

MINUTES
JACKSON COUNTY ZONING & LAND INFORMATION COMMITTEE
January 12, 2012

January 12, 2012: Committee Meeting

Meeting Called To Order by Chairman Gary Olson at 8:00 a.m.

A Motion by Jim Olson, to approve the December 15, 2011 minutes, seconded by Gaylord Olson. Motion carried.

A Motion by Gaylord Olson, to approve the vouchers for payment, seconded by Norm Stoker. Motion carried.

A Motion by Jim Olson to adjourn to closed session pursuant to s. 19.85 (1) (c) and 19.85 (1) (g) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, seconded by Gaylord Olson. Motion carried. Adjourned to closed session at 10:25 a.m.

Return to open session at approximately 10:45 a.m.

A Motion by Jim Olson, to return to open session at 11:05 a.m., seconded by Norm Stoker. Motion carried.

A Motion by Jim Olson, to approve the evaluation of Tim Jeatran, seconded by Norm Stoker. Motion carried unanimously.

A Motion by Jim Olson, to approve the appeal of the Jackson County Circuit Court decision for the case of Jackson County versus Joni Borntreger, seconded by Norm Stoker. Motion carried unanimously.

PUBLIC HEARINGS

- **ZONING CHANGE PETITION # 2012-01** as requested by Legacy Bogs LLC, owner and Al O'Leary, agent on property located in that part of Government Lot 3, lying west of Hay Creek excluding the north 660 feet and the west 660 feet, Government Lot 4, that part of Government Lot 5 lying west of Hay Creek, that part of the NW1/4-NE1/4 lying west of Hay Creek, the NE1/4-NW1/4 and the NW1/4-NW1/4, all in Section 1, T20N, R1E, Town of Bear Bluff, Jackson County, WI. The request is to change 174.4 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District. This will allow for a conditional use request for non-metallic sand extraction mining within the M-2 District. Once the mining

operation is concluded, the zoning classification will revert back to the A-2 (Forestry and Limited Agriculture) District.

Township tabled the request for additional information. Petitioner was not present at the public hearing. Public comment was received for information.

A Motion by Gaylord Olson, to postpone zone change petition #2012-01 for Legacy Bogs LLC, seconded by Norm Stoker. Motion carried.

- Paul Millis, Jackson County Corporation Counsel, explained the appeal process and the timeline that will be needed to be followed during the process. The Notice of Appeal will need to be filed with the Court of Appeals with 30 days of the decision, which was rendered on December 28, 2011. The Court of Appeals will then request a transcript from the court reporter of the initial proceedings. He will update the committee on the status of this appeal process regularly.

SURVEYOR'S REPORT – Tim Jeatran, see report.

- Tim and Lauree will be attending the WLIA Conference at the same time as February's committee meeting. Terry will have a copy of both reports for the committee at that time.
- Did tie sheets for some section corners in the Town of Alma and Town of Adams.
- Corner maintenance for damaged corners due to road construction on Hwy 12/27 in the Town of Adams.
- Worked with the Forestry Department to locate property lines on land that the county owns near the Industrial Park in Section 13, T21N, R4W.
- Received the new survey software, and have been busy converting jobs and old project files into the new software.
- Received the new GPS base radio, waiting for the Leica salesman to come and assist with its setup.

GIS TECHNICIAN'S REPORT – Lauree Kratcha

- Working on assessment rolls, 10 are done.
- Starting to work on the 911/Spillman updates. This process will take the next 2 ½ months to clean up the data for the Spillman conversion.
- The new plat book was reviewed by the committee.

ZONING REPORT – Terry Schmidt

- The Wisconsin Fund grant applications have arrived and Dustin has begun processing them. It looks like 10 to 12 individuals will be eligible for funds.
- The Pro-West applications and interface for Zoning and the Surveyor are up and running. All the staff is working on becoming more familiar with the software and its capabilities. Especially Dustin and Beth who have been working with the Tough Book and the software by migrating data back and forth between the unit and the server.
- Field work continues as we have had a couple of soil tests done in early January.
- Terry and Gaylord Olson II discussed the Taylor Frac operation with the committee as they have begun earth moving. The Land Conservation Department hasn't received the required letter of credit or bond for the reclamation plan. They have been working at the site for more than two weeks without all the appropriate paperwork being filed with the Land Conservation Department. The soil test for the office building was completed last week.

The question being raised is the conditional use permit that was granted for the operation of the sand mine was stipulated that all Land Conservation Department standards must be met. One of those standards is securing the letter of credit or financial assurance for the reclamation plan. Gaylord Olson II added that he has contacted the owners and the lender several times and was assured that this would be submitted promptly to his office. This letter keeps being pushed around between the lender and owners. Gaylord added that he feels a stop work order is necessary as it costs more to stop working with contractors, etc. than the penalty fee that could be levied. Gaylord will be discussing this with his oversight committee next week.

Terry added that a citation could be issued due to the violation that was caused to the permit approval stipulations or conditions.

A Motion by Jim Olson, to authorize the issuance of a citation to Taylor Real Estate/Taylor Frac LLC for the violations to the conditional use permit, seconded by Gaylord Olson. Motion carried.

The committee recommended the stop work order be issued in addition to the citation. If compliance to the stop work order is not gained, an injunction could be ordered by Corporation Counsel for the enforcement of the stop work order.

- Smart Growth Update. Terry sent written request and an email request for the grant closeout and dispersal of the remaining grant funds. The amount will be approximately \$34,000.00, which is being reduced by \$48,000.00 for the four municipalities that did not complete their plans (Adams, Alma, Irving and Manchester). Once we receive the funds, Terry will work with Kyle Deno and Corporation Counsel to address the outstanding funds from these municipalities.

A Motion by Jim Olson, to adjourn the meeting, seconded by Norm Stoker. Motion carried. Meeting adjourned at 12:00 p.m.