

ENVIRONMENT AND LAND USE COMMITTEE
Department of Land Management

REGULAR MEETING MINUTES
June 13th, 2012 9:00 AM
COUNTY BOARD ROOM

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

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

Committee members present: George Brandt, Tom Bice, Dave Quarne, Hensel Vold, Michael Nelson, Roland Thompson and Rick Geske. Jay Low was absent.

Staff/Advisors present: Kevin Lien, Tim Brueggen, and Virginette Gamroth. Carla Doelle, Corporation Counsel – Rian Radtke and Human Resources Director – Jamie Kabus were present for part of the meeting.

Others present –Julie Hanvold, Linda Danek, Danielle M. Johnson, Timothy K. Johnson, Tom Jaskowski, Frank Danek, Jeanne Nutter, Mark & Mary Legge, Patricia Erickson-Barnes Sperl, Tom Segerstrom, Chris Segerstrom, Bruce R. Hoesley, Robert Hoesley, Perry Hoesley, Debra Erickson, Rollie Thomas, Donna Oliver, Alan Erickson, Mary Dubiel, Paul W. Gunderson, Barb Seigfried, Rebecca Larsen, Deanne Szczepanski, Luverne Johnson, Jerry Thewis, Racquel Thewis, Mike Conner, Kelly A. Thewis, Terry Koxlien, Judy & Jim Foss, Steve Siegfried, Gordon N. Gibbons, Peggy Svoma, Bob Tenneson, Bob Kolve, Allen Schorbahn, Donald Johnson, Deborah Holte, Matt Segerstrom, Cherie A. Miller, Roger Guse, Michael Miller, Linda & Gary Duggleby.

Approval of Agenda – Thompson made a motion to approve the agenda as presented, Quarne seconded, Vold requested to move Agenda item #11 up on the agenda to between Agenda Items 4 & 5 or 5 & 6 so that the Personnel Director wouldn't have to wait. Lien asked if the 9:00 AM public hearing runs passed 9:15 AM, could the 9:15 AM hearing be moved up to be the second hearing on the agenda, as long as it is after 9:15 AM. Motion to approve those changes and the agenda carried unopposed.

Adoption of Minutes - Brandt made a motion to approve the meeting minutes from April 11th 2012 and May 9th, 2012 as printed, Nelson seconded, motion carried with no opposition.

Appearance by Forester – Tree Planting Summary - County Forester Scott Laurie handed out a 2012 Tree Planting Summary to Committee members. Laurie stated he advises people on their tree planting, etc. throughout the County. Due to the fact that there wasn't a CRP sign-up there has not been a lot of tree planting, however it was a good year weather wise. In response to Lien's inquiry about the condition of the tree planters, Laurie replied the planters should be "good to go". Laurie added the tree planting was pretty light this year with about 8-10 jobs so the planters weren't used too much. Laurie presented tree planting revenue in the amount of \$1,003.60 to the Committee. Brandt made a motion to accept the \$1,003.60 in tree planting income from the Forester, Quarne seconded, motion carried unopposed.

At this time Agenda Item #11 was addressed.

Zoning & Environmental Specialist Position – Kabus stated a resignation was received from the current Zoning & Environmental Specialist and she was present requesting approval from the Committee for the replacement of this position. Nelson made the motion to approve the filling of the position, Thompson seconded. Brandt commented Brueggen has done a great job. He got "up to speed" in an incredible amount of time, but the position is also overwhelmed at this time. Brandt asked for Committee consideration that, at some point, staff should be added in order to keep up with the work load and that at budget time it is

something that Brandt will be pushing for. Thompson inquired if this was to fill both positions. Lien clarified that approval was given last month to fill the Zoning and Sanitary Specialist Position, applications have been received. Kabus and Lien will be reviewing them soon and hopefully from that pool of applicants two persons could be selected to fill both vacant positions. Motion to approve carried with no opposition.

