for comment. The board has 30 days to submit comments on the proposed rules to the department.

(c) *Emergency rules.* If the department promulgates an emergency rule under s. 227.24, it shall provide a copy of the rule to the board prior to publication of the rule in the official state paper.

(d) *Hearing.* The chairperson of the board, or his or her designee from the board, may cochair with the department any public hearing held by the department on proposed rules.

(e) *Dissenting report.* The department shall submit to the board a copy of the report required under s. 227.19 (2) on proposed rules. The board may prepare a dissenting report stating its recommendations on the proposed rules. The board shall prepare any dissenting report within 10 days from the date of receipt of the department's report. The department shall attach the dissenting report to the department's report, send them to the presiding officer of each house of the legislature and distribute copies under s. 227.19 (2). The department shall cause a statement to appear in the Wisconsin administrative register to the effect that a dissenting report of the board was submitted to the presiding officer of each house of the legislature.

(f) *No rule-making power.* The board has no rule-making authority on matters relating to soil and water conservation.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1983 a. 416; 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (8); 1987 a. 27; 1993 a. 16, 166; 1995 a. 227; 1997 a. 27; 2009 a. 276.

Cross-reference: See also ch. ATPC 50, Wis. adm. code.

92.05 Department. (1) **CENTRAL AGENCY.** The department is the central agency of this state responsible for setting and implementing statewide soil and water conservation policies and administering the state's soil and water conservation programs. The department shall coordinate its soil and water conservation program with the nonpoint source water pollution abatement program established under s. 281.65, the inland lake protection and rehabilitation program established under ch. 33 and other programs with objectives related to soil and water conservation administered by the department of natural resources or by other state or federal agencies.

(2) POWERS. (a) *Accept gifts.* The department may accept contributions of money or gifts for soil and water conservation purposes.

(b) *Require reports.* The department may require reports from the counties as needed.

(3) DUTIES. (a) *Information.* The department shall keep county land conservation committee members generally informed of activities and experience useful to them.

(b) *Development; coordination.* The department shall assist in developing and coordinating the plans and programs of each county.

(c) *Rules.* The department shall promulgate rules governing implementation of this chapter and distribution of state or federal funds by the department to the counties. The department shall comply with the procedures under s. 92.04 (3) in promulgating these rules.

(d) *Advise University of Wisconsin System.* The department shall advise the University of Wisconsin System annually on developing research and educational programs relating to soil and water conservation.

(e) *Studies.* The department may undertake studies and investigations and make and issue reports and recommendations with respect to state soil and water conservation program needs. Biennially, the department shall prepare a state soil and water conservation report. This report shall include a description of present soil and water resource uses and a projection of future trends, an assessment of soil and water conservation problems in relation to soil and water resource use practices and any actions necessary to correct or solve these problems including specific goals, action schedules, program evaluation criteria and provisions for the coordination of these actions with programs developed by other agencies for the development, management and conservation of soil, water and related natural resources. This report shall include the identification of counties and specific parcels within these counties where soil and water conservation problems are most acute and recommendations for actions necessary to correct or solve these problems.

(f) *Nonpoint source water pollution abatement.* The department shall perform the duties specified for the department in the nonpoint source water pollution abatement program under s. 281.65 (5).

(g) *Watershed protection and flood prevention act.* The department has responsibility over programs provided by 16 USC 1001 to 1008 relating to the planning and carrying out of works of improvement for soil and water conservation and other purposes.

(h) *Model ordinances.* The department shall make available model ordinances for counties and municipalities concerning regulation and control of land use and land management practices as authorized under s. 92.11.

(i) *Provide staff.* The department shall provide staff to assist the board in performing its statutory duties.

(j) *Milkhouse wastewater.* The department, in consultation with appropriate state and federal agencies, shall promulgate guidelines for determining eligibility for financial assistance under ss. 92.14 and 281.65 for milkhouse wastewater.

(k) *Nutrient management rules.* The department shall promulgate rules to improve agricultural nutrient management in this state. The rules shall be consistent with rules promulgated under s. 281.16 (3) and shall include incentives, educational and outreach provisions and compliance requirements.

(L) *Technical assistance; performance standards.* The department shall provide technical assistance to county land conservation committees and local units of government for the development of ordinances that implement standards adopted under s. 92.07 (2), 92.15 (2) or (3) or 281.16 (3). The department's technical assistance shall include preparing model ordinances, providing data concerning the standards and reviewing draft ordinances to determine whether the draft ordinances comply with applicable statutes and rules.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8); 1987 a. 27; 1991 a. 309; 1995 a. 227; 1997 a. 27; 1999 a. 9; 2009 a. 28.

Cross-reference: See also ch. ATPC 50, Wis. adm. code.

3 Updated 17–18 Wis. Stats.

92.06 Land conservation committees. (1) **CREATION; MEMBERSHIP.** (a) *Creation.* Each county board shall create a land conservation committee.

(b) *Membership.* 1. The county board shall appoint to the land conservation committee at least 2 persons who are members of the committee on agriculture and extension education created under s. 59.56 (3) (b).

2. The county board shall appoint to the land conservation committee a person who is the chairperson of the county farm service agency committee created under 16 USC 590h (b) or other county farm service agency committee member designated by the chairperson of the county farm service agency committee.

3. The county board may appoint to the land conservation committee any number of members who are also members of the county board.

4. The county board may appoint to the land conservation committee up to 2 members who are not members of the county board.

(c) *Terms.* Each member of the land conservation committee shall serve for a term of 2 years or until a successor is appointed, whichever is longer.

(d) *Reimbursement.* Each member of the land conservation committee shall be reimbursed for necessary expenses and shall be paid the same per diem as members of other county board committees.

(e) *Programs and responsibilities.* The county board may assign other programs and responsibilities to the land conservation committee.

(2) **DESIGNATED REPRESENTATIVES.** The county board shall designate a representative of each county committee with responsibilities related to natural resource management to serve as an adviser to the land conservation committee. The county board shall designate, at a minimum, representatives from any county zoning or land use, forestry, parks and solid waste committees. In addition, the land conservation committee may invite any state, federal or local agency with which the county or committee has a memorandum of understanding to designate a representative to advise the land conservation committee.

