



MINUTES
NATURAL RESOURCES COMMITTEE
REGULAR MEETING
THURSDAY, FEBRUARY 2, 2023 – 9:00 AM
ADMINISTRATION CENTER - ROOM A-200
121 W. MAIN STREET, PORT WASHINGTON, WI 53074

1. CALL TO ORDER

A regular meeting of the Natural Resources Committee was held in Room A-200 at the Administration Center.

Attendee Name	Title	Status	Arrived
R. Holyoke	Chairperson	Present	
B. Jobs	Vice-Chairperson	Present	
B. Ross	Supervisor District 19	Present	
T. Matera	Supervisor District 7	Present	
K. Schoessow	Supervisor District 23	Present	
Rick Lanser	FSA Committee Member	Excused	

Staff present: Planning & Parks Director Struck, Land & Water Management Director Vogeler, Sanitation & Zoning Coordinator Pfister, Technical Support Specialist Austin, Extension Area Director Sarkady, 4-H Program Educator Hintz, Finance Director McMahon, Deputy County Clerk Niemuth and Chief Deputy County Clerk Henning.

Others present: Dan Benson, Ozaukee Press and Greg Nikolai, CDG Sport and Hospitality Group

2. PROPER NOTICE

Chairperson Holyoke called the meeting to order at 9:00 AM. The clerk noticed the meeting as required.

3. PUBLIC COMMENTS, CORRESPONDENCE, COMMUNICATIONS

There were none.

4. APPROVAL OF MINUTES

a. January 5, 2023

Motion to approve the January 5, 2023 minutes as submitted.

NATURAL RESOURCES COMMITTEE	
RESULT:	APPROVED [UNANIMOUS]
MOVER:	B. Ross, Supervisor District 19
SECONDER:	B. Jobs, Vice-Chairperson
AYES:	Holyoke, Jobs, Ross, Matera, Schoessow
EXCUSED:	Lanser

5. UNIVERSITY EXTENSION OFFICE

a. *Management/Financial/Informational Reports*

1. UW-Madison Division of Extension Ozaukee County Written & Financial Reports

Ms. Sarkady reported that a Community Development Educator has been hired and will begin employment on March 6, 2023.

9:02AM Land & Water Management Director Vogeler, Sanitation & Zoning Coordinator Pfister and Technical Support Specialist Austin joined the meeting.

Ms. Hintz provided an update on various programs and the 4-H Thriving Model.

6. REGISTER OF DEEDS/LAND INFORMATION

a. *Management/Financial/Informational Reports*

1. Register of Deeds Reports

There were no questions.

7. LAND AND WATER MANAGEMENT DEPARTMENT

a. *Action Items:*

1. Ordinance: Amending Section 9.024 (7) of the Ozaukee County Code of Ordinances - Sanitary Permit Fees

Ms. Vogeler explained that the fees collected during the application process are a one-time fee to cover the cost of that system and that once permitted, no additional funding source is made available to manage the sanitary permit associated with a given property. However, there are expenses associated within the lifetime of that system.

Ms. Voegler noted the operational costs of the sanitation division have increased over time and that the costs exceed the revenue collected.

Question on how often the fees should be reviewed.

Discussion to remove the fee schedule from ordinance and move to a resolution. Staff will investigate.

Motion to approve the ordinance amending Section 9.024 (7) of the Ozaukee County Code of Ordinances. This ordinance will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: B. Ross, Supervisor District 19

SECONDER: T. Matera, Supervisor District 7

AYES: Holyoke, Jobs, Ross, Matera, Schoessow

2. Carryover of 2022 Funds - Land & Water Management

Motion to approve the request to carryover \$13,917.94 from Multi-Discharger Variance for Phosphorus Program Funds that were not spent in 2022 and \$12,924.00 budgeted in 2022 for stormwater modeling compliance work regarding MS4 permit. This request will move forward to the Finance Committee for further action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED AND FORWARDED [UNANIMOUS] Next:**
 2/23/2023 8:00 AM

MOVER: B. Ross, Supervisor District 19

SECONDER: K. Schoessow, Supervisor District 23

AYES: Holyoke, Jobs, Ross, Matera, Schoessow

b. Management/Financial/Informational Reports

1. Land & Water Management Reports*

Awaiting 2022 reimbursement from the Clean Farm Families grants.

Update on Wildlife Damage and Abatement Program.

2. Soil Health Workshop*

Soil Health Workshop to be held on Thursday, February 9, 2023 at Port Washington Inn & Suite Conference Center in Port Washington.