Public Hearing – Land Use Change/Rezone – Rural Residential (RR) to Exclusive Agriculture 2 (EA2) – Robert M. and Marilyn A. Hoesley Living Trust, Landowners, Robert M. Hoesley, Applicant - Town of Dodge Chairman Bice called the public hearing to order at 9:14 AM. Nelson read the public hearing notice aloud. Lien referred the Committee to an overhead aerial map to view the site which is north of Dodge along County Road J. It is approximately 151.48 acres and the rezone request is from Rural Residential to Exclusive Ag 2 on the property. As a courtesy, letters were sent to all adjoining property owners. Lien received no responses for or against the proposal. Lien explained the public hearing notice requirements. Robert, Perry and Bruce Hoesley were present. Upon Bice's inquiry, they had no further comments to add to the record. Bice called for any public testimony. Lien read a letter from the Town of Dodge stating the Dodge Town Board supports the change in land use and zoning as requested by Robert Hoesley from Rural Residential to Exclusive Ag 2 on approximately 90 acres of land in the Town of Dodge for the purpose of pursuing a non-metallic mining permit. Lien inquired about the discrepancy on acres between the towns' letter and the number of acres on the application. Bruce Hoesley explained that the town meeting was held prior to their applying at the County and Hoesley's felt they might as well rezone all the land at this point. Once again, Bice called for any public testimony on this application.

Danielle Johnson – Registered to testify in opposition. Johnson stated she is coming upon this battle late. She cannot believe the speed at which all of these sand mines are coming through. Johnson will oppose all of them in this area she doesn't care who has to live next to them. Someone has to say no to this as everyone's lives are being put in jeopardy for personal gain. Johnson will oppose as many as she can and she will stand up for people who are going to have to lose everything they have worked for. This is damaging Wisconsin and Johnson doesn't feel the creator gave us this land to destroy it in this way. We need to look for other ways to make money and we need to preserve this area we live in. Johnson is not standing for anybody who is going to have a sand mine come in the area.

Jeanne Nutter – Registered to testify in opposition. Nutter stated she is a resident of this beautiful, wonderful county. Nutter lives in rural Strum and has lived here for 25 years. Nutter continues to be shocked everyday at the new permits and the requests for rezoning. As Nutter understands, the Town of Hale is the only one that is zoned completely Residential. Nutter feels the speed at which this is moving, to approve sand mines, is shocking. Nutter is totally amazed, when she drives in Trempealeau County, at the beauty and the wonderfulness of the land that we have and at what great speed we are wanting to just have a sand mine here and there, etc. without any public input, countywide. Meetings should be held at a time when people are not working. Many people had to take vacation time and also many people are not allowed to take vacation so they cannot come to speak their mind. This meeting should be at 6:30 at night when everybody from the County can come and talk. It is amazing to Nutter at the speed at which this is going. Nutter feels like she is on a railroad car crashing into hell and we need to stop and think about what we are doing to Trempealeau County before we drive out all of the people that live here for a very specific reason. Nutter left Eau Claire County and the city to live in the most magnificent place that she can think of and she feels it is being stolen from her day by day.

Bice called for any other public testimony. There being none, Bice closed the public hearing at 9:26 AM. Geske made a motion to approve the rezone, Thompson seconded the motion. Linda Duggleby inquired how a landowner can move from "exclusive agriculture" to "mining" as those are different industries. Bice responded that is a completely separate issue and there are Statutes that completely regulate all of that, so the fact that they are making a zoning change, all of that information is available upon request or a search, but that is not what we are doing here. We have a process here in place, and right now we need to deal with that.

