

11-21-2022

## **Sanitation/Planning & Zoning/Dog Control**

Meeting called to order at 6:00 P.M. by Jim Kuhn in the Monroe County Board Assembly Room 1<sup>st</sup> Floor - Room #1200, 112 South Court Street.

Present: Jim Kuhn, Cedric Schnitzler, Mary Cook, Todd Sparks and Zach Zebell.

Also Present: Alison Elliott-Sanitation, Zoning, Dog Control Director, Amber Dvorak Humane officer and Jeff Leis, On-Call Humane officer.

### **Possible Corrections and Approval of October 17, 2022 Meeting Minutes.**

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Mary Cook, to approve the minutes from the October 17, 2022 meeting. Motion carried: 5-0.

### **Public Hearings:**

Application of John Kelly for a **conditional use permit** for a Motorcycle Sales & Repair Shop, at 19651 Hwy 27 Sparta, WI in part of the NE 1/4, SE 1/4, Section 03, T16N, R4W, Town of Leon, parcel number 022-00082-3000, 2.42 acre parcel. The adjoining land use is agriculture and residential.

John Kelly was present. John explained that he had recently purchased this property. He had a Motorcycle Sales & Repair Shop at his prior residence. He does motorcycle repairs and restoration. He would like to continue doing this business and in the future he would like to sell Motorcycles as well. He is currently working on getting State licensing as this would be a different type of use (Dealership). He has talked with his neighboring property owners and has their approval. His property is accessed by an easement which is owned by the neighbor Alice DeWitt who was also present, and has no issues with this business.

Alison reported that an email was received from the Town of Leon recommending approval of this permit with no conditions.

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Zach Zebell to approve the application of John Kelly for a conditional use permit for a Motorcycle Sales & Repair Shop, at 19651 Hwy 27 Sparta, WI in part of the NE 1/4, SE 1/4, Section 03, T16N, R4W, Town of Leon. Motion carried: 5-0.

A petition by Rick and Lynette Koller, for a **change of zoning** district from GA-General Agriculture to R3-Rural Residential for parcel of land at 17100 Hammer Rd, Sparta, WI, in the NW ¼, NE ¼, Section 28, T17N, R4W, Town of Sparta, Monroe County, 1.16 acres.

Mr. Koller was present. Rick explained to the Committee that he recently built a garage. He stated that he had to build the garage at a slight angle because his well was in that area. He met the required setbacks from the road on one side but was too close on the other. If he changes his zoning from GA-General Agriculture to R3-Residential it will reduce the required minimum setback and the garage will then be in compliance.

11-21-2022

Clarence Justin, Town of Sparta Supervisor, was present on behalf of the Town and stated that the Town of Sparta has no objections to the change.

Discussion was held:

A **motion** was made by Zach Zebell, seconded by Mary Cook to approve the petition by Rick and Lynette Koller for change of zoning district from GA-General Agriculture to R3-Rural Residential for parcel of land at 17100 Hammer Rd, Sparta, WI, in the NW ¼, NE ¼, Section 28, T17N, R4W, Town of Sparta. Motion carried: 5-0. This resolution will be forwarded to the full County Board on November 22, 2022 for final approval.

Application of Luke & Michelle Schmitz for a **conditional use permit** for proposed agricultural business-operation of farm supply business at 8230 Jancing Ave Sparta, WI in part of Section 11, T16N, R4W, Town of Leon, parcel number 022-00246-0000, 1.95 acre parcel. The adjoining land use is agriculture.

Luke was present. He explained to the Committee that he recently purchased this property and would like to operate an agricultural business selling farm supplies. Types of products would include harvest products, farm supplies, agricultural plastic, etc. The existing buildings would be used for storage of products & office space.

Alison reported that an email was received from the Town of Leon recommending approval of this permit with no conditions.

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Todd Sparks to approve the application of Luke & Michelle Schmitz for a conditional use permit for proposed agricultural business-operation of farm supply business at 8230 Jancing Ave Sparta, WI in part of Section 11, T16N, R4W, Town of Leon. Motion carried: 5-0.

Application of Christopher Neal for a **conditional use permit** for a small business-crafts and welding creations/store, at 17311 State Hwy 131, Tomah, WI in part of the SW ¼, NE ¼, Section 28, T17N, R1W, Town of Tomah, parcel number 042-00709-0900, 14.21 acre parcel. The adjoining land use is agriculture, business and residential.

Chris was present. He explained to the Committee that he currently has an established business in Tomah but would like to move his business to his home property. He intends on using a portion of an existing building for both making his crafts and selling. He does welding creations, cuts out metal crafted items including fire-pit rings, signs and other types of crafts.

Town of Tomah Chairman Howard Hansen was present. He stated that the Town recommends approval and requests that a condition would be placed on the permit that it is non-transferable to a new owner.