(4) **PUBLIC PARTICIPATION.** The committee shall actively solicit public participation in the planning and evaluation of soil and water conservation programs.

History: 1981 c. 346; 1985 a. 29; 1995 a. 201; 2011 a. 263.

Appointments to the conservation committee are made by the county board, not the county executive. 76 Atty. Gen. 173.

Committee responsibilities and prohibitions of private interests in public contracts are discussed. 76 Atty. Gen. 184.

92.07 Land conservation committee; powers.

(1) **POWERS GENERALLY.** Each land conservation committee may carry out the powers delegated to the committee subject to the approval of the county board.

(2) **STANDARDS.** Each land conservation committee may develop and adopt standards and specifications for management practices to control erosion, sedimentation and nonpoint source water pollution. The standards and specifications for agricultural facilities and practices that are constructed or begun on or after October 14, 1997, and, if cost-sharing is available to the owner or operator under s. 92.14 or 281.65 or from any other source, for agricultural facilities and practices that are constructed or begun before that date shall be consistent with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3). The land conservation committee shall use the rules promulgated under s. 281.16 (3) (e) to determine whether cost-sharing is available.

(3) **DISTRIBUTE FUNDS.** Each land conservation committee may distribute and allocate federal, state and county funds made available to the committee for cost-sharing programs or other incentive programs for improvements and practices relating to soil and water conservation on private or public lands, and within

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the limits permitted under these programs, to determine the methods of allocating these funds.

(5) **EDUCATIONAL AND OTHER PROGRAMS.** Each land conservation committee may encourage research and educational, informational and public service programs, advise the University of Wisconsin System on educational needs and assist the University of Wisconsin System and the department in implementing educational programs under ss. 36.25 (7), 59.56 (3) and 92.05.

(6) **PREVENTIVE AND CONTROL MEASURES AND WORKS OF IMPROVEMENT.** Each land conservation committee may carry out preventive and control measures and works of improvement for flood prevention and for conservation, development, utilization and control of water within the county. These preventive and control measures and works of improvement may include, but are not limited to, changes in the use of land and use of engineering operations such as terraces, terrace outlets, desilting basins, floodwater retarding structures, floodways, dikes and ponds, methods of cultivation and the growing of vegetation. These preventive and control measures and works of improvement may be carried out on lands owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having jurisdiction of the land, and on any other lands within the county upon obtaining the consent of the landowner or the necessary rights or interests in the land.

(7) **ASSISTANCE.** Each land conservation committee, in the name of the county, may cooperate with, enter into agreements with, or furnish financial, technical, planning or other assistance to any agency, governmental or otherwise, or any landowner or land user within the incorporated or unincorporated parts of the county, in carrying out resource conservation operations and works of improvement for flood prevention or for the conservation, development, utilization and protection of soil and water resources within the county.

(7m) **ASSISTANCE TO THE DEPARTMENT OF TRANSPORTATION.** Each land conservation committee shall cooperate with the department of transportation as requested under s. 85.195.

(8) **OBTAIN PROPERTY.** Each land conservation committee, in the name of the county, may obtain options upon and acquire, by purchase, exchange, lease, gift, grant, bequest, devise or otherwise, any property or rights or interests in property or in water. A land conservation committee may maintain, administer and improve any properties acquired. A land conservation committee may receive income from these properties on behalf of the county and may expend this income in carrying out the purposes and provisions of this chapter. A land conservation committee may sell, lease or otherwise dispose of the property or interests in property in furtherance of the purposes and the provisions of this chapter.

(9) **MACHINERY AVAILABILITY.** Each land conservation committee may make available, on terms it may prescribe, to landowners and land users within the incorporated and unincorporated parts of the county, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and other material or equipment which will assist the landowners and land users in carrying on operations upon their lands for the conservation of soil resources, for the prevention and control of soil erosion, for flood prevention, for the conservation, development and utilization of water or for the prevention of nonpoint source water pollution.

(10) **STRUCTURES.** Each land conservation committee may construct, improve, operate and maintain structures necessary or convenient for the performance of any of the operations or activities authorized in this chapter.

(11) **ADMINISTRATION OF PROJECTS OR PROGRAMS.** Each land conservation committee, in the name of the county, may acquire, by purchase, lease or otherwise, and administer, any soil conservation, flood prevention, water management or nonpoint source water pollution abatement project or combinations of these projects, and participate in programs concerned with the conservation of natural resources located within the county undertaken by the United States or any of its agencies, or by this state

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or any of its agencies. A land conservation committee may administer, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil conservation, flood prevention, water management, water quality improvement, nonpoint source water pollution abatement, erosion control, erosion prevention project or resource conservation program within the county. A land conservation committee may act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation or administration of any resource conservation program within the county. A land conservation committee, on behalf of the county, may accept donations, gifts and contributions in money, services, materials or otherwise from any source and use or expend these moneys, services, materials or other contributions in carrying on its operations.

(12) **CONTRACTS; RULES.** Each land conservation committee, in the name of the county, may make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(13) **CONTRIBUTIONS; AGREEMENTS.** As a condition to extending any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, a land conservation committee may require contributions in money, services, materials or otherwise to any operations conferring the benefits, and may require landowners and land users to enter into and perform agreements or covenants respecting the use of land as will lead to conservation of soil and water resources.

(14) **ENTER UPON LANDS.** Each land conservation committee may enter upon any lands within the county to examine the land and make surveys or plans for soil and water conservation without being liable for trespass in the reasonable performance of these duties. This authorization applies to the land conservation committee members and their agents.

(15) **ADMINISTRATION AND ENFORCEMENT OF ORDINANCES.** A land conservation committee may, if authorized by the county board, administer and enforce those provisions of an ordinance enacted under s. 101.65 (1) (a) related to construction site erosion, a zoning ordinance enacted under s. 59.693 or an ordinance enacted under authority granted under s. 101.1206.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8); 1991 a. 309; 1993 a. 16; 1995 a. 201; 1997 a. 27; 1999 a. 9; 2009 a. 28; 2011 a. 32.

