

**DLM PUBLIC ADVISORY COMMITTEE
REGULAR SESSION
11-29-06 1:00 P.M.
COUNTY BOARD ROOM**

MEMBERS PRESENT: Peter Fletcher, Larry Amundson, Dan Byom, Dennis Deitelhoff, Danny Foote, Tim Geiger, Eric Gullicksrude, Butch Halama, Gerald Hawkinson, Nan Horton, Chris Hovel, Sheree Nelson, Todd Quarne, Tom Schank, Willard Schank, Jim Schwartz, Barb Semb, Buzz Sorge, Sharon Spahr, and Roland Thompson.

STAFF/ADVISORS PRESENT: Reed McRoberts, Joe Nelsen, Kevin Lien and Dave Appleyard.

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

Chairman Fletcher announced that the open meeting law had been complied with through notifications and posting.

Deitelhoff made a motion to approve the agenda as presented, seconded by Thompson. Motion carried.

Hovel made a motion to approve the 9-27-06 minutes as printed, seconded by Horton. Motion carried.

Chairman Fletcher observed that there are several committee members in attendance that were not able to attend the first meeting. Chairman Fletcher asked all committee members to introduce themselves. Introductions were made.

Chairman Fletcher asked Appleyard to provide a re-cap of the first meeting. Appleyard stated that during the first meeting, the advisory committee was given its responsibilities, a timeline to complete its tasks as well as a budget to work within. A lengthy discussion had taken place concerning the reasons for creating a single Division of Land Management out of the current Zoning, Planning and Land Conservation Departments and staff had provided an outline of the current public services provided by the three Departments.

Chairman Fletcher introduced the County Surveyor, Joe Nelsen, to the Committee. J. Nelsen provided a brief history of the original land monumentation project in Trempealeau County. J. Nelsen stated that he has been employed by the county for 10 years as the county surveyor. The county surveyor has two major responsibilities. The first is to locate and remonument all PLSS Corner Markers within the County and the second is to maintain an office presence to provide information and assistance to the public. J. Nelsen provided information as to the importance of having an accurate remonumentation program as it is this accurate remonumentation that provides the foundational element of the county Land Records and Parcel Mapping programs. Nelsen stated that in order to have accurate land surveys, it is necessary to have accurate corner marker locations. Willard Schank questioned why the county does not use GPS technology to relocate the original corner markers, thereby saving substantial time and money? J. Nelsen

responded that GPS technology can accurately measure distances but this technology would not be of much benefit in locating the original survey monuments as these monuments were not as accurately measured in the original land survey. J. Nelsen stated that the original land survey marker locations are the legal corner locations regardless of the measurement between them. J. Nelsen stated that his job is to locate the original survey markers and to preserve them in their original location as all subsequent land splits used these corners as the basis of the survey. Willard Schank questioned how Nelsen re-sets the original survey marker location if he is not able to re-locate the original survey marker? Nelsen responded that the survey crew continues to search for the marker until it is located if at all possible. In the event that the original survey marker can not be located the corner is determined to either be obliterated or lost. If lost, the corner is re-established by virtue of measurement as required by state law. Sheree Nelson asked for an explanation of the legal ramifications of having a survey done for a land split and the survey determines that the line fences were in the wrong location. J. Nelsen responded that this situation may happen if the fence were built without benefit of a survey, or if the survey was inaccurate. J. Nelsen emphasized that this is the reason that it is essential to locate the location of the original survey marker during the remonumentation process. J. Nelsen stated that it may be the case that past property owners had swapped land or in some other way agreed to the location of a line fence without documenting or recording the agreement. It is impossible to account for such deals between past land owners. Amundson asked for clarification of the "adverse possession" law. J. Nelsen stated that if a person uses a piece of land for at least 20 years and this use is uncontested, the user of the land parcel may gain adverse possession rights of the land parcel but does not own title to the property. J. Nelsen stated that ownership of a land parcel without having legal title to the property creates many problems that may be resolved by the courts. Schwartz asked J. Nelsen how often a remonumentation project must occur? J. Nelsen stated that a complete remonumentation project must occur only once but a maintenance program to maintain the location of established remonumented corner markers must then take place. Schwartz questioned when the current remonumentation project shall be completed. J. Nelsen responded that given the current funding, 2012. The remonumentation was originally scheduled to be completed at an earlier date but funding cuts have lengthened the timeline for completion. Chairman Fletcher questioned what the annual maintenance budget would amount to once remonumentation has been completed? J. Nelsen responded that it would be approximately 10% of the remonumentation budget. Hovel questioned the source of the \$2500.00 revenue in the surveyor budget? J. Nelson responded that is income generated through the review of certified survey maps. Tom Schank questioned why the remonumentation has taken place on the north and south ends of the county leaving the middle of the county without remonumentation work taking place? J. Nelsen responded that the county determined that the remonumentation take place in the north and the south due to the increased level of land splits that were occurring due to land developments. T. Schank stated that his costs for surveying are much greater in the middle of the county due to the fact that remonumentation has not yet occurred.

