

ENVIRONMENT AND LAND USE COMMITTEE
Department of Land Management

REGULAR MEETING MINUTES
May 11th, 2011 9:00 AM
COUNTY BOARD ROOM

Chairman Brandt called the meeting to order at 9:06 AM.

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

Staff/Advisors present: Kevin Lien and Virginette Gamroth, Kimarie Estenson and Corporation Counsel – Rian Radke were present for part of the meeting.

Others present – Dave Suchla, Dan Olson, Kerry Suchla, Duane Suchla, Nathan Ward-Buell Consulting and Gerald Myers.

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, Vold seconded, motion carried unopposed.

Approval of Minutes – Vold made a motion to approve the April meeting minutes as presented, Quarne seconded, motion carried unopposed.

Public Hearing – Conditional Use Permit – Non-Metallic Mining - Keith and Paul Nestingen – Landowner/Applicant, Olson Construction – Operator – Town of Preston – Brandt explained the public hearing process to the public that was present. Brandt called the public hearing to order at 9:07 AM. Nelson read the public hearing notice aloud. An overhead aerial map was provided for all to view. Estenson explained the Nestingen property is located on Turri Coulee Rd and approximately 4000 cubic yards of a small hilltop area will be mined by Olson Construction. Shale and sand will be mined primarily for use in Dan Olson’s construction business. Estenson stated the site is approximately 4 acres but that does include the road and it gives him some extra acreage for overburden, stockpiles and silt fence as they intend to keep the site internally drained. The area is currently zoned Exclusive Ag 2 (EA2) and is cropped. The mine will not only supply materials to Olson’s business but it will provide Nestingen’s with easier farming capabilities as it will reduce the steep slope that is there. Estenson read a list of equipment that will be used. Since there is only one access for hauling, the route will be onto Turri Coulee south and to State Highway 95. The reclamation plan has been submitted, reviewed and it is deemed complete. There is an air permit exemption due to it being a small site and minimal equipment. Estenson added they are working on getting a stormwater permit thru the DNR (Department of Natural Resources) following CUP approval. In keeping the site internally drained, Estenson stated they will take some of the overburden and topsoil and place a berm on the lower edge of the site with silt fencing placed on the lower parameter of the berm. Dan Olson was present and Estenson asked him to explain how often he intends to utilize the site. Olson stated he would probably be in the site three to four times a year as the material would be used for jobs in the area that Olson would need “fill” for. Olson added the site is dual purpose as it is providing material and there is a field that is real steep and almost unfarmable and the “knob” will be taken off and the back end flattened. Brandt inquired what the time length of the mining will be. Olson responded approximately one year. Brandt called for testimony from the public. Robert Tenneson, Chairman for the Town of Preston stated the Town Board has not yet met on this issue, they will be meeting on Monday. Tenneson voiced the opinion that he

didn't foresee any problems with the CUP being approved by the town, and that as soon as the Preston Town Board has met, they will forward a letter to Estenson. Lien advised that in past meetings, a Conditional Use Permit has been approved contingent upon receiving a letter of approval from the Town. Chairman Brandt closed the public hearing at 9:12 AM. Quarne made a motion to approve the Conditional Use Permit with Standard Conditions applying and contingent upon receiving a letter of approval from the Town of Preston, Nelson seconded. Brandt inquired if there would be any blasting. Olson responded there would not. Estenson mentioned that a neighbor, Joe Fitzpatrick had stopped in the office for information only and had no opposition to the mine. Motion carried with no opposition.

Public Hearing – Conditional Use Permit – Non-Metallic Mining – Suchla Family Farms – Duane and Renee Suchla, Landowner/Applicant, Reglin & Hesch, Inc. – Operator – Town of Arcadia. Chairman Brandt opened the public hearing at 9:13 AM. Nelson read the public hearing notice aloud. An overhead aerial map was provided for all to view. Estenson stated Reglin & Hesch Construction and Suchla 's are proposing to operate a sand pit on the Duane and Renee Suchla property for the purpose of extracting sand for shipment to Winona, Minnesota for further processing. Estenson explained the mined area is approximately fifteen acres within the forty six acre delineated parcel, it could possibly be greater and that is why the whole forty six acres has been included. Estenson added they are anticipating a lot of overburden so they need extra room for storage of that overburden and equipment storage. Estimated volume is to be around 800,000 tons and commencement could be in 2011 depending on the demand for the sand. Reclamation will be done in conjunction with the operation of the permit. They will be replacing the 6 to 8 inches of topsoil that is going to be stockpiled and the land will resort back to its current pasture and cropland state. Estenson stated there is a pond on the site and along with some berms for the overburden the site is to remain internally drained and no drainage issues are anticipated. Estenson read a list of equipment to be used. Estenson pointed out the access road on the aerial map and stated she had informed them that they may need a Chapter 30 permit, as there is an intermittent stream on the property and they want to install a culvert that will also serve as a cattle pass. Estenson explained the truck route as following County Road J down to Winona. There are some concerns about trucks being able to make the hill fully loaded but that route is still anticipated. Brandt asked if the trucks would take County Road J and then going into Buffalo County. Estenson responded they anticipate taking County Road J and into Buffalo County on County Road P. Estenson stated the reclamation of the land will start from the waterway, north of the sandpit and proceed south until it intersects with the hillside. It will then slope at a 3 to 1 to match the existing ground level at the top of the sand. Estenson reported they do plan on blasting up to four to six times per month and it will vary. Estenson stated they have submitted applications, fully completed, for their air permit along with their storm water permit. Those applications will be submitted once the conditional use permit is approved. Estenson added the reclamation plan is fully completed and everything has been met, including the ground water elevation at 695, so they roughly have 80 feet to 120 feet of separation distance between groundwater and the top of the current hillside there. Lien inquired what the zoning was on the area. Estenson replied Exclusive Ag 2. Chairman Brandt then called for any public testimony. There being none, Brandt closed the public hearing at 9:19 AM. Lien confirmed that there would be blasting. Brandt inquired if there was any communication from the Town. Estenson replied she had received a call from Ivan Pronschinske who stated the Town Board did approve the Conditional Use Permit at their April meeting, however a letter was not sent. Pronschinske believed it was due to the absence of their town clerk, so Pronschinske would make sure the letter was put in the mail today. Brandt voiced his opinion that he felt this was a rather large operation. Quarne inquired what the roads were like beyond County Road J. Bice gave his opinion that he thought this operation would be tough on those roads, but they are public roads. Brandt asked for any estimates of how many trucks would be going in and out of the site. Estenson stated it would be similar to the Soppa site, east of Arcadia, which is approximately 70 trucks per day, but it will again depend on demand. The site may not be open for one or two years. Brandt stated the Committee had approved changes to the Conditional Use list regarding blasting and inquired whether the applicants were aware of those changes. Estenson responded they were as that information is all in the new, approved blasting form. Thompson made a motion to

approve the Conditional Use Permit with standard conditions applying and contingent upon receiving a letter of approval from the Town of Arcadia, Vold seconded. Brandt inquired where exactly on County J this site was located. Suchla responded it was a half mile south of Calvary Cemetery. Estenson commented there is still a mine permit in effect for another small area near the site, from the County Road J project. Brandt felt there was still some question about where the truck route would be so he asked that Estenson report back to the Committee as to where the truck route is when they commence mining. Motion to approve the Conditional Use Permit carried with no opposition.