Lien explained that through the Ordinance, mining is a conditional use only allowed in agricultural districts. Mining is not a conditional use, it is not a permitted use in other zoning districts, it is only a conditional use in agricultural zoning. In example, if one is in an area that is zoned Rural Residential, Residential-8 or Residential 20, mining is not even a conditional use, it is not allowed. That is why the request is to rezone from Rural Residential to Exclusive Agriculture 2. Once land is changed to an agricultural zoning district then one can apply for a conditional use for non-metallic mining. Lien referred the audience to Section 2.05 of the County Comprehensive Zoning Ordinance which is a table of uses and it covers most of the uses that is seen on land in Trempealeau County. Under those uses, nonmetallic mining is considered a light industrial use but it is only allowed in agricultural zoning districts. That is why landowners request a rezone from a residential to an agricultural zoning district. If one looks back in the records to 1996 when the Ordinance was adopted, the County had approximately 58 aggregate mines in Trempealeau County. All of them are located in agricultural zoning districts for extraction of shale, sandstone and even some sands and bedrock formations. Duggleby questioned the definition of Exclusive Ag 2 and how that is preserving the wildlife? Lien responded that historically those were agricultural producing lands, whether it was forestry or cropland and the intent of the land use planning process was to preserve the nature of the aesthetics of Trempealeau County. Duggleby asked how mining got into that. Lien responded that because it is a conditional use, the only other option, which would not be palatable for anyone in Trempealeau County, would be to rezone land to an industrial use where there would be no conditions or no regulations whatsoever. Lien has talked about this issue for years with legal counsel and it would not be favorable to residents of Trempealeau County. Once a parcel would be zoned industrial use there would be no restrictions whatsoever. Upon inquiry, Lien verified that there was no zoning for mining; it is just a conditional use in an agricultural district. Bice stated that anyone present that is confused or concerned about the actual regulations (Statutes, etc.) could do some research but there wasn't time today to go into it. Nutter commented that as she understood it, it was the Town board and the County Board's responsibility to serve, protect and look out for the well being of its' citizens, therefore she felt it was all of their responsibility to organize some sort of open forum so that this can be discussed with the residents. This is all so lightning fast that one can't even keep track of what is happening. The duty to protect, serve and look out for the citizen's well being is one where these Committee's need to inform the residents. At this time, Bice reiterated that there was a motion and a second to approve the rezone. Upon Vold's inquiry, Brueggen verified the parcels being rezoned. Brandt verified that Hoesley's were in fact the current owners. Brandt inquired if there were limitations on living trusts as far as land use and or resale or change of zoning, etc. Lien replied that he wasn't aware of any and the DLM only regulates the zoning. Vold stated that would be written in the trust document itself. Motion to approve carried with Brandt voting in opposition. Lien reminded the applicant that the rezone application will be on the County Board agenda the following Monday and someone needed to be present.

Public Hearing – Conditional Use Permit – Livestock Facilities Permit – ANDMAR Associates, Landowner - Dejno Acres, Applicant –Town of Burnside Chairman Bice called the public hearing to order at 9:38 AM. Nelson read the public hearing notice aloud. Lien stated this is somewhat of a unique situation because it is a public hearing for a Conditional Use Permit, however because of the State Livestock Siting, the County is not allowed to place any conditions. The Committee has to go through the motions and the process and the Committee can listen to complaints and document them, however no conditions can be placed on any livestock facility. This Committee can only review the plan and approve it for its' accuracy or deny it if it were inaccurate or incomplete. In this case, for them to even be on the agenda, Lien stated it has to be a completed plan but because of Ag Livestock Siting the County's ability to regulate this industry has been pre-empted. At this point, Lien turned the meeting over to Doelle. Doelle stated that ANDMAR Associates has applied for a Livestock Facilities Siting Permit. The applicant has filed the application form and worksheets prescribed by State law. The application form and worksheets describe the proposed facility in great detail. There are also designs to document compliance with uniform State Livestock Facilities Siting Standards including standards related to odor management, property line and road setbacks, manure management, manure storage facilities and runoff management. The applicant is applying for the Conditional Use for the Livestock Facilities Siting Permit for 746 animal units. They have approximately 1,087 acres for their Nutrient Management plan and currently have approximately 1.5 million gallons of storage. Doelle has

reviewed their application and determined that it is complete. Doelle was present supporting the approval of the application today. Lien noted that Andy (Butch) and Brad Dejno were present. Andy (Butch) Dejno just wanted to go “on record” thanking everyone in the Department for their help and assistance during their situation. Everything moved along quite quickly and fast. There was a lot of permitting that had to be done and filled out before Dejno’s considered rebuilding after their fire and everyone was very helpful. Dejno thanked everyone very much for that. Bice acknowledged Dejno’s comments. Bice called for any testimony from the public. Doelle read a letter from the Town of Burnside dated June 5, 2012, which stated this letter is in regard to a request for a Livestock Facility Siting Permit from ANDMAR Associates - Landowner, Dejno Acres - Applicant. The Town of Burnside after viewing the building and discussions with neighbors have no objection to the permit being issued. Bice called again for any public testimony. Bice closed the public hearing at 9:40 AM. Nelson made a motion to approve the Conditional Use Permit for a Livestock Siting Facility, Vold seconded. Brandt questioned Doelle regarding the distance between the manure storage and the Elk Creek, if the engineering was correct and if the barnyard was far enough away. Doelle replied it was and that all the setbacks requirements through Livestock Siting have been met. Doelle noted that the existing round storage that is being viewed on the map was installed in approximately 2004 and that was supervised and permitted through the DLM. They do meet compliance with DNR’s NR-151 Performance Standards and prohibitions as well as the Livestock Siting permit requirements. Motion to approve the permit carried unopposed.

