

**PROCEEDINGS OF THE BROWN COUNTY  
PLANNING, DEVELOPMENT & TRANSPORTATION COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Planning, Development & Transportation Committee** was held on Tuesday, June 23, 2008 in Room 161 - UW-Extension, 1150 Bellevue Street, Green Bay, WI

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**Present:** Norb Dantine, Bernie Erickson, Mike Fleck, Dan Haefs, Dave Kaster  
**Excused:** Dan Haefs  
**Also Present:** Judy Knudsen, Chuck Larscheid, Chuck Lamine  
Bill Bosiacki, Matt Heyroth, Brian Lamers, Cathy Williquette, Jeff DuMez  
Tom Hinz, Jayme Sellen, Supervisor Bill Clancy  
Gerry Bigelow, Other Interested Parties

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I. **Call Meeting to Order:**  
Meeting called to order by Chairman Bernie Erickson at 7:31 p.m.

II. **Approve/Modify Agenda:**

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to approve the agenda. MOTION APPROVED UNANIMOUSLY**

III. **Approve/Modify Minutes of:**  
a. **Regular Meeting of May 27, 2008:**  
b. **Special Meeting of June 5, 2008:**

**Motion made by Supervisor Fleck and seconded by Supervisor Kaster to approve IIIa & b. MOTION APPROVED UNANIMOUSLY**

1. **Review Minutes of:**  
a. **Land Information Office (LIO) Committee (5/21/08):**

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Land Information Office (LIO) Committee:**

2. **Resolution re: Support of a change in the Register of Deeds Recording Fee from a "Per Page" to a "Flat Fee":**

Jeff DuMez and Cathy Williquette were present to explain this resolution. Approval will support a change in the Register of Deeds recording fee from a "per page" to a "flat fee". DuMez explained that in 1989 the State created a Land Information Program for the purpose of facilitating land records modernization with each County in the state. At that time Brown County established a Land Information Office Committee for the purpose of directing and supervising the County's Land Information Program and Geographic Information System. Each County funds its program through real estate document recording fees collected by the Register of Deeds. State Statute allows Brown County to retain \$5 from

the fee for recording or filing the first page of each document that is recorded into a Special Revenue Account of which \$4 is used to develop, implement, and maintain the county-wide plan for land records modernization, and \$1 is used to develop and maintain public access to land information through the Internet.

At this time the \$4 retained fee used to develop, implement, and maintain land information is no longer sufficient to fund the Land Information Program and could adversely affect the County's ability to provide basic public records. DuMez pointed out that the real estate recording fee in Wisconsin is significantly lower than similar fees in neighboring states.

Support of this resolution will approve change of the Real Estate Recording Fee to a flat fee of \$25 per document. The \$25 will be broken down as follows: \$8 to the Department of Administration, \$6 of the \$8 to the County if they have established a Land Information Office to be used to develop, implement, and maintain the countywide plan for land records modernization, and \$2 of the \$8 fee be retained for the provision of land information on the Internet.

In summary, the flat fee of \$25 per document will be distributed as follows:

- \$8 to the Wisconsin Department of Administration
- \$6 retained by the County to develop, implement, and maintain the countywide plan for land records modernization
- \$2 retained for the provision of land information on the Internet
- \$9 retained by the County for general purpose revenue

Ms. Williquette added that there will be no effect on the levy, and that this is the most viable plan to sustain the fund.

Discussion by the committee resulted in the consensus to approve. Chairman Erickson asked that Ms. Williquette and Mr. DuMez be present at the next County Board meeting to address this issue.

**Motion made by Supervisor Fleck and seconded by Supervisor Dantine to approve. MOTION APPROVED UNANIMOUSLY**

**UW-Extension:**

**3. Budget Status Financial Report for April 30, 2008:**

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**4. Adjust UW-Extension Table of Organization changing the Student Intern Position Title to Co-op Student/Student Intern:**

Judy Knudsen explained that this request by Human Services is to change the Student Intern position title to Co-op Student/Student Intern.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to approve. MOTION APPROVED UNANIMOUSLY**

5. **Director's Report:**

Ms. Knudsen distributed information relative to Farm Technology Days and the sponsors who have made the event possible (attached). She reported that 98% of the booths have been rented and 92% of the lots. Anything over 75% is profit. The site has been laid out using global positioning, with the first pole building being constructed with five more planned, along with a free-stall barn. Tent City will include 75 acres and all plans are moving forward.