Cross-reference: See ss. 59.70 (20) (c) and 60.10 (2) (i) for authorization of county or town appropriations.

92.09 Land conservation committee staff. The land conservation committee may employ county soil and water conservation staff, subject to the approval of the county board. The county soil and water conservation staff is responsible for the administration of the county soil and water conservation program and may exercise the powers granted to the land conservation committee.

History: 1981 c. 346.

92.10 Land and water resource management planning program. (1) **CREATION.** There is created a land and water resource management planning program. The department, board and land conservation committees jointly shall develop and administer this program.

(2) **PURPOSES.** The purposes of the land and water resource management planning program are to conserve long-term soil productivity, protect the quality of related natural resources, enhance water quality and focus on severe soil erosion problems.

(4) **IMPLEMENTATION; DEPARTMENT DUTIES.** (a) *Data.* The department shall develop a systematic method of collecting and organizing data related to soil erosion. The department shall cooperate with the department of administration under s. 16.967 in developing this methodology or any related activities related to land information collection.

(c) *Plan assistance.* The department shall assist land conservation committees in preparing land and water resource management plans.

(d) *Plan review.* The department shall review and approve or disapprove land and water resource management plans submitted by the land conservation committees. The department may require land conservation committees to indicate specific projects to be funded under each plan and the related cost-sharing rates.

(5) **IMPLEMENTATION; BOARD DUTIES.** (a) *Plan review.* The board shall review land and water resource management plans submitted by the land conservation committees and make recommendations to the department.

(b) *Solicit comments.* The board shall solicit comments on land conservation committee plans from the agencies identified as advisers to the board under s. 15.135 (4).

(6) **IMPLEMENTATION; COMMITTEE DUTIES.** (a) *Plan preparation.* A land conservation committee shall prepare a land and water resource management plan that, at a minimum, does all of the following:

1. Includes an assessment of water quality and soil erosion conditions throughout the county, including any assessment available from the department of natural resources.

2. Specifies water quality objectives for each water basin, priority watershed, as defined in s. 281.65 (2) (c), and priority lake, as defined in s. 281.65 (2) (be).

3. Identifies the best management practices to achieve the objectives under subd. 2. and to achieve the tolerable erosion level under s. 92.04 (2) (i).

4. Identifies applicable performance standards and prohibitions related to the control of pollution from nonpoint sources, as defined in s. 281.65 (2) (b), and to soil erosion control, including those under this chapter and chs. 281 and 283 and ss. 59.692 and 59.693.

5. Includes a multiyear description of planned county activities, and priorities for those activities, related to land and water resources, including those designed to meet the objectives specified under subd. 2. and to ensure compliance with the standards and prohibitions identified under subd. 4.

6. Describes a system to monitor the progress of activities described in the plan.

7. Includes a strategy to provide information and education related to soil and water resource management.

8. Describes methods for coordinating activities described in the plan with programs of other local, state and federal agencies.

(b) *Notification.* A land conservation committee shall notify landowners and land users of the results of any determinations concerning soil erosion rates and nonpoint source water pollution, and provide an opportunity for landowners and land users to present information relating to the accuracy of the determinations during preparation of the land and water resource management plan.

(c) *Hearings.* A land conservation committee shall hold one or more public hearings on the land and water resource management plan.

(d) *Plan submission.* A land conservation committee shall submit the land and water resource management plan to the board and department.

(8) **DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES.** The department of natural resources shall provide counties with assistance in land and water resource management planning, including providing available water quality data and information, providing training and support for water resource assessments and appraisals and providing related program information.

History: 1981 c. 346; 1983 a. 524; 1985 a. 29; 1987 a. 27; 1989 a. 31; 1997 a. 27 ss. 2488s to 2489L, 9456 (3m); 1999 a. 9; 2003 a. 33 s. 2811; 2003 a. 48 ss. 10, 11; 2003 a. 206 s. 23; 2005 a. 25 ss. 1742, 2493.

92.11 Regulation of local soil and water resource management practices. (1) **PROPOSED ORDINANCES.** To promote soil and water conservation or nonpoint source water pollution abatement, a county, city, village or town may enact ordinances for the regulation of land use, land management and pollutant management practices.

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(2) APPLICABILITY; CONTENTS. (a) An ordinance enacted under this section may be applicable throughout the county or to any part of the county, including both incorporated and unincorporated areas.

(b) An ordinance enacted under this section may prohibit land uses and land management practices which cause excessive soil erosion, sedimentation, nonpoint source water pollution or storm water runoff.

(3) PRESENTATION; NOTICE; HEARING; COUNTY BOARD ADOPTION. Any ordinance proposed by the land conservation committee under this section shall be presented to the county board together with a report on the need for the ordinance and its expected economic and environmental impact. Within 2 weeks after its receipt, the county board shall publish the proposed ordinance as a class 2 notice, under ch. 985, in a newspaper having general circulation throughout the county and make the report available for public inspection. The county board shall hold one or more public hearings on the proposed ordinance before taking final action. The county board shall adopt, adopt with revisions or disapprove the ordinance.

(4) REFERENDUM; LOCAL APPROVAL REQUIRED. (a) *Definition.* As used in this subsection, “affected area” means the entire town, all of a village within the county or all of a city within a county if an ordinance adopted under this section or a revision to an ordinance adopted under this section is applicable to any part of the town, village or city.

(b) *Referendum required.* No ordinance adopted under this section and no revision to an ordinance adopted under this section may take effect in any affected area in that county unless the ordinance or revision is approved by referendum.

(c) *Wording of ballot question; procedure.* The county board shall include the wording of the question to be placed before the electors in the referendum as a part of the ordinance adopted under this section or the revision to an ordinance adopted under this section. Upon the adoption of the ordinance or revision the county board shall forward a copy of the ordinance or revision to the county clerk who shall cause the question to be placed before the voters of the affected area in the next spring or general election occurring not less than 70 days after the adoption of the ordinance or revision. The form of the ballot shall correspond substantially to the form prescribed under s. 5.64 (2).

