

ENVIRONMENT AND LAND USE COMMITTEE
Department of Land Management

REGULAR MEETING MINUTES
March 9th, 2011 9:00 AM
COUNTY BOARD ROOM

Chairman Brandt called the meeting to order at 9:03 AM.

Committee members present: George Brandt, Hensel Vold, Tom Bice, Michael E. Nelson, Mark A. Smick, Dave Quarne, Roland Thompson and Jeff Dregney.

Staff/Advisors present: Kevin Lien and Virginette Gamroth, Kimarie Estenson was present for part of the meeting. DeWayne Snobl- USDA-APHIS, Dan Dehmer-County Forester

Others present – Mark Nelson-Nelson Diesel and Dozing, Anthony Pickering, David Hesch, Eugene Soppa, Doug Sokup, David Daniels, Terry Holen, Deloras Vind, James P. Woychik and Brian K. LaRue.

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

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

Approval of Minutes – Nelson made a motion to approve the February 9th, 2011 meeting minutes as presented, Bice seconded, motion carried unopposed.

Public Hearing- Conditional Use Permit-Non-Metallic Mining-Vernon Bue, Landowner –Nelson Diesel and Dozing, Operator-Town of Ettrick. At 9:04 AM, Chairman Brandt called the public hearing to order. Mike Nelson read the public hearing notice aloud. Brandt explained the public hearing process for the benefit of the public present. Lien stated non-metallic mining is a Conditional Use Permit (CUP) and conditions can be site specific for each mine and they should be based upon their own merit and location and conditions set accordingly. Lien explained this particular mine has a current CUP on it which is a few years old. One of the conditions at the time of issuance of the CUP was that it was limited to two operators and any changes to the CUP require the applicant to come back to the Committee for review. Lien stated Mark Nelson is here, today, requesting a change in his current conditions. The area is currently a mine, it does have a CUP and a reclamation plan associated with it. Lien turned the meeting over to Estenson to elaborate on the mine site. Estenson referred Committee attention to an overhead aerial map of the site. Estenson stated the mine is to the south of County Road C and the last two years, Mark Nelson, operator, has had about two and one half acres open and has been running a limestone/rock quarry on the site and averaging 10-15,000 tons of product per year. Nelson is not only requesting to review the conditions but to update the Committee on some of the other items. Over the life of the mine, Nelson would not have more than 10 acres open and that would be phased at about two and one half acre increments. The equipment that Nelson intends to use in the mine is an excavator, hydraulic hammers, dozers, loaders, grizzly bars, screener- part-time, rock crusher- part-time and a grader along with a watering truck (as needed). Estenson added Nelson does blasting on occasion perhaps two-three times per season depending on demand. Estenson asked Nelson how long the crushing operation was in the quarry after a blast. Mark Nelson responded that depending on what is being crushed, it is probably about two weeks. Estenson stated the post land use is for everything to be excavated and filled back at a 3 to 1 grade and it would be open woodland prairie. Estenson mentioned she did have, in hand, a letter from the Department of Natural Resources (DNR) stating that, at his current capacity, an air permit is not required from their program as he meets the exemption thresholds of under 25,000 tons per month for ledge rock quarry production and under 2,000 tons per months for sand or mining operation. The crushing equipment facility that comes in would have to be permitted through the DNR air

quality program which Estenson believed it currently was and when Mark Nelson decides which contractor is coming in he will provide the DLM with that permit. Mark Nelson is working with Kurt Rasmussen - NOI (Notice of Intent) Stormwater DNR person in LaCrosse) and has applied for his Stormwater Notice of Intent. Rasmussen does have the application, everything looks good and indications are that the permit will be granted next week. Estenson asked Mark Nelson to explain the truck routes. Nelson explained the truck routes comes off of County Road C and that road is unnamed but is directly adjacent to Leque Lane, it travels between the Vernon Bue quarry and Dave and Terry Daniels property and then it goes through the Daniels' property (there is an easement) and then it goes into Bue's property and heads up the road into Bue's property. Lien asked Roland Thompson if that quarry was opened in the 1930's. Thompson responded the quarry was there when he was a small kid back in the 1940's. At Estenson's inquiry, Mark Nelson verified that the road from the quarry is a private drive onto County Road C. Estenson stated back in July of 2006, the Committee had attached conditions to the current operation and they are as follows: Use of the mine is limited to Nelson Diesel & Dozing and Stawarz trucking, maintenance of road is to be done by the operator, watering of the road (in dry conditions) to be done by the operator, and the speed limit is to be kept at 15 miles per hour. Since this CUP was approved, Stawarz trucking is no longer operational. Mark Nelson stated that is part of the reason he is here today, is to get the Nelson and Stawarz only off of the CUP and also last year, Jackson County, Trempealeau County, Town of Ettrick, Town of Franklin and Wisconsin DNR contacted him to take materials out of the quarry due to the proximity of some of their projects. Estenson added Mark Nelson does have a complete reclamation plan that has a lot more detail such as vegetation, seeding, any type of shaping, wildlife and soils and Estenson has reviewed it and it is complete. Brandt asked Mark Nelson to describe the operation. Mark Nelson explained the operation has been to stockpile, however when other vendors want the material it is not cost effective to haul it and then stockpile and have a town or a county take it off the stockpile especially if the project is close to the quarry. Nelson admitted that the watering and dust control condition has been an issue. Nelson has installed a watering system on one section of the road and he does have a 1000 gallon tank for a water system on the lower end. Lien asked Nelson to elaborate on the watering system that has been installed. Mark Nelson responded that it is a sprinkler system that is pumped out of a pond and a series of sprinkler heads run along one section of the road, there were some problems with it but Nelson does have someone re-analyzing the system.

