

**DIVISION OF LAND MANAGEMENT PUBLIC ADVISORY COMMITTEE
REGULAR SESSION
9-27-06 1:00 P.M.
COUNTY BOARD ROOM**

MEMBERS PRESENT: Larry Amundson, Dan Byom, Peter Fletcher, Danny Foote, Dennis Frame, Tim Geiger, Eric Gullicksrude, Butch Halama, Gerald Hawkinson, Chris Hovel, Todd Quarne, Tom Schank, Willard Schank, Larry Sonsolla, Buzz Sorge, Sharon Spahr, Roland Thompson and Dennis Deitelhoff.

Staff/Advisors Present: Reed McRoberts, Kevin Lien and Dave Appleyard.

Appleyard called the meeting to order at 1:00 p.m.

Appleyard announced that the open meetings law had been complied with through notifications and posting.

Appleyard thanked everyone for agreeing to serve on the Division of Land Management Public Advisory Committee. Appleyard stated that unlike state agencies, the county has no pre-determined outcome of this advisory committee. The committee shall elect its own officers and shall set its own agenda. Staff will be available to answer questions and will perform tasks when requested to assist the committee. Frame suggested that committee members and staff introduce themselves. Introductions were made.

Appleyard then distributed a hand out that spelled out the precise charge of the committee (a copy is attached to these minutes). Appleyard stated that the committee will have a budget of \$12,000.00 and their recommendations must be forwarded to the Joint Land Conservation/Zoning Committee no later than July 1, 2007.

Appleyard then called for nominations for Committee Chair. Thompson nominated Peter Fletcher for Chair, the nomination was seconded by Sorge. Appleyard asked for other nominations for Committee Chair. Being none, Appleyard called the question. Fletcher was elected Committee Chair. Fletcher voiced concern that, as a past county employee and Division of Land Management Coordinator, his serving as Chair of the Committee might be viewed by some county board members adversely and this might jeopardize the work and recommendations of the committee. Appleyard asked Fletcher if he would accept the responsibility. Fletcher stated that he would reluctantly do so but wanted the other committee members to be aware of the possible negative consequences and stated that if it became an issue he would step down as chair. Appleyard then called for nominations for Committee Vice Chair. Gullicksrude nominated Dennis Frame for Vice Chair of the Committee, the nomination was seconded by Quarne. Appleyard called for other nominations for Vice Chair. Being none, Appleyard called the question. Frame was elected Vice Chair of the Committee. Frame stated that he has similar concerns as were voiced by Fletcher. Appleyard asked if Frame would accept the responsibility. Frame stated that he would. Appleyard then called for nominations for Committee Secretary. Amundson nominated Appleyard, the nomination was seconded by Gieger. Appleyard called for

other nominations for Secretary. Being none, Appleyard called the question. Appleyard was elected Committee Secretary. Appleyard stated that he tends to take detailed minutes in order to provide a clear historical record as to why committees have taken the actions that they have. However, the minutes of the first meeting of this advisory committee will be a bit sketchy due to his active participation in the meeting.

Appleyard then asked the Committee to set a meeting schedule. The Committee set their meeting schedule to meet on the last Wednesday of the month from 1:00 p.m. to 3:00 p.m. with meetings to be held in the County Board Room. Due to the ongoing crop harvest, the next meeting will be held November 29, 2006, to be held in the County Board Room beginning at 1:00 p.m..

Appleyard then turned the meeting over to Chairman Fletcher.

Chairman Fletcher stated that it is essential for the advisory committee to have a clear understanding of the services provided by the Departments that make up the Division of Land Management. Chairman Fletcher called upon staff to provide the committee with a listing of the services each Department provides. Staff distributed and reviewed the Land Conservation, Zoning and Planning services spread sheets that the Departments had developed for the County Board (copies of these spread sheets are attached to these minutes). The spread sheets identified; all services, whether the service was mandated by the state, total cost of providing the service, tax levy impact and priority ranking of the services. Frame instructed staff to break down the departmental budgets to identify the amount of each budget that supported staff, administration, supplies, vehicles, etc. as the committee needs to know how budget cuts will affect staffing. Frame asked Appleyard how he intended to continue to provide technical services to county land users to assist them to meet the requirements of ATCP51 and NR151 during times of budget reductions? Appleyard responded that he didn't know how he would continue to do so and that he is looking forward to the recommendations of the advisory committee. Frame questioned the services provided by the County Surveyor. Frame pointed out that the surveyors budget was a very large percentage of the tax levy amount of the entire Division. McRoberts provided information on the services provided by the surveyor and the inter-relationship of the surveyors' activities and the activities of other departments. McRoberts stated that progress of the Land Records Department is dependant upon the surveyor completing the remonumentation of PLSS Corners within Towns. Several Committee Members had specific surveyor questions that staff was not able to fully respond to. Chairman Fletcher instructed staff to have the County Surveyor attend the next Advisory Committee meeting to respond to service and budget questions. Frame questioned when the county remonumentation project shall be fully completed and what the annual maintenance budget would be following completion? Staff stated that they would have the county surveyor provide answers to those questions during the next meeting. Sorge voiced his concern that the merging of the Land Conservation/Zoning/Planning Departments into a Division of Land Management may not be a responsible or necessary thing to do. Sorge questioned what the tax levy savings would be and where the increased efficiencies occur? Appleyard responded that the County Board is seriously considering employing a County Administrator. County Administrators like to show quick accomplishments so that County Board members gain confidence that they have done the right thing by hiring a County Administrator. It is common for a new County Administrator to smash the Land Conservation/Zoning/Planning Departments together so as to reduce the number of Department Heads and Standing Committee's of the