Chairman Fletcher then referred to the survey information that staff compiled from counties that had consolidated departments. Deitelhoff stated that he found it interesting that comments from counties indicated that all forms of county government can work and that there was no clear message that merging departments provided demonstrated benefits. Gieger observed that several of the county's responded that they felt that the departments lost their individual identities after merger. Schwartz questioned what was wrong with the current departmental structure and what

led the county to discuss the merger of the departments? Appleyard responded that over the past five or so years there have been increased comments from county board members concerning the fact that there are three department heads within what they view as a single department. Appleyard stated that because the departments coordinate their activities, the departments are viewed by some board members as a single department. Also, the discussions among board members in the hiring of a County Administrator has intensified. Appleyard voiced his observation that new County Administrators often merge the conservation and land use departments very quickly so as to demonstrate to board members that they are actively consolidating departments and services, thereby earning their salaries. Lastly, the current structure of structured coordination through a Division of Land Management Coordinator that is responsible for implementation of the Division of Land Management Plan places the coordinator in the position of being responsible to the Joint Committee for implementation of the Plan but the coordinator does not have direct supervisory authority over any staff member outside of their own Department. Schwartz recognized that the lack of direct supervisory authority over staff was a flaw in the current system but felt that this issue could be resolved easily by giving supervisory authority over all staff to the coordinator. Appleyard responded that this would then essentially be the creation of a single Division of Land Management once the rest of the administrative structure of the Division was completed. Butch Halama and Thompson both stated that a fairly simple merger and adjustments to the current administrative structure of the Division of Land Management as suggested by Schwartz could be the recommendation of the advisory committee. Butch Halama stated that Trempealeau County has historically been proactive in these sorts of issues and felt that the county should continue to be proactive and complete the process.

Chairman Fletcher then asked Appleyard to review the breakdown of current departmental budgets demonstrating the amount of currently available funds used to support staff, administration, vehicles, etc. Appleyard stated that Frame had requested this information during the previous advisory committee meeting. Appleyard stated his belief that Frame had requested this budget breakdown to demonstrate that reductions in budgets would require a reduction in staff and services. Appleyard stated that the budget breakdown indicates that Frame was correct and that future budget reductions shall require reductions in staff and public services. Appleyard informed the advisory committee that the departments had adhered to the county board directives to come in with zero percent tax levy increases on budget proposals during the past several years. This has required cuts in staff, elimination of health insurance benefits and elimination of non-essential services. Future budget reductions will require further cuts in staff and public services. Appleyard urged the advisory committee to take seriously their charge to prioritize services provided by the departments so that the public will have some input into the determination of what are essential public services provided by the departments and which services are not.