Public Hearing – Land Use Change/Rezone-Rural Residential (RR) to Exclusive Agriculture 2 (EA2)- Janet Gibbons, Landowner/Applicant - Town of Dodge Chairman Bice opened the public hearing at 9:45AM. Nelson read the public hearing notice aloud. Brandt reminded the public present that if they want to testify they should register. Lien stated this permit is in the Town of Dodge for approximately 74.91 acres to be rezoned from Rural Residential to Exclusive Ag 2 for the purpose of mining. Lien noted that the hearing was publicized in the newspaper two consecutive weeks prior and letters were sent as a courtesy to the adjoining property owners. Lien had a letter, in support, from the Town to read into the minutes. Lien received no calls or e-mails for or against the proposal. Gordon Gibbons was present representing Janet Gibbons. Bice clarified that this rezone is from Rural Residential to Exclusive Agriculture 2. Upon Bice’s inquiry, Gordon Gibbons indicated he had no further information to present.

Keith Nichols – Nichols stated these are desperate times for everyone and he understands that. Desperate times lead to desperate acts and desperate acts lead to dire consequences and this is all done out of fear. The fear of not having enough money for the future, for retirement, for our kids educations or fear of not missing out on a chance to basically win the lottery around here and be a millionaire. The oil companies and mining companies are behind these sand operations and are preying on that fear. The people of these companies have been molesting the earth for decades. Manipulating prices and supply and demand and getting a tax break to do so. These are the people we’re going to do business with. By the way, whatever offers they are making to you, the current market rate on this sand is \$300 per ton as of May 23rd, 2012. Nichols knows for a fact that some people have been offered \$1.50. That is one half of one percent of what the market rate is. That is something to consider. Nichols has also heard some people say that this could be an economic boom for this area. It could also be environmental bust. People speak of the economic debt we are leaving our children, what about the environmental debt. How are they going to pay that bill and do we have no fear of that? Our grandchildren deserve a better legacy. We are borrowing this land from them. Creation and Grandmother Earth deserve better treatment. We had a chance, a few years back, that involved a long term sustainable economy with wind power, but this County’s elected officials at the time decided to impose one of the most restrictive laws on wind mills in the nation, so we helped perpetuate the burning of fossil fuels for electricity. It is strange we have so few restrictions on sand mines. The growing number of mine operations in this area make it difficult to properly monitor their actions and their prior behavior makes it difficult to believe their words in the present. They make statements like, “the silica dust is not a problem, the water use is not an issue” (that is a quote from a meeting in Blair last month). These statements are ignorant at best. No one knows the long term consequences, but Nichols believes if we did we would act differently. This issue has divided the community and is carving some of the spirit out of this land. This is a prime example of whatever we do to Grandmother Earth we do to ourselves and our grandchildren. Nichols challenged the Committee to

live up to its' name, "Environment and Land Use" and put the environment first in it's priorities or change the name and say what it is "Business and Economic Development Committee" that it has turned into. This land will be here when the money is gone but what condition will it be in. There is a saying that the native brothers have, it is a story of a young brave who comes to a chief and he has a bird in his hand. The brave says to the chief "is the bird alive or is the bird dead?". The chief knows if he says the bird is dead, the brave will open his hands and the bird will fly away alive and if he says the bird is alive, the young brave will crush it and hand him the dead body. The chief acts with wisdom as they always have and states, "the bird is in your hands, it is your choice".

Bice called for any other public comments.

