

**ENVIRONMENT AND LAND USE COMMITTEE  
Department of Land Management**

**REGULAR MEETING MINUTES  
December 8th, 2010 9:00 AM  
COUNTY BOARD ROOM**

Chairman Brandt called the meeting to order at 9:04 AM.

Committee members present: George Brandt, Hensel Vold, Tom Bice, Michael E. Nelson, Mark A. Smick, Roland Thompson, Dave Quarne. Ed Patzner was absent.

Staff/Advisors present: Kevin Lien and Virginette Gamroth, Kimarie Estenson, Vickie Stalheim, Judy Betker and County Surveyor Joe Nelsen were present for part of the meeting.

Others present – Pamela George, Herbert and Sherry Brasda, William Gardner, Ronald Tuschner, Chairman-Town of Arcadia.

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

**Approval of Agenda** – Vold made a motion to approve the amended agenda as presented, Quarne seconded, motion carried unopposed.

**Approval of Minutes** – Vold made a motion to approve the November 11th, 2010 meeting minutes as presented, Nelson seconded, motion carried unopposed.

**Public Hearing–Conditional Use Permit –Pamela George-General Retail Business-Quilt Shop-Town of Hale.** At 9:06 AM, Chairman Brandt called the public hearing to order. Brandt explained the public hearing process for the benefit of the public present. Nelson read the public hearing notice aloud. An ArcView aerial photo was provided for all to view. Lien stated Pamela George is present and she has applied for a Conditional Use Permit (CUP) to conduct quilt classes and internet sales out of a building on her property at the corner of Johnson Valley Road and County Road E in the Town of Hale. Lien added letters have been sent to all adjoining landowners and the hearing was published in the local paper and Lien has received no responses either for or against the CUP. Lien reminded the Committee that this is a CUP so conditions such as screening, parking, etc. can be attached. P. George informed the Committee that she does currently hold a 40 hour/week job so quilting classes would be held primarily on the weekends. Perhaps when she would retire or if her business should grow too large that classes would be more frequent, at that time she would consider moving the business into the city. Lien stated the letter presented from the Town of Hale is kind of unique. Lien read a letter that P. George had written to the town, and David G. Berg, Town of Hale Chair, just signed that letter, there was no separate letter issued from the Town of Hale. Chairman Brandt closed the public hearing at 9:12AM. Brandt inquired as to what certified Cotton theory quilting was? P. George responded that Betty Cotton was in fact the lady's name who patented this type of quilting and anyone who wants to teach this type of quilting must take the required class. Brandt stated and Lien verified that the Town of Hale Land Use Plan does in fact promote small business and growth in residential development. Quarne made a motion to approve the Conditional Use Permit, Vold seconded, motion carried with no opposition.

**Public Hearing - Land Use Change/Rezone - Herbert and Sherry Brasda - Residential 8(R-8) to Residential-20(R-20)-Town of Hale.** Chairman Brandt opened the public hearing at 9:15AM. Nelson read the public hearing notice aloud. Lien stated the DLM had received a complaint on this property and Emery Palmer had followed up on the complaint and issued a Stop Work order for Brasda as he needed the necessary building permits. Brasda is proposing to put 3 or 4 apartments into the farm house that is currently on the property and because this area is currently zoned R-8 which does not allow any duplex or