Knudsen also reported that a hoop house is under construction on the Bellevue property, which will extend the growing season. She added that the office has been busy with many horticultural questions regarding seasonal bugs, etc.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Port /Solid Waste:**

6. **Request for Budget Transfer (#08-37): Change in any item within Outlay account which requires the transfer of funds from any other major budget category or the transfer of Outlay funds to another major budget category: For Single Stream Recycling Capital Project (see attached):**

Mr. Larscheid explained that in December of 2007, Brown County approved participation in construction of a single stream recycling facility with Outagamie and Winnebago Counties. In April of 2008, Brown County approved their contributing share of approximately \$3M in capital for the estimated \$7.3M facility, \$2.7 M to be upfront.

Equipment proposals have been received and the cost of the facility is expected to be \$9.9 M, meaning Brown County's share will increase to \$4M, reasons being steel and electrical component increases, exchange rate, equipment upgrades, etc.

Mr. Larscheid indicated that Brown County's up-front capital cost will be paid with Port & Solid Waste unused capital replacement funds for the Materials Recycling Facility, with the remainder of the contribution taken out of future single stream revenues over the next 10-15 years.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to approve. MOTION APPROVED UNANIMOUSLY**

7. **Incineration Discussion (Referred from Outagamie County Supervisor, Pat Stevens, dated May 21, 2008:**

A letter from Outagamie County Supervisor Pat Stevens was brought forward for discussion. Ms. Stevens stated that when attending a workshop recently she became aware that Minnesota has been out of the solid waste business since 1996, and have gone to total incineration. She requested discussion regarding a possible tri-county cooperative effort to look ahead and develop a long range plan for disposal of solid waste, possibly using incineration.

Mr. Larscheid stated that during his 18 years with Brown County, incineration has been reviewed at least twice, the last being in the later 1990's. Both times it was determined that Federal and State regulations for air permits are very strict and costly. Wisconsin has two counties who incinerate, Barron and LaCrosse. Larscheid stated that the reason Minnesota has implemented incineration is that they have poor geology for landfills. At this time Outagamie, Winnebago, and Brown County have a long term land fill agreement that will last for another 25 years. Although he has not heard directly from Supervisor Stevens, Larscheid agreed to contact her. At this time he is not aware of anything new in the incineration area.

Supervisor Erickson pointed out that full tipping fees at this time are \$32, \$20 below incineration fees. He also reported that he has spoken with Dan Madigan at Feeco International who stated there has been discussion of the possibility of coordinating incineration with the compositing initiative which has been discussed.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to hold for 60 days for further research by Mr. Larscheid.**  
**MOTION APPROVED UNANIMOUSLY**

8. **Waste Transfer Station Update:**

Mr. Larscheid explained that within the last two weeks he was approached by the waste hauler (Action Transport) that they are going bankrupt. After discussing the situation with Executive Hinz, Board Chairman Zima, and Supervisor Erickson, he was authorized to contract with someone else on an emergency basis. A monthly, short term contract was drafted with Badgerland Express. The cost per ton rose from \$11.25 per ton to \$14.50 per ton.

After addressing the Executive Committee at their last meeting, approval was received to develop an RFP for a long term agreement for operation of the transfer station. He expects results within 60 days at which time it will go before the County Board for approval.

Larscheid explained that at this time although the actual cost of tip fees is about \$32 a ton, they are charging \$23.10, or approximately \$10 below cost. He stated as the unrestricted portion of the reserve funds is decreasing rapidly, consequences of this should become part of the next budget process. Supervisor Erickson suggested that users of the transfer station and private haulers be notified of a probable increase.