Public Hearing – Conditional Use Permit – 250’ Self-Supporting Communication Tower – Deetz Brothers, Landowner/Applicant, SBA Towers III – Operator – Town of Albion Chairman Brandt called the public hearing to order at 9:25 AM. Nelson read the public hearing notice aloud. Lien stated this site is located south of Eleva, off of Hanson Lane. There is a pre-existing small tower there now that will be dismantled. Lien asked for verification as to the type and size of the tower as there seems to be some discrepancy between the town documents and what DLM had received for tower information. Nathan Ward-Buell Consulting, confirmed that it was actually a 260 foot tower which included the lightening rod at the top, so if the appurtenances are counted it is 260 feet. Lien stated the highest point is considered and how the ordinance reads is “anything over 70 feet” is conditional use, so Lien stated an amendment could be made to reflect the 260 feet. Lien mentioned that letters were sent to all adjoining property owners and no responses, neither for or against, were received. In viewing the aerial photo, Lien stated Hanson Road is a very short, dead end, town road and access to the tower would be coming off of that road. Lien also pointed out the smaller tower that would be dismantled once the larger tower is erected. Lien reported the applicant would meet the co-location requirements and Lien would let Ward explain why this particular tower was needed rather than co-locating on another tower. Nathan Ward, Buell Consulting introduced himself and stated he was representing SBA Towers and Verizon Wireless. Ward stated Verizon acquired this network from Alltel and what they inherited was a fairly significantly underdeveloped cell phone network so Verizon has been systematically, over the last 18 to 24 months, going through and doing two things; adding additional sites where towers needed to be placed for as additional equipment on towers that may have existed, as well as revamping some of the existing sites that Alltel had been operating. When Alltel put the tower in that is there, it was pretty much on a “shoestring” budget and it is a 70 foot wood pole with two antennae’s. What Verizon will be doing is not only adding height to the tower to provide additional coverage to a greater geographical area but also implementing state of the art technology with the new 4G capability that provides not only voice for your cell phone but high speed wireless internet access as well to a substantially larger portion of the community near Eleva. Ward added the reason other sites won’t work, (Verizon is currently operating eight other sites in Trempealeau County), is this location they have been operating in is an integral part of the network and for them to “pick up “and move it would leave a coverage “hole” in an area that they have been providing service to for the last couple of years and decades prior to that when it was Alltel. Ward stated new towers have gone in (US Cellular put a tower in Strum) and is probably in one of the areas that Verizon will target to be adding their equipment to. Verizon also did the new tower here in Whitehall on the City property on the east edge of town. All of these sites are designed to work geographically in conjunction with each other. At some point in time, the goal is to provide seamless coverage to the entire County of Trempealeau. Brandt called for public testimony. There being none, Brandt closed the public hearing at 9:29 AM. Ward commented it is a self-supporting lattice tower and not a monopole tower. Lien stated, on the plan view map, he didn’t see a distance from Hanson Lane and that would be considered a property line because it is public road. Lien understood the land is being leased and everything around is being leased by Deetz Brothers. Ward stated they will be 604.07 feet from Hanson Lane. Lien commented they do meet all the setbacks specified in the Ordinance. Upon Brandt’s inquiry, Ward verified that it is a lattice tower. Lien read a letter from the Town of Albion which stated Nathan Ward, as agent for SBA Towers III, LLC and Verizon Wireless appeared before the board during it’s regular town meeting on April 12, 2011 to request approval for a Conditional Use Permit to construct a 300 foot self-supporting lattice tower on property owned by Deetz Brothers. After careful consideration of the facts and circumstances as presented by Mr.

Ward, the town board passed a motion in favor of granting a Conditional Use Permit to construct the requested improvements on a maximum of two acres of land. It is the understanding of the Albion Town Board that Verizon Wireless, as part of the expansion and upgrade process, will make all necessary infrastructure improvements including any and all necessary improvements to Hanson Lane. The self supporting lattice tower will replace the tower currently located at the site and the property is not located in or near a changing or transitional use area. It is also the understanding to the Albion Town Board that the tower shall allow rental by other companies and all signage and property usage shall meet the criteria allowing a building permit and conform to the current zoning rules and regulations as administered by the Trempealeau County Comprehensive Zoning Ordinance. Lien commented it would be nice to see a letter like that from all of the towns. Brandt inquired if Ward had taken note of the information in regard to Hanson Road. Ward stated he had and he didn't anticipate any improvements required to allow this construction; it would just be to make sure they don't create any significant wear or damage to the road when construction takes place. Vold commented that Hanson Lane pretty much ends in the area where they would be coming off. Vold added in the maps it shows the road going to the property line but that hasn't been maintained for as long as Vold could remember. Vold thought about 45 years ago the Hanson buildings were removed and then about 25 years ago the house that is there was put in and the road was somewhat reopened at that time to allow access to that house. Ward commented that the access road for the tower site is very much at the end of what is the improved Hanson Lane. Smick stated, Ward had made reference to an existing number of towers in Trempealeau County and plan for additional ones and Smick requested a copy of plans for those towers as well as a copy of any maps of towers that DLM might have. Brandt commented the towers are part of the GIS layers. Smick continued that whatever towers are owned by whatever company, that information needs to be shared with no less than the Law Enforcement Committee and the Highway Dept. because they all have issues with communications that they are dealing with right now and it was clear to Smick that the "right hand isn't talking to the left hand and this nonsense needs to be stopped. Lien responded that Land Records has multiple maps and one can walk in there at any time and get information on every tower in the County. Vold added one can also obtain a map of the coverage. Vold stated he is in support of this tower, as he uses Verizon, and going up the hill north of Eleva, coverage is lost. Nelson commented coverage is lost all over and a lot of towers are needed. Vold made a motion to approve the CUP for the tower with the standard conditions applying, Nelson seconded, motion carried unopposed. Quarne inquired if there was any new technology coming in the future, so we wouldn't have all these towers. In response to the mention of satellite, Ward mentioned satellite was tried approximately ten years ago and in his opinion failed miserably, but nothing recently as it is still to cost prohibiting. With the phone technology going to the small pocket phones until recently they didn't have power capabilities to get the signal to the satellite, it was easy to get the satellite down to earth but it was hard to maintain continuous conversation or signal "connectivity". About the newest forefront in technology as far as cell phone and high speed wireless industry goes, for Verizon and AT& T, Sprint and Nextel, they have developed some technologies that are being implemented in very heavily urbanized areas where it is not as much of a coverage issue as it is a capacity issue because there are so many people on the network particularly with the advent of the "smart phones", which there is a significant amount of spectrum band width, they have come out with some very small cube shaped antennae's that they can place on light poles or utility poles or on the sides of buildings that help offload that capacity and those feed back to an existing cell site by means of fiber optic connectivity. So there are definitely some new things out there but nothing that is going to render tower sites unnecessary particularly in very rural markets. Upon Lien's inquiry, Ward stated he understood about the bonding. Ward inquired if there were any other meetings on this tower. Lien responded no as this is a CUP and does not have to go to full County Board.