Gary Duggleby – Registered in opposition but not testify. Duggleby stated he has a farm south of Strum. The one thing about the zoning that we have on mining is that Duggleby passes a lot of gravel mines but there is a difference between frac sand mining and other gravel mining. The first thing is that he doesn't see a lot of gravel trucks going in and out on the roads and tearing up the highways, etc., 24 hours a day, because one doesn't need that much gravel to take care of the roads so it is a completely different animal. When one is doing frac sand mining and someone says they need 13,000 tons a month, that may not be 24 hours, but it is a 8-12 hour day that there is wear and tear on the roads. For anyone living around there, you don't move to the country or buy a farm because one wants to have semi's (one has to have big trucks) going by. What you have is regular mining that was allowed here before, for someone who wants to put gravel on the road or the township needs some gravel. Duggleby is an engineer and his background is that at one time he actually worked for a cement plant. When one looks at the processing that is actually required for frac sand, it is not like gravel. One doesn't have to wash and sort gravel like it has to be done with frac sand. In cement plants they have zoning that covers that. Forty years ago when Duggleby worked there it was dangerous and now it is even more dangerous. They have scrubbers to get rid of all the dust. They are very careful about where they put it and they don't put it on a lot of ag land. As far as spills, if one takes a look at the way these people do settling ponds, you would think your looking at something that is done in India. Cement plants actually have concrete holding tanks and settling tanks and by law they can't use things with berms. So you have an industry that basically started out with nothing a couple of years ago and now they're transitioning two years later into something else and they really should be living by the rules of the cement plant because half of the things that they do are the processes that cement plants have. Duggleby added someone actually needs to do some research on this thing because we are not talking about a gravel mine. In a gravel mine there are hardly any trucks and not near the processing.

Bice commented that for those who want to comment about sand in general that is fine, however this is a zoning change and that is how this needs to be addressed. Lien read a letter from the Town of Dodge which stated the board supports the change in land use and zoning as requested by Gordon Gibbons on behalf of Janet Gibbons from Rural Residential to Exclusive Agriculture 2 on approximately 75 acres of land for the purpose of pursuing a nonmetallic sand mining permit. Bice closed the public hearing at 9:58 AM. Thompson made a motion to approve the rezone, Geske seconded. Vold clarified the acreage as being 74.91 acres. Brandt commented if one takes into account this rezone and the previous one plus all the other parcels that have been rezoned for permits to mine, the northern part of the Town of Dodge will be almost exclusively sand mining which will put an incredible burden on not only a number of the town roads, but also on County Road J or G which is something to keep in mind. Motion to approve the rezone carried with Brandt voting in opposition because of the strain created on the roads. Bice noted that this rezone will need to be approved by the full County Board before going into effect.

Public Hearing – Land Use Change/Rezone- Residential - 8 (R-8) to Exclusive Agriculture 2 (EA2) - Alan and Debra Erickson, Landowner/Applicant - Town of Hale Chairman Brandt opened the public hearing at 10:00 AM. Nelson read the public hearing notice aloud. Lien referred the Committee to the aerial map overhead to view the site.