Larscheid reported that the zoning and building permit request, which was part of the Hobart settlement agreement, has been approved by the Village. A payment of \$1,950,000 is in process of being made, \$1M will come from unrestricted cash funds, \$950,000 from the phase development fund, and \$200,000 over the next three years from tip fees. Also according to the agreement, the contracted hauler will be redirected to go east on Highway 54, rather than west, to avoid going through Hobart; routes will be extended to pick up litter; a Citizen Advisory Committee will be coordinated with Hobart; etc. to adhere to the terms of the settlement.

**Motion made by Supervisor Fleck and seconded by Supervisor Dantine to receive and place on file. MOTION APPROVED UNANIMOUSLY**

9. **Budget Status Financial Report for April 30, 2008:**

Larscheid reported that expenses are under budget and depreciation costs have not yet been applied. MRF operation costs have in part increased the O&M budget while revenues are less than budget. This is due to delay in receipt of Solid Waste Fees and less interest on investments.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

10. **Director's Report:**

Mr. Larscheid highlighted activities during the last reporting period:

- Renard Isle – DNR approval for closure has been received. Comments and questions from the DNR and Corp of Engineers are being addressed, most of which relate to material, slope, engineering testing, etc. The Memorandum of Understanding with the City of Green Bay is being reviewed. Chairman Erickson suggested that the City send a representative to this meeting to discuss the MOU.
- Recycling facility equipment has experienced mechanical breakdowns. Larscheid stated he is trying not to put a lot of capital into the equipment as it will be shut down within the next year.
- Transfer Station Stormwater Pond – Because of waste in the pond, the DNR was contacted who has requested the pond be drained and tested by the MET. After drying, the material will be excavated and hauled to the Outagamie County landfill.
- Have been in contact with a firm who has requested land fill gas for drying material. The Land Fill Gas to Energy Project at the east landfill may be used for this project.

Per Chairman Erickson's communication regarding department vehicles (19a), Mr. Larscheid reported that Port & Solid Waste has three, a '97 Taurus, an old truck used at the landfill, and a newer truck.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Planning Commission:**

11 **Resolution authorizing an application for a Wisconsin Community Development Block Grant for Economic Development from the Wisconsin Department of Commerce:**

Mr. Lamine explained that because federal dollars are available under the Community Development Block Grant Program for the purpose of economic development, a request is being made for a loan to James Leick, d.b.a, Greenleaf Ledge Dairy, LLC for \$100,000 to purchase 200 cows; to keep and maintain one existing full-time position and to create up to four new full-time positions; over \$1.2 million in new private investment; along with \$6,000 in Administration funds to the Planning Department. Approval of this resolution will allow the Planning Department to move forward with application.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to approve application. MOTION APPROVED UNANIMOUSLY**

12. **MS 4 Stormwater Management Permit Ordinance:**

A handout from Chuck Lamine was distributed and is attached. It explains that Brown County is required to continue coverage of a Wisconsin DNR Municipal Storm Water (MS4) permit, with the purpose being to reduce water pollution from storm water systems that release to waters of the state by 20% in 2008, and by 40% in 2013. This is a requirement of the EPA via the Clean Water Act.

Lamine explained that in 2006 Brown County submitted a required Notice of Intent for permit coverage and received approval on 10/11/06. Brown County should meet the 20% pollution reduction criteria for 2008 along County highways which are the primary subject areas of the permit. Additional permit requirements include the establishment of three approved ordinances related to storm water by 10/11/08: They include 1) Construction Site Erosion Control Zoning Ordinance & Enforcement Procedure; 2) Post Construction Storm Water Management Ordinance & Maintenance Procedure; and 3) Illicit Discharge and Connection Ordinance & Response Procedure.