(d) *Approval; disapproval.* If the question placed before the electors in the referendum is approved by a majority of all votes cast on that subject in an affected area in that county, the ordinance adopted under this section or the revision to an ordinance adopted under this section takes effect in that affected area. Otherwise, the ordinance or revision does not take effect in that affected area.

(5) ENFORCEMENT. (a) The county board shall by ordinance prescribe administrative procedures and provide personnel necessary for the enforcement of any ordinance enacted under this section. Ordinances enacted under this section may be enforced through civil forfeiture or through issuance of an injunction by the circuit court in an action initiated by the county or land conservation committee. The court may award reasonable attorney fees to any plaintiff in a successful action for enforcement through injunction.

(b) At least one year before the county or land conservation committee may initiate an action for enforcement, the land conservation committee shall make a reasonable effort to contact the landowner or land user in person and to furnish the landowner or land user all of the following:

1. An explanation orally and in writing of the reasons for the excessive soil erosion.

2. A management plan which, if followed, would reduce soil erosion to a rate established as acceptable by the land conservation committee. The management plan shall, with reasonable limits, set forth all of the options which are available to the landowner or land user to achieve acceptable soil erosion rates.

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3. An explanation of the financial aids and technical assistance which are available to the landowner or land user. These may include, but are not necessarily limited to, cost-sharing, loans, tax incentives and technical assistance available from the land conservation committee and other agencies.

(6) BOARD OF ADJUSTMENT. The county board shall provide for the appointment of a board of adjustment in any county which adopts an ordinance under this section.

(7) CONSTRUCTION. Any ordinance enacted under this section shall be liberally construed in favor of the county. It shall be construed as setting minimum requirements for the purposes stated and not as a limitation on other powers granted the county board and land conservation committee.

History: 1981 c. 346; 1987 a. 27; 1993 a. 246; 1999 a. 182; 2011 a. 75.

An ordinance passed under this section may be applicable to incorporated as well as unincorporated areas of the county. 77 Atty. Gen. 87.

92.115 Municipal soil conservation on private lands.

Any city, village or town by its governing body or through a committee designated by it for the purpose, may contract to do soil conservation work on privately owned lands but no contract may involve more than \$1,000 for any one person and the amount of work done for any one person may not exceed \$1,000 annually.

History: 1975 c. 312; 1981 c. 317, 346; 1999 a. 150 s. 371; Stats. 1999 s. 92.115.

92.12 Intergovernmental cooperation. Counties, cities, villages, towns and public agencies with natural resource responsibilities in the same or different counties may cooperate in carrying out the purposes of this chapter. If a problem of soil or water conservation is defined in part by drainage basin boundaries beyond a single county’s borders or otherwise transcends these borders, the respective counties, cities, villages, towns and public agencies with natural resource responsibilities may enter into mutually binding agreements and contracts containing, but not limited to, provisions for mutually enforced and administered regulatory ordinances and cost-sharing distribution arrangements.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8).

92.13 State and local agencies to cooperate. Agencies of the state having jurisdiction over, or charged with the administration of any state-owned lands, and any county or other governmental subdivision of the state having jurisdiction over, or charged with the administration of any county-owned or other publicly owned lands, shall cooperate to the fullest extent with the land conservation committee in carrying out programs under this chapter. The land conservation committee may enter and perform work upon these publicly owned lands. The provisions of land conservation practices ordinances enacted under s. 92.11 are applicable to these publicly owned lands, and shall be in all respects observed by the agencies administering the lands.

History: 1981 c. 346; 1983 a. 410 s. 2200 (2); 1985 a. 332 s. 251 (8).

92.14 Soil and water resource management program.

(1) DEFINITIONS. In this section:

(a) “Best management practices” has the meaning given under s. 281.65 (2) (a).

(b) “Nonpoint source” has the meaning given under s. 281.65 (2) (b).

(c) “Priority watershed” has the meaning given under s. 281.65 (2) (c).

(2) ESTABLISHMENT. There is created a soil and water resource management program, which has all of the following purposes:

(a) Enhancing protection of surface water and groundwater resources in this state.

(c) Providing statewide financial and technical assistance for land and water conservation activities at the county level.

(d) Promoting cost-effective land and water conservation activities.

(e) Promoting soil and water conservation by persons claiming farmland preservation tax credits under subch. IX of ch. 71.

(g) Promoting and attaining the soil erosion control goals specified under s. 92.025.

(h) Encouraging innovative local strategies, regulations and incentives to address soil and source water conservation activities.

(i) Increasing local technical assistance to address soil and water resource problems.

(j) Enhancing the administration and coordination of state nonpoint source water pollution abatement activities by the department and the department of natural resources, including providing a single process for grant application, funding allocation, reporting and evaluation.

(3) BASIC ALLOCATIONS TO COUNTIES. To help counties fund their land and water conservation activities, the department shall award an annual grant from the appropriation under s. 20.115 (7) (c), (qe), or (qf) or s. 20.866 (2) (we) to any county land conservation committee that has a land and water resource management plan approved by the department under s. 92.10 (4) (d), and that, by county board action, has resolved to provide any matching funds required under sub. (5g). The county may use the grant for land and water resource management planning and for any of the following purposes, consistent with the approved land and water resource management plan:

(a) County land conservation personnel to administer and implement activities directly related to any of the following:

1. Compliance with soil and water conservation requirements applicable to persons claiming farmland preservation tax credits under subch. IX of ch. 71.

2. Animal waste management activities and ordinances under s. 92.16.

4. Nonpoint source water pollution abatement activities.

5. Other conservation activities determined by the county to be necessary for conservation and resource management in that county.

(b) Grants to farmers for implementing best management practices required under a shoreland management ordinance enacted under s. 92.17, including reimbursement for all of the following:

1. The cost of fencing that the landowner installs in order to comply with the ordinance.

2. The cost of providing a well for livestock if, as a result of complying with the ordinance, the livestock does not have adequate access to water for drinking purposes.

(c) Implementing land and water resource management projects approved in plans under s. 92.10.

(d) Implementing land and water resource management projects undertaken to comply with soil and water conservation requirements applicable to persons claiming farmland preservation tax credits under subch. IX of ch. 71.