Terry Holen – Registered to appear and testify for information only. Brandt reminded the Committee that Holen had submitted a letter to the DLM requesting certain conditions. Holen stated she has a lung affliction which won't get better as that is part of the nature of the disease. Holen continued that every last one of the conditions of the current CUP have been broken and unfortunately it has only been the last year that the watering has been done and they have been watching the speed. The County drivers and others using the pit have told Holen that they did and do not know that they weren't supposed to be hauling out of the pit, and that it was against the CUP, because they have been doing it. The people that Holen has talked to expressed "if they had only known" so that is why Holen is asking that all vendors be informed of what the conditions are so that Holen is not being told she is a bad person because she is there and being told "out of our way girl/woman" as they are driving by. Holen stated for her it is a health issue. Last summer, Holen was a prisoner in her own home. They had bought the farm so that they could ride their horses, but Holen couldn't go outside because the dust was so horrendous. Holen wants the road to be watered and not just whenever Holen calls (as it takes an hour to fill the tank and water). Holen has experienced asthma attacks so she is trapped in her home, so she wants it watered when they are running trucks. Holen wants to ride her horses, so she is requesting the road be closed at 4:00 PM Monday thru Friday and on Saturday so she can go outside. She is unable to ride horse when trucks are being run down the road because the dust is killing her. Holen wants to use her road and be able to ride her horses. Holen added when the CUP started five years ago, it was going to be under 100 trucks per year and she was only told a month ago that the pit had expanded to two and one half acres. Holen reasoned if a ten ton truck is used, there may be as many as 1500 trucks going up and down her road during the construction season, however if 20 ton trucks were used it would cut that number in half and still this would be a far cry from the 100 trucks that Holen was originally told about. Holen stated Mark Nelson is here today to make legal what he has already been doing for years. Holen has complained a lot and until last year, when Holen got her lawyer involved, it fell on deaf ears.

Holen reiterated that she wants the road, that they own, watered, so she can go outside, the speed limit has to stay and she would like the quarry closed at 4:00 pm each day so that she can ride her horse and she wants the people going in and out of the mine to know what the conditions are so they can follow the rules. Right now those people state that they don't know there are conditions so they can't follow them. David Daniels has heard drivers state that they can get up to 60 mph on that road and the road is posted with a 15 mph speed limit. D. Daniels continued Mark Nelson has been trying to do his part in areas, but it is everybody else that is using the quarry that feel the rules don't apply to them.

Deloras Vind – Registered to appear and testify for information only – Vind stated she was reading past E & LU Committee meeting minutes and she became quite concerned because it seems the Committee is not knowledgeable as to what they are to be doing. Vind continued that this Committee is supposed to be impartial and are supposed to protect and promote public health, safety, convenience and general welfare – general welfare means taxing and spending for things that will keep our taxes down. The roads shouldn't be our responsibility they should be the responsibility of the contractors using them. Vind stated the Committee needs to get the conditions in writing, these can't be made by a handshake, this is something that can go to a court of law. The Committee needs to protect the citizens and that is what Vind expects from her government – to protect her, as a citizen protect her property rights and her property values. Vind added the Committee took an oath of office which should be taken seriously. State Statutes 19.45-19.59 talks about ethics. The Committee needs to be knowledgeable about those so that when the Committee considers all these permits, they understand what it is they are supposed to be doing and that is protecting the people.

Estenson read a letter from the Town of Ettrick which stated that the town board had discussed and decided that they have no problem with the mining permit for Mark Nelson and the Vernon Bue quarry site. There being no further testimony, Chairman Brandt closed the public hearing at 9:52 AM.

Brandt asked Mark Nelson for verification on the number of trucks that would be going in and out of the mine site per year. Mark Nelson replied it is hard to pinpoint that because Trempealeau County probably runs about 16 trucks and he wasn't sure of the number that Jackson County would have and it is going to vary depending on the job itself and the proximity of that job to the mine site. Bice, in addressing the conditions that Terry Holen had requested in her letter to the Committee, asked Lien if those conditions would be enforceable. Lien stated it is a Conditional Use Permit and each individual mine should be based on its own merit and location so the Committee has the ability to attach existing conditions above and beyond the standard conditions. Hours of operation have been set and apply to all mine sites which as this time of year those hours are 6:00 AM-6:00 PM Monday thru Friday, 7:00 AM-3:00 PM Saturdays and no operations on Sundays or holidays (the Holidays are specifically listed in the Mining Ordinance), during summer, hours of operation are 6:00 AM-8:00 PM Monday-Friday, 7:00AM-3:00PM on Saturdays and no operations on Sunday or holidays. In answering Bice's question, Lien stated the Committee does have the ability to be more restrictive, but Lien asked that the Committee to try to keep some consistency throughout the permitting process. In regard to Terry Holen addressing other vendors using the quarry, Lien stated that at the point where the other vendors wanted to use the quarry, Lien and Estenson had talked to the Highway Commissioner, Jim Johnson and all parties felt it was in the best interest of the County and taxpayer dollars that it would be more efficient to haul rock out of this mine site because of the proximity of the projects. At this time, Lien addressed Terry Holen and David Daniels and they agreed that they had been contacted about the other vendors using the quarry. Holen commented that they have no voice to say yes or no, only the Committee and Trempealeau County does, because they are just the landowner and Trempealeau County is the governing body. Bice asked what the rules or regulations were on the easement. Lien explained that basically when exiting County Road C, it is a private drive as the property is owned by the Daniels'. Lien lives on this road so he has an easement to his property that was grandfathered in, and then Daniels' property ends further to the south and then passes through the Vernon Bue property. As one gets closer to the quarry it goes through a small triangular piece that is owned by Woyicki's and the rest of the property is owned by Bue. There is an easement that Bue and Lien have to their property, but Daniel's own all the land back to the forty line. Lien added that some years back the hot mix plant was located near Lien's driveway when County

Road C was blacktopped, so about half of the road ended up being covered with blacktop (from Daniel's buildings down to Lien's driveway, and the rest of the road is gravel. Lien stated when the road turns by Daniel's buildings and goes up, that road has historically been eroded sand which is very difficult to water. Lien and Estenson have been out observing when Mark Nelson has watered that particular stretch of the road and within 3 or 4 passes of a truck it was dust again, so then Nelson put in the water system. Daniel's didn't know if the water system is working because there have been some operational problems. Thompson commented there is a chemical treatment (calcium chloride) that can be used, as Town of Gale has used it on their roads, and it works quite well, however if it rains a lot it gets "greasy". Estenson inquired how often that treatment has to be applied. Thompson responded in the Town of Gale it is usually done once a summer. Estenson commented that application of those products is a DNR standard Best Management Practice (BMP) so she will look further into that. Bice asked Mark Nelson if he has seen the restrictions that Holen would like added to the access and could he live with those restrictions. Mark Nelson responded that he feels the hours of operation she is requesting would be the only concern he would have. Bice made a motion to approve the CUP with the standard conditions applying and also to add the restrictions that Daniels' requested to the CUP. Bice is a strong believer in personal property rights and Nelson should have ample time during the week to get the material out of the site. Brandt seconded the motion for the purpose of discussion. Thompson commented that Daniels' has a lot of other land that she could utilize. Vold stated a County is usually done hauling by 4:30PM. After some discussion which included the hours of operation as Nelson stated he would like to be able to haul on Saturday, the following conditions were to be added to the Conditional Use Permit; Nelson is to maintain the road, watering is to be done whenever road is dusty, speed limit of 15 mph is to be enforced, and because it is a private drive, the holder of the CUP will need to enforce it, CUP is changed to allow Nelson and any other vendors to utilize the mine site, conditions and responsibilities are to be communicated in writing to all vendors using the mine site, Nelson will close the mine site at 5:00 PM Monday thru Friday and Saturday hours of operation will be 7:00 AM – 12:00 Noon on Saturday. The hours of operation will be enforced all year long. Motion passed on 5-0 voice vote. Bice encouraged Mark Nelson to do some research on what could be done to eliminate the dust. The Committee encouraged communication between the two parties.