County Board. Appleyard stated that this public advisory committee exercise is a pro-active measure to provide an opportunity to county citizens that would be impacted by the creation of a Division of Land Management, and possible reduction of services, to have direct input into how the Division is created and the types and level of services provided. Hovel asked Appleyard if this merging of departments is a common occurrence once County Administrators are employed? Appleyard responded that it is. Hovel asked if staff could survey counties that have undertaken these mergers to get responses as to tax levy savings or increases in service delivery efficiencies? Appleyard stated that staff will do so. Chairman Fletcher instructed staff to add this to the mailing prior to the next committee meeting. Chairman Fletcher asked Appleyard to provide the Committee with information as to the structure and function of the current Division of Land Management. Appleyard stated that the Division is made up of the Land Conservation/Zoning/Planning Departments. The purpose of the Division is to implement the County Land and Water Resource Management Plan, various state mandates and the County Comprehensive Zoning Ordinance. The activities and staff responsibilities associated with implementation are detailed in the Division of Land Management Plan. The Joint Land Conservation/Zoning Committee meets quarterly to oversee the implementation of the Division of Land Management Plan. A Division of Land Management Coordinator position has been developed as an add on position description to ensure that the activities associated with implementation are coordinated and the plan is being implemented. The Coordinator is assigned to the Joint Committee. Appleyard stated that the Coordinator must be one of the three department heads and does not have supervisory authority over any staff person outside of their immediate department. Chairman Fletcher asked if the current system works adequately? Appleyard responded that it does but that this is due largely to the fact that the three current department heads get along well together and respect each others authorities and abilities. This could change once one or more of the current Department Heads retire or other wise leave employment with the county. Appleyard added that the Coordinator not having direct supervisory authority is potentially a major obstacle in ensuring Plan implementation.

Chairman Fletcher then asked Appleyard to review the county's proposed revision to the County Land and Water Resource Management Plan. Appleyard stated that the state mandates that counties develop County Land and Water Resource Management Plans to detail how the county shall ensure compliance with the Agricultural and Non-Agricultural Performance Standards and Prohibitions contained within NR151. The county must have a state approved Plan to be eligible for state staffing and cost share grants. Appleyard explained that DATCP has demonstrated a willingness to use these plans as punitive tools to punish counties that are too aggressive in plan implementation or are too lax. This revision is intended to meet minimum requirements for state approval and funding while not obligating the county to provide services in excess of what the state currently requires. The intent of the plan is also to make explicit the impediments to county implementation of the states nonpoint water quality program. Appleyard asked if the Advisory Committee had any specific questions or comments concerning the draft plan that had been sent to them prior to the meeting? Several members of the Advisory Committee expressed frustration with the NRCS Firewall section of the Impediments to Implementation Chapter of the Plan. Appleyard stated that the next step in the plan revision process was to take the plan to public hearing. The Advisory Committee did not object to taking the plan revision to public hearing.

Chairman Fletcher then asked Committee members for input into the next meeting agenda. The committee instructed staff to place the following items onto the next agenda:

- **County Surveyor appearance**
- **Results of surveys sent to counties to determine tax levy savings and efficiency increases through Department consolidation**
- **Current budget breakdown of the Departments (staff, admin., vehicles, etc.)**
- **Potential additional revenue sources**
- **Percent of services currently supported by fees and a regional comparison of fee structure**
- **Reports on other county's that have combined Departments (good and bad)**
- **Outline to measure Advisory Committee progress**

Being no further business to bring before the Advisory Committee, Thompson made a motion to adjourn, seconded by Hovel. Motion carried.

Chairman Fletcher adjourned the meeting at 3:06 p.m.

Respectfully Submitted,

**Dave Appleyard
Recording Secretary**