(e) Construction of a facility or system related to animal waste management by a farmer who has received a notice of discharge under ch. 283 or management practices required under a notice to a farmer under s. 281.20 (3). The amount of a grant for management practices required under a notice to a farmer under s. 281.20 (3) shall be based on the cost of the method of controlling nonpoint source pollution that the department determines to be the most cost-effective.

(f) Training required under s. 92.18 or any other training necessary to prepare personnel to perform job duties related to this section or s. 281.65.

(g) Technical assistance, education and training, ordinance development or administration related to this chapter or s. 281.65.

(5g) MATCHING FUNDS. (a) Except as provided in par. (b), if a grant under sub. (3) provides funding for salary and fringe benefits for more than one county staff person, a county shall provide matching funds, as determined by the department by rule, equal to 30 percent of the cost of salary and fringe benefits for the 2nd staff person and 50 percent of the cost of salary and fringe benefits for any additional staff persons for whom the grant provides funding.

(b) For a grant awarded for a year before 2010, the department shall require a county to provide matching funds for priority watershed project staff equal to not less than 10 percent nor more than 30 percent of the staff funding that was provided to the county for 1997 for a priority watershed that was designated before July 1, 1998. This paragraph does not apply to matching funds for priority watershed project staff after the termination date that was in effect on October 6, 1998, for the priority watershed project.

(5r) ANNUAL GRANT REQUEST. Every land conservation committee shall prepare annually a grant request that describes the land and water resource staffing needs and activities to be undertaken or funded by the county under this chapter and ss. 281.65 and 281.66 and the funding needed for those purposes. The grant request shall be consistent with the county's plan under s. 92.10. The land conservation committee shall submit the grant request to the department.

(6) ADMINISTRATION OF GRANTS. (b) The department and the department of natural resources shall prepare an annual grant allocation plan identifying the amounts to be provided to counties under this section and ss. 281.65 and 281.66. In the allocation plan, the departments shall attempt to provide funding under this section for an average of 3 staff persons per county with full funding for the first staff person, 70 percent funding for the 2nd staff person and 50 percent funding for any additional staff persons and to provide an average of \$100,000 per county for cost-sharing grants. The department shall submit that plan to the board.

(c) When preparing an annual grant allocation plan under par. (b), the department and the department of natural resources shall consider the existence and location of impaired water bodies that the department of natural resources has identified to the federal environmental protection agency under 33 USC 1313 (d) (1) (A) and agricultural enterprise areas designated under s. 91.84, and shall give priority to providing cost-sharing for nutrient management planning projects that are in or near, or that affect, those areas.

(d) The board shall review the annual allocation plan submitted to it under par. (b) and make recommendations to the department of agriculture, trade and consumer protection and the department of natural resources on approval, modification or disapproval of the plan.

(g) Every grant awarded to a county under this section and s. 281.65 shall be consistent with the plans under s. 92.15, 1985 stats., and under this section and ss. 92.10 and 281.65.

(gm) A county may not provide cost-sharing funds using funds provided under this section in an amount that exceeds 70 percent of the cost of a project, except in cases of economic hardship, as defined by the department by rule.

(h) 1. A county may not provide cost-sharing funds using funds provided under this section for the construction of any facility or system related to animal waste management unless all of the following conditions are met:

a. The facility or system is necessary to meet surface water or groundwater quality objectives.

b. The facility or system is designed consistent with rules of the department and with the technical standards of the county and is designed to be constructed and operated to avoid water pollution.

c. The facility or system will use the most cost-effective method to meet water quality standards.

d. The grant for the facility or system, combined with all other governmental funding, is no more than an amount specified by the department by rule, except that there is no limit on the amount of the grant if the principal purpose of the facility or system is to prevent or control barnyard runoff.

3. Nothing in this paragraph affects the authority of the department of natural resources to act under ch. 283.

(i) No cost-sharing funds from any grant awarded under this section may be distributed to a landowner or land user unless he

or she, by contract with the grant recipient, agrees to do all of the following:

1. Maintain any funded practice for its normal expected life, replace it with an equally effective practice or improvement or repay the cost-sharing funds to the grant recipient.

2. Conduct all land management and pollutant management activities in substantial accordance with the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 and with plans approved under this section, under s. 92.15, 1985 stats., and under ss. 92.10 and 281.65, or to repay the cost-sharing funds.

(k) The department shall identify by rule the types of cost-shared practices and the minimum grant amounts for cost-sharing grants that require any subsequent owner of the property to maintain the cost-shared practice for the life of the cost-shared practice, as determined by the department.

(L) A county may provide cost-sharing funds from a grant under this section to replace a structure or facility at a new location, rather than to repair or reconstruct the structure or facility, if the relocation reduces water pollution and replacement is cost-effective compared to repairing or reconstructing the structure or facility.

(m) The department of agriculture, trade and consumer protection and the department of natural resources shall assist counties in conducting the activities for which grants under sub. (3) may be used.

(7) **MAINTENANCE OF EFFORT.** The department may not make a grant to a county under this section in any fiscal year unless that county enters into an agreement with the department to maintain or increase its aggregate expenditures from other sources for land and water conservation activities at or above the average level of such expenditures in its 2 fiscal years preceding August 1, 1987.

(8) **RULES.** In consultation with the department of natural resources, the department shall promulgate rules to administer this section and the department's duties under s. 281.65.

(10) **TRAINING.** The department may contract with any person for services to administer or implement this chapter, including information and education and training.

(12) **ANNUAL REPORT.** Annually, the department, in cooperation with the department of natural resources, shall submit a report on the progress of the program under this section and s. 281.65 to the board.

(13) **EVALUATION PLAN.** The department, jointly with the department of natural resources, shall prepare a plan, which includes water quality monitoring and analysis, for evaluating the program administered under this section and s. 281.65 and submit the plan to the board. The board shall make recommendations to the department and the department of natural resources on the plan. The department shall review and approve or disapprove the plan and shall notify the board of its final action on the plan. The department shall implement any part of the plan for which the plan gives it responsibility.