Appearance-Gerald Myers – Myers stated he had met Bice at a flood meeting in Arcadia and Myers mentioned he would like to have the opportunity to give the Committee a little history on Arcadia and Ashley Furniture as there are times when there is disconnect. When Myers retired he started working for Ashley in the early 80's, Slightly before that, when Ashley expansion took place, it had to go west of the

railroad tracks and someone from the County wrote a pretty nasty letter about the expansion to the DNR and it was not easy getting around that letter. DNR used it pretty heavily against Ashley's expansions. Myers acknowledged he would take part of the blame for moving Ashley west of the railroad tracks. At the same time a nice new industrial site opened up in Black River Falls and Mr. Wanek was considering moving to Black River, so Myers and Killian (deceased now) took Wanek across the tracks, to land which had been acquired by the City of Arcadia for a dump site and Wanek was talked into expanding there. Myers continued, that little did we know how much expansion was going to take place, and so it has been a struggle since then. Millions of dollars have been spent to try to reclaim and fill, etc. That was the beginning and this "flood" thing has never ceased. FEMA wants re-evaluations on the dikes, and the Mayor of Arcadia has met with the Army Corp. of Engineers and they are talking about raising the dikes. Myers felt some funding probably will come and probably two of the creeks will be re-located again, one had been re-located, but Myers would get into that a little later. Of course there will be more permits and Myers expressed that they really didn't need someone writing a letter. He can't stop if someone opposes it, but to the DNR it really hurt them and it took a couple years to get things resolved. In talking a little about Ashley, Myers started working for them in 1980 in collections when they hit 3,000 accounts. About 1986 the accounts had gone up enough so there were two part time people and then they hired a full time person, so then Myers went on to development for Ashley. Therefore, Myers is quite familiar with what Ashley has been doing. From 1986 to 1991, Myers traveled to Mexico, Malaysia, Taiwan, Vietnam and Singapore and that is when the imports started. Myers wasn't sure if the Committee had the knowledge that Ashley is the only container facility between Minneapolis and Chicago and there is a tremendous amount of tonnage that is going out of there (Buck Country Grain and Arcadia Cooperative uses these containers) from as far away as Rochester, MN, so it is a big asset. (Ashley brings in the containers and of course the empty containers go back) Myers stated there will be an expansion in Whitehall. There will be no more expansions in Arcadia because of the restrictions that they have placed on Ashley. Myers just retired last year from 19 years on the Arcadia Utility Commission. The old lagoon system which had to be redone, that was incorporated into the program of rerouting Myers Valley Creek, etc. The Utility Commission took the role in what was done, because they were able to use that role to close the old lagoon system. It cost the Utility Commission a quite a bit of money, in fact, it cost over \$300,000 to take the sludge out the lagoon because it contained mercury and no ducks could be allowed in that lagoon. Myers stated it should have been filled in and been made into a 56 acre industrial site instead of cleaning it out for the birds. Myers wanted to talk about the river and made reference to Davy Engineering. Myers referred back to 1930 when they built the dams on the river so that the river level was raised approximately 9 feet down in Trempealeau. The question arises what happened to the Trempealeau River? The Corps of Engineers figures from the bottom of the river to the bridge (in the years up until they quit measuring probably back in the late '60's)(Ed Kaiser –Arcadia Chief of Police went down and did the readings each week), the riverbed had raised four feet directly related to what happened down on the Mississippi River. Everyone knows what happened to the Trempealeau Lake – it is full of mud and so forth. In 1949, Myers bought a bakery in Arcadia with a coal furnace in the basement and a little sump pump. In the early 1980's Myers had four feet of water in the bakery basement directly related to the four foot elevations in the riverbed. Myers filled in the basement (the furnace had been taken out in 1956). Later, Myers Valley creek was re-routed – that was during the first additions to Ashley and what were the problems? The elevations of the bed of the river. The Army Corp came in (they won't admit they made some mistakes) and talked the City into straightening the river below the bridge. That river went around through and came over close to the railroad tracks where Myers Valley creek emptied. All the silt from Myers Valley creek went into the river and got taken down to Dodge. The minute they straightened the river, the river first of all backed into there every time they had a flood, along with the creek and the silt. Finally the creek could not get through that trestle so it was moved down one trestle, perhaps 200 feet and then that one filled in. With Myers being on the Utility Commission and also working for Wanek,(the Utility and Wanek paid for it) the Myers Valley creek was re-routed and the creek was taken all the way down until there was a four foot drop in elevations. Myers offered to give the Committee a tour of what has been done and what has happened in the last 30 years. Brandt stated a number of years ago, Myers had taken the