Public Hearing- Conditional Use Permit-Non-Metallic Mining-Timothy Brandtner, Landowner – Nelson Diesel and Dozing, Operator-Town of Ettrick. Chairman Brandt opened the public hearing at 9:54 AM. Mike Nelson read the public hearing notice aloud. Lien stated this is a private shale pit and then turned the meeting over to Estenson. Estenson informed the Committee that this mine is a small site (will not exceed two acres) located on Kittleson Road in the Town of Ettrick. The landowner would like the slope back to 3 to 1 and estimated production is a total of 5,000 yards with approximately 2,000 yard per year being extracted. Mark Nelson stated the landowner would like the area sloped and there is material there that can be utilized. No blasting is anticipated, however if harder material is struck there could be some. Brandt called for any public testimony. Estenson read a letter from the Town of Ettrick which stated they had no problem with a mining permit for the Tim Brandtner/Mark Nelson site. Chairman Brandt closed the public hearing at 10:00AM. Quarne made a motion to approve the CUP with the standard conditions applying, Bice seconded, motion carried unopposed.

Public Hearing - Conditional Use Permit-Non-Metallic Mining-Anthony Pickering, Operator, Timothy Pickering, Landowner -Town of Caledonia. Chairman Brandt called the public hearing to order at 10:01 AM. Mike Nelson read the public hearing notice aloud. Lien stated this was a unique site as there is no actual mining taking place, only stockpiling. Estenson stated there is a Department of Transportation (DOT) project this spring in Galesville. Estenson read aloud two possible scenarios of machinery which may be used in this project depending on whether the material is recycled at the stockpiling site. The post land use will be seeded and shaped and once the material is gone, the site will be closed. Estenson added Pickering does have his stormwater permit from the DNR and any archaeological type investigations were considered. There is an intermittent stream on the site and Pickering does meet all the required setbacks. The site will be internally drained and Pickering intends to keep it that way which may require constructing some berms around the stockpiles. Pickering does have an exemption from the DNR regarding an air quality permit.

Estenson inquired if Pickering knew what the truck routes would be. Estenson stated she did receive a call from Joe Mahutga requesting information in regards to the truck routes. Pickering responded that once the road bans go off in the spring the Beaver Creek bridge will be taken out, so all truck traffic would have to go around to County T, past Arctic Springs, cross Hwy 53 onto Highway K and travel County Road M to McGilvary Road and then onto Cooper Road which is kind of a round about way. If for some reason the bridge wouldn't be taken out immediately, the shorter route would be to go through the stop lights in Galesville and enter McKeeth Road to Cooper Road. Brandt called for any testimony from the public. Estenson read two letters from the Town of Caledonia as after she received the first letter she requested clarification on the non-metallic mining. The first letter from the Town of Caledonia stated they had tentatively approved the placement of milling from the State Hwy 53 road project. At the January 20th, 2011 board meeting, discussion was had on the above subject. The Town of Caledonia board made the tentative approval for the millings to be located on the Tony Pickering property located off of Cooper Road and to be located near the building shed of the farmstead. Estenson read an E-mail from the Town of Caledonia which stated it was to inform the County that at the February 17th, 2011 regular board meeting, Steve Hogden made a motion to approve the CUP for the non-metallic mining on the Tim Pickering property with Tony Pickering as project manager, Joe Jabloski seconded the motion and the motion carried. Estenson read a public comment from Joe Mahutga which stated he would like to testify in favor. Chairman Brandt closed the public hearing at 10:09AM. Thompson made a motion to approve the CUP with standard conditions applying, Mike Nelson seconded. Since this was a somewhat unique project, Bice inquired if the standard conditions would work for Pickering? Pickering responded it will have to work and as a contractor he will need to enforce it. Brandt reminded Pickering that as the CUP holder, it is Pickering's responsibility to make sure that all the other contractors are aware of the conditions. Motion was approved with no opposition.

Public Hearing - Conditional Use Permit-Non-Metallic Mining- James Guza, Landowner, Reglin & Hesch, Operator -Town of Arcadia. Chairman Brandt opened the public hearing at 10:12 AM. Mike Nelson read the public hearing notice aloud. Lien turned the meeting over to Estenson. Estenson stated Dave Hesch is present to answer questions, Jim Guza could not attend. Estenson directed the Committee's attention to the overhead aerial map and proceeded to point out the project area on the map. Estenson stated Reglin & Hesch is proposing to operate sand mine on the James Guza property for the purpose of extracting sand for shipment to Winona, MN for further processing. Commencement and actual sand removal would be sometime in 2011 depending on demand. Reclamation will be done in conjunction with the operation of the pit and they anticipate having three acres open at one time to facilitate a screening operation (once they have four acres open they will start reclamation) and the pit will be internally drained. Estenson verified with Hesch that the intent was not to have four acres open at a time. Estenson read the list of equipment which included dozers, backhoes, off-road trucks, scrapers, loaders, a screening plant, stacking conveyors, generator, water trucks, tool trucks, and a bobcat. During times of low production Reglin & Hesch anticipate blasting once a month, during peak production they anticipate blasting up to four times a month. Estenson inquired if Hesch planned to do any "ripping" of the material. Estenson added the sand that is being mined will be used in the natural gas industry and will be screened, loaded and hauled to Minnesota for further processing. Estenson has in her possession the exemption request form that is going to be filed with the DNR as DNR would prefer it after today's decision. Estenson has also talked with Kurt Rasmussen of DNR and he would prefer the Notice of Intent (NOI) be filed after today's meeting. The quarry boundary is sixteen acres and the post land use will be Ag crop land and potentially some would go back into wooded land, naturally. Estenson asked Hesch about truck routes. Hesch responded they would basically head north to Cross Road and proceed west to Highway 93 and then south. Hesch added they might come back in on River Road depending upon the time of year and to keep some of the traffic down going in and out on Cross Road. Estenson inquired if Hesch anticipated having the full screening and crushing operation on the site continually? Hesch stated he wouldn't know until they get into the site and it was similar to what is being done on the Soppa site, screening probably all the time, crushing he didn't think any at all because when they have to crush the material it doesn't meet specifications. Hesch explained this material is very unique because it comes in layers and one doesn't know what you're going to get until actually getting into it and