multi-family dwelling, Brasda needs to rezone to R-20. Lien pointed out that the next hearing on the agenda is a Conditional Use Permit (CUP) for a multi-family dwelling which Brasda must also obtain for any building that is more than a one family dwelling. Lien stated the site is located north of Pleasantville on County Road O and as far as Lien knew neither he nor any DLM staff have been inside the house. Lien inquired if Brasda had anyone living in the house? Brasda responded there is one person living there and Brasda would have to have heat to keep the water from freezing there anyway. Lien added that notices were sent to all landowners and the hearing was published in the local newspaper for two consecutive weeks. Lien informed the Committee that he had received one call, for information only, the caller had stated they were going to send comments, but to date, Lien has received nothing. Brasda was asked to comment. Brasda stated he has been made aware by the County, he has two homes on one parcel which is not allowed in Trempealeau County. At the time that Brasda bought the property the large farmhouse was vacant and so a mobile home was moved onto the property and currently someone is living there. Brasda does not own the trailer, only the land and Brasda receives "lot" rent. Lien advised Brasda that since the mobile home is on his property Brasda is accountable for it. Lien asked how Brasda plans to remedy the situation of having the two houses on one property. Brasda stated he would extract the mobile home. Upon Lien's inquiry, Brasda stated he thought the mobile home had been on the property since 1996. Lien stated Town of Hale adopted their revised Zoning Ordinance on March 20, 2006, but even in the 1972 Zoning Ordinance it stated there was only one structure allowed per parcel of property. After a brief discussion Lien reminded Brasda that if the structure remained a single family dwelling, a conditional use permit or rezone would not be necessary, but because Brasda wants to make it at least two units, then the land must be rezoned and a CUP permit obtained. Also, the County does building inspection on one and two family dwellings, however, if there are three or more then it is considered commercial and the State handles commercial building inspection. No one registered to testify for or against the rezone. Lien read a letter from the Town which stated "Herbert Brasda was at the November 9<sup>th</sup>, 2010 meeting. The Town of Hale board has no objection of Herb Brasda's plan for his property as long as he follows the right procedure", signed Dave Berg, Chair. Brandt closed the public hearing at 9:24 AM. Nelson made a motion to approve the rezone on approximately four acres for Herbert and Sherry Brasda from R-8 to R-20, Thompson seconded, motion carried with no opposition. Lien reminded Brasda that the final approval for the rezone will be on the January County Board agenda. Brasda will be sent a letter so he should plan to attend.

**Public Hearing – Conditional Use Permit – Herbert and Sherry Brasda – Multi-family dwelling – Town of Hale** – Chairman Brandt opened the public hearing at 9:25 AM. Nelson read the public hearing notice aloud. Lien stated that because this is a Conditional Use Permit application, the Committee does have the ability to put conditions on such things as parking, screening, etc. Lien added this is a rural area so parking may not be an issue. Lien suggested that the Committee place the condition that either the mobile home be removed or Brasda create a separate parcel for each home. Brandt inquired if Brasda had any comments. Brasda stated the parking would be on the east side and cannot be viewed from the road. No one from the public had registered to testify in favor or opposition. Lien stated a letter had been sent to adjoining landowners and the hearing had been published in the newspaper. Lien read the same letter as read in the rezone hearing which was received from the Town on both issues being addressed. Brandt closed the public hearing at 9:29 AM. Vold made a motion to approve the Conditional Use Permit with the condition that the mobile home be removed six months from today's date, Thompson seconded. Bice wanted to make sure that Brasda understood that if the Committee approved the Conditional Use with the removal of the mobile home, Brasda would not be able to put another mobile home on that site at any time in the future without having to subdivide the property. Brasda stated he understood. Motion carried with no opposition.

**Land Use Change/Rezone for William Gardner (decision tabled from last months public hearing)** – Nelson made a motion to bring the Land Use Change/Rezone for William Gardner from the table, Quarne seconded, motion carried unopposed. Brandt recapped that a public hearing was held on behalf of Mr. Gardner as he wishes to rezone two parcels in the Town of Arcadia from Transitional Agriculture (TA) to Institutional (I) and at that time the Committee chose to table any decision until each Committee member could have a chance to visit the site on their own as there had been some opposition from the public at the

