

**ENVIRONMENT AND LAND USE COMMITTEE**  
**Department of Land Management**  
**MEETING MINUTES**  
**March 4th, 2009 10:00 AM**  
**COUNTY BOARD ROOM**

Chairman Halderson called the meeting to order at 10:00 AM.

Committee members present: Paul Halderson, Gerry Van Tassel, Chuck Zauner, Michelle Haines and Richard Kiekhoefer. Rick Geske arrived at 10:04 AM. Gary Monson and Dave Quarne were absent.

Staff/Advisors present: Kevin Lien, Virginette Gamroth, Andrea Sveen and Vickie Stalheim. Mark Carlson was present for only part of the meeting.

Others present: Deloras Vind. Mary Anderson and Nancy Bergman, RC & D Representatives were present for part of the meeting. Personnel Director Jami Kabus was present for Closed session.

Halderson stated that the Open Meeting Law had been complied with through notifications and posting.

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

**Approval of Minutes** – On page 4 of the January minutes, Zauner raised questions about the contents of the minutes regarding the Town of Pigeon engineering services. Halderson made a motion to approve an amendment to the January 7, 2009 regular session meeting minutes, Zauner seconded, motion carried unopposed. Van Tassel made a motion to approve the amended minutes, Halderson seconded, motion carried with no opposition.

Van Tassel made a motion to approve the Pigeon Land Use Plan public hearing minutes dated 2-23-09 as presented, Kiekhoefer seconded, motion carried unopposed.

**Introduction of FSA Committee member**- Chairman Halderson introduced and welcomed Rick Geske from the Galesville area who will be serving on the E & LU Committee as the Farm Service Agency (FSA) Committee member.

**RC & D – Memorandum of Understanding** – Mary C. Anderson and Nancy Bergman were present representing River Country Resource Conservation & Development Council (RC & D). Lien stated at the January E & LU Committee meeting the Committee had instructed Lien to meet with Corporation Counsel to review and discuss the Memorandum of Understanding (MOU) between RC & D and the Dept. of Land Management which had been presented at the January E & LU Committee meeting. Lien stated Corporation Counsel had responded to their meeting with a letter, which the Committee had received a copy of, stating that because the work being proposed is work done within a County union position it would be conflicting to contract or have someone who is not in the union doing union duties. Chairman Halderson stated his understanding of Corporation Counsels' letter was a recommendation that the Committee not enter into a formal MOU with RC & D but the County was still free to work with RC & D cooperatively. Lien added that RC & D could have access to or view any records they would need and office staff would be available to assist them. Anderson responded that she wasn't sure if legally RC & D could do that and that she would have to consult with the RC & D Coordinator and legal counsel on

the matter. Halderson asked if Anderson had referred the letter from the County Corporation Counsel back to her Coordinator? Anderson replied she had not as she wanted to see what took place at this meeting. Anderson added a lot of the projects RC & D is working on have timelines and it appears that it is going to be up to the County to research and alleviate issues that they see as obstacles on their side in order to partner and work with RC & D. Lien questioned Anderson on RC & D's working relationship with Jackson County LCD. Anderson stated Jackson County are members. Lien mentioned he had spoken with the County Conservationist from Jackson County and Lien was told that Jackson County does not pay dues and they have no Memorandum of Understanding with RC & D. Anderson stated the relationship may have changed and she could find out when Jackson County last paid dues. Lien questioned whether RC & D has an ongoing working relationship with Jackson County or there wouldn't be one unless they paid dues and were a member? Anderson responded RC & D works in Jackson County on various projects because in Jackson County there are grazer members and there is a Memorandum of Understanding between RC & D and the grazer farmers that allows RC & D to work with them in Jackson County and Trempealeau County. Lien verified that RC & D could still provide services to farmers in Trempealeau County. Anderson replied RC & D could to members of the grazing network. Discussion followed. Zauner made a motion, as recommended by Corporation Counsel, the Department of Land Management continue to work with RC & D cooperatively, but not enter into a Memorandum of Understanding with them, Van Tassel seconded, motion carried with no opposition. Anderson stated the RC & D Council would be meeting the following week and she requested that a copy of "draft" minutes of this meeting be given to her before that meeting.