the farther into the hill one gets the consistency of the material changes. Hesch found out in the Soppa pit that they thought they could rip all the material and now they need to blast. The further they went into the hill at the Soppa site they found flint rock and when you drill it, it goes right through but it's the kind of material that can't be ripped with a dozer. Lien asked about Hesch's statement "when the material is crushed it doesn't meet specs". Hesch responded it doesn't have the consistency of the loose sand between the hard layers and it doesn't meet the 40 to 70 sieve screening specs, the sand gets to be too fine. Lien added that's typically why the wash plant process is used to take out the fines. Hesch commented anything below that spec. like the 200 which is lime screenings or clay that is what is washed out and some of that stuff gets so fine that it goes through the sieve and gets into the "zone" that they don't want. Hesch stated a lab will be set up, and as Reglin & Hesch excavate, they will tell us exactly what layer they would like to have. Lien inquired if they are hauling a lot of waste product. Hesch responded the waste product stays on site as it will have to go into the pit later. Lien asked how it stays on site if it isn't being crushed or screened out. Hesch stated it is just piled up to be put back in the site when they're finished. Lien inquired how it was being separated for piling? Estenson inquired if they were leaving it in consolidated or boulder form? Hesch responded "yes". Lien verified that anything that was consolidated like sandstone was pushed aside and Hesch was just taking the loose pliable sand? Hesch responded that was correct. Estenson added Reglin & Hesch will also provide DLM with an air quality permit from the crushing facility when it moves into the site as that is separate from the daily operations that will be going on – it is two separate permits. Hesch added this is basically frac sand like the Soppa pit, they will be extracting the sand and hauling it to Winona and that is where the final processing and washing will take place. Depending on the life of the other pit that is open, that pit will be finished before they plan to open the Guza pit, so the opening of this pit might not be until 2012, it all depends on demand.

James P. Woychik – Registered to appear and testify for information only-Woychik stated he lives just across the road from the pit. Woychik has no problem with the mining, the wind usually comes from the north so it will blow away from Woychik. Woychik stated the one concern he would have is water quality and he hoped it wouldn't affect the groundwater. Estenson explained the ground water in this area is at an elevation of 780 and the depth of the mining activity will reach an elevation of 810, so you have a minimum of 30 feet and requirement through code is a minimum of 10 feet separation distance between groundwater

Estenson read a letter from the Town of Arcadia dated February 25th, 2011 which stated, the Town of Arcadia passed a motion at their February 23rd, 2011 board meeting stating they have no objection to the Tremp. Co. E & LU Committee issuing a CUP for a non-metallic mine to James Guza, landowner and Reglin & Hesch Construction, Inc., operator. Chairman Brandt closed the public hearing 10:27AM.

Lien reiterated that each and every one of these mining sites should be based on its own merit and location. The County has a set of standard conditions that apply to every mining site and this Committee has the ability to set site specific conditions as was done earlier. Lien stated this site is a little bit larger than some other sites. When you get into the rural area, there are potential line of sight issues for school bus travel, etc. Hesch pinpointed ingress and egress of the site. Lien stated there is a minimum requirement of 400 feet of site distance, either way for any new driveway in the county, and Lien wasn't sure it would meet that requirement because of the two sharp curves in that area. Estenson stated when she visited the site with Guza and Ron Rumpel, they had been in contact with the township and a proposal they are considering is to take out the hill which would increase the line of site, visibility and decrease the steepness of the elevation. Estenson does have information from Riverland Energy stating that Reglin & Hesch would work with them in changing the direction of the high line, in that area, if needed. Hesch commented there is a high line pole right on top of the hill and Reglin & Hesch got a price from Riverland Energy for moving the pole so as the knob is taken off it will improve the line of site both ways. Lien inquired how many trucks per day Hesch was estimating Hesch responded around 70. Lien restated the truck routes and reminded the Committee that public safety should be one of their main concerns particularly the site distance issue. Brandt stated that in dealing with the site in the Town of Preston, many neighboring landowners were concerned about the effects of blasting on their wells, so Brandt suggested that since there is to be a significant amount of blasting, as