hearing. Gardner was present and provided a current site plan of the church plus each Committee member was presented with a letter that addressed the concerns expressed by neighbor Gene Wachs at the public hearing. Gardner explained that the measurement of the town road is 25 feet and the standard for county trunk highways in Trempealeau County is 23 feet. Gardner stated in reference to the closure of the Arcadia landfill in 1991: The clay borrow site owned by Richard & Diane Thomas was used to cap the City of Arcadia landfill. This site location is right alongside of Boberg Lane. At that time the final grade, and the ditch of concern which is located right along Boberg Lane was to be filled in and a water runway was to be moved to the northwest. Drawing from the engineering firm of Short, Elliot, & Hendrickson show the contour grade and the proposed waterway. During this time of the closure of the landfill, dump trucks hauling clay for weeks passed each other on Boberg Lane continuously with no accidents. Gardner passed around the site plan for the Committee members to view. Discussion followed. Gardner stated, in regard to the sewer system, the soil testing has been completed of which Lien has copies and the sanitary system is a state approved plan. Lien explained that it is typical, whether the system is residential or commercial, in a rural area that it is not served by municipal water and sewer, that an onsite soil test be conducted to determine what kind of system will fit, and after that the type of structure, how many feet, size, capacity and the system design. Lien reiterated it would have to be a state approved system that will have to meet all of the Department of Commerce requirements. Gardner added that another concern was regarding the "institutional" zoning, but Gardner felt it was clear in the Zoning Ordinance that there were only a few uses that were allowed there, those being a cemetery, private institution, public institution and a school. There is a conditional use process that allows for community living arrangements and Lien stated that he had no recollection of a conditional use ever being issued for that purpose. Gardner continued that another concern were the trucks from Gold n' Plump being worked on in a pole building just past the proposed church site. Gardner stated it didn't appear to be a road concern when the zoning was changed to accommodate this business – also Gold n' Plump does not work on Sundays. Gardner addressed the hunting concerns by stating that there are several houses within the same area but none are close to the proposed church site. Gardner commented that if he himself were a resident there he would be more concerned about the hunting than the church. Gardner added that everyone who signed the petition presented are all relatives. Gardner closed by stating their organization has been working on this project for four years and has thousands of dollars invested, along with the state approved plans for this church building and just a few miles away, a new church was constructed with a zoning change. Brandt stated that Ronald Tuschner, Chairman, Town of Arcadia was present and the Committee also had received a letter from Tuschner on behalf of the Town supporting the land use change/rezone. After being called upon by Brandt, Tuschner stated that the Town of Arcadia has no objections whatsoever to this land use change/rezone. For verification purposes, Lien stated that in the past the Committee's have always placed the condition that if a new road is built in the town, the road must meet "co-aide" standards, as it was Lien's opinion that then the town would get reimbursed for future maintenance of that road. Therefore, Lien inquired if Eden Heights Road is built to the co-aide standards where the Town of Arcadia will get reimbursed for maintenance, plowing and improvements of that road. Tuschner asked how a person defines maintenance. Tuschner added Eden Heights is on the gas tax role, but it is not a co-aide road because it is not a complete road. Lien verified that the road is in fact, reimbursed by the State for the town to take over. For verification purposes, Lien stated that a co-aide road is a complete, through road, so in the future, if a developer wants to build a road, conditions should state that the road must meet state standards and that way the town will be reimbursed. Vold commented that there was a church in his neighborhood which the neighbors had some objections to at first and now the neighbors are happy with it. Vold made a motion to approve the land use change/rezone. Thompson seconded. Bice had a couple of comments. Bice stated to clarify for the record, his opinion, that there was a person present at the public hearing who discussed many details about the quality, safety and the narrowness of the road. Bice stated he was on that road and very carefully checked it and the road is very good, two vehicles can meet on it without any issue, it is not a perfect road and weather conditions might be a problem but in general the concerns that were raised at the last meeting, Bice determined those to be a bit inaccurate. Bice determined the road to be fine. Bice had talked to Gail Sargeant, who is the closest neighbor to the property, and if there is any way possible, she would like to request some type of fence be built as Sargeant has a pond on her property and she is concerned that someone may end up getting into the pond and Sargeant

also requested that some pine trees be planted. Brandt stated there was nothing the Committee could do as part of the rezone process as conditions are not part of the rezone process, however Brandt stated it was something that perhaps Gardner and Sargeant could work together on. Quarne inquired if the fencing rules apply to lots like this. Lien responded they did not. The Committee looked at the aerial photo and there was discussion about the distance between Sargeant's property and the pond. Gardner assured the Committee that his organization would be in favor of putting a fence up but no so high as to restrict deer. Lien reminded the Committee that with "institutional" zoning, property line setback for any building is 50 feet and they must also meet the 63 foot setback from the centerline of the road. The motion carried with no opposition. Brandt reminded Gardner that this rezone must go before the County Board for final approval and Gardner should plan to attend that meeting.

**Appearance- Elk Rod & Gun Club President – Bob Pietrek** – Pietrek was unable to attend so this agenda item was not addressed.