Committee on a tour and it was very informative. Myers added they not only took the old lagoon system and created wetlands for a waterfall but another 100 acres of wetland was created below there. Myers stated that was the story on Myers Valley creek. Now he wanted to discuss Turton Creek where there have been a lot of problems this year. Myers did want to mention the reason that Myers Valley creek overflowed last fall was because a bunch of garbage and a deer carcass got caught in the bridge by Ocean Nutrition or the creek would not have overflowed and into the street. It was just a simple matter of someone keeping the creek bed clean. Through the years the City and the Utility Commission have rip rapped most of Myers Valley creek and that isn't the complete answer, but at least they went that far. Myers mentioned the same thing applies to Turton creek. Myers passed around a map. Myers pointed out that the dotted line shows the old Myers Valley creek as it split and went through town at one time. He pointed out the present route of the creek. Myers turned the Committee's attention to Turton Creek. He made a point to show that the river came around where Turton Creek is and where the Arcadia Realty & Auction Service building is and the dotted line on the map reflects where the second straightening was made of the river. So what happened is all of the old riverbed filled in – it still matches the four feet elevation. Before it was a narrower river and it kept itself clean and the minute it was straightened, it goes back and forth and rises. Myers told a story that one of the ladies that used to work for the Utility stated she used to go ice skating on that creek and she could skate under the railroad bridge. Today there is minimal clearance and the creek cannot get through there. When Myers was on the City Council, Ray Kaiser was the Street Commissioner, and both knew what the problem was because the creek and the riverbed had already silted in and it was getting narrower and narrower and Kaiser stated that he knew how to fix that. Kaiser suggested trenching over to the river (a shortcut) then the first high water; we'll have a new creek. Myers stated the DNR wasn't too strict back in those days, but they caught them and made them fill in the trench. Myers commented that gives a little insight of what happened down there and it is something that it is very hard to contend with. Myers inquired as to what had happened to the Trempealeau Valley Watershed Program. Brandt responded that it had been closed out about 4-5 years ago. Myers acknowledged that this Committee probably didn't have the funding to do anything in the watershed program, but it bothers some people that there was a lot of cement put into barnyards that are empty now. It would have been nice if some little dams could have been put in, in some of these areas, to hold some of the water back. Myers added that it is so simple, with the technology that they have, to tell exactly which ravines need some attention and as we all know during this last flooding, some of the riprap that was put into the creeks, was fine for the farmer, but some of it got taken out and it is gone and that is going to be a continual problem for all of the river – the silt coming in. Myers wasn't sure if there was any funding or help available for that problem, but they are going to try and straighten Turton Creek this year so someone may be seeing some applications, Myers wasn't sure how far they were going to get. In regard to Myers Valley Creek, Myers stated they are talking about rerouting that behind Ocean Nutrition in order to bypass the bridge. Myers didn't personally have any objections to it and he thought Gary Bautch was working on it for Ashley Furniture. Myers asked for any questions. Bice stated Myers had mentioned one item that Bice felt needed attention and that was items that had plugged up the bridge-particularly large round hay bales and people putting the bales in areas that can flood. Bice knew for a fact, in Centerville, a bunch of those bales got into the creek and if enough of those get up against a bridge there can be massive flooding, not only that, it can wipe out the dikes and maybe even the bridge, etc. Bice felt those issues needed to be addressed to make sure that doesn't happen. Bice felt no one wanted to put those bales in those areas anyway and they can wash a long way. Myers commented the farm he has south of Independence, that is only about 20 acres north of where Traverse Valley Creek comes in. Myers rents to Kevin Pronschinske and Pronschinske lost 140 round bales. The bales were all lined up along the fence and when the water came down, it took all of the bales in a row and pushed the fence right over and it all came down the creek. Some of them can still be seen lying in the middle of the creek that couldn't be retrieved. Myers agreed, but acknowledged it would be difficult to tell a landowner where to put the round bales. Bice directed Lien to put the discussion of round bale storage on the agenda for next month. Bice stated as much as he hates government interference, he personally felt this was something that could be real important. Myers stated some help is needed in Traverse Valley which is a major valley for flooding. Brandt recapped that Myers

was talking about the Ashley expansion in Whitehall and part of the theme was how it is to work with the regulating agencies to make sure that the project can go forward but also so that the wetlands and rivers can be protected. Brandt asked what Myers was anticipating as far as size and any kind of regulatory issues with the Whitehall expansion. Myers didn't anticipate anything, he felt Ron Wanek had made a good contribution to the Governor and two days after the Governor was elected he was here. Myers mentioned he still goes to Madison with the Utility Commission to MEU days to visit with the legislators and they were allowed to have forty minutes with the Governor which is very unusual and the Governor knew exactly what all the problems were so they are looking for some pretty good support from the Governor. The Whitehall plant is the only place Ashley can expand. Whether they received any aid or not, Myers didn't know, but they will be putting on a fairly good addition to the Whitehall plant. Myers added the other thing they don't like to see is downsizing and Ashley's business has been good, so there has been no downsizing, but the main computer office that was downtown in the old co-op building was completely flooded out, so everything was moved out and the building is used for a little storage now. They moved to the main headquarters but transferred all of the office for the Ashley Home stores to Florida so some of the people took other jobs here but some of the other people transferred to Florida, so we've lost a big part of their clerical business. The Home store's "home store" is now located in Florida. Ashley is also expanding another big plant in North Carolina so it looks like their demographics are going to change because this section of the country is not where the business is. Myers added if it wouldn't be for Ashley we wouldn't have the nice road from Centerville to Arcadia, nor to Eau Claire, nor would we have the road fixed over to Blair and those were all done basically under Governor Thompson. Brandt commented that the manufacturing formula includes workers, raw materials and market and one has to find the market that is closest to all of those. Brandt appreciated Myers giving the Committee the "heads up". Myers stated as far as he knew the expansion was still going ahead. Myers mentioned that in talking about phosphorus, Arcadia Water and Sewer Department is putting in new reed beds to the tune of 1.2 million for the phosphorus removal and because of the new regulations it is not very easy to comply, in fact it is almost impossible. Myers added Ashley only produces about 1/10th of it, but the "hammer" comes down on them. Gold n' Plump pays roughly 60% of the sewer and water bill and we would like them to produce more chicken and its part of doing business. In talking about sediment, Vold commented that the Mississippi only drops 1 foot to every 12,000 feet, so one knows there is going to be sediment as the water doesn't move fast enough to move it out and then you start putting the dams in which is slowing it down a lot more. Myers stated Ashley is looking at a major recycling plant, but due to confidentiality, that was all Myers could say. Quarne commented that he has noticed in the Upper Trempealeau River, ever since the cattle have been taken away from the creeks, the creeks have widened out and run very shallow and every time it floods with the reed canary grass flopping over the edge, it just washes out more and more, and that is what Arcadia is getting. Myers' feeling was that we should be going into these areas, like Traverse Valley and Plum Creek and some of these areas that bring a lot of dirt and putting in little closing dams on the farms, starting out where they are needed the worst and going from there, but there is no money in that fund, it is closed. Brandt felt Quarne was raising an entirely different issue which has to do with stream bank management and the recommendations that came through in the 1980's about getting cattle out of the stream bank which created some issues that were unexpected at the time, so there is a lot of silt that comes right off the stream banks and with the no-till plowing and the other practices that are on the land now the silt that is coming off the hillside is not as great as it once was. Lien commented that was debatable because when USLE (Universal Soil Loss Equation) came out it was pretty strict. Then they came out with RUSLE (Revised Universal Soil Loss Equation) and RUSCLE II, which each time, lessened the restrictions possibly allowing more erosion, so between that and taking the cattle out of the stream, those two things have definitely increased the amount of erosion in the County. It used to be that if there was an area and it was managed correctly, had limited grazing, the trees, etc. were down with grass on the banks, those streams were more stable. Now the cattle are not there and the pasture grows up in box elder trees, therefore there is shade and no grass grows, so any flood "eats" the stream banks right out. Lien stated we have had stream banks in this last flood that moved approximately 30 feet in one rain event. Lien felt that, along with RUSLE (which is state mandated), has increased the soil erosion. Lien had suggested to the