one of the conditions, Hesch be required to pay for the evaluation of the wells and foundations before the processing is started. Brandt stated 4000 linear feet has been used in the past for a distance requirement for well and foundation testing. Brandt commented that with this type of sand located here, he wanted to “throw out” the idea of Hesch considering having LIDAR flown so that all parties involved may know how much volume is being taken out of the County. Estenson commented she wasn’t sure how feasible LIDAR would be on a sixteen acre site. Lien added LIDAR is a very valuable tool, but it may not be justifiable on a small site. The Villages of Pigeon and Strum had a topographic survey done with elevations and that would perhaps be as adequate on a site of this type. Lien asked what the existing elevation of the site was. Estenson stated 950 was the highest elevation. Lien questioned if the mining is going to be up to the road, is the whole road going to be lowered at some point. Hesch responded that has been discussed, depending upon what the deposit is, as they would like to take the steepness out of the hill but they also have to consider the other side of the road which is owned by a different property owner. Lien and Estenson concurred that typically there would be a 33 foot right-of-way and Hesch needs to stay out of that, and then a 10 foot buffer, so Lien estimated at least 43 feet would have to be left. Lien stated 43 feet is really close to a public road, so the Committee should take into account that a berm or slope of 3 to 1 be required. Estenson added standard practice in reclamation is a 3 to 1 slope with a good bench and they would also have to adhere to MSHA(Mining Safety and Health Administration) regulations which requires berming at every dump site or drop off in elevation. Hesch stated that berms that he would have to put in place could actually stay there and be part of the reclamation plan. Discussion took place on the different sand types and “straight wall” reclamation. Lien asked Hesch if there was much overburden (non-usable material above the sand being mined) on the site? Hesch responded there was a little shale on top of the hill and then off the road about three feet it turns into sand and in some other places there was 5-6 feet of overburden, but basically on top. Hesch added there are a lot of stumps and trees which will be hauled to the back of the site and piled and either buried or burned. Lien inquired if Hesch had done any test drilling? Hesch stated they had gone up with a backhoe and dug test holes. Brandt asked about the water nearby. Hesch responded what one thinks looks like a stream is actually more of a waterway than a stream and Guza had told Hesch that it doesn’t qualify as a stream, it is an intermittent waterway. Brandt suggested that any motion include the requirement to have the foundations and wells inspected within 4000 linear feet prior to any blasting. Estenson stated 4000 linear feet had been required previously, but sometimes it is 1500 feet which is less. Quarne inquired if the testing of wells and foundations should be an automatic new rule for all mines that want to come in? Lien responded the Ordinance would have to be amended if it is to become a standard condition. Thompson commented that blasting sand is nothing like blasting in a rock quarry as one is not blasting “face out”, you’re just loosening up the ground. Discussion followed on blasting. Hesch asked if the condition to test could be contingent on whether or not they have to blast as he didn’t want to have incur a lot of expense and do all the testing and then they would never do any blasting. Estenson showed the Committee on the map of the area that 4,000 feet would encompass. Vold made a motion to allow the Conditional Use Permit with the standard conditions as well as the condition that prior to blasting, Hesch provide DLM staff with a list of checked structures and cased wells located within 4,000 linear feet of the proposed mining area site. (Lien verified that the language was to be the same as what was required by Winn Bay). A 3rd party independence inspector shall be used and costs associated should be borne by the owner/operator of the mining site. Landowners may sign a waiver declining the inspection of structures and cased wells located on their property. Quarne stated there is a professional blaster, Brian LaRue, in the room today. LaRue commented that when a new area is opened up, what your looking for is called a pre-blast survey. There is a company out of Chicago that will come in and do well inspections, etc. LaRue stated 4,000 linear feet is almost a mile away and it always comes up in CUP meetings about wells and LaRue’s company has a 52 year company history and they have never cracked a well. LaRue stated when you get into foundations and wells, that is two different companies that will do a pre-blast survey. Brandt commented it is a requirement that was put on another mine and it provided a certain level of comfort to the neighboring landowners. LaRue’s opinion was that Hesch is going to go through a lot of expense if he has to inspect every well within 4,000 linear feet. Discussion followed. Vold commented that the standard for one mine should be the standard for all. At this point, Brandt seconded Vold’s motion. Estenson added in the research she has done she has found 1500 feet to be the standard. Lien stated across the board, for every county, it is a learning curve and this

Committee will be faced with these issues more and more. Lien mentioned Winn Bay is going to be doing test blasting with a seismograph being used, and Lien felt everyone will learn a lot because all the variables; frequency, depth, amount of the blast, all of those issues impact the distance being discussed. Lien's opinion was that the Committee might be erring on the cautious side (at 4,000 linear feet) to be uniform. In time, we will reach a standard. Brandt stated with the Preston site, there were neighbors that wanted to be included in the inspection area and it was a lot more controversial site. Hesch commented they have been doing blasting in Trempealeau County for years and asked the Committee if this has been an issue that has come up, to be of major concern. Hesch added limestone is being blasted quite a bit more than this sand is. Hesch stated research can be done in all the blasting records for Trempealeau County, and how many blasting issues have really come before the Committee that it should be of such concern. Hesch asked LaRue if he puts seismographs out when blasting is done? LaRue gave some of the requirements regarding blasting. Lien asked where the seismograph is set. LaRue responded Wisconsin Department of Commerce Administrative Law says "nearest non-quarry dwelling"-it only states one, but most of the time LaRue ends up doing multiple dwellings because they want to be good neighbors. Lien stated he and Estenson get calls from the public on blasting and there is no seismograph there and the neighbors have complaints. The complaints are documented, but they cannot be validated and not everyone is following the standards. LaRue disagreed, his opinion was that a particular residence may not have been seismographed or there is the temperature aversion, where there is air overpressure/airblast and on a low ceiling it spikes up and shoots down and hits a neighbor two miles away, where on a clear day it will disperse up into the atmosphere. Discussion continued on blasting. Bice assumed LaRue had been involved in a few cases where someone has complained about their well or foundation, and questioned how often that happened? LaRue stated wells don't "show up on the radar" but it is always a concern when he attends CUP meetings. LaRue stated in Olson Explosives 52 years they have not replaced a well. He has been involved in several cases where he has been accused, but anytime blasting is involved one is kind of targeted. Lien stated he didn't think it was that any well casing ever cracked, but it was because all of a sudden the water turned brown and sandy because the vibrations affected their well. LaRue stated most of the quarries that he blasts in, wash rock, and they have wells nearby and what well drillers call that is turbidity – cloudiness of the water which will clear up after a few days. Estenson quoted Commerce Code 7.44 –Controlling of Adverse Effects-which states an airblast may not exceed 133 peak dB (decibels) at any location. Estenson questioned how airblast is measured? LaRue responded that is part of their instrumentation which are actually mini-made seismographs. There is a microphone that goes along with a geophone. A geophone is the instrument that goes in the ground that measures vertical, longitudinal and transverse and there is a microphone that measures the decibels. Estenson verified that is all in one reading and asked if she would be able to get a copy of a reading after a blast. LaRue stated that is a service that he supplies and he does charge for it. Estenson shared with the Committee some additional forms she has added to the CUP application which incorporates anything that is applicable from Comm 7 and 8. It does request seismograph and airblast readings along with the 24 hour notification. These are not new however, now DLM is now requesting a copy of these reports and it will also make any new mine applicants more aware of what DLM would like to see. Discussion followed on the neighboring homes to be measured. Brandt stated we're not sure what the Dept of Commerce is doing with this and who it is that we're here to represent. Brandt reiterated that currently there is a motion and a second with the attached condition that prior to blasting to pay for well and foundation inspections. Bice inquired if the 4,000 linear feet was originally put into place and demanded by the township. Estenson responded that condition was put in place by the Committee in response to the community concerns. Bice wanted to try to amend the condition to 1,500 feet since it is somewhat of an accepted standard and 4,000 linear feet reaches an awful long way and would be very expensive and there is no basis, at this hearing, for putting that 4,000 linear feet in the condition. Lien reminded the Committee that consistency is needed and Lien felt 4,000 was in excess but precedence has been set. Lien would like the ability, as staff, to research that topic more, but Lien asked that until information more precise has been obtained, that the Committee stay consistent and keep the 4,000 linear feet. Lien explained the 4,000 linear feet was a trade-off as originally the landowners in Preston had requested one mile, but both parties agreed to that. Lien stated it may be in excess, but until we know more, he didn't feel, administratively, that the Committee should waive that distance. Bice questioned if the measurement is put in place and then a crack shows up in a foundation at 3900 feet, after a