Discussion was held:

A **motion** was made by Mary Cook, seconded by Todd Sparks to approve the application, with the condition that the permit is non-transferable to a new owner, of Christopher Neal for a conditional use permit for a small business-crafts and welding creations/store, at 17311 State Hwy 131, Tomah, WI in part of the SW ¼, NE ¼, Section 28, T17N, R1W, Town of Tomah. Motion carried: 5.0.

11-21-2022

Application of Jozef Koniecko and Gordon Alexander for a **conditional use permit** to operate a small business for U-Haul site, auto repair/maintenance with storage, at 29244 State Hwy 21, Tomah, WI in part of the SW 1/4, SW 1/4, Section 17, T18N, R1E, Town of Byron, parcel number 006-00392-0000, 15 acres. The adjoining land use is residential and agriculture.

This application was postponed from last month's meeting to give Mr. Alexander time to get the vehicles completely out of the wetlands and to get input from the Town of Byron regarding this application.

Gordon Alexander was present. Gordon is back from last month's meeting to give an update on the progress of the removal of vehicles that were in the wetlands since last October's meeting. He explained that everything is out of the wetlands except for a plow. The truck for the plow is in the repair shop and should be fixed and the plow should be moved by next Wednesday.

Town Chairman of Byron Allen Bernhardt was present. Allen stated that the Town has concerns regarding the proper handling of oils, and other potentially hazardous waste. Allen asked Mr. Alexander if he has a floor drain in the shop. Mr. Alexander stated he does. Mr. Bernhardt asked Alison if he had the proper sanitation permits for the type of drains he has.

Alison explained that he did get a reconnect permit for the domestic waste septic system which stated that there was floor drain. Alison emphasized that the existing septic system and floor drain, if plumbed into the septic system is for domestic waste only. A separate containment system is needed for any wastewater that would be considered "industrial" or non-domestic and would be permitted by the Wisconsin Department of Natural Resources.

The Town of Byron is also concerned that even if he has the vehicles moved out of the area currently what's to say that he won't move them back after a permit is given. Mr. Bernhardt spoke with the Village of Oakdale, where Mr. Alexander had a business prior to this location. Village of Oakdale stated that there are still issues that have not been resolved by Mr. Alexander. The Town of Byron has been trying to work with Mr. Alexander for the past couple of years to get him to clean up the area and is concerned that they will have the same problems as the Village of Oakdale. He stated that Mr. Alexander needs to be respectful to his neighbors and the Town.

Ed Chambers, adjoining property owner to the east, made a comment that there are two new rows of cars by the shop and asked how many vehicles could be stored on this property before this would be considered a salvage yard. One of the vehicles had no hood on the car. It was asked if he is storing cars and using them for parts to repair vehicles. The neighbors are concerned about this looking like a junk yard.

Discussion was held:

A **motion** was made by Todd Sparks, seconded by Zach Zebell to deny the application of Jozef Koniecko and Gordon Alexander for a **conditional use permit** to operate a small business for U-Haul site, auto repair/maintenance with storage, at 29244 State Hwy 21, Tomah. Motion carried: 5-0.

In summary, reasons for denial of the application are as follows:

- 1) The facility does not have an adequate or properly licensed wastewater treatment or containment system for the industrial waste generated by this type of use.

11-21-2022

- 2) Concern regarding the storage of vehicles and materials that could cause potential hazardous waste to be discharged into the wetlands.

Application of Jeff and Linda Deeth for a **conditional use permit** for a Boarding & Training Dog Kennel, at 21284 Kale Rd, WI in part of the SW 1/4, NE 1/4, Section 17, T16N, R4W, Town of Leon, parcel# 022-00376-5300, 8 acre parcel. The adjoining land use is agriculture.

Jeff was present and addressed the Committee. Jeff trains hunting dogs and recently moved to Monroe County and would like to start a business Boarding & Training Dogs. He is looking at starting with 4-8 dogs. He trains labs for obedience and hunting. He anticipates that he would train 2-3 dogs at a time. Jeff explained training can take anywhere from 1-3 months depending on the dog. His wife also would like to take in rescue dogs which would be on the property for a longer period of time. In the future he would like to build a shed for room to board approximately 25 dogs. He has fencing and will also have all dogs in buildings at night.

Jeff stated that at the Town meeting the neighbors had a concern with the noise and Jeff assured them that he would have the dogs in at night. He also stated if there is an issue he wants to know and he will take care of it. Jeff stated that he has talked with all his neighbors and have their support.

Alison reported that an email was received from the Town of Leon recommending approval of this permit with no conditions.

The Committee asked if he was ever planning on breeding dogs. Jeff stated that he would like to breed one of his labs to keep a pup but does not his intend to have a breeding business.

Discussion was held:

A **motion** was made by Todd Sparks, seconded by Cedric Schnitzler to approve the application of Jeff and Linda Deeth for a conditional use permit for a Boarding & Training Dog Kennel, at 21284 Kale Rd, WI in part of the SW 1/4, NE 1/4, Section 17, T16N, R4W, Town of Leon. Motion carried: 5-0.