**TRM/LWRM Cost Share Payments/Requests** – Stalheim presented the following cost share payments/requests for approval.

**TRM**

D.A. Living Trust	Contract	\$25,730.00	\$25,730.00	Waste Transfer System And Wastewater Treatment
D.A. Living Trust	Pay Request	\$25,730.00		Certify Waste Transfer System and Wastewater Treatment

**LWRM**

<b>Name</b>	<b>Type</b>	<b>Amount</b>	<b>New CSA Total</b>	<b>Reason for change</b>
Oak Ridge Dairies, LLP	Contract	\$7,320.24	\$7,320.24	Streambank Protection
Oak Ridge Dairies, LLP	Pay Request	\$7,320.24		Certify Streambank Protection

Stalheim informed the Committee that over \$66,000.00 was spent in LWRM funds and once the Gullicksrud project is completed, \$435,465.00 in TRM funds will be spent this year. Stalheim added that \$20,000 in engineering revenue was budgeted for 2010 and DLM has met those revenues plus there is one more project to complete which should be additional engineering revenue. Brandt inquired if the Fink project was finished. Stalheim responded that it was and that the Oak Ridge Dairies project is just finishing up. Nelson made a motion to approve payment of the above listed projects, Quarne seconded, motion carried with no opposition.

**Farmland Preservation Payments** – Brandt stated Judy Betker was present to discuss the Farmland Preservation Program payments. Betker gave a brief history of the Farmland Preservation Program (FPP). Betker stated each year the DLM receives a staffing grant from the Wisconsin Department of Agriculture, Trade & Consumer Protection (DATCP) that covers multiple projects that the DLM administers. The staffing grant is never enough money to pay for all of the state mandates that the DLM oversees. Back in 2004, a decision was made by the Land Conservation Committee n/k/a the E & LU Committee and the full County Board to go forward with charging a participation fee to Farmland Preservation participants to help fund the servicing of those contracts. Betker stated Trempealeau County is not the only County that does this, there are four other counties that charge a fee; Grant, Chippewa, Marathon, and Brown County. Betker added it was a way to bring additional revenue into the County to help with some of the costs of servicing the contracts and it has been done in Trempealeau County since 2004. Brandt asked Betker to explain what "servicing the contracts" meant. Betker responded that Farmland Preservation, as it was originally created, is a voluntary program that landowners signed up for (it was very popular back in the late 70's and early 80's) and agreed to keep their land in an agricultural use. They have to own 35 acres or more, the land has to

produce \$6,000 worth of gross farm profit in one year or \$18,000 in three years or have 35 or more acres enrolled in the CRP (Conservation Reserve Program) and follow the conservation soil loss standards farming to "T" (tolerable soil loss). In return the landowner receives a property tax credit on their income tax by filing Schedule FC. In the early years of the program there were 600 plus contracts (today approximately 400) and landowners were receiving up to \$6,000 worth of property tax credit on the Schedule FC. What happened with Farmland Preservation is DATCP never changed the income tax credit Schedule FC and as incomes changed (increased), etc. the table remained the same and it is still the same as it was back in 1988, so when a landowner gets to \$40,000 income they have reached the maximum. What is happening now, is that when a landowner claims their Farmland Preservation agreement credit they pretty much get the "bare bones" minimum of 10% of their property tax. When landowners signed these agreements they signed up for a minimum period of 10 years with a maximum of 25 years. Brandt commented that is the reason Betker is still servicing contracts. Back in 2004, a change was made, which started at this Committee, to start assessing a 30 cents per acre fee. Betker stated anyone who signed a contract after 2004 knew they had to pay that fee as it was written in the standards and there was a public hearing held for the purpose of assessing that fee and landowners knew that. Betker continued that in 2009, when the budget bill was passed, the State stopped being able to sign additional FPP agreements and Trempealeau County had seventeen contracts that were pending at that time. Betker worked through State Representative Chris Danou and Senator Kathleen Vinehout to get a Senate Bill approved, (which took a year) so that those seventeen landowners could get signed contracts and go into the program. Those seventeen contracts are now in various stages of pending, being issued, signed and recorded. When the contracts are completed this will end the Farmland Preservation Contract signup as we know it. Betker stated the program coming into effect and replacing the Farmland Preservation Program is called the Working Lands Initiative. Betker reminded Committee members that she had given each of them a packet of information on the Working Lands Program during the E & LU tour. Betker added that in our area, for landowners to participate in the Working Lands Program they will have to fill out a petition form to have an "agriculture enterprise area" (AEA) created. The State requirements for an AEA are that a minimum of five landowners petition together, with approximately 1000 contiguous acres; they must also meet the 590 Standards and follow the County and State Soil and Water Conservation Standards. Landowners residing within the AEA who sign 15 year agreements can get a \$5.00/acre property tax credit. Betker commented that Working Lands is currently a pilot program in the State for 2010 and 2011. So far, according to the DATCP website, there are eleven ag enterprise areas that were accepted, the closest one to our area being in Chippewa County near Barron. Brandt asked what the landowners commit to with the Working Lands Program. Betker responded that the State actually designates the petitioned land as an ag enterprise area through a modified administrative rule process, then anyone that lives within the boundaries that are created can sign up for a 15 year agreement and claim the \$5.00 per acre tax credit as long as they meet the requirements. Lien inquired if the zoning map is changed where the land is actually designated as "ag enterprise areas", can't the landowners receive an additional tax credit. Betker responded that is a different type of zoning which needs to be certified at the State level and Trempealeau County does not have it. It is very confusing. Betker added that none of the townships are to the point where landowners could claim that type of zoning and Betker has it in writing from the State. Brandt inquired what the E & LU Committee's responsibility would be with this program. Betker responded the AEA petition applications would come to the Committee for consideration and recommendation and the State would hold a public hearing. Brandt inquired what staff responsibility would be. Betker stated she would still have the responsibility of doing spot checks on 5% of the contracts each year and making sure that the requirements of the contract are being met, i.e., any landowner signing a contract after 2006 has to have a nutrient management plan. Betker commented that right now, depending on when a landowner signed up, she has three separate sets of standards for Farmland Preservation. Lien stated, after he attended the first meeting regarding Working Lands, and he learned about the ag enterprise area, his opinion was; first the State creates the ag enterprise area and then they will give out an incentive to change the zoning to ag enterprise on a minimum of 1000 acres, therefore, how would the County ever stop anyone from bringing in a large cattle or swine operation. The Committee or the County would have no defense to stop something like that. Lien added Trempealeau County tried to regulate through zoning, the conflict between residential and ag development; the feedlot was a good trade-off but the State took the County's ability to regulate that away

