

LAND RECORDS COMMITTEE MEETING

July 5, 2011

Oneida County Courthouse
Second Floor – Committee Room #2
Rhineland, Wisconsin 54501

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Committee Members	Gary Baier, Chairman	Sonny Paszak
David O'Melia	Denny Thompson	Peter Wolk

Call to Order.

Baier called meeting to order in accordance with the Open Meeting Law at 9:35 a.m., noting that the meeting notice had been properly posted and that the building and meeting room are handicap accessible. All committee members were present except for O'Melia (with an excused absence). Staff members present were Romportl, Desmond & Leighton. Others attending: James Martin, Scott Soder, Mark Eiden and David Schmidt.

Approve Agenda/Minutes.

Motion/Paszak/Thompson approving today's Land Records Committee agenda. All ayes.

Motion/Thompson/Wolk approving the minutes of June 14, 2011 meeting. All ayes.

Branham Road Right of Way, Three Lakes, Sec. 29, T38N, R11E.

Introductions were made with the committee, staff, landowners along Branham Road and the Town of Three Lakes representative. Romportl handed out an outline of the owners and dates of ownership of each forty, a sketch of the proposed 67' strip that Martin requested to purchase and recent correspondence from Wisconsin DOT to the Town regarding the road.

Baier indicated that this was not a public hearing but he would welcome comments from the public that were attending the meeting.

Mr. Eiden informed the committee that the gas tax maps of 1925 and 1930 clearly show the right-of-way going to the forty line. He said the 1943 statutes define highway as the entire right-of-way and roadway is defined as the improvement portion within the road and the current definitions are the same. In 1956, the Town collected gas tax on a shorter length (.20 miles) possibly because of a private party action. Eiden said that there was discussion on an easement being granted for the benefit of all parties but nothing was agreed upon.

Mr. Martin said that the deer farm put up a gate in 1992 because of people running the back roads etc. They put it 35 feet north of where the gas tax map showed the town road ending. He also stated that everyone had a key to the gate. Mr. Eiden said that his key never did work as the lock was changed.

Mr. Schmidt said his family owned his property since 1946. He recalls that sometime in the 50's, a cable was put across the road.

Desmond indicated at a meeting last winter the Committee recommended that the gate be taken down but as a result of our meetings has since decided to wait to see if the issue is resolved among the parties.

The landowners said the town plows up to the gate. Martin said the road is not maintained. Eiden said that if they place gravel on the road and plow it that would indicate it is a town road.

Soder said that the Town is hoping that the landowners will come to an agreement and then they would vacate the road. Eiden felt that at this point he didn't think they could come to a settlement.

Romportl recommended that we give the Town time to review the letter from the Dept. of Transportation before the next meeting. Desmond is also waiting for a letter from the Town clarifying their motion on retaining some of the right of way.

Baier thanked everyone for their comments.

It is anticipated that the committee may go into closed session pursuant to Sec. 19.85(1)(g) of the Wisconsin Statutes for conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved (Branham Road, Three Lakes, Sec 29, T38N, R11E.)

Motion/Thompson/Paszak to enter into closed session pursuant to Sec. 19.85(1)(g) of the Wisconsin Statutes for conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved (Branham Road, Three Lakes, Sec 29, T38N, R11E.)
On roll call vote: Thompson, aye; Baier, aye; Paszak, aye & Wolk, aye. Motion passes with 4 ayes and 0 nays. The committee entered into closed session.

Motion/Wolk/Thompson to return to open session. On roll call vote: Baier, aye; Wolk, aye; Thompson, aye & Paszak, aye. Motion passes with 4 ayes and 0 nays. The committee returned to open session.

Romportl stated that the committee is requesting clarification from the Town in regards to the motion that was made at their last meeting along with a sketch on what part of the right-of-way they want to keep. The Town should also review the DOT information and let the Committee know of their position by the August 9th Land Records meeting.

Status of former WPS building (111 E. Davenport St.) and Department on Aging Building (1103 Thayer St.)

Romportl informed the committee no one have contacted him about the building since the last ads were placed in the winter. Romportl placed another ad for the WPS building in the classified section of the newspaper and to date no one has expressed any interest in the property. Romportl indicated that Dave O'Melia requested at the last meeting the Thayer St building be on the next agenda since he was contacted by a veterans group who may have an interest in the property. Romportl indicated the appraisal is on order but has not been started yet. The committee recommended that Dave contact the group to have them at our next meeting to discuss their interest and to hold off on the appraisal.

Motion/Wolk/Thompson directing Romportl to put the appraisal of 1103 Thayer St. on hold and put this item on the agenda for the next meeting. All ayes.

Deputy vacancy in the Register of Deeds

Leighton informed the committee that one of his deputies has left. He provided an overview of the programs that would be starting in October. He felt that it was important to fill his position.

Motion/Wolk/Thompson to fill the deputy position in the Register of Deeds and forward on to the LRES committee for their approval. All ayes.

Review/Act on monthly bills, line item transfers, purchase orders, budget surveys/report and non-budgetary item requests: a. Register of Deeds b. Land Information

Motion/Wolk/Thompson to approve the Register of Deeds bills as presented. All ayes.

The Land Information Department did not have any bills or line item transfers for approval.

Public Comment/Communications.

Nothing additional.

Discuss/Act on date of next meeting and items for agenda.

The next meeting will be held on Tuesday, August 9th at 9:30 a.m.

Adjourn: Motion/Thompson/Wolk to adjourn the meeting at 11:14 a.m. All ayes.

Gary Baier
Chairperson

Michael J. Romportl
Staff Chairperson