8. PLANNING AND PARKS DEPARTMENT

a. Action Items:

1. Increase of Revenue Budget Amendment for a U.S. Forest Service Great Lakes Restoration Initiative - Cooperative Weed Management Areas Grant through the Southeastern Wisconsin Invasive Species Consortium, Inc. / Ulao Creek Partnership, Inc. for Invasive Species Management in Ulao Creek Nature Preserve County Park

Motion to approve the increase of revenue budget amendment recognizing \$17,264 from the U.S. Forest Service Great Lakes Restoration Initiative - Cooperative Weed Management Areas grant program through the Southeastern Wisconsin Invasive Species Consortium, Inc. and Ulao Creek Partnership for Invasive Species Management in Ulao Creek Nature Preserve County Park. This budget amendment will move forward to the Finance Committee for further action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED AND FORWARDED [UNANIMOUS] Next:**
 2/23/2023 8:00 AM

MOVER: B. Ross, Supervisor District 19

SECONDER: B. Jobs, Vice-Chairperson

AYES: Holyoke, Jobs, Ross, Matera, Schoessow

2. Submittal and Acceptance of a National Fish and Wildlife Foundation Sustain Our Great Lakes Grant for Groundwater Investigation and Stormwater Wetland Improvements at Virmond County Park

Motion to approve the submittal and acceptance of a grant by the Planning and Parks Department to the National Fish and Wildlife Foundation for groundwater investigation and stormwater wetland improvements at Virmond County Park.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** T. Matera, Supervisor District 7**SECONDER:** B. Ross, Supervisor District 19**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

3. Submittal and Acceptance of a National Fish and Wildlife Foundation Sustain Our Great Lakes Grant for Invasive Vegetation Management in the Ozaukee County Park System

Motion to approve the submittal and acceptance of a grant by the Planning and Parks Department to the National Fish and Wildlife Foundation Sustain Our Great Lakes Program for invasive species management in the Ozaukee County Park System.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** B. Ross, Supervisor District 19**SECONDER:** K. Schoessow, Supervisor District 23**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

4. Submittal and Acceptance of a U.S. Fish and Wildlife Service Great Lakes Restoration Initiative Fish and Wildlife Management Assistance Grant for Acquiring and Restoring (or portions of) Parcel ID(s): (110500506003, 110500504001, 110500510001, 110500502000) Along County Highway Trunk W and the Milwaukee River in the Village of Saukville for Floodplain and Wetland Restoration per §§ 59.52(6)(a) AND 27.065(1)(a) Wisconsin Statutes as Part of the County Highway Trunk W Road Reconstruction and Restoration Project

Motion to approve the submittal and acceptance of a grant by the Planning and Parks Department to the U.S. Fish and Wildlife Service Great Lakes Restoration Initiative Fish and Wildlife Management Assistance grant program for acquiring and restoring up to four parcels in the Village of Saukville for floodplain and wetland mitigation and habitat restoration as part of the CTH W road reconstruction and restoration project in partnership with the Ozaukee County Highway Department and Village of Saukville.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** K. Schoessow, Supervisor District 23**SECONDER:** B. Jobs, Vice-Chairperson**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

5. Resolution: Ozaukee Washington Land Trust Held Conservation Easement For Clay Bluffs Cedar Gorge Nature Preserve In The Ozaukee County Park System

Mr. Struck explained that the easement has been reviewed by Corporation Counsel three times. The easement included in the packet is the latest review by Corporation Counsel and is acceptable to consider. The Ozaukee Washington Land Trust has also reviewed earlier versions of the easement, but has not fully reviewed the recent changes that Mr. Struck will highlight.

Mr. Struck highlighted the following items in the easement for the committee's consideration and policy guidance.

Page 2 - **(ii.) Protection of Relatively Natural Habitat or Similar Ecosystem:** change soil fertility to soil health and the reference to regionally rare species (e.g. short-eared owl habitat) will remain.

Page 4 - **Article I. Grant to Easement Holder (c) Prevent Inconsistent Development.** Keep the reference to government policy (noted in Section B (iii)), but further defined by State and County Government Policy.

Question on what limitations the easement will have on the county pertaining to future development. Mr. Struck stated that the conservation easement will protect the conservation value of the property. There are two categories; 1) highest protection area, which protects the conservation value of the area that overlaps with the federal grant restrictions and is defined by the master plan and 2) minimal protection area, which has been identified as passive recreational use and development. The minimal protection includes six acres; approximately one (1) acre located at the northern edge of the property which will have an access road to provide access north of the gorge and approximately five (5) acres near the southwest corner of the property (as seen on the funding map provided in the packet), which would allow for park-supporting facilities such as a parking lot, visitor pavilion, etc. The six (6) acres currently unencumbered from any (e.g. federal grant) restrictions and only the conservation easement would potentially apply here.

Mr. Struck explained the 95% of the easement is acceptable to Ozaukee County and the Ozaukee Washington Land Trust and is consistent with the federal grants the county has accepted for acquisition of the property. The remaining 5% are the items the committee is discussing today.

Chairperson Holyoke requested to move ahead to the next agenda item to accommodate Mr. Nikolai from CDG Sport and Hospitality Group. There were no objections.