State, in working with RC & D on the Elk Creek Watershed, to do a pilot project, make everyone there comply with the old USLE versus the RUSLE II and run it for ten years to see what would happen. But if that would happen, then the landowner couldn't comply with all the state programs. Myers stated when he first came to Trempealeau County in the 1950's it was noted as one of the leading counties in "strip farming" and if one drives around today, some of those strips are gone. Nelson commented some of that comes from the huge equipment, because the strips are so narrow, larger equipment can't turn around. Brandt thanked Myers for coming and that the Committee would discuss his tour invitation.

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

LWRM	Type	Amount	New CSA Total	Reason for change
Leroy Subtotal	Contract/Pay request	\$3,640		Access road, cattle crossing

Quarne made a motion to approve the payment as presented, Thompson seconded, motion carried unopposed.

Discussion on mining wash plants and resin coating plants in Trempealeau County. Corporation Counsel Rain Rake was present for this discussion. Rake had hoped to have a written memo to summarize the law however was unable to complete it before today's meeting. Rake gave a brief verbal overview of his findings. Under State Statute, the County would be able to exercise such power for the County that would be of public interest which is under Chapter 59 of the Statutes which also allows the County to acquire, hold, lease, rent real property, personal property for public uses or purposes. Rake cited an Attorney General's opinion, on Chapter 59, which states the public purpose doctrine prohibits municipalities from expending tax monies to engage in private business activity. In order for a County to expend funds in connection with a business operation such business must serve a public function or be concerned with some element of the utility. Rake stated that is kind of the overall theme, as there are lots of examples of cases that Rake will site through a written document, but overall the idea is that the County Board, as a legislative body, is to determine whether or not there is a public purpose or a particular act by the government and to expend public fund/tax dollars to build something, (in this case a wash plant). The County Board would need to find that there is a public purpose for that operation. Rake added there really isn't a clear cut example of what a public purpose is and what is not. There are some cases (in regard to the plowing of public driveways being brought up) where the County is not permitted to plow private driveways or build private driveways as there is no public purpose to that. The power to furnish equipment or supplies or contract for repair work on a private road/driveway is not a public purpose, so that is an example of when public purpose is not present. Radke continued there are other examples, when there is a challenge to the economic development laws as they came out, when counties/states were giving money to private organizations/businesses to come to their location or state. The public purpose there was for public welfare, to address the mass unemployment issue and the problems that fall from there. That was deemed to be a valid public purpose to expend public funds. There are no specific examples in case law or in the Attorney General's opinion regarding sand type plants. So, basically, the County cannot expend tax dollars unless there is public purpose behind it. Radke stated the older cases were very restrictive as to what was public purpose. As the cases get newer they tend to be more flexible as to what is a public purpose and there is some language which states the courts cannot interfere with legislative decision unless it is very clear there is abusive discretion. Absence of all possible, public interest, in the purposes for which the funds are raised, must be so clearly palpable as to be immediately perceptible to every mind. Radke concluded that it was saying that unless everybody who looks at it says there is absolutely no public purpose for this, then this court is saying that the court should allow this to continue. Radke felt this was more of a relaxed type of opinion on this issue. Radke had spoken with Lien this morning and he felt Lien had a good point as to what is the public purpose of a sand washing plant in Trempealeau County was that there is a lot of/or at least one operation where they are trucking the unprocessed sand out to Winona and there is no tax /occupational tax that the County can put on that type of

operation so there is no way for the County to recoup some type of money for road repair or damage, etc. Radke stated Lien's idea was that there is an argument that to have mining operations not be trucking everything out of the County, rather to truck it to a sand washing plant right in the County, would potentially save some road use. Radke drew up some questions, from that argument, to think about such as, how do we know that other mining operations are going to use that service instead of just saying "we know we can process it here, but we're going to continue to do what we are already doing". The County needs to have some realistic expectation that they are going to use this wash plant and not be using the roadways or using it less than what they would otherwise. The idea to have the plant just for the purposes of gaining dollars to go into the General Fund to address road needs, in Radke's opinion was too separated, because then it could be justified by doing any business to add money to the General Fund so that some need there could be addressed. The actual action of the wash plant must have some sort of purpose to it and not that it is just a revenue generator. Radke questioned how we know this will be a revenue generator, how much will it cost, how many employees is it going to take to operate it, what happens if a competitor sets up shop across the street, what happens if there are regulations that come down that make it almost to restrictive to operate. Radke also questioned what type of initial investment would be needed, how long is it going to take to recoup the dollars so that this becomes profitable. Those were just some of Radke's initial questions and also what are the products and bi-products to this type of plant. Are there going to be uses for the bi-products, are there going to be costs to removing these bi-products, are there going to be environmental concerns with that type of operation. Radke's understanding was that this was just a discussion to get some thoughts going. Radke provided a brief verbal overview of the law and he intends to provide the Committee with something written. Radke felt all these things were possibilities and he encouraged everyone to keep thinking about this, as Lien as done, as to how this is going to be a public purpose, how is it going to serve the public good or public welfare in some particular way rather than it just being a money generator. Radke encouraged the Committee that if they had any ideas to let him know and he would take a look at them and give his opinion as to whether it would pass within the law. Brandt stated he appreciated Radke doing some research into the case law and in talking about the flexibility of some of the most recent court cases it is somewhat encouraging especially where it takes 100% of the people to say it doesn't make any sense in order for it to pass the test of not having a utility for public purpose. Brandt added Radke was raising some questions as far as the business plan, regulations and bi-product questions which were an excellent way to look at things. Brandt felt Radke's research was showing him some encouragement in pursuing this. David Suchla commented on several of Radke's points, one being why the contractor would come to Trempealeau Co. rather than trucking it to Winona. Suchla stated if 20 miles is cut off of the trucking, at \$3.00 a mile that is \$60.00 per semi-load and if 200 semi-loads a day are hauled, that is \$12,000 per day, so there is an economic advantage for them to bring it to the County. Also, by cutting off 20 miles on each load that is 20 miles less that the roads are being beaten up. Radke understood Suchla, but added he felt circumstances would be different for each mining operation. Suchla added for those operations in the southern part of the County it still might be cheaper to truck to Winona, but those in Arcadia it still might be cheaper for them to come to the County. In addressing public good, Suchla stated there is a sand bi-product that can be used in the hot mix plant and those trucks as they come to us, still need to have the fill to put land back to a certain level or grade. If they come full, they leave empty, however if there is a product that the hot mix plant doesn't want, you could send it back with them. Quarne inquired if Radke mention unemployment as a benefit or a valid reason. Radke responded that was a legislative economic development law and the purpose for doing economic development laws was to address unemployment in the state. In that specific instance, the court found that unemployment was a justifiable public purpose considering those circumstances. In regard to what is stopping the competition from setting up across the road, Suchla commented that rail is the most efficient way of shipping it and there are not a lot of rail locations from which shipping can be done and right now according to regulations, the plant cannot be "fed" off of a county highway, wherever it would be, it would have to come off of a State highway. In listening to Radke's comments, Brandt understood that the County Board would need to make the determination/approval. Brandt continued because some of this Committee are descendants of the Land Conservation Committee, there is a considerable amount of leeway