(14) **APPLICATION, ALLOCATION, REPORTING AND EVALUATION.** The department, jointly with the department of natural resources, shall develop a single set of grant application, reporting and evaluation forms for use by counties receiving grants under this section and ss. 281.65 and 281.66. The department, jointly with the department of natural resources, shall implement a single process for grant application, funding allocation, reporting and evaluation for counties receiving grants under this section and ss. 281.65 and 281.66.

(14m) **COORDINATION.** The department of agriculture, trade and consumer protection and the department of natural resources, jointly, shall review applications from counties for grants under sub. (5r) and, for projects and activities selected to receive funding shall determine whether to provide funding under this section or under s. 281.65 or 281.66.

(15) **FINANCIAL INFORMATION.** The department shall consult with the department of natural resources when it prepares the

information which it submits to the department of administration under s. 16.42.

History: 1987 a. 27, 297; 1989 a. 56; 1991 a. 39, 309; 1993 a. 16, 166, 213; 1995 a. 27, 225, 227; 1997 a. 27; 1999 a. 9, 185; 2001 a. 16; 2009 a. 28; 2017 a. 59.

92.15 Local regulation of livestock operations. (1) In this section:

(a) "Livestock operation" means a feedlot or other facility or a pasture where animals are fed, confined, maintained or stabled.

(b) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.

(2) Notwithstanding ss. 92.11 and 92.17, a local governmental unit may enact regulations of livestock operations that are consistent with and do not exceed the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3).

(3) (a) Notwithstanding ss. 92.11 and 92.17, a local governmental unit may enact regulations of livestock operations that exceed the performance standards, prohibitions, conservation practices and technical standards under s. 281.16 (3) only if the local governmental unit demonstrates to the satisfaction of the department of agriculture, trade and consumer protection or the department of natural resources that the regulations are necessary to achieve water quality standards under s. 281.15.

(b) The department of agriculture, trade and consumer protection and the department of natural resources shall, by rule, specify procedures for review and approval of proposed local governmental unit regulations under par. (a).

(4) A local governmental unit may not apply a regulation under sub. (2) or (3) to a livestock operation that exists on October 14, 1997, unless the local governmental unit determines, using the rules promulgated under s. 281.16 (3) (e), that cost-sharing is available to the owner or operator of the livestock operation under s. 92.14 or 281.65 or from any other source.

(5) Any livestock operation that exists on October 14, 1997, and that is required to obtain a permit under s. 283.31 or that receives a notice of discharge under ch. 283 may continue to operate as a livestock operation at the same location notwithstanding s. 59.69 (10) (am) or 62.23 (7) (h) or any zoning ordinance enacted under s. 59.69, 60.61, 60.62, 61.35 or 62.23 (7), if the livestock operation is a lawful use or a legal nonconforming use under any zoning ordinance enacted under s. 59.69, 60.61, 60.62, 61.35 or 62.23 (7) on October 14, 1997.

History: 1997 a. 27; 1999 a. 9; 2011 a. 170.

Cross-reference: See also ch. NR 151, Wis. adm. code.

92.16 Manure storage facilities. A county, city, village or town may enact an ordinance requiring manure storage facilities constructed after July 2, 1983, to meet the technical standards of the county, city, village or town and rules of the department. The department shall adopt rules for ordinances setting standards and criteria for construction of manure storage facilities.

History: 1983 a. 27; Stats. 1983 s. 92.16; 1983 a. 410 s. 24n; Stats. 1983 s. 92.34; 1985 a. 8 s. 10; Stats. 1985 s. 92.16; 1987 a. 27; 1993 a. 246.

Cross-reference: See also ss. ATCP 50.95, Wis. adm. code.

An ordinance passed under this section is applicable only in unincorporated areas of the county. 77 Atty. Gen. 87.

92.17 Shoreland management. (1) **GUIDELINES ORDINANCE.** The guidelines for a shoreland management ordinance shall establish standards for activities related to the purpose of maintaining and improving surface water quality.

(2) **AUTHORITY TO ENACT ORDINANCE.** (a) A city or village may enact a shoreland management ordinance.

(ag) A county may enact a shoreland management ordinance. A county shoreland management ordinance does not apply in any town that enacts an ordinance under par. (ar).

(ar) A town may enact a shoreland management ordinance that is prepared under sub. (1).

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(b) If a county, city or village proposes to enact an ordinance based on the guidelines prepared under sub. (1), or if a town proposes to enact a shoreland management ordinance, the county, city, village or town shall submit a draft of the ordinance to the department.

(c) The board shall review a draft of an ordinance submitted under par. (b) and make recommendations to the department.

(d) The department shall review and approve or disapprove a draft of an ordinance submitted under par. (b).

(e) A county, city or village may enact an ordinance based on the guidelines prepared under sub. (1) only if the draft of the ordinance is approved by the department under par. (d). A town may enact a shoreland management ordinance only if the draft of the ordinance is approved by the department under par. (d).

(2m) AUTHORITY TO ENFORCE ORDINANCE. A county may not enforce a shoreland management ordinance unless the county uses funds provided under s. 92.14 (3) for grants for the purposes under s. 92.14 (3) (b). A city, village or town may not enforce a shoreland management ordinance unless the county in which the city, village or town is located uses funds provided under s. 92.14 (3) for grants for the purposes under s. 92.14 (3) (b).

(2r) DEPARTMENT NOT TO REQUIRE ENACTMENT. The department may not require a county, city, village or town to enact an ordinance under this section as a condition of any other program administered by the department.

(4) COOPERATION. The department shall consult with the governing bodies of counties, cities, villages and towns to secure voluntary uniformity of regulations, so far as practicable, shall identify low-cost practices and shall extend assistance to counties, cities, villages and towns under this section.

History: 1991 a. 309; 1993 a. 213; 1999 a. 9.

Cross-reference: See also s. ATCP 50.58, Wis. adm. code.

92.18 Training and certification. (1) The department shall, by rule, establish a program of training and certification for persons who review plans for, conduct inspections of or engage in activities under any of the following:

(a) This chapter.

(b) Section 281.65, if those activities relate to agricultural practices.

(2) The department shall do all of the following:

(a) Identify those persons involved in plan review or inspections who are required to obtain certification.