and shortly thereafter the State came out with the exclusive ag enterprise area. Lien asked the Committee, for the future, to think about the fact that there would already be 1000 foot buffer set around the area and would the Committee have any ability to stop a large operation from coming in if in fact the area was already zoned "ag enterprise". Betker stated she has talked to staff at DATCP regarding public informational meetings on the Working Lands program. She would like to schedule informational meetings in late summer or early fall and do so in conjunction with Buffalo or LaCrosse County. To date, Betker has not had any inquiries about petitions to create an AEA. Many landowners have expressed interest in attending an information gathering meeting, they want more information but they want to hear it from the State. Lien commented that DATCP had stated they would fund staffing grants at 100% for the first position, 70% for the second and 50% for the third and to date, Trempealeau County has never gotten 50% of that third position. Lien added each year the staffing grant amount has declined and at the last State hearing that Lien had attended DATCP stated the County's should expect nothing in 2011 and 2012 for that third position. Lien's point being, Trempealeau County has never gotten the staffing grants that the State said they would provide. When DATCP was challenged on the issue their response was to read the Statute as it said DATCP would "attempt" to provide the staffing grants. Bice stated he requested this item be placed on the meeting agenda as he felt there was a very serious issue. Bice continued that many people who signed up for Farmland Preservation prior to 2004, around 600 people ( Betker stated there were about 400 now) signed what is technically an agreement ( a court of law would call it a contract) that this would be handled and there was no mention of any kind in the original Farmland Preservation agreement for administration fees. Bice has a copy of his original agreement and his new contract. Bice asked if 2004 was the year that DLM started assessing fees? Betker responded it was service year 2004. Brandt added that was the year DATCP cut the staff funding and Trempealeau County wanted to maintain the servicing part of the contract. Bice continued that many people have never paid those fees because they have a contract with the State of Wisconsin and they feel the County cannot come back and change the rules later on and try assessing a fee for that. Bice's point was that there are a bunch of people that do not feel they should pay that fee. Bice has actually gone through the legislation and realized that there is probably nothing the County can do to collect those fees. Several years ago, Bice had a neighbor call him up and ask him about this very subject and Bice came and talked to Dave Appleyard (former DLM Administrator). Bice and this neighbor visited with Appleyard and asked him what would happen when people do not pay these fees. Appleyard had responded those people would receive a citation. Bice stated, (he has a witness) he had said to Appleyard that he would volunteer to get a citation because Bice would fight it, as Bice didn't believe people should be assessed fees to cover this since they have a 25 year contract. Bice asked Appleyard who would write the citation? Appleyard responded that he would talk to Corporation Counsel – LaVerne Michalak. Bice stated that, at that point, Appleyard's exact words were "Appleyard had already talked to Michalak and the truth is there is not "enough teeth" in the whole thing and Bice would never have to pay the fee." Bice has thought about this whole situation for hours and it's a mess and he doesn't know how to resolve this but it has to be resolved. Brandt responded that this has been discussed many times over the years particularly with every new Committee. Brandt stated what it comes down to is basically the willingness of the property owner to see the position the Committee was in to hold up Trempealeau County's end of the agreement. Brandt told Bice he was absolutely right in terms of whether or not the contract language will allow Trempealeau County to assess the fee, on the other hand the Committee was in a position where the County Board wasn't willing to provide the money to keep staff going and make sure Betker is able to do what she needs to do to service these contracts and the people who are gaining the benefit from it are the ones that are being asked to pick up a tiny part of the load. Brandt stated there are obviously some differences and at previous Committee meetings Bice's situation was actually discussed and basically the Committee agreed to "not agree". Brandt stated all the new contracts have the new language added and for all of the old contracts, the people who are willing to pay, will pay and those who choose not to pay there is not a lot the County can do about it. Lien commented when the State isn't funding a position, the Committee could have chosen to put Betker's position on the tax levy and then everyone in the County would be paying for the few landowners that actually utilize those Farmland Preservation services. Lien commented that the UDC program is funded much in the same way – as a user fee. As an example, in 2005, when the State put the UDC program into place the County could have chosen to tax levy the position for UDC inspections, however, the County decided to fund the position charging a