in economic activity that can be done as a Committee, in terms of owning real property, equipment and so forth. As far as Brandt knew, the E & LU Committee was still acting under those rules, so perhaps it is something that could be looked into as to whether the E & LU Committee could act as the “encourager”. Radke commented he just felt anything of this kind of expenditure would need to go through County Board otherwise where is this large sum of money going to come from. Brandt just felt the power that the E & LU Committee has, is different than that of other Committees in the ability to own things, take property, etc. Bice inquired of Suchla as to what kind of profit this could return. Suchla responded that in full operation this could easily pay for itself in less than two years. Bice and Suchla felt it would produce in excess of one million dollars per year. Bice added the County could clearly use that income for building the roads and the County has a hot mix plant to use the materials. Bice asked Radke to give some thought to taking a good share of the money and using it to get our infrastructure back into shape. Nelson stated we would get new, updated roads without using new tax dollars so it is definitely a benefit. Radke commented that using a profitable business for county good is still not public purpose. Radke continued that public purpose would have to be what is the purpose of having a sand washing plant here; having less use of the roads, less damage to the roads and also having the bi-product of the sand for the hot mix plant and the “icing on the cake” is that there is extra money now to prepare the roads that are being used, because contactors are going to have to be trucking into the plant and there is going to be road damage, but the idea is that there is going to be less damage. Radke suggested that before anything was done, a study would need to be done as to road use, what is being used, what is anticipated to be used to have some actual evidence that this is what we believe is going to happen and this is why we are doing what we’re doing. Bice’s final point was that the County is not going to make a profit, it is going to be turned back into the infrastructure, but it does give the County the means to build and maintain that infrastructure. Thompson commented that the Arcadia mine is not using any County roads as it is all State highway, so the County has nothing to do with it. Brandt thanked Radke for coming to the meeting. Discussion commenced. Lien stated Bice, Suchla and Quarne all made good points about the greater good of the public and Lien felt it was there, and the bi-product for not only the hot mix plant but the sand for salt sand and as Suchla had mentioned, putting the reclaimed material back into the land. Lien stated the County has the ability to apply conditional uses when a mining permit is issued and Winn Bay was conditioned to no trucking. Lien questioned what the difference would be on the economic structure of our roads if trucking was limited to thirty miles. If the material can’t be removed within thirty miles area, it is not feasible because of the damage to the town and county roads and the County does not have jurisdiction on State roads, therefore it could be a negative impact to our county taxpayers. Thompson questioned if there was anyplace in the County that a State road couldn’t be reached within thirty miles. Discussion followed. Lien stated he is trying to help Radke in looking for the greater good and Lien felt the greater good was the less trucking activity that the County has, the longer/better the roads will last. Lien suggested the Committee watch the trucking on the County Road J project, because he felt, in later summer, with the quad axle trucks using it, the blacktop will be rolled right off the road. Thompson stated they have the same right to drive on the County and towns road as they do the State highway. Lien stated the difference is, is that the County has the ability to place conditions thru NR-135 for all the greater good of the public and environment so we’re looking at wetlands, floodplain and how it affects the public. Lien didn’t doubt at all, that if the County had a facility perhaps at the County Highway Dept. that some of these contractors wouldn’t haul there materials there because of the economic benefits for them such as less, fuel, less haul time, less wear on the trucks and more trips in a day. As far as feasibility, Lien stated, unless we start using less oil in the next three to four years, it would cash flow very easily. Smick commented that in all the conversation, he hoped the Committee would look at how and why we can do this as opposed to why we can’t. Smick added we need to start thinking out side the box and not abandon something because there is a little “speed bump” in front of us. Quarne commented a lot of times if it doesn’t benefit someone personally, they are against it.

LWRM Plan Update – Lien stated the Land and Water Resource Management Plan needs to be updated. DATCP (Department of Ag, Trade and Consumer Protection) has been in contact with Lien because