Lien stated the site is located in the Town of Hale and the current zoning of the proposed property is Residential-8 (R-8) and the proposal is to rezone to Exclusive Agriculture 2 (EA2) on approximately 206.29 acres. Lien continued that if one looks at land use planning as a whole, the Town of Hale is somewhat unique, as they were very adamant that the entire town be zoned R-8. When Lien first saw that proposal during the land use planning process, he specifically made a trip to meet with the Town of Hale board and they were very adamant they wanted R-8 zoning. What R-8 means is a landowner could subdivide every forty into eight residential parcels (8 building lots). The Town of Hale was very adamant that their future land use was to create subdivisions and sell lots for development. That plan was adopted in 2006. If one looks at the land use/zoning map one can see that the Town of Hale is the only predominantly pink zoned area (R-8) in the County and that was no mistake on the towns' part. This hearing was publicized in the newspaper for two weeks prior and letters were sent to adjoining property owners based upon the applicants list. Lien received many calls, e-mails, and letters for and against this proposal. Lien did receive a petition, yesterday, for this rezone request. Lien stated by State Statute, property owners are allowed to exercise this right but it pertains to full county board instead of this Committee. The petition was somewhat incomplete but Lien had Corporation Counsel, Radtke, review it and come up with a list of things that were missing from the petition. Lien has given that list to the parties involved and they plan to make those additions and corrections. If this petition is successfully submitted 24 hours prior to the County Board meeting and it is all correct, it would require an approval of three quarters' (3/4) majority of County Board to pass the rezone. To Liens' knowledge, this is the first time someone has exercised that right, but they have the ability to do that. Bice asked the applicants to identify themselves and asked if they had any comments. Debra Erickson replied that all she has heard is negative and that it is for money gain. Erickson added she has three kids and one of the kids is in the Army (he's doing his duty), her stepson is in the Air Force (doing his duty) and these people here are trying to stop us from doing what we feel is right. The frac sand mining is not the only issue as Erickson's may be putting up a chicken barn. Erickson inquired as to how many people eat Gold N' Plump chicken? Erickson added that is another reason that they need to rezone. Erickson felt people need to mind their own business and stop harassing people when they want to do something with their own property. Erickson asked if any other people pay her taxes or if anyone wants to help pay her taxes. Erickson added this is her and her husband's homestead. He has owned it for many years. Erickson feels she has the right to do what she wants with her own property without the say of anybody else. Bice asked Lien what the area looks like where they want to rezone. Lien responded this area is pretty much like all rural Trempealeau County with rolling hills. It is a predominantly agriculture with scattered residents around it. Bice called for public testimony.

Danielle Johnson – Registered to testify in opposition. Johnson is a resident here in the Hale Township and thanked the Committee for the opportunity to speak today. Johnson stated she knew what everyone was thinking, here is another NIMBY (Not in My Backyard) to listen to. She feels the Committee has heard it all in regard to sand mines. The Committee has heard that the environment is being hurt and knows, that with good reason, people are scared about their health. They are scared about the water quality and air quality being negatively impacted. People are very upset about losing their rural lifestyle that they cherish. People are losing the value of their property, wild life habitat is lost and the land that was created by our creator is being disfigured forever. There is no amount of reclamation that will ever return the natural beauty of this area and no one will rebuild what took eons to create. Thou a NIMBY she may be, she has tried her very best to become informed. She offered her apologies for not getting involved sooner. No one should endure what they have been through personally this past month and what you are putting people through, who have lived through and next to sand mines. No one should have to endure this. Johnson had no idea that sand mine was coming a few hundred yards from her front door. Yes, she is concerned about her own land, but she is concerned about what is going on in Wisconsin and in this area that she has come to love and awe. This is destroying Wisconsin and all the places that we are doing this type of mining. You have heard the public outrage and you hear support for this. Johnson can see that the Committee is in a tough position. You have to mitigate between differing opinions. Some feel it is their land and they should be able to do whatever they choose with it because it is theirs. However, the environment belongs to us all and the destruction of it impacts everyone. It is a tough place to be in the middle, but fortunately we have zoning and land use plans to guide us through this difficult decision. Over the past couple of years, the people in this county have come