“user fee”. A fee per square foot of building was determined and each person who applies for a UDC permit is assessed that rate thus helping fund the UDC position. The Farmland Preservation fees were an “offset” to help fund Betker’s position, even though it was known the fee payment was voluntary for contracts prior to 2004. The landowners who are getting the benefit of the Farmland Preservation program have the option of paying for it. Lien stated past Committee’s have all agreed, that it is understood the fee is not a part of the original contracts, but DLM should continue to send the bills out. There are a lot of people who pay it because it is a pretty miniscule fee versus levying for Betker’s position where all taxpayers pay. Brandt reiterated that the situation is, that for those who signed the original contract prior to 2004, the payment is voluntary. Betker added that Bice hadn’t gotten a payment in the mail this year because anyone that hasn’t paid from the very beginning of the fee, Corporation Counsel had advised Betker not to waste the postage. Lien responded there is an exception as Richard Kiekhoefer came in last year and paid up all his Farmland Preservation fees to date. In response to an inquiry, Betker stated there are about 20 landowners (some years more) that sign up each year. Nelson asked if landowners can renew their Farmland Preservation contracts? Betker’s response was not any more, the new Working Lands Program is the new Farmland Preservation Program. Bice commented that he got this information right from the State and the administration money was taken away, but it was reinstated but used somewhere else at the State. Bice stated he understood that the Committee needed to do whatever they had to do. Bice added he understood that Brandt’s approach on this subject which is, if everyone could just get along it would be a wonderful thing, Bice’s approach, however, from a legal aspect, Bice is willing to use the word “voluntary” but he personally feels bad because he knows many people who are paying that bill and they have a contract with the State of Wisconsin so they shouldn’t have to pay that fee. Bice understands someone has to, but someone bent the rules. Quarne asked if the 1000 acres required for the Working Lands program has to be contiguous. Betker responded it can have odd shaped boundaries but somehow we have to draw the area all connected to get 1000 contiguous acres. Betker added the petitioning landowners that are within that AEA boundary do not have to touch each other, just be within the boundary. Some discussion followed on the Working Lands Program.

**Refunding of permit fees** – Brandt stated there had been some questions regarding the refunding of permits. The two forms which the DLM uses both now state that fees are non-refundable. Smick suggested “bolding” that information on the permit form.