historically, the County Conservationist position was always reimbursed 100% by the State. Since DLM has become a “merged” department, DLM has applied 90% of Lien’s salary toward the grant application of which 10% is divided, 5% for Zoning/Sanitation and 5% for UDC. Richard Caste Nuevo with DATCP is questioning that, saying he doesn’t believe those percentages are accurate. Lien had Stalheim print out his last two years of time recording which does reflect those percentages. Lien is also requesting that the E & LU Committee Chairman write Caste Nuevo a letter stating that our LWRM plan dictates everything our department does. Lien feels (and hopefully with Committee support) that 90% of his work time is spent on conservation related work so that the DLM can continue to get grant funds. Lien has talked to his counterparts and Chippewa County claims 90% just like Trempealeau County does; some of the other counties do less than that. Trempealeau County is somewhat unique because everything that the combined Department does is written in the LWRM plan. Lien stated the whole point is that the State is getting tighter with their purse strings and cutting more and more. Lien added that State Statutes read that the State shall provide 100% funding for the first position, 70% of the second position and 50% of the third. Lien added they have never given the County 50% for the third position and now they are gouging into 70% of the second position. Lien’s goal is to keep as much of that reimbursement from DATCP as possible. They may cut it arbitrarily, anyway, but Lien felt a letter of support from the Chairman would help. Lien stated there is also a taped phone conversation between Richard Castelnuevo and Vickie Stalheim in which Castelnuevo stated he would not support 100% grant request, but if we were to do 90%, Castelnuevo would support it. Lien has not discussed this taped conversation with Castelnuevo because Lien is trying to mend what was a bad relationship, but Castelnuevo clearly suggested to DLM to use the 90%. Lien also needs to consult with Corporation Counsel to see if using that taped conversation is legal. Lien stated the other issue is that the LWRM plan is up for renewal. When that plan was developed there was an Advisory Committee that was formed to develop and adopt that plan. Lien asked if the Committee would like him to contact the Advisory Committee and bring them back in to revise that plan as it would only take a couple of meetings. Lien explained what the plan does is dictate what DLM does for a set number of year into the future. At the time the plan was written, Peter Fletcher chaired that Advisory Committee. Lien has e-mailed Fletcher and Fletcher expressed an interest in chairing that Committee again. Brandt commented that this Committee and predecessors have relied heavily on input from people in the community who know what’s going on as well as having a stake in the future. Brandt added that the Advisory Committee reports back to the E & LU Committee, and then the E & LU Committee sends the LWRM plan onto the County Board. Lien mentioned that Castelnuevo had previously discussed with Greg Leonard what is on the County website. On the website it shows that the Department has a Director, an Ag supervisor and a Non-Ag supervisor. If that were the scenario, Lien would say that the Ag Supervisor should be the position that is 100% funded by the State. But, County Board had eliminated the two supervisor positions from the plan, so there is only a Director and all the other staff. Castelnuevo wasn’t aware of that so Lien feels Castelnuevo always viewed Lien as the Non-Ag supervisor – historically on the zoning side of things. Lien stated Quarne had made a motion to direct Chairman Brandt to send a letter of support to DATCP, Thompson seconded, motion carried with no opposition. Bice questioned if Fletcher was going to charge to come in to chair that Committee. Lien responded that we wouldn’t be charged through Mississippi River Regional Planning Commission, but Committee members were paid mileage and/or per diem. Committee consensus was that it was just mileage. Bice requested a month to study the LWRM plan before making a decision on whether the Advisory Committee should be brought in. Brandt asked about a time line that this needs to be completed. Lien responded sometime this summer, but he would get Bice a plan and put the item back on the agenda for next month.

Vehicle Trade - Lien sat on the motor pool with Suchla, Nelson and Vold. Lien has told this Committee before that the County needs to run more like a business and instead of getting chastised for the new vehicles in the parking lot, we need to look at the program we have and why we have it. Lien had been up to Osseo Ford getting vehicle quotes for Human Services and the Health Dept. Lien inquired about a trade-in figure for the 2010 Ford crew cab. In trading the vehicle, the County would pay only \$500.00 for a brand new

2011 crew cab truck. Bice inquired why the truck needs to be traded. Lien responded it was talked about in the motor pool meeting, that the County gets such a good deal with the government discount, that the County could either make a profit or trade a vehicle annually to build equity and not cost the County anything. Lien added for \$500.00 the tires can't be replaced on the vehicle. Lien stated it was planned, for this fall, to trade in the 2005 Chevy extended cab, however, the government discount depends on the economy, etc. and it varies from vehicle, manufacturer and time of year. Currently, Lien explained on a crew cab, there is an \$8,083.00 discount and on an extended cab there is a \$5,000 discount which expires May 16th, 2011. On the Chevy Silverado, in going from an extended cab to a crew cab and with the discount it would cost the County \$12,290.00 to trade that vehicle. Lien did the math and in the time the County has owned that vehicle it cost approximately \$98.00 a month to run. Lien stated a Purchasing Policy was adopted on September 21st, 1998, which was the year Lien took over the motor pool for the DLM. A policy was put in place that DLM did not have to go through the standard policy if DLM purchased vehicles from the new car dealers in the County and received written bids. When the County revised the Purchasing and Disposal Policy in July, 2009 that same identical language was adopted. Lien got written bids from Arcadia on the trade-in of the 2010 crew cab for a 2011 crew cab Dodge and the difference the County would pay is \$102.00. In trading the Silverado at Arcadia, the trade difference would be \$14,000.00. Lien suggested trading the 2010 Ford crew cab in Arcadia and the Silverado in Osseo. Lien felt 2012 vehicles would have to be special ordered so he didn't feel they would be as good a deal. Bike voiced his opinion that DLM has too many vehicles. Bike inquired as to how many days' vehicles sit out in the parking lot without getting used. Lien responded DLM has ten staff and six vehicles (DLM has downsized) and there are days when all the vehicles are in the parking lot and days when they are all in use. Lien added that Emergency Management and Land Records also use DLM vehicles; however Lien cannot guarantee them that a vehicle will always be available. Smick inquired about the Purchasing Policy that Lien had mentioned and requested a copy of that policy. Smick also hoped that Property Committee had a copy of that same policy. Lien reiterated that the policy was revised in 2009 and that same purchasing language was put in the new policy. Smick responded most County Board members were not on the Board at that time. Smick requested a copy of annual mileage and hours put on each vehicle. Smick stated he understood the economics but was concerned about public perception as not many people can afford a new vehicle each year. Suchla commented, as a taxpayer, if one could get a vehicle for free they would take it. Vold commented the Highway Dept. has done this ever since 1986, since he has been on the Board. Vold added they have traded every other year and one year they were even paid to trade. Brandt responded perception is just that, until one gets the facts. Brandt remembers the Highway Dept. coming under a lot of criticism for getting new pick-ups for their supervisors every year. Eventually, their maintenance person had to come before the Board and stated they had a very good paint and maintenance department. Brandt stated it would be up to the Committee members to get the right information to people that it is not about spending money but about taking advantage of a program that is out there and benefits the taxpayer in the long run. Bice inquired if it would be possible to get some high mileage vehicles so that less fuel could be used on some of these trips. Vold commented it was discussed in the motor pool and most of these new vehicles are better mileage than what we had. Lien commented that most of DLM use is in the County and some of it is off-road. Lien added that many times DLM is the first person on a site. Human Services and the Health Department make trips to other counties so they need high mileage vehicles. Nelson asked what fund this will be taken out of. Lien responded every vehicle in DLM gets billed to a program which has user fees, so there are no levy dollars that go into our vehicle fund. Lien added the DLM has not gone to County Board and asked for vehicle funds since the mid '90's and the money to purchase most of the vehicles actually came from grant money from the watershed programs. Vold added the Health Dept. also has the ability to bill back to some of the other programs. Discussion followed on public perception, economics of the trade and the different vehicles owned by the County. Upon Bice's inquiry, Lien verified that DLM was trading two trucks and getting two trucks, one for \$102.00 and the other one for a cost of \$12,290. Bice made a motion to approve the trade of the two vehicles, Nelson seconded, motion carried with no opposition.