(b) Establish the requirements for and the term of initial certification, and the requirements for recertification upon expiration of that term. To the extent possible, the department shall establish the requirements for certification in conformance with the engineering approval system used by the federal soil conservation service in providing technical assistance under 7 CFR 610.1 to 610.5. The department may require applicants to pass an examination in order to receive initial certification.

(c) Establish different levels of certification as the department determines is appropriate.

(d) Identify persons other than inspectors and plan reviewers who may benefit from the training program, and encourage those persons to enroll in the training program.

(2m) If a person is certified under this section to review plans for, or conduct inspections of, a type of agricultural engineering practice at one of the levels under sub. (2) (c), the department shall allow the person to review plans for, or conduct inspections of, all types of agricultural engineering practices at that same level without requiring any additional certification.

(3) The department may impose fees for the training and certification program.

(4) The department shall promulgate rules under this section in consultation with the department of natural resources.

(5) Any training required under this section may be conducted by the department or the department of natural resources or by another person with the approval of the department.

(6) The department may suspend or revoke a certification under this section for failure to comply with this section or rules promulgated under this section.

History: 1991 a. 309; 1995 a. 227; 1999 a. 9.



Richland County Administrator's Office

Clinton Langreck, Administrator
181 W Seminary St, PO Box 310
Richland Center, WI 53581-0310
Phone: (608)649-5960 FAX: (608)647-6134
Email: clinton.langreck@co.richland.wi.us

27-Apr-22

To: Land and Zoning Standing Committee - Chair Luck
Subject: Request for Delegation to Rules and Strategic Planning

Madam Chair,

Requesting the Land and Zoning Standing Committee take action to appoint Supervisor Linda Gentes as the Land and Zoning Standing Committee delegate to the Rules and Strategic Planning Standing Committee.


Sincerely,
Clinton Langreck
County Administrator

LCC MEMBER RESOURCES

As a Land Conservation Committee (LCC) member, you are a key player in the natural resource protection arena. You provide vital input into the task of identifying resource needs and developing programs and policies to address those needs. It is important for LCC members to be knowledgeable about the work and workings of the Land and Water Conservation Department (LWCD). This knowledge can be put to good use both in your committee and in your contacts with the public. These resources will help you learn about your role as an LCC member and about conservation in Wisconsin.

MEMBERS HUB

Visit the WI Land+Water Members Hub to explore the LCC Member Resources page. Here you'll find the materials mentioned below, along with other helpful information.

Visit the LCC Member Resources page: wisconsinlandwater.org/members-hub/lcc-resources

LCC HANDBOOK

The LCC Handbook has been developed by WI Land+Water to assist you in understanding your leadership role as an LCC member.

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- » Learn about WI Land+Water (6:08)
- » How to Get Involved with WI Land+Water (6:08)
- » Advice from Fellow LCC Members (11:19)
- » Advice from County Conservationists (10:12)
- » Intro to the State Land and Water Conservation Board (10:19)
- » DATCP – Nutrient Management Program Introduction (2:32)
- » DATCP – Land and Water Resource Management Plans Training Webinar (6:16)
- » DATCP – Soil and Water Resource Management Grants (6:05)
- » DNR – Wisconsin Nonpoint Source Pollution Abatement Program (10:27)

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*Updated from new
statutes passed
September 2017*

A GUIDE TO RENTING OUT YOUR PROPERTY FOR OVERNIGHT STAYS



***Protect yourself by knowing Wisconsin's
laws for short term rentals.***

a collaboration of:
League of Wisconsin Municipalities
Wisconsin Counties Association
Wisconsin Department of Agriculture, Trade and Consumer Protection
Wisconsin Hotel & Lodging Association
Wisconsin Insurance Alliance

KNOWLEDGE IS THE KEY

Owners thinking of renting out a room, home, second home, investment property, cabin or basically any structure for overnight stays to the general public for a fee may not be aware of what they must do, by law, or what they may want to do to protect themselves, their property, and the guests paying to stay there. Each state is different in how such rentals are regulated, which makes it confusing for owners just wanting to start selling overnight stays at their property.

This guide offers the basics of what an owner needs to know before starting to rent out their property to the public, and the summaries are provided by a collaboration of experts in each facet of the rental operation, to ensure you know and can comply with various laws, and that you can take appropriate steps to avoid surprises for you or your guests that can have measurable safety or financial consequences. Each component provides references to further, more in depth information for you to explore. It is not intended as a comprehensive guide listing every consideration that may arise, but provides the highlights and entry level basics.

Every owner should review this guide when considering renting out their property for overnight stays, as knowledge is the key to protecting your investments.

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This compilation was possible thanks to submissions by experts at the state DATCP agency, the Wisconsin Hotel & Lodging Association, the League of Wisconsin Municipalities, the Wisconsin Insurance Alliance, and the Wisconsin Counties Association. Additional components may be added as more information is contributed.

Compilation Contact: Trisha Pugal, CAE
Wisconsin Hotel & Lodging Association
pugal@wisconsinlodging.org

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COMPLYING WITH MUNICIPAL LAWS

So, you have decided to become a short term rental landlord. All you need to do now is clean up the place, advertise and wait for the rental requests to roll in right?

Wrong.

Before you start to do any of those things, you must first make sure your short-term rental idea is legal in your community and what you need to do to keep it legal. This requires getting some answers to some critical questions:

- Do you have the right zoning for short-term rental?
- Does your community have a room tax ordinance?
- Are there different building code requirements for a property engaged in commercial activity in your community?

These are just a few questions that must be asked and answered before you start renting. In some smaller communities, one person at the village or city hall, might be able answer all of the relevant questions. In others, you may have to talk to several different officials. However, in most communities whether large or small, the best place to start is with your city or village clerk. If you live in an unincorporated area, you should check with your county land use department.

LICENSING FOR PUBLIC LODGING

The Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) requires all lodging facilities in Wisconsin to hold a current license.

What counts as a lodging facility?