### **Sanitation & Zoning Dept Questions & Updates**

No updates.

Alison stated that Rolling Hills will be auctioning off their old office equipment, etc that was not moved to the new facility. Prior to this other departments are able to claim items for use. Alison and staff plan acquire office equipment, desks, etc for the new sanitation & zoning position.

### **Dog Control Dept Questions & Updates**

Jeff Leis and Amber Dvorak were present and addressed the Committee.

Jeff explained that he has been working with the Sheriff's Department and Corporate Counsel regarding a new program allowing the humane officer to issue citations directly without having to go through the Corporation Counsel's Dept. Jeff stated that things have been going well. Many citations have been issued and the process is flowing smoothly not that they have the "bugs" worked out of the computer program. Jeff also mention that they have digitized Dog Bite forms used by all law

11-21-2022

enforcement agencies in Monroe County. In the past it would take several days before law enforcement could notify the Dog Control Dept. Now they will be able to email the form the same day.

Jeff mentioned they are trying to go paperless. Currently the Dog Shelter is a standalone facility with regards to the computer system. They are working with the County IT Department to get the Dog Shelter directly connected to the County's network. They are also working on setting up the phone line at the shelter so that it is a recorded line. Corporate Council recommended that the Committee be informed of this prior to implementation. Alison will get in contact with the Sheriff's department and Chief Deputy-Chris Weaver to see if there is a County policy regarding this type of phone line.

Amber and Jeff are working with Humane Society of the United States (HSUS) – a Nationwide association that provides Humane Officer training for law enforcement, District Attorneys, Corporation Counsels, and other investigative agencies at no cost. They currently hold several trainings on the east side of the state and in Madison but Jeff is trying to bring this free training here to Monroe County. Jeff has been working the Sheriff's office and other Police Depts in Monroe County and has the support of the community in trying to find a place where these seminars could be held. Jeff will keep the Committee posted.

Jeff also informed the Committee that there are issues regarding his work vehicle. Recently one of the tie rods broke. The auto shop that performed the repair informed him that the entire under carriage, including all the brake lines, is very rusty and that he could expect other issues and expenses in the near future. The vehicle is a 2011 and has over 94,000 miles.

This issue will be put on the December agenda for further discussion and possible action.

### **Financial Report**

#### **FINANCIAL REPORT - VOUCHERS - INTER-DEPARTMENTAL TRANSFERS – CREDIT CARD EXPENDITURES – LINE ITEM TRANSFERS – BUDGET ADJUSTMENTS**

Dog Control line item transfer request for the 2022 budget. The request is to transfer \$400 from the Rabies Vaccinations line item to the Motor Vehicles line item to cover the cost of gas through the end of 2022. Alison explain of the request was due to unanticipated price of fuel.

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Zach Zebell, to approve the Dog Control line item transfer from the Rabies Vaccinations line item to the Motor Vehicles line item. Motion carried: 5-0.

Dog Control line item transfer request for the 2022 budget. The request is to transfer \$499.00 from the Building Maintenance/Repairs line item to the Electricity line item due to increased usage and increased cost of electricity. Alison explained several areas of the dog shelter have electric baseboard heat which has been used more this year because of the cooler temperatures this fall.

Discussion was held:

A **motion** was made by Mary Cook, seconded by Todd Sparks to approve the Dog Control line item transfer from the Building Maintenance/Repairs line item to the Electricity line item. Motion carried: 5-0.

11-21-2022

**October 2022**

<b>Department Vouchers</b>		<b>Interdepartmental Transfers</b>		<b>Credit Card Voucher</b>	
Sanitation	1435.67	Sanitation		Sanitation Credit	120.00
Zoning	818.90	Zoning		Zoning	66.96
Dog Control	2,328.24	Dog Control		Dog Control	534.52
BOA	92.98			LR	
<b>Total</b>	<b>4,675.79</b>				<b>721.48</b>

Discussion was held:

Alison gave a hand-out to the Committee showing the comparison of zoning and sanitation fees from neighboring counties with Monroe County fees. This will be put on the December agenda for further discussion.

**Set Date for Next Meeting and Possible Agenda Items.**

The next meeting will be held Monday, December 19, 2022 and will start at 6:00 pm in the Monroe County Justice Center Monroe County Board Assembly Room 1<sup>st</sup> Floor - Room #1200, 112 South Court Street, Sparta, WI 54656. Agenda items: (1) CUP, Renewal of Kevin Huff Wolf-Hybrid Foster Facility Resolution and Restricted Animal permit.

A **motion** to adjourn was made by Zach Zebell, seconded by Todd Sparks. Motion carried: 5-0.

Meeting adjourned at 7:25 PM.

*Recorded by Gretchen Jilek*