**Wildlife Damage Claims & Abatement** – Duane Snobl was present from APHIS. Snobl gave a brief overview of the program. Snobl then presented the following 2008 WDACP Claims for approval:

<u>Name</u>	<u>Location</u>	<u>Appraised Loss</u>	<u>Payable Loss</u>
David Nelson	Ettrick	\$ 8,080.29	\$ 7,264.23
Steven Ravnum	Trempealeau	\$ 1,916.11	\$ 1,666.11
Randy Stein	Ettrick	\$ 906.56	\$ 656.56
Greg Tollefson	Pigeon Falls	\$ 1,517.01	\$ 1,267.01
Total		\$12,419.97	\$10,853.91

Halderson questioned whether any of these persons had claims last year. Snobl stated all four had claims last year. Halderson inquired as to how many deer had been harvested from each of these farms. Snobl replied Nelson harvested 24, Ravnum 24, Stein 19 and Tollefson 13, so all made their harvest quota. Lien questioned the time frame for harvesting. Snobl responded it varies depending on the type of permit the person has and the situation. Haines made a motion to pay the claims as presented, Van Tassel seconded, motion carried unopposed.

Snobl reported that Trempealeau County, to date, has donated the most deer of any county in the state. Snobl presented a statewide donation total as 6,297 which represent those counties not in the herd eradication zone or CWD zone.

Snobl added there are proposed changes to this program in the Governor's budget to try to reduce costs, however Snobl didn't feel this would have a big effect on Trempealeau County. Discussion followed.

**2008 Budget Resolution** – Stalheim distributed a copy of a 2008 Budget Resolution to the Committee. Stalheim reported whenever more or less State money is received than what is budgeted; a resolution needs to be done. Stalheim went through the resolution with the Committee. Lien added that it doesn't

affect the County budget it is just an adjustment of State money in and out. Van Tassel made a motion to forward the resolution on to County Board, Zauner seconded, motion carried with no opposition.

Stalheim presented a preliminary 2008 Department of Land Management Budget report to the Committee for their review. Halderson asked if Stalheim expected any other items to come in. Stalheim responded there could be a couple things such as telephone bills, etc., but she didn't expect it to be more than a couple thousand dollars. Stalheim informed the Committee that Information Systems staff had been in the office doing maintenance on one of the laser printers and Stalheim was told the laser printer was in poor condition and would not last much longer. Stalheim stated the IS Director will be going before Exec/Finance on Monday to see if any unspent money in our 2008 budget, that is reverting back to the General Fund, can be used for purchasing a new printer. Zauner voiced his opinion that the printer should not be replaced until it no longer works. Discussion followed.

**LWRM Projects/Pay Requests-** Stalheim presented the following for approval:

<u>NAME</u>	<u>TYPE</u>	<u>AMOUNT</u>	<u>New CSA Total</u>	<u>Reason or change</u>
Dean Suchla	Contract	\$1,190.00	\$1,190.00	1 critical area
Dean Suchla	Pay Request	\$1,190.00		Certify 1 critical area
Ronald Solberg	Contract	\$2,100.00	\$2,100.00	1 access road
Ronald Solberg	Pay Request	\$2,100.00		Certify 1 critical area
Jeff Sosalla	Contract	\$5,110.00	\$5,110.00	1 waterway
Jeff Sosalla	Pay Request	\$5,110.00		Certify 1 waterway

Zauner made a motion to pay the LWRM project pay requests, Van Tassel seconded, motion carried unopposed.

**Authorization to sign State required cost share forms** - Lien stated that last year the Committee had authorized Greg Leonard to sign state cost share forms for TRM grants, LWRM, NR-243 contracts, etc. Lien added these forms sometimes need to be signed in a timely manner so perhaps the Committee would want to authorize someone, in the office, to be eligible to sign these forms. Zauner made a motion to authorized Kevin Lien to sign state required cost share forms, Haines seconded, motion carried with no opposition.

**Bidding Policy and Procedures** - Mark Carlson stated each Committee member should have received a copy of the Contractor Bidding and Billing Procedures in a prior mailing with any proposed changes highlighted in red and things being eliminated crossed out. Carlson added that the policy revisions are mainly to eliminate requiring a performance bond and bid bonding issues, plus a few minor revisions such as allowing contractors to submit their bids by fax. Carlson stated that the bidding policy has changed that the landowner may select the lowest bidder or a bidder within 5% of the lowest bid, and cost-sharing will be based on the selected bid. A landowner wishing to select a bidder, other than the lowest bidder, will be responsible for paying the cost difference. Geske questioned if the Department checks on whether or not the landowner has the 30% cost share funds. Carlson answered no. The County retains the right to accept or reject any or all bids without stated cause. Carlson added the policy also states any accepted bidder who later fails to construct the project will not be allowed to rebid the same project. Carlson added that if the contractor is going to bid a job they must talk to the landowner. Zauner questioned the \$10.00 subscription fee. Carlson responded the subscription fee was started to cut down on mailing costs. In the past, approximately 30-40 contractors were receiving bid notices, but 3 or 4 contractors would actually bid jobs. Carlson stated the subscription fee was added as a way to determine which contractors were serious about bidding jobs and those that just wanted to know what was happening. Discussion followed on payment being made when the project is entirely completed. Halderson questioned if the projects were

completely inspected before payment is made. Carlson responded yes. A discussion on fencing and fencing rates took place. Lien was instructed to look into fencing rates for a future meeting discussion. Haines made a motion to accept the new Contractor Bidding and Billing Procedures as presented, Geske seconded, motion carried unopposed.