blast, do they have to repair it. Estenson stated there really is no follow-up enforcement as it becomes a civil matter. Hesch stated he does carry liability insurance and the County really doesn't get involved because it is a civil matter. Hesch added that if the Committee starts making new regulations are they going to be retroactive to everyone in the County, if so, it makes it impossible to do work as it will be too expensive to blast, so if they have to rip it they may have to abandon the project. Hesch wasn't sure how much the inspections would cost but he wasn't sure what the County would be proving by adding that condition as it will still be a civil matter between the property owner and the contractor. Estenson stated the foundation inspections came in at about \$600 per foundation and around \$100-\$110 for well inspections in the Town of Preston. Quarne made a motion to table the CUP until more information can be obtained, Vold seconded. Dregney suggested that this is site specific. Lien agreed that the Ordinance has not been changed and conditions can be applied. Lien asked how tabling the CUP would affect Hesch. Hesch responded that he would rather the Committee take the blasting as a separate measure and approve the site based on Hesch not doing any blasting and then if Hesch has to blast he could come back again, at least it won't shut the site down. After some discussion, Quarne rescinded his motion to table the CUP, Vold rescinded his second. Bice stated we have no concrete information to base our decisions on, having said that he withdrew his amendment to change the 4000 linear feet to 1500, but noted that we have to be somewhat reasonable to all parties involved, Brandt withdrew his second to the motion. Nelson inquired if in the future, any of the conditions for inspection would change would those applicants that have had the testing as a requirement be held to that. Lien responded those applicants will have already completed the inspections and he stated his opinion that after listening to the professional blaster here today, and picturing things in his own mind, Lien didn't feel it was a distance, it was more a reading (Estenson agreed) because that distance is going to be based on the kind of material, the amount of the blast and elevation, so it will be more of a reading that we establish by what is taken at the closest non-quarry residence. Lien and Estenson concurred that there is Department of Commerce (DOC) codes that they have researched. Estenson asked LaRue what happens when there is a complaint because she talked to Dave Reisen, DOC and he stated he goes out to the blaster and pulls the air blast and seismograph records and does an investigation. LaRue responded that it is very rare as he has had one instance in 18 years. A voice vote was taken on whether or not to require the 4,000 linear foot pre-blast inspection as an additional condition to the CUP with the vote as follows: Yes= to add the condition, No = to eliminate it, Smick-yes, Vold-yes, Thompson-yes, Nelson-yes, Brandt-yes, Quarne-yes, Dregney-yes, Bice-yes. Motion carried 8-0 with no opposition. Bice made a motion to approve the CUP permit with the standard conditions applying plus the additional condition to require a pre-blast inspection of all foundations and wells within 4,000 linear feet of the CUP site, Vold seconded, motion carried with no opposition.

Public Hearing - Conditional Use Permit-Non-Metallic Mining- Eugene Soppa, Jr. Landowner/ Operator -Town of Arcadia. Chairman Brandt opened the public hearing at 11:35AM. Nelson read the public hearing notice aloud. Lien stated Soppa was here a couple of months previous and received a CUP from the Committee for Non-metallic mining. At that time, no blasting was expected nor was it addressed by the Committee. Since that time, Soppa has encountered some material where blasting may be necessary and because of that change they need to appear before the Committee so that issue can be addressed. Estenson stated the blasting is an issue that needs to be addressed at this hearing and Soppa would also like to add the crushing facilities to their equipment list. Estenson noted that Soppa has received his Notice of Intent (NOI) stormwater permit from DNR. Estenson had, in hand, a letter from Foth Engineering stating that based on the fact that they were utilizing only a screener, that they did not require any permitting requirements for that type of processing facility, so they are exempt with their screener as well as their dozer and smaller type equipment, however they have worked with Bill Vachon, Foth Engineering and have submitted an application to DNR for their crushing and screening facilities and that permit is still being processed by the DNR. Soppa stated they have the operation shut down right now and they would like to get started as soon as possible. Hesch added they have tried to rip the material and jackhammer it, etc. and right now they're shut down until they are permitted to blast.

Brian K. LaRue-Registered to testify in favor-LaRue stated he was basically here to answer any questions the Committee may have.

Delores Vind - Registered to appear and testify for information only. Vind again reminded the Committee that they are to protect public health, safety, convenience and general welfare, protect property values and the property tax base. A developer can tell the Committee anything they want and it is up to the Committee to make sure that what is told is the truth. That is what Vind expects from the Committee. Vind has heard a lot about good neighbors and the Committee needs to find out what that definition is, usually it is a good neighbor for themselves and what they can get out of you and the County. Vind recalled last time there was discussion about the loads of sand being trucked through the County and from reading the minutes Vind did not see any conditions regarding the trucks being covered. Vind felt that might be a very good idea since the trucks were going through Arcadia. Thompson interjected stating once the trucks hit the road, the Committee has no control over whether they are covered or not as it is a Dept. of Transportation issue. Vind responded then before they are moved off the site, they should be covered. Some discussion took place about the need for covered trucks. Vold commented he had brought the issue up during the first public hearing. Vind stated she was grateful that Vold had brought this safety issue up. Vind felt the well should be tested at 4,000 linear feet as the population in the County needs to be protected. Vind added the Committee was not elected to promote anything – jobs here or in North Dakota, etc. The Committee was elected to protect the people that live here in this County and any conditions that are placed; the developers will just have to understand that is the way it is. Vind felt that a permit is pulled by the individual and then as months go by they ask for more and more. The applicant should present all information at the time of application so that a decision can be made on all the information.

Estenson read a letter from the Town of Arcadia Board of Supervisors stating they have been informed by Eugene Soppa, Jr. that he has applied to DLM for revisions to a CUP. The Town of Arcadia Board of Supervisors passed a motion at their February 23rd, 2011 board meeting stating that they have no objection to the E & LU Committee revising the current CUP, as long as the town board is contacted at least 24 hours in advance of any blasting. Chairman Brandt closed the public hearing at 11:45 AM.

