

LINCOLN COUNTY PLANNING BOARD

Meeting Minutes

March 18, 2014

1. 5:35 MEETING CALLED TO ORDER BY PAUL TISHER

Present: Jody Peterson, Mark Romey, Paul Tisher, Kirsten Holland, Matt Bowser, Bonny Peterson, Josh Letcher

Absent: John Damon,

Staff: Kristin Smith

Public: Commissioner Ron Downey, Russ Gautreaux, Dave and Sue Johnson, Kathy Hardy, Dan Burns, Bonita Jordan, Ralph and Marsha Weber,

2. APPROVAL OF MINUTES FROM FEBRUARY 18TH MINUTES APPROVED

3. PUBLIC COMMENT ON NON-AGENDA PLANNING BOARD ITEMS – NONE

4. AGENDA

a. Lincoln County Public Access Development – Milnor Lake

Kristin introduced the project on Milnor Lake that Commissioner Downey is working on to develop a public access that was granted several decades ago to include a walkway, boardwalk and dock. She then asked Commissioner Downey to give some background on the project and his vision for it.

Commissioner Downey explained there was a 10 foot easement granted in a subdivision many years ago. He became interested in the project after talking to several landowners out there. He hired an engineer to assist with the design and layout. He noted that a portion of the application was left off, inexcusably.

He thinks a composite dock is better than an aluminum one, plus it was less expensive. He recognizes some area neighbors have concerns and is interested in addressing them. He was here to answer as many questions as he was able.

He described the lengths of the dock sections as 120' each with a connector at the island.

[Some members of the audience were asking questions, but no names given.]

Russ Gautreaux asked Kristin how the easement was granted. Kristin noted the plat simply stated that it was a public access so there's only one public and without any other language or documents specifying the use or beneficiaries, the interpretation is that the public is the public and in this case, in care of Lincoln County.

Dan Burns read a story about his family's history on the lake and then expressed his frustration for not being able to get to the lake before now. He thanked the county for the walkway and applauded the plans for the dock, saying it should have been done a long time ago.

Matt Bowser asked Ron to clarify that the first length of dock would extend to the island. Ron affirmed. Matt then asked if the outlet contained water in the summer. Ron said not much in summer. He said there is a culvert that needs maintenance. He said the dock would be bridged over the outlet.

Paul asked if the dock would be left in all year. Ron said yes, that was the plan; that it worked better that way according to the manufacturer.

Kathy Hardy asked about the cost. Ron replied that it was \$3,800 for engineering and \$29,700 for dock. He said each commissioner district receives a certain amount for park funds. He has not used the money in his district for a few years with the intent of using towards this project. He said all the work will be done by the road crew and maintained just like other area parks are.

He said he just wants to get the access and will do everything he can to make it work for the folks that live out there.

Kathy Hardy asked if there were any restrictions that could be put in place. Ron said signs were definitely planned and would like everyone's thoughts on what should go on the sign. He said Phil Kilbreath with FWP will be adding it to his patrols.

Kathy noted that people had been trespassing on their property and it frustrated her. Ron said he wasn't opposed to putting up a fence if that would make people happy.

Ralph Weber asked about the format of the meeting. Paul said the Board was usually in session until 7:30, but everyone who wants to speak will have an opportunity. He asked people not to read their letters since the board received copies of everything submitted prior to the meeting.

Paul asked everyone to give their names when they commented.

Mark summarized the basic concerns he identified in the comments received: sanitation, fires, signs, parking [*inaudible*].

Paul asked Ron about sanitation. Ron said he didn't know if it could be done this year, but he planned on putting a toilet in somewhere.

_____ asked about pumping the toilet regularly. Ron said yes, it would be part of the maintenance.

Kirsten asked if Ron could show on the map where that might be located.

Russ (?) asked Ron if the toilet shouldn't have been in the proposal to begin with.

[Lots of talking at once – inaudible]

Sue Johnson asked why there was no public comment prior to today.

Ron said this was the opportunity for comment. He said part of what may have caused the confusion was the change in location. They had tried another spot that did not work out with the landowner, but the county already owns the easement in question.

Sue inquired whether Ron intended to do the project regardless of its location.

Dave Johnson asked why the project was started before the public had an opportunity to be involved. He said the path has been in for a year.

Ron said the county already owned the property and the county couldn't tell him where to place his driveway.

Bonita (?) Jordan offered a story about growing up near the lake and expressed her appreciation for what the county was doing. She said most of the public would like to be able to swim and fish in the lake. She noted that Savage Lake had a bathroom and small access. She questioned who wouldn't use a bathroom if one was provided. She stated that Milnor was not even visible from the highway so it wasn't going to get a lot of drive-by traffic. She said by putting signage and garbage cans gives people the same opportunity to appreciate the beauty of the lake. The lake doesn't belong to just a few.