Drafts of the first two ordinances were submitted to the DNR for review in April 2008 and are attached. At this time Lamine asked that the committee review the drafts for discussion at the July meeting.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to hold for one month. MOTION APPROVED UNANIMOUSLY**

13. **Budget Status Financial Report for May 31, 2008:**

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNAINOUSLY**

14. **Request for staff updates on recommendations and development options on land east of the current jail site (standing item):**

An agenda for the Brown County Farm Traditional Neighborhood Development Advisory Committee meeting scheduled for Thursday, June 26, 2009 is attached. This meeting will be held at NEW Curative Rehabilitation Center, 2900 Curry Lane. On the agenda for discussion are a) Mission and purpose; b) Committee Process and timeline; and c) to establish time, location, and dates for future meetings. Also to be discussed are objectives of a Traditional Neighborhood Development and review of a concept plan for a TND on the Brown County Farm site.

**Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

15. **Director's Report:**

Lamine reported that an open house was held relative to the southern bridge program. Environmental impact statements are in progress. Purpose and needs

were presented to the public and to the Department of Transportation. The project continues to move forward.

Secondly, a digital update to the metro map has been completed and is on sale for \$5 each.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Zoning:**

**16. Request for waiver, after the fact fee, for shoreland permit:**

Mr. Bosiacki explained that the property in question is located in the East River Drive flood plain in Ledgeview. Owner, Gerald Bigelow was informed of permitting requirements, never provided the necessary information to have them issued, however, has started construction. Pictures of the property in question and a site plan layout were distributed and are attached.

**Motion made by Supervisor Kaster and seconded by Supervisor Fleck to suspend the rules to allow interested parties to speak. MOTION APPROVED UNANIMOUSLY**

**Gerald Bigelow – Green Bay, WI**

Mr. Bigelow explained that when he discussed the permitting process with Matt Heyroth of the Zoning Department and when reviewing the application, it was his understanding permits were not required until 30 days before project completion. It was not clear to him that permits were required before starting construction. In his opinion because the time line was unclear, he should not be required to pay penalties or double fees. Mr. Bigelow stated that he met with Mr. Heyroth to discuss flood plain issues and at that time was informed he did not have the proper permits. At that time construction had already started.

Mr. Heyroth distributed the most recent fee schedule. He also stated that it has always been understood there would be no project start without first obtaining a permit. He stated he has yet to receive a site plan showing elevations, which are required before any permits will be issued.

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to return to regular order of business. MOTION APPROVED UNANIMOUSLY**

A lengthy discussion by the committee resulted in the consensus to give Mr. Bigelow a chance to get the site plan and elevations in to the Zoning Department. Until the time they are received, construction will be red tagged and will not move forward. If Mr. Bigelow provides the necessary documents in a timely manner, fees will not be doubled or penalties imposed.

Mr. Bosiacki agreed to review the permit application to clarify the language.

**Motion made by Supervisor Kaster and seconded by Supervisor Fleck to red tag construction until a site plan with elevations is received. When done, penalties will be waived. If not received, double fees will be implemented. MOTION APPROVED UNANIMOUSLY**

17. **Budget Status Financial Report for May 31, 2008:**  
Relative to Chairman Erickson's memo regarding vehicles, Mr. Bosiacki reported they have two vehicles which he ranked fair to poor.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Highway:**

18. **Budget to Actual State Billing 2008:**

**Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

19. **Question from Supervisor Bill Clancy re: Assistance towards highway repair work:**

Supervisor Clancy informed the committee that the Town of Holland plans to repair one mile of Old Highway 57 from Highway Z to Lamers-Clancy. A \$7,000 grant is available if they use hot mix, even though cold mix is less expensive. Hot mix will cost \$70,000 (with the \$7,000) grant, while cold mix will cost \$33,000.

Brian Lamers explained that the opinion of the State Department of Transportation is that cold mix normally will not last ten years. State Statute 86.31 indicates that all projects must have a design life of ten years. Lamers distributed information from three Highway Commissioners around the area relative to their opinion on using cold mix for highway repair work, and all three stated they would not use it because of the life span.

Supervisor Dantine disagreed stating that Humboldt has used cold mix for many years with no problems. Clancy indicated that Holland will go ahead and use the cold mix no matter what. Mr. Lamers was asked to monitor the project over the next few years.