**Surveying Update** – Joe Nelsen, County Surveyor was present. Nelsen presented a final survey report for T21N, R9W in the Town of Arcadia. Nelsen shared some survey pictures regarding the “anchor” corner which controls the town line between T21N-R9W and T21N- R10W on the Trempealeau/Buffalo County line. Nelsen stated he and his crew found the original government post in its entirety laying about 3 ½ feet underwater. Bice inquired as to how close the post was to where it should have been. Nelsen responded they had about 15 foot radius search area and it was within 9 feet. Nelsen also showed pictures of a found stone monument. Brandt inquired how Nelsen was able to locate the stone marker. Nelsen responded he had researched records from 1898 and had found a map that showed square symbols at corners. Brandt stated, Nick Gamroth, Real Property Lister, had mentioned to Brandt how hard his job would be without the remonumentation work that Nelsen has completed. Mike Nelson inquired what type of survey equipment the surveyors from the 1800’s used. Nelsen explained they used what is known as a Gunther’s chain which was in links 66 feet long. Discussion followed on previous surveying done in that area. Lien explained that the remonumentation for T21N, R9W will become effective January 1<sup>st</sup>, 2011 at which time a Certified Survey Map (CSM) will be required in that township for any parcel splits less than 20 acres. Thompson made a motion to accept the completed remonumentation report for T21N, R9W which will now require CSM’s, Smick seconded, motion carried with no opposition. Mike Nelson made a motion to approve payment of the survey bill as presented, Bice seconded, motion carried with no opposition.

**Director’s Report** – Lien reported that on January 1<sup>st</sup>, 2011, the Wildlife Habitat Tree & Shrub Program will begin and sales will run through February 28<sup>th</sup>, 2011. Order forms will be mailed out and are available on the County website also.

Lien stated he and Martin Goettl have been working on 911 signs. Lien showed the Committee an example of the new “flag” style signs. The new signs will be perpendicular with the road and will be visible from either direction. He and Goettl have received a cost proposal for the signs from a private vendor that will waterblast everything off any old signs, clip them to the required dimension and drill two holes in the side and put the reflective material on for the County for a cost of \$6.20. Lien stated they are actually working with a local vendor for making the new signs, which are an overlayment of 3M film, and Lien is really hoping it would be the County Highway Department but he wasn’t sure they could beat that price and that way signs could be made anytime needed. Nelson commented the Highway Department just bought a new sign machine. Lien acknowledged the Highway Department machine has the capability to make the signs. Lien commented the issue is going to be the union labor so Lien stated he and Goettl are going to meet with Jim Johnson from the Highway Department to hopefully get the price down. A local vendor gave a really good price but Lien and Goettl would prefer to have the Highway Dept. make the signs. Lien informed the Committee that Trempealeau County charges \$30.00 per sign and currently is losing a couple dollars on every sign ordered. Jackson County currently charges \$50.00 per sign, so in the future this issue will be an agenda item. Bice guaranteed that the Highway Dept. will beat that price. Bice inquired, if he himself has a two year old sign, will his sign be replaced? Lien responded any signs currently out will not be replaced unless Bice voluntarily wants to get a new one but since the County just changed from red to blue those signs will not be replaced. However, all signs in the future will be the new “flag” style sign. Lien mentioned that he would like to use his sign budget and send in a few of the old 911 signs and have them stripped and redone to see how they turn out. Some discussion followed. Bice inquired. if the County couldn’t get new aluminum blanks for less money than the cost of redoing the old ones. Lien responded the company is going to redo the sign plus return any scrap aluminum back to the County.

Lien provided each Committee member with a copy of a letter he received from a concerned citizen regarding the Minneapolis-St. Paul groundwater issues.

Brandt provided each Committee member with a copy of the State Statute, Chapter 92. The one sheet discusses legislative intent and soil erosion control goals and the other sheet talks specifically about the responsibilities and powers of the Land Conservation Committee.

At 10:59 AM, Bice made a motion to go into Closed Session per WI Stats 19.85(1) (c) to consider Performance Evaluation Data, Quarne seconded, motion carried unopposed.

At 11:12 AM, Vold made a motion to reconvene into Open Session, Bice seconded, motion carried unopposed.

**Next Regular Meeting Date** was confirmed for Wednesday, January 12th, 2011 at 9:00 AM in the County Board Room.

At 11:13 AM, a motion was made by Quarne to adjourn the meeting, Nelson seconded, motion carried with no opposition.

Respectfully submitted,  
Virginette Gamroth, Recording Secretary

Michael E. Nelson, Secretary