**Recommend Livestock Producer Representative and Town Representative for E & LU Committee.**

Lien informed the Committee, the Livestock producer member and the Town member terms on the Committee are up for re-appointment in April. Lien had met with the Town's association and the following names were suggested for appointment as the Town's member; John (Peach) Vehrenkamp, Jr. - Ettrick, Gary Everson - Preston, Steve Hogden - Caledonia and Gerald Hawkenson - Chimney Rock. Lien had received the following names for appointment as the Livestock Producer member; Dave Quarne - Preston, Gary Monson - Unity, Eugene (Butch) Halama, Jr. - Hale, and Bill Butler - Pigeon. Lien had contacted each person and all have agreed to serve should they be appointed. Lien suggested the Committee forward two or three names to County Board Chair Semb for consideration and let her decide who to appoint. After some discussion, Kiekhoefer made a motion to forward all eight names to Chair Semb for consideration/appointment, Haines seconded, motion carried unopposed.

**Planning Update** - Sveen informed the Committee the Comprehensive Plan is moving along. Sveen is tentatively planning to hold a public hearing with the E & LU Committee in May, so she will forward that information to the Committee in April.

**Motion to forward Town of Pigeon Land Use Plan to County Board** - Some discussion took place on whether all Committee members needed to attend the public hearings as it costs the County quite a bit of money. Sveen added that a quorum of the E & LU Committee is needed. Zauner suggested combining some meetings. Sveen added she has been doing that if possible. Van Tassel made a motion to forward the plan on to County Board, Kiekhoefer seconded, motion carried unopposed.

**Survey Update** - Lien presented the Surveyors report and bills noting that the bills were larger this month because there was no meeting held in February so these bills actually included two months. Surveyor Joe Nelson has started working in Arcadia and Ettrick. Lien noted those are the last two towns for remonumentation to take place. Following Geske's request, Lien gave a brief overview of the remonumentation project. Zauner questioned what the projected completion date of remonumentation is. Lien responded approximately 2012. Van Tassel made a motion to approve the Surveyors bill as presented, Halderson seconded, motion carried unopposed.

**Surveyor Contract with County** - Lien stated the Committee should have received a copy of the contract that is kept on file with the Surveyor. This contract is between the County and Surveyor and has been signed each year, but was overlooked in 2008 due to the many changes in the office. The Surveyor has signed it for 2009 and the Committee Chair needs to sign it also. Zauner made a motion to approve and sign the contract with the Surveyor, Kiekhoefer seconded, motion carried unopposed.

**Director's Report** - Director Kevin Lien informed the Committee that a letter from Ron & Mary Winn should have been forwarded to the Committee regarding the wind tower ordinance and issues. At last County Board meeting, the County Board voted to deny Winn's claim.

Lien informed the Committee that he worked on staff job descriptions in January, handed them out to staff, made some changes and took comments, he then re-did the job descriptions in February and has them all completed. Halderson verified that all staff have approved their job descriptions. Lien noted they have. The Committee requested copies of all the job descriptions. Halderson expressed his appreciation for Lien getting the job descriptions completed.

Lien had information on a rural energy meeting to be held March 24<sup>th</sup> in LaCrosse. Discussion took place on whether Committee members needed to attend. Lien stated that he felt the State will be coming with new standards on wind energy development, etc. Zauner questioned whether the Committee should attend as a group. Lien gave his opinion that he didn't feel the Committee had to attend but if individuals wanted to go it would probably be a good idea. Van Tassel made a motion that any Committee member attending the meeting is to be paid per diem, Zauner seconded, motion carried.

**Next Regular Meeting Date** was set for the second Wednesday, April 8<sup>th</sup>, 2009 at 8:30 AM in the Tremplon Room.

**At 11:35 AM, Zauner made a motion to go into Closed Session per WI Stat.19.85 (1)(g)** to confer with legal counsel rendering advice concerning strategy with respect to potential litigation. Van Tassel seconded, motion carried.

At 11:44 AM, Van Tassel made a motion to return to Open Session, Kiekhoefer seconded, motion carried.

Halderson made a motion to adjourn the meeting at 11:45 AM, Zauner seconded, motion carried with no opposition.

Respectfully submitted,  
Virginette Gamroth, Recording Secretary

Michelle Haines  
Secretary