

ENVIRONMENT AND LAND USE COMMITTEE
Department of Land Management
MEETING MINUTES
October 14th, 2009 9:00 AM
COUNTY BOARD ROOM

Acting Chair Michelle Haines called the meeting to order at 9:05 AM.

Committee members present: Chuck Zauner, Dick Kiekhoefer, Roland Thompson, Michelle Haines, Dave Quarne and Rick Geske. Paul Halderson and Gerry Van Tassel were not in attendance.

Staff/Advisors present: Kevin Lien, Virginette Gamroth and Andrea Sveen. Vickie Stalhiem was present for part of the meeting. Personnel Director, Jami Kabus was present.

Others present: Diane Thomas, Bill Haines, Jim Weinman-US Cellular. Corporation Counsel LaVerne Michalak and Attorney Mark Skolis were present for the Closed Session.

Acting Chair Haines stated that the Open Meeting Law had been complied with through notifications and posting.

Approval of Agenda – Zauner made a motion to approve the agenda as presented, Thompson seconded, motion carried unopposed.

Approval of Minutes – Kiekhoefer made a motion to approve the September 9th regular session meeting minutes, September 17th special meeting minutes and 9-22-09 Joint meeting minutes as presented, Zauner seconded, motion carried unopposed.

Public Hearing – US Cellular-Conditional Use Permit-Cell tower-Diane Thomas property-Town of Arcadia. Acting Chair Haines opened the public hearing at 9:07 AM. Haines read the public hearing notice aloud. Sveen informed the Committee that the Trempealeau County Revised Comprehensive Zoning Ordinance states that any tower greater than 70 feet requires a Conditional Use Permit (CUP). This cell tower is proposed at 320 feet in height. Sveen continued that the tower is located just outside the city limits of Arcadia in a Transitional Ag zoning district. The setbacks have to be 50 feet plus the height of the tower and it will meet those requirements. “Guy” wires have to be at least 50 feet from the property line and those setbacks will be met. The Zoning Ordinance states that they will need to conform to FAA requirements and towers 200 feet or more in height shall be subject to the following security; the base of the towers or antenna’s at the point of entry into the earth shall be enclosed with security fencing and any security lighting shall utilize fixtures whose hood, lens or combination thereof allows no direct beams of light to spill onto adjoining properties or to be cast skyward and to access the service drive providing access to the facility shall be the minimum necessary to provide maneuverability for service or emergency vehicles. Sveen added that a bond in the amount of \$20,000 is required for reclamation purposes. Lien added that a public hearing notice was published in the paper and letters were sent to all adjoining landowners and there were no responses received for or against. Sveen introduced Jim Weinman with US Cellular who was present. Lien asked Weinman if the possibility of co-location had been investigated? Weinman responded that it had. Weinman continued that Verizon currently has an existing tower about 2 ½ miles south west of the proposed location and that tower had been analyzed by US Cellular engineers before a new site was pursued. Weinman added that coverage objectives for the area were to provide a strong signal in building cell phone coverage to the City of Arcadia and to as much of the area around the city as possible. In order to achieve those goals there has to be proximity to the majority of residences and businesses to build reliable cell phone

coverage and internet service. Weinman explained that the farther away, especially with broad band internet, the less reliable a system is and the slower the system becomes. In order to provide high-quality, high speed internet service it must be close to the people who are going to be using it. After the engineers reviewed the Verizon location, they determined not only was the tower not close enough but it was also not going to cover down the roadways to the north and to the east. Lien asked about coverage area and was referred to a map in US Cellular's formal proposal. Lien inquired about any future proposals as most companies proposing towers have coverage maps so as to avoid overlap of coverage. Weinman responded that right now there are no proposed sites. Coverage maps were passed around and Committee members were able to review them. Weinman had circled three other locations on the map where the coverage is virtually non-existent and a future tower could be located in those particular circled areas. Tower sites on the east side of Buffalo County would also play a part in new tower location. Discussion followed on tower locations and service areas. Lien questioned how soon in the future US Cellular would be looking at additional sites? Weinman responded a site search would be initiated in 2010, for maybe one, possibly two sites.

Testimony in Favor –Bill Haines registered in favor but did not testify.

Sveen read into the record a letter, dated August 17, 2009, from the Town of Arcadia stating that they approved of a Conditional Use Permit being issued to US Cellular and Diane Thomas, property owner, for the purpose of constructing a cell tower on County Road A.

Testimony in Opposition - No testimony was give in opposition

Acting Chair Haines closed the public hearing at 9:20 AM.