DATCP has several definitions for types of lodging facilities. They include:

- Hotel - A hotel is defined as "a place where sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all related rooms, buildings and areas."
- Motel - Means the same as a Hotel except that guest parking is provided on premise as part of the room charge.
- Tourist Rooming House (TRH) - A TRH is defined as "all lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients."
- Bed and Breakfast (B&B) - A B&B is defined as "any place of lodging that provides 8 or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a 12 month period, is the owner's personal residence, is occupied by the owner at time of rental, and in which the only meal served to guests is breakfast."

These definitions mention tourists or transients. DATCP has defined a tourist or transient as "a person who travels to a location away from his or her permanent address for a short period of time for vacation, pleasure, recreation, culture, business or employment." Notice that in the definition for tourists or transients a person has to be away from his or her permanent address in order to meet the definition. It does not matter if the tourist or transient is there for the season, the month, a week, a day or less. If it is rented to a tourist or transient, it will require a license.

Lodging facilities come in many forms. Common examples of lodging facilities requiring a DATCP license include: hotels, motels, B&B's, row houses, cabins, cottages, lodges, homes, condos or rental rooms located above a business.

Where do I begin?

Begin the process by contacting a DATCP licensing specialist. They will walk you through the process and help you determine the best license for your lodging operation. They can provide you with an information packet that will guide you through the licensing process. You can contact them by sending an e-mail to datcpdfslicensing@wisconsin.gov or by calling 608/224-4923. After you submit a license application, a Sanitarian will be assigned to your business. The Sanitarian is the inspector responsible for approving your lodging license. They assure that the lodging operation meets health and safety requirements.

Once you know who your Sanitarian is, arrange a time to meet with the Sanitarian at your facility. This arranged meeting is called a Pre-Licensing Inspection. During this inspection your Sanitarian will share with you the applicable code requirements that your structure must meet.

Depending on the type of structure, some of the common items of public health concern may include:

Proper building exits/escapes	Directions of escape	Facility cleanliness
Door locks	Proper linen and towel handling	Size of sleeping rooms
Proper disposal of garbage/solid waste	Proper wastewater disposal (black and gray water)	A recent water test report for private wells (bacteriologically safe)
Fire extinguisher number and placement, fire alarm systems	Smoke/carbon monoxide detector number and placement	Ventilation and combustion air for fuel fired appliances like furnaces, boilers, fireplaces, water heaters & dryers

— COLLECTING & REMITTING STATE, COUNTY AND LOCAL TAXES —

If you are furnishing short-term lodging, you should apply for a seller's permit here: <http://tap.revenue.wi.gov/btr>.

The Wisconsin Department of Revenue (DOR) has issued public guidance on its website clarifying that the imposition of state sales tax and local room tax on the rental of overnight lodging applies, with the exception now of annual sales of less than \$2,000 (previously \$1,000): <https://www.revenue.wi.gov/Pages/TaxPro/Homeowners-and-Individuals-Providing-Short-Term-Lodging.aspx>

It specifically states "Homeowners or other individuals who make rooms or lodging available to the public for periods less than one month, must report and pay Wisconsin sales tax on such rentals. This includes the short-term rental of a home, room, apartment, cabin, inn, motel, or any other building in which accommodations are made available to the public." "One month" means a calendar month or 30 days, whichever is less, counting the first day of the rental and not counting the last day of rental.

The sales tax rate charged is based on the location where the lodging is furnished. A basic room tax, an additional room tax and a municipal room tax may also apply, depending on the location of the lodging. For example, lodging furnished in Milwaukee County is subject to 5.6% sales tax (5% state, .5% county, and .1% stadium) plus a 2.5% basic room tax. If the sale occurs in the City of Milwaukee, an additional 7.0% room tax applies.

Wisconsin Statute 66.0615 provides the authority and requirements for a **municipal room tax**. If a Wisconsin municipality has imposed a local room tax, it is imposed "on the privilege of **furnishing, at retail**, except sales for resale, **rooms or lodging to transients** by hotelkeepers, motel operators, lodging marketplaces, **owners of short-term rentals**, and other persons furnishing accommodations that are available to the public." View the complete statute here:

<https://docs.legis.wisconsin.gov/statutes/statutes/66/M/0615>

Exception For Taxes Collected by Residential Short-Term Lodging Marketplaces: Effective September 23, 2017, a "lodging marketplace" is required to register with the Department of Revenue for a license to collect taxes imposed by the state related to a residential short-term rental and to collect room taxes imposed by a municipality. Therefore, if a lodging marketplace notifies the owner that it is collecting the taxes, the owner is not required to collect and remit taxes on those rentals.

NOTE: For further DOR information on criteria and requirements relating to "lodging marketplaces," go to:

<https://www.revenue.wi.gov/Pages/FAQS/Lodging-Marketplace-License-faq.aspx>

Federal Income Tax Implications

The Internal Revenue Service (IRS) provides guidance on Renting Residential & Vacation Property at

<https://www.irs.gov/taxtopics/tc415.html>.

– PROPERTY RISKS, LIABILITY & OBTAINING INSURANCE COVERAGE –

If you are considering renting out your home, your guest room or even your couch your first step should be to **contact your insurance professional**. Online platforms for renting your property to the public for overnight stays, such as Airbnb, can be a great way to bring in extra money and are increasingly popular; however, they can also leave you financially vulnerable. If your renter starts a fire and damages your property or is hurt while renting your home, will you be protected?

Before embarking on a home or property rental financial arrangement, call your insurance professional and get their advice. In general, if you are only planning to rent your home out for a single occasion, many insurance companies will extend your coverage to the renter. **The one caveat is that the insurer must be notified ahead of time.**

It is not unusual for someone to rent out their home or part of it for a major event when there may not be enough hotel space available in the area. Many insurance companies take this situation into account when creating a homeowners or renters policy; other insurance companies may require the purchase of an endorsement to the policy to provide broader coverage for the renters in your home.

If you plan to rent out all or part of your home on a regular basis, many companies will consider this a business use. Standard homeowners and renters insurance policies are designed for personal risks, not commercial risks. In this case you will need to purchase a business policy—specifically either a hotel or a bed & breakfast policy. Some companies offer a home-sharing liability insurance policy that can be purchased on a month-to-month basis, but there may be exclusions and limitations, so read the policy carefully.