Chairman Fletcher then asked Appleyard to discuss the results of the fee schedule survey of neighboring and regional counties. Following review of the fee schedules, Sorge questioned Appleyard if he was suggesting that fees be increased? Appleyard responded that once the advisory committee determines what are essential services, the committee is going to have to discuss how to financially support staff necessary to provide essential services during times of static or decreasing tax levy contributions. Appleyard pointed out that Trempealeau County charges \$25.00 for a manure storage permit, and has done so since 1984, while Marathon County charges up to \$850.00 for a manure storage permit. Deitelhoff questioned what percentage of the

departmental budgets are supported by fee's? Appleyard distributed a spreadsheet that demonstrated the amount of each departmental budget that is supported by fee's. The percentage of budgets supported by fee's varied by Department. Horton asked Lien if the fee's for a Board of Adjustment hearing covered the costs of the hearing? Lien responded that the fee's currently charged barely cover the costs associated with placing the public hearing notice in the newspaper. A lengthy discussion followed which focused on advisory committee concerns that the fee spreadsheet did not provide the committee with enough information to assess whether fee increases would generate substantial revenue. Following discussion, Chairman Fletcher instructed staff to estimate the amount of fee revenue increases that would result from increasing fee's to the norm for the region. Staff were instructed to provide this information to the committee prior to the next meeting. Gullicksrude voiced concern that a standard fee amount may not be entirely fair. Gullicksrude felt that fee's should vary based upon the revenue generated or the financial gain to be realized by the applicant for a permit. Gullicksrude cited examples of past applicants for permits that paid relatively high permit fee's for low income businesses while others paid the same amount of fee's for businesses that generated a great deal more income.

The committee then engaged in a brief discussion concerning the membership and function of the Division of Land Management oversight committee. The committee felt that it was necessary to determine the essential services to be provided by the Division prior to discussing the make up of the oversight committee.

A brief discussion then took place concerning the current organizational structure of the Division of Land Management. Chairman Fletcher instructed Appleyard to develop a Division of Land Management Organizational Chart to provide a visual representation of the current organizational structure and to provide this organizational chart to the committee prior to the next meeting.

Chairman Fletcher then introduced the concept of sending out Division of Land Management service delivery surveys to county citizens that have had recent contact with one or more of the Departments of the Division of Land Management to determine customer satisfaction with the current service delivery system, fee schedule, etc. Chairman Fletcher suggested that surveys be sent to 50 new county residents, 50 established county residents and 50 agricultural producers. Chairman Fletcher stated that he felt that this would incorporate greater public input into the committee's decision making process. Dan Byom suggested that committee members could talk with their neighbors to get this information and observed that the members of the committee encompass the entire county. Hovel suggested that a phone survey might be used to increase the number of responses. Appleyard stated that he did not have staff time available to invest in an extensive phone survey. Schwartz and Sorge questioned the value and quality of the responses of the survey results, adding that they felt that a survey of Town Board members would provide more valuable information. Following lengthy discussion, it was the consensus of the committee that a public input survey would not be pursued at this time.

Chairman Fletcher opened the meeting up for general discussion of committee concerns. Sorge questioned if the combining of departments would yield financial savings without the elimination of essential services? Byom voiced concern over a process designed to fix a problem which does

not appear to exist. Quarne observed that Appleyard keeps referring to the county hiring an administrator and the administrator would combine the departments very quickly. Quarne asked County Board Chair Semb if the county was going to hire an administrator? County Board Chair Semb responded that the county is discussing the hiring of an administrator but based upon discussions of the Executive/Finance Committee during this past budget cycle, the Departments would be combined into a single Division within three years regardless of the hiring of an administrator. Gullicksrude questioned if the County Board is going to implement the recommendations of the advisory committee and if not, he had better things to do with his time. Appleyard responded that the county has convened several public advisory committee's over the years that he has been with the county and the county has historically taken the recommendations of the advisory committee's very seriously and most, if not all, of the advisory committee recommendations have been implemented by the county. S. Nelson requested that during the next meetings public services presentations, the Department Heads of the three Departments focus not only on the public services that are currently being provided but should include those services which are not currently being provided due to staff time limitations.

Chairman Fletcher instructed Appleyard to add the following items to the December DLM Advisory Committee agenda:

- Staff presentations of current public services provided by the Departments.
- Estimates of increased revenue generated by fee increases.
- Timeline for Committee accomplishments.

The committee set their December meeting for December 27, 2006 to be held in the County Board Room from 1:00 p.m. to 3 p.m.

Being no further business to bring before the committee, Quarne made a motion to adjourn, seconded by Deitelhoff. Motion carried.

Chairman Fletcher adjourned the meeting at 3:03 p.m.

Respectfully Submitted

David W. Appleyard
Recording Secretary