Brandt wanted to clarify covering of the trucks. Hesch commented that currently there aren't any contractors covering trucks, so to make this condition specific to this site, just because Soppa is asking for a permit, isn't correct. Hesch added if not covering trucks had been a problem, a whole room of people would be here complaining about the dust in Arcadia. Because there is not a problem, Hesch felt that it shouldn't be an issue. Hesch stated the County hauls sand and they don't cover their trucks, besides the DOT already regulates that. Lien stated because Soppa is asking for a non-metallic mining permit, this Committee does have the ability, regardless of what DOT says, to put that restriction on Soppa and anyone else that gets a CUP. This Committee has addressed this issue before and because of the material being hauled out of this specific site, the distance, and the haul route, the Committee could place site specific conditions. Lien added Hesch was correct and there is the potential where mining will be done in one county and hauled into the city limits and this Committee has absolutely nothing to say about that because they don't have jurisdiction. Dregney asked if it is a big deal to cover the trucks. Hesch responded it can be as they may be using semi's which are almost impossible to cover. Bice commented that we don't know the actual critical situation as far as blasting. Bice inquired if the Committee were to approve the blasting would Soppa be willing to repair damage if someone filed a claim against him for damaging their structure. Soppa asked if the testing is done and later someone files a claim is the County going to get involved then. Brandt stated, in the past the testing and inspections had been bid out to independent parties, which was facilitated by the County, but the bill itself was sent to the developer. Brandt added these inspections gave homeowners information that they could use in the future if they felt damage was done, after that the County is not responsible. Hesch added that with the requirements that the Department of Commerce has for a blaster, Hesch would be more than happy to provide the Committee with copies of any of those tests which the Committee could in turn give out to any landowner. Estenson stated she felt the relation between the distance is really about the readings at the structures and the Dept. of Commerce has set these requirements already so we may be somewhat redundant

however the County is allowed to be more restrictive. Estenson added there are approximately 28 residences around the area (approximately 4,000 linear feet) being discussed. Estenson stated her concern is that she is getting questioned as to why this wasn't a requirement at earlier public hearings and she needs to be able to answer those questions. Estenson suggested to the Committee a re-examining of the standards conditions. Estenson added there is blasting going on quite frequently as Viking Explosives/Kramer contacted her 5 or 6 times. Estenson and Lien are both interested in "tagging along" to find out what levels of blasting are going on. Discussion followed. Lien stated we have to be consistent but we also base our decisions on the information that is available at the time. There are a lot of issues such as trucking, air quality, dust, etc. are all huge issues and all these issue stem from the type of material that is being mined. We have set a precedence on requiring inspections of wells/foundations for sand mines, it may be in excess, but we won't know that until we work with more developers, so to be consistent we would need that to be a requirement for all mines. Smick asked for clarification whether these were actual homes or just structures. Estenson responded there are 28 structures. Lien reminded the Committee that a landowner can sign off stating they choose not to have their structure inspected. Bice responded (addressing Deloras Vind's questions) because industry is part of a two-way street, the world is not a perfect place, we have to have jobs, and we have private property rights. Private property rights are very important, these people own the land, they have no right to disrupt other areas, but there is a little bit of a trade-off. Bice suggested, since they have an operation that is up and running, and it is at a stand still because the County is tying their hands. Bice would like to see the Committee approve the CUP and have the Committee stand back and learn a little bit from it, they are far enough away from the majority of the structures and have made it clear that if a problem came up they would deal with it. Bice added we need to look out for the people but by the same token they're a fair distance from the issue. We do know that blasting is going on all the time throughout the County and we need to be consistent, but from what we can tell is they're going to be careful, they are knowledgeable in what they do, and there are regulations from the Dept. of Commerce. Bice reiterated we have to look out for the people of the County but also for the business interests. Bice made a motion to approve the CUP to allow blasting and to add the crushing and all standard conditions, and not include the 4,000 linear feet inspection requirement. Smick seconded. Nelson inquired if LaRue would be doing the blasting? LaRue responded it is his company, he can't say he will be present at all times, but on the first blast he would definitely be present. Discussion followed. Brandt made a motion to amend Bice's motion in order to include the condition that Soppa is required to offer the landowner's within 4,000 linear feet the option to have their well or foundation inspected. Motion died for lack of a second. Vold amended Bice's original motion to include the condition that all blasting information be brought back/provided to the Committee in order to obtain a benchmark. Nelson seconded. Estenson stated in Comm 7.41- pre-blasting notification – it states, "a pre-blasting survey which provides a baseline record of the pre-existing condition of a structure against which the effects of blasting can be assessed, and it should include the interior and exterior of the buildings". Estenson asked if that was something LaRue commonly does? LaRue responded he doesn't do it as that is a different company. Bice asked if it gave a requirement for how close? Estenson responded it does not. Estenson referred to Comm 7.41(2) which determines, based on pounds of explosives used, how far out a pre-blast survey is needed. LaRue and Estenson stated "it is a scale-distance factor- D_s of 55, affected dwellings or other structures shall be located within the distance D of the of the controlled blasting site area for the weight per delay W of explosives to be used." Estenson again questioned if the Committee might be doing something redundant. Lien asked for the telephone number of the Board member that wants the first call when the County does get sued. Bice asked why the Committee would get sued? Lien responded for being inconsistent as the Committee just passed at the last public hearing the requirement to do foundation and well inspections of everyone within 4,000 linear feet. Brandt stated DOC requires exterior and interior inspections depending on a formula. Quarne asked why the Committee can't go along with what the DOC has set. Hesch commented, in reponse to Lien's comment, that the Committee had set a precedence that each set of conditions is site specific, so if certain conditions are put in place because 200 people from the public show up and object, the same rules where there is hardly anyone here and actually the neighbor is in favor of it, cannot be applied. Hesch invited the Committee and staff to come out when the first blast is done to get a feel for what is being done. Committee consensus was that they would like to be present when the first blasting is done. Motion carried unanimously to add the condition that all blasting information be brought

back/provided to the Committee in order to obtain a benchmark. Bice asked Lien to clarify that because this is a CUP, conditions can be set site specific. Bice added his opinion that if we don't move forward here, that is some level of injustice as they are following incredible rules already on this, so it's not like their going to go off and do something unacceptable. Lien responded the reason the requirements were set previously is the type of material, so to say that this is unique in character would be a far stretch. Discussion took place on blasting and requirements for notification. As requested by the Town of Arcadia Board, Nelson made the motion to add the condition to notify the town 24 hours prior to blasting, Thompson seconded, motion carried unopposed. Brandt reiterated that there is a motion on the table to approve the CUP with the standard conditions applying, plus the condition that all blasting information be brought back/provided to the E & L Committee in order to obtain a benchmark, and the Town of Arcadia be notified 24 hours prior to any blasting. A voice vote was taken: Smick-yes, Vold-yes, Thompson-yes, Nelson-yes, Brandt-no, Quarne-yes, Dregney-no, Bice-yes, motion to approve carried on a 6-2. Bice advised Soppa to do his best to work with everyone close by and to work with the Committee.