**Motion made by Supervisor Fleck and seconded by Supervisor Kaster to receive and place on file.**

**Ayes: Erickson, Fleck, Kaster**

**Excused: Haefs**

**Nays: Dantine**

**MOTION APPROVED 3-1**

- 19a. **Communication from Supervisor Kaster re: Brown County should look into share cost operating asphalt plants in surrounding counties or purchasing from surrounding counties depending on location of project. (Referred from June County Board):**

Brian Lamers spoke to this communication, stating that he has had discussions with surrounding counties, namely Kewaunee & Door regarding cost sharing of asphalt plants. Because hauling costs need to be considered, Brown County has not felt it would be cost effective. Door County's plant is in Sturgeon Bay, and Kewaunee County's is in Casco.



Lamers stated that Brown County uses Northeast Asphalt who has four plants in the area, in addition to one portable one. Their charge is \$34.10 per ton, with MCC at \$39 per ton.

Supervisor Kaster asked whether Brown County has considered a portable plant. Mr. Lamers indicated that expertise is required involving mixing, in addition to having the necessary stone, oil, etc. available. Discussion by the committee resulted in a request for Mr. Lamers to discuss possibilities with surrounding counties and report back.

**Motion made by Supervisor Kaster and seconded by Supervisor Dantine to direct staff to check with surrounding counties regarding asphalt plants and report back in 30 days. MOTION APPROVED UNANIMOUSLY**

- 19b. **Communication from Supervisor Erickson re: have each department that shares part of the County auto fleet review which autos are really needed and report to their committee. After looking at our inventory it appears we may be paying insurance and upkeep on vehicles that don't run or are in need of great repair. With today's fuel costs, let's rid the County of older, expensive vehicles that put a strain on our budget. (Referred from June County Board):**

See department reports above. Highway Department reported their vehicles are in good running condition, although have increased mileage. Supervisor Erickson requested that when vehicles are replaced, it be done with the most fuel efficient type vehicle.

**Motion made by Supervisor Erickson and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to amend the agenda and take the following two items out of order before going into closed session. MOTION APPROVED UNANIMOUSLY**

**Register of Deeds** – Budget Status Report for April, 2008. No other agenda items.

**Property Listing Dept** – Budget Status Financial Report for 5/31/2008. No other items

**Airport** – Budget Status Financial Report not available. No other agenda items.

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to receive and place on file. MOTION APPROVED UNANIMOUSLY**

**Other:**

21. **Audit of Bills:**

**Motion made by Supervisor Fleck and seconded by Supervisor Dantine to approve payment of bills. MOTION APPROVED UNANIMOUSLY**

20. **Closed Session: The committee may entertain a motion to enter into closed session for the purpose of considering performance evaluation data of employees over which it exercises jurisdiction and responsibility and for**

**the purpose of considering certain work assignment issues where competitive and bargaining reasons require a closed session as provided at Wis. State Stats. Section 19.845 (1)( c):**

**Motion made by Supervisor Fleck and seconded by Supervisor Kaster to enter into closed session. Roll Call:**

**Present: Dantine, Erickson, Fleck, Kaster**

**Excused: Haefs**

**MOTION APPROVED UNANIMOUSLY**

*Recording Secretary excused 10:35 p.m.*

**Motion made by Supervisor Kaster and seconded by Supervisor Dantine to return to regular order of business. Roll Call:**

**Present: Dantine, Erickson, Fleck, Kaster**

**Excused: Haefs**

**MOTION APPROVED UNANIMOUSLY**

**Motion made by Supervisor Dantine and seconded by Supervisor Kaster to review in six months. MOTION APPROVED UNANIMOUSLY**

22. **Such Other Matters as Authorized by Law: None**

**Motion made by Supervisor Dantine and seconded by Supervisor Fleck to adjourn at 11:42 p.m. MOTION APPROVED UNANIMOUSLY**

Respectfully submitted,

Rae G. Knippel  
Recording Secretary