Page 5 and Page 10 Article 5 **Minimal Protection Area** - Question to the committee is whether or not to strike the minimum protection area. Mr. Struck noted that if the six (6) acres are not in a minimal protection area, they would not be covered by the easement and be unencumbered (e.g. no federal grant restrictions). The Committee requested the Minimal Protection Area be deleted from the easement.

Page 8 - **Additional Improvements** (4) allows a maximum trail width of 8 feet: change to propose 10 feet, which is the State standard for multi-use trails, as well as (2) delete size restrictions to Regulatory Signs.

Page 9 - **Resource Management and Disturbance** (5) vehicular use needs to be allowed in cases of maintenance and property restoration, not just in cases of emergency. This also relates to section 1.04 Mineral Rights which indicates no soil

disturbance in highest protection area; add clarification that soil disturbance and removal is allowable for restoration activities (e.g. wetland restoration).

Page 13 - **Notice to Easement Holder, Notice to Landowner and Failure to Notify**
- change 90 days to 60 days.

Pages 13 & 14 - **Costs and Expenses** - strike (b) and (c)

Pages 16 & 17 - **Condemnation** - change to pay proportionally similar to other (third) parties condemning the land.

The committee directed Mr. Struck to make the changes to the easement as presented in the corporation counsel approved track-changes version included in the packet and as discussed (noted above). It was stated to Mr. Struck that the county should retain the maximum flexibility and that the restrictions of the conservation easement should not be more restrictive than those of the federal grant encumbrances in the highest protection area.

Mr. Struck noted that the NRC changes will be made and a final draft forwarded to the Ozaukee Washington Land Trust for final consideration.

Motion to approve the resolution for the Conservation Easement, as amended by the Natural Resources Committee with the recommended changes to the easement, to be held by the Ozaukee Washington Land Trust, for Clay Bluffs Cedar Gorge Nature Preserve in the Ozaukee County Park System. This resolution will move forward to the County Board for final action.

NATURAL RESOURCES COMMITTEE

RESULT: **APPROVED [UNANIMOUS]**

MOVER: T. Matera, Supervisor District 7

SECONDER: K. Schoessow, Supervisor District 23

AYES: Holyoke, Jobs, Ross, Matera, Schoessow

6. Bids and Contract for Professional Concessionaire / Restaurant Services at Hawthorne Hills and Mee-Kwon County Park Golf Courses

Motion to accept the bid from CDG Sport and Hospitality Group for Hawthorne Hills and Mee-Kwon Park Golf Course concessions/restaurants, contingent upon Corporation Counsel approval, which includes a proposed 4% annual lease fee based on total annual gross sales.

Chairperson Holyoke reverted to the previous agenda item.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** K. Schoessow, Supervisor District 23**SECONDER:** B. Jobs, Vice-Chairperson**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

7. 2022 Golf Course Operations Year in Review Summary and Recommended 2023 Golf Course Fees/Rates and Programs

Mr. Struck provided a brief summary of the 2022 golf season. A \$.50 increase for a 9-hole golf cart rate and a \$1.00 increase in the 18-hole golf cart rate along with green fee increases from \$.25 to \$1.75 are recommended for 2023.

Motion to approve the recommended Golf Course fees and programs for the 2023 golf season at Hawthorne Hills and Mee-Kwon Golf Courses.

NATURAL RESOURCES COMMITTEE

RESULT: APPROVED [UNANIMOUS]**MOVER:** K. Schoessow, Supervisor District 23**SECONDER:** B. Jobs, Vice-Chairperson**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

8. Carryover of 2022 Funds - Planning & Parks

Motion to approve the request to carryover \$104,500 from existing grants and match for grants, and existing capital projects not completed in 2022. This request will move forward to the Finance Committee for further action.

NATURAL RESOURCES COMMITTEE

**RESULT: APPROVED AND FORWARDED [UNANIMOUS] Next:
2/23/2023 8:00 AM****MOVER:** B. Ross, Supervisor District 19**SECONDER:** T. Matera, Supervisor District 7**AYES:** Holyoke, Jobs, Ross, Matera, Schoessow

b. Discussion Items:

1. Update on Hawthorne Hills County Park Multipurpose Maintenance Building Construction

Phase 2 of the construction will be done as a change order. Graphic included in the packet.

2. Update on Planning and Parks Department Capital Projects and Ecological Division Grant Projects

Update on Mineral Springs Creek, Sucker Brook and stormwater wetlands at Mee-Kwon Park.

c. Management/Financial/Informational Reports

1. Planning & Parks Management and Financial Reports

There were no questions.

9. NEXT MEETING DATE

March 2, 2023

10. ADJOURNMENT

Motion made by Supervisor Schoessow, seconded by Supervisor Matera to adjourn. Motion carried. Meeting adjourned at 11:32 AM.

Lisa M. Henning, Chief Deputy County Clerk

* FSA Committee Member Items