Wildlife Damage – DeWayne Snobl – Snobl briefly explained the Wildlife Damage Program to the Committee. Snobl provided the Committee with two 2010 Shooting Permit Harvest Exemptions for consideration. Snobl explained that with shooting permits there are harvest quotas to maintain claims eligibility, and so if they make their quota's it is pretty "straight forward". These are all state funded dollars. If a landowner does not meet their quota then a Shooting Permit Harvest Exemption has to be approved. The first claim was for Ecker's Apple Farm for apples. (See report on file in DLM office). The recommendation was, after reviewing available shooting permit information, DNR and USDA-WS found compelling evidence for granting an exemption. Snobl stated the criteria each person has to meet is: keep and complete a log book, contact APHIS if they are having trouble harvesting deer, provide compelling evidence. The last time a claim was denied was in 2005. The second claim was for David Nelson for corn/soybeans. The recommendation was, after reviewing available shooting permit information, DNR and USDA-WS found the supplement information that was provided did not meet the compelling evidence required for an exemption. Snobl stated based on NR-12 and the logbook there wasn't enough evidence to support the recommendation. Snobl added in the past David Nelson had done really well meeting the requirements, but this year, based on what is presented, approval could not be recommended. Brandt reminded Committee member that if the exemption is denied he would not be eligible for any claims payments. Bice inquired if an appeal is expensive. Snobl responded it is all hunter funded dollars – the people who buy licenses pay for this. Bice indicated he doesn't like this program because he feels it is part of the business, the state should let them shoot as many deer as they want, but other than that stay out of it. Bice asked if it was going to cost more tax dollars if the claim is denied. Snobl responded it would only cost more time because if Nelson appeals, he will appear before the E & LU Committee. Smick suggested approving the claim but send a letter along stating this is the last time, and if the logbooks aren't kept up to date, a claim will be denied next time around. Smick made a motion to approve both exemptions, even though DNR recommend not approving Nelson's, Quarne seconded. Lien asked Snobl to explain the decision making/mindset of the Committee in 2005 when a logbook had not been kept up. Snobl stated the claim was still denied but explicit instructions were to put the pink notice on the logbook, "don't expect to appeal it if you don't have the necessary completed logbook." Dregney commented if the Committee would approve that claim now, the logbooks might as well be thrown out. Thompson asked where the money goes that wasn't paid out? Snobl stated it just stays in the program. After discussion, Smick withdrew the motion to approve both claims; Quarne withdrew his second to the motion. At this time, Smick made a motion to approve the Ecker Apple Farm 2010 Shooting Harvest Exemption, Quarne seconded, on a voice vote the motion passed unanimously. Quarne made a motion to deny David Nelson's 2010 Shooting Harvest Exemption, Bice seconded, on voice vote, motion to deny passed unopposed. Snobl briefly explained the steps for crop appraisal for damages. The following claims were presented for approval:

<u>Name</u>	<u>Appraised Loss</u>	<u>Payable Loss</u>	<u>Item</u>
Ecker's Apple Farm	\$ 1,282.11	\$ 782.11	Apples
Giemza, Joseph	\$ 900.00	\$ 400.00	Calf

Nelson, David	\$,4,341.61	\$3,841.61	Corn/Soybeans
Ravnum, Steve	\$ 2,323.82	\$1,823.82	Corn/Soybeans
Tollefson, Greg	\$ 2,476.21	\$1,976.21	Corn/Soybeans
Total	\$11,323.75	\$8,823.75	

Quarne made a motion to approve the 2010 WDACP claims as presented with the exception of David Nelson, Dregney seconded, motion carried unanimously. Snobl then gave an update on the 2010 Deer Donation program. Trempealeau County had 19 deer donated which Snobl felt was due to a lack of processors in the area- one in Strum. Lien asked if Snobl felt the processing was down because of the amount the processor gets reimbursed or because the harvest numbers are down? Snobl responded two of the processors in the County were bought out, so some of the deer from Trempealeau County might have been processed in Buffalo County and except for the hot spots there are less deer because of the hard winters we have been having. Discussion followed regarding the reasons processors are not participating.

Snobl gave statistics on the pounds per deer processed: Buffalo Co.- 41 lbs, Clark Co.- 39 lbs, Jackson Co.- 29 lbs, La Crosse Co.- 47lbs, Trempealeau Co. - 50 lbs per deer.

Forester – Forester Dan Dehmer was present as Scott Laurie was unable to make it due to inclement weather. For tree planting this year, 80,000 trees have been ordered so far. There was a CRP sign-up this year. Dehmer anticipates about 12 planting jobs with the County tree planters. Dehmer stated the County will be responsible for moving the machines from landowner to landowner. Planting dates will be approximately April 10th thru May 1st. New CRP sign-ups will be from March 15th-April 15th, 2011. In the timber markets, pine and aspen hardwoods are moving well. Hardwood log prices are much better than two years ago and we may never see that 2005 high price for a long time. Gypsy moth is in the County- we don't have widespread defoliation, we do have spraying that does take place in the County and people are notified in advance. Emerald Ash Borer (EAB) has not been identified here yet. Walnut-Canker disease has been identified in Tennessee. Managed Forest Law - about 25% of the woodland in the County is enrolled. Dehmer explained this is a 25 to 50 year agreement with the landowner, the landowner receives a property tax reduction, and it usually requires some type of timber harvest. There is still some Forest Crop Law on the books until 2020. Some of the biggest controversy has been the leasing of Managed Forest Law land, right now you cannot lease your land out if you are in the MFL program, and consideration is being given to changing that law. Regarding invasive species- buckthorn is probably the worst in the County.

TRM/LWRM Cost Share Payments/Requests – Lien presented one TRM payment:

TRM	Type	Amount	New CSA Total	Reason for change
Karl Lettner	Pay request	\$24,250.21		Waste transfer system, critical area access road

Vold made a motion to approve the payment as presented, Nelson seconded, motion carried unopposed.

Surveying Update – Lien presented a survey report for the remonumentation progress of T20N, R9W in Arcadia and a bill for approval. Bice made a motion to approve the report and payment as presented, Nelson seconded, motion carried with no opposition.

Director's Report – Lien and Estenson are working on setting up a tour of the Winn Bay mine site for the Committee. They will try to include the Soppa site in Arcadia as well.

Next Regular Meeting Date was confirmed for Wednesday, April 13th, 2011 at 9:00 AM in the County Board Room.

At 1:04 PM, a motion was made by Nelson to adjourn the meeting, Quarne seconded, motion carried with no opposition.

Respectfully submitted,
Virginette Gamroth, Recording Secretary

Michael E. Nelson, Secretary