Municipality Fee Structure – Upon Brandt’s inquiry, Estenson stated the Transportation Facility Engineering Fees isn’t as contentious an issue as it once was. The Towns of Arcadia and Burnside have still opted not to take advantage of the program since DLM started to charge fees five years ago. Lien explained that initially the service was free, then DLM started to charge and those two townships said “no”. Thompson commented that a position was going to be eliminated because it wasn’t funded, so it was decided that DLM would charge, rather than eliminate the position or hire an engineer. Thompson added that using Estenson’s services for this program works very well. Lien commented that what was spent on engineers for a project in the Town of Arcadia, a couple of years back, would have paid Estenson’s services for 10-15 years. Thompson stated his township spent \$3,000 on one culvert, before this service was offered and now the township gets everything for \$1,500 per year. Lien commented there may be years where a town doesn’t use the services, but there may be years where the town has several projects and uses the services quite a bit and it evens out in the long run. Quarne asked if the towns that aren’t using the service now and want to get into it, do they have to pay back those years that they didn’t use the services. Lien replied the Committee had discussed that issue several years ago and some of the discussion was that perhaps that back pay could be waived just to get the town “on board”. Estenson added she didn’t think the DLM had ever received a formal request, so she felt it would be addressed when the time came. Lien added that Burnside has a new Town Chairman, Fred Boe. Boe was in the DLM office the other day. Lien gave him a copy of the Zoning Ordinance so perhaps Burnside would use the services in the near future and at that time Lien and Estenson would bring it back to the Committee to decide what should be done. Estenson stated over the last couple of years, several town officials have mentioned to Estenson that they pay a significant amount of fees towards the DLM for storm water management and erosion control plan development along with hydrology. Estenson stated the question the towns’ ask is why they cannot be exempt from DLM’s fee schedule for the storm water and erosion control permits. Estenson asked the Committee whether or not she could exempt the towns’ from the \$100.00 fee. In looking back at the permits over the years, (other than the hydrology which fall under the 4,000 square feet of land disturbance so they don’t necessarily need an erosion control permit), the DLM takes in approximately \$400 - \$1200 per year. Brandt verified that the storm water and erosion control fee would essentially be rolled into the engineering fee. Estenson responded the fee wouldn’t be added, it would be eliminated. Lien added because the state has cut the funding for the towns so much, the towns don’t utilize the service as much. Lien felt this was a way to help the towns out by not tacking on those extra fees and to make the engineering fee look a little more appealing by not having those extra costs. Estenson added the erosion control fee is waived for conservation practices. Lien noted that his budget may be \$500 to \$1,200 less because of that fee being waived. Bice made a motion to approve the waiving of the \$100.00 storm water and erosion control fee for municipalities, Quarne seconded, motion carried with no opposition. Bice voiced his opinion that it is a small amount of money; it is one more thing that can be tucked out of the way and that this seemed logical. Brandt asked if the fee schedule needed to be approved. Lien responded that the fee schedule had been approved previously and by the Committee approving the change now; it will be adjusted to reflect the municipality’s exemption from the fee. Nelson asked, if Burnside decides to get into the engineering program again, can they get in? Lien stated, they could, but the policy has been that Burnside would have to pay back every year. Lien added, what DLM didn’t want is a town saying they didn’t want to pay, but then in a year when they received state money and had projects, that they want to get in. Lien added the engineering fees are figured by the amount of road in a particular town and that is why the fee varies. Lien reiterated that if Burnside or Arcadia decides they want to get into the program, Lien or Estenson would bring that issue back to the Committee as to whether or not they should be assessed back fees. Thompson suggested the DLM might want to take them back if they decide to keep paying the fees. Lien and Estenson had talked about the possibility of a town getting back into the program, but then the town would have to commit to, possibly, a three year agreement. Vold stated (regarding the Highway Dept. and bridge fees), Strum didn’t participate in that and then when the bridge had significant damage they wanted to get back in the program, and they had to pay back a significant amount of years of fees. Lien mentioned that the Highway Dept. pays DLM \$6,200 for Estenson’s services, but Estenson and

Highway Commissioner, Jim Johnson work together often and they do a lot of projects. Vold and Thompson agreed that any municipality should have ties to the program and not be able to jump in and out.

Surveying Update – Lien presented a survey report for the remonumentation progress of T20N, R8W in Arcadia and also for work done on tie sheets for T20N, R7W in Ettrick, along with a bill for approval. Nelson made a motion to approve the survey report and bill as presented, Vold seconded, motion carried unopposed.

Director's Report – Robert Pietrek, Elk Creek Rod & Gun Club president, had been to a past meeting and had made a request for additional Conservation Aids money if available. Lien stated there was a county that turned money back into the state pool. Elk Creek Rod & Gun Club was able match the funds available and therefore able to obtain an additional \$2,070.00 in funding thru the Conservation Aids program.

Lien had talked to the Committee last month about the DLM working, rotating, four – ten hour days. Lien reported that was started last month. Lien stated there were four staff members who wanted to participate so those staff members sat down and worked out a schedule. Some staff work Monday through Thursday and others work Tuesday through Friday. Lien explained he is able get a great amount of paperwork done between six and seven in the morning because the public is not coming in and phones are not ringing. Lien wasn't sure if it was going to work out for everyone participating, but technically the office is open 50 hours per week and it isn't costing the county any extra money. No one is getting overtime. The office has a calendar, which everyone in the office can access, which lists who is off and on what date, so anyone can know who is off on any given day unless it is a sick day. Lien added the Highway Dept. has been working four – ten hour days and shutting down the office completely on Friday, but that doesn't work for the DLM because the office is located in the Courthouse so there isn't any savings on lights, electricity, etc. Lien stated it seems to be working well.

Next Regular Meeting Date was confirmed for Wednesday, June 8th, 2011 at 9:00 AM in the County Board Room.

At 11:22 AM, 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