Zauner made a motion to approve the issuance of a Conditional Use Permit to US Cellular and Diane Thomas, property owner, for the construction of a cell tower with all standard conditions and bond requirements applying, Kiekhoefer seconded, motion carried with no opposition.

TRM/LWRM Cost Share Payments/Requests- Stalheim presented the Committee with a report of Land & Water Resource Management (LWRM) and Target Runoff Management (TRM) pay requests and contracts.

LAND & WATER RESOURCE MANAGEMENT

<u>Name</u>	<u>Type</u>	<u>Amount</u>	<u>NEW CSA Total</u>	<u>Reason for change</u>
Errol Doerr	Contract	\$9,443.00	\$9,443.00	200 ft of streambank protection
Errol Doerr	Pay Request	\$9,443.00		Certify 200 ft of streambank protection
Donald Hertzfeldt	Contract	\$3,622.50	\$3,622.50	150 feet of animal trails & .5 acre of critical area
Donald Hertzfeldt	Pay Request	\$3,622.50		Certify 150 feet of animal trails & .5 acre of critical area
Larry Kruger	Contract	\$6,978.30	\$6,978.30	1 Manure storage
Larry Kruger	Pay Request	\$6,978.30		Certify 1 manure storage

TARGET RUNOFF MANAGEMENT (TRM)

<u>Name</u>	<u>Type</u>	<u>Amount</u>	<u>NEW CSA Total</u>	<u>Reason for change</u>
Oak Ridge Dairies	Pay Request	\$68,876.08		Certify partial payment of manure storage structure.
Oak Ridge Dairies	Contract	\$150,000.00	\$150,000.00	200 ft. access road, 1barnyard, 100 ft diversion, 600 ft livestock fencing, 1 manure storage & 600 ft. stream fence.
Thomas Segerstrom	Pay Request	\$ 20,053.60		Certify final payment on roofed building, 1 waste transfer system & 1 acre of critical area.

This report was presented for information only, no action was needed. Zauner inquired how partial payments work. Lien responded that those payments are made to contractors when a component of the project is completed. Lien stated the DLM office had recently received notification that six of the ten TRM grants that were submitted for 2010 have been approved, three were denied and one is still in question. Lien explained that the grants are ranked and reviewed. Stahleim added that as far as ranking all ten were approved, but funding only went so far, so the cutoff came when the money ran out. Zauner questioned if those unfunded can be submitted next year. Lien responded that they could.

Planning Update – Sveen provided each Committee member with a copy of the completed Trempealeau County Comprehensive Plan. Sveen reminded Committee members that the public hearing is scheduled for November 4th at 9:00 AM. Sveen added, The Land Use Element, which is all the land use plans that were completed and adopted by the towns, is finished.

Surveying Update – Joe Nelsen provided each Committee member with a Survey report. Nelsen reported that the majority of his time was spent in the Town of Arcadia, T21-R9. There is a map in the report showing the progress. The dark circles are the finalized corners, the triangles are the corners that are GPS controlled, and the open areas are positions that need to be finalized yet. As of the date of the report, 103 of the US public land corners have been GPS'd, five are remaining. Those five are in cornfields so Nelsen must wait until crops have been harvested to finalize them. Nelsen reported that T21-R8 also has five government corners left to finalize which are in cornfields. Quarne made a motion to approve the Survey report as presented, Zauner seconded, motion carried with no opposition.

Renewal of Survey Contract – Lien reported that a month ago the Committee had decided to table the approval of the Independent Contractor Agreement –Contract for Services Year 2010 with Joe Nelsen, County Surveyor due to upcoming budget hearings and budget uncertainties. Thompson made a motion to renew the Independent Contractor Agreement with the County Surveyor, Geske seconded, motion carried.

Closed Session per WI Stat. 10.85(1)(g) to confer with legal counsel rendering advice concerning strategy with respect to potential litigation. At 9:50 AM, Zauner made a motion to go into Closed Session, Quarne seconded, motion carried unopposed.

Reconvene into Open Session – At 11:00 AM, Thompson made a motion to reconvene into Open Session, Quarne seconded, motion carried with no opposition.

Fall Tour – The fall tour was postponed until the next regular meeting date of November 4th, 2009.

Next Regular Meeting Date was set for Wednesday, November 4th, 2009 at 9:00 AM in the County Board Room.

At 11:10 AM, Quarne made a motion to adjourn, Thompson seconded, motion carried with no opposition.

Respectfully submitted,
Virginette Gamroth, Recording Secretary

Michelle Haines
Secretary