Ralph Weber offered some comments on the process of providing access to the lake and the process for protecting the biological resources of the lake. He suggested ways to address some of the issues ahead of time before they come up later. He summarized highlights from his 8-page letter previously submitted.

_____ stated that Mr. Weber was a good friend of his, but that he has not revealed that he is a retired USFWS biologist and that he is trying go through the back door to get rid of the docks.

Paul asked Mr. Weber to continue.

Mr. Weber stated that he and his wife just moved to the area a year and half ago. He provided his background and history with environmental education and offered his assistance to the county in achieving some of its objectives. He noted there were several deficiencies in the application and that it needed to be updated with respect to the impacts on wetlands. He said the Corps relies on the applicant to provide accurate and truthful information and they can rescind their letter if new information is provided. He applauded the county for moving the project from its original location that would have filled wetlands and placed a parking lot.

Mr. Weber proceeded to read some of the suggestions and concerns in his letter (see file).

Paul noted that Mike Hensler with FWP did not oppose the project.

Kirsten asked how long the county has owned the property. Ron said he thought since 1971. Kirsten asked why did it take so long to develop? Ron did not know – he had tried to encourage Commissioner John Konzen to pursue it when he was commissioner.

Kirsten stated she had no doubt that the public access was a good project and that addressing neighboring property owners concerns was critical. But she said the county should follow the same process and in fact do more to be transparent about the project. She stated that the perception is that the commissioners' actions in the last few months have not been one of inclusiveness.

Ron said he called the engineer when he found out the application was not complete and that he was supposed to be here and will be fixing it, sending another letter to the Corps.

_____Dare (?) commented on Ralph's letter as well as noting that there were other violations on the lake.

There was some discussion and arguments among the attendees on whether or not there were invasive species in the lake and who may or may not be responsible.

Josh ___ lives on the lake and expressed concern about pollution and trash, but mostly about the floating dock across the wetland and how it will be affected by the rising water and influence the outlet.

Ron stated that where the walkway crosses the outlet, it will not touch the water. He said there was no problem raising it more.

Rhoda Richardson expressed appreciation for the project.

___ stated that the path was not handicapped accessible nor was there anything to prevent vehicles from driving down it.

Ron said if there was anything to make it better he was all ears.

Russ asked how the Board's recommendations would incorporate what they've heard; and how would the restrictions to be placed on the sign be addressed so it doesn't get lost.

Ron said the plan has been talked about with the other commissioners and the road crew.

Russ said the bathroom should really go in first before the dock.

Ron said he gets money every year on July 1st to be used as he sees fit and he gets ideas from people and pursues them.

Kirsten asked if having a vault toilet installed prior to the construction of the project was something he could commit to.

Ron said he thought so, since the rest of the project couldn't go in before July anyway.

Paul said the Board will take and make recommendations to the commissioners, but ultimately it's up to them.

Kathy asked who would be enforcing violations. Ron said the FWP and the county and even the City of Troy.

There was some discussion about the presence of vehicular traffic on the walkway.

Ralph asked for clarification on a second letter to/from the Corps. Ron said the engineer was to have sent it the day before.

___ asked if the letter would be available at next week.

___ said she's lived around the lake her whole life and all the areas around the lake is wetlands and everyone has responsibility to refrain from adding fertilizers and pesticides which filter down to the lake.

Without any further comments Paul said the Board would discuss the project and that people were welcome to stay if they wanted.

___ asked how many people saw the ads in the paper for the meeting. [no hands went up]. He said this goes on in the county all the time. Ron said they have talked about it.

Kristin clarified that Planning Board meetings do not get their own special notice in the papers, but they are always open to the public. A special effort was made to make sure folks knew about the agenda item tonight and next week's meeting is posted in the paper.

Kristin noted that another public meeting will be held in Troy the following Thursday (27th) at the senior center, 7:00.

Bonny asked if the area was indeed wetland based on differing statements made.

Kristin said the county does not have anyone qualified to make those kinds of determinations, which is why it is important to have the Corps involved. She said she did not understand why the engineer did not send all the information to the Corps the first time. She thought that was an oversight.

Bonny said she thought it was a good project and was all for it, but many docks she's seen in similar situations were raised and the human impact is really minimal. Jody agreed.

Mark suggested giving some recommendations to the commissioners.

Paul said the top ones he heard was the vault toilets should go in first and signage; and he the outlet sounds like a concern for folks.

Josh said it sounded like whatever might get hung up on the dock would end up in the culvert so it might be easiest to just clean it from there

Paul said if the dock is in the water and the debris comes fast, it will get clogged before someone can clean it.

Josh asked how water gets into the lake. Several people commented it was spring fed.

[RECORDER STOPPED]

The Board developed a list of recommendations to deliver to Commissioner Downey based on the comments received (see memo)

5. PLANNING DEPARTMENT REPORT
6. PLANNING BOARD COMMENTS AND QUESTIONS
7. NEXT MEETING: *TBD based on applications*
8. **7:30 – Meeting Adjourned**