before this Committee to present different points of view. The majority, like today, of land use/zoning requests have just passed. We have, yet another, rezoning request that has been brought forth today, but this one is different. When one looks at the map, the Town of Hale is the exception, as one can see the pink part. Amid all of the green, the township of Hale stands out. It is different and it is the exception, it is pink for good reason. The Hale township is zoned almost exclusively R-8. How many of the Committee is familiar with the Comprehensive Smart Growth plan. How many of the Committee helped with it? The townships were given the charge to make long term plans for each township in Trempealeau County and this Comprehensive Plan was required so that each township would have a plan, in place, to guide future decisions. Like other townships, Hale Township created a land use plan and several of you who were part of that planning, know that its purpose was to provide our elected officials with a document to guide this decision making. The plan allows for orderly development of the town in a manner that is consistent with the opinions expressed by the residents. This comprehensive plan took a systematic approach to develop goals and objectives for each township. There were people from all different interests. There were farmers, nonfarm residents and business owners. All of them came together and gave input into this decision. The majority of the respondents agree that the land use in the township should be guided by a plan. The people wanted the Town of Hale to be zoned R-8 (Residential-8). Johnson stated the Committee has also received a copy of the Town of Hale community survey from this Comprehensive Plan. Johnson took the liberty of highlighting some of the questions and responses. The first question deals with the quality of life. Eighty three (83%) percent of the people that were asked felt that natural beauty was an important decision to live here. Eight two percent (82%) said the rural lifestyle was important. The second question dealt with the most important reason for choosing to live here was to be near family and friends and again because of the rural lifestyle that people wanted. Questions three and four also indicate what was very important and what should be pursued in future planning for this township. The top answers were protecting the environment, protecting drinking water and preserving the scenic views and undeveloped areas. That is what the people wanted. A lot of hard work went into collecting the data and developing a plan to fit with what the people of this area wanted. That is the way decisions are supposed to be made. Tuesday, March 13th, 2012 at 11:00 AM, the Hale Town Board took it upon themselves to change all of this. They changed it all without once informing the citizens. That is why people are angry and that is why they are here today. They are here to say they were not informed that there was going to be this rezoning of the Erickson property from R-8 to EA2. Call it what you want, but the rezoning and the purpose for it is for a sand mine. Johnson brought copies of the minutes and they were very difficult to receive, but that is a whole different story. Johnson stated if one looks at the minutes you can see that there is no mention of rezoning until it actually happened. There was no public input and there was no opportunity to debate. On March 13th, Mr. Erickson came into the meeting, he requested rezoning and without any hesitation, the Board approved it, right then and there. They even went so far as to write a letter of support dated that very same day. Johnson is still waiting for some of the paperwork she requested, to get informed about what was going on. Johnson doesn't understand why a County spent countless hours and her taxpayer dollars to create a Comprehensive Plan only to have townships ignore a plan. Unlike all the work that went into this planning, the Hale Board made no efforts to take input or inform their residents of the change. Usually when a rezoning issue gets to this place/level the issues have been thoroughly addressed, discussed, debated and people have had an opportunity to have their say. Johnson is telling the Committee that is not how it is worked at the Town of Hale and there are others in this room that will substantiate that claim. That is why there are people here today. Unlike surrounding townships, Hale has not made any real effort to inform its citizens. Town meetings have not been held for the majority to attend. Town of Hale minutes and agendas have been withheld from them when they have asked for them. They have been denied opportunity to speak at meetings. They have taken the day off of work to talk. They were cut off and told they couldn't have anymore time to talk and a discussion should not be a monologue. There should be opportunities, give and take, to hear what is going on – but they were cut off. When Johnson called their Town Chairman to ask what is going on she was verbally bullied on the phone. She even had to go to Law Enforcement to get protection for one of their citizens. We who live and pay taxes here deserve better. Johnson understands that they can vote their people in, but they deserve to be treated reasonably. The Hale Township ignored the Land Use Plan that was developed for the township. They ignored the citizens who live here when they gave this approval for the rezoning of the Erickson property. For this reason only, this Committee at the County level should deny

this request. The Comprehensive Plans were developed for a reason and if changes were going to be made, people should be aware of them. The townships should be informing the public and providing opportunity for input before it is a signed, done deal. Worst of all if this rezone is allowed to take place; the rest of Hale Township will follow. When one looks at the map, right now Hale Township is the only place in Trempealeau County where people are protected, or somewhat protected, from having a sand mine in their front yard. Where will people go who want to settle in this area and don't care to have a sand mine next door to them. If Johnson went to Mr. Erickson and took something of great value from him without his permission, it would be called stealing. Johnson would be prosecuted, fined and maybe go to jail, but rezoning property for the purpose of a sand mine is allowable. When a sand mine is put next to Johnson's house, the things Johnson values are being stolen from her. What is the value of clean air and water? How much are her three beautiful children's' healthy lungs worth. What is the aesthetic beauty of her surroundings worth? When sand mines are allowed, someone is allowed to steal these items of value from their neighbors. The Comprehensive Growth Plan was put in place to help this Committee navigate those difficult decisions. Please honor the work that the people did, to develop a plan, so that informed decisions can be made and these decisions can be made based on what the township wants for their future. Rezoning from R-8 to EA2 is in direct opposition to all the things the people of the Hale Township said that they value, desire and they want for their future. The Hale Township is pink, it is unique and it is residential. Please have the decency to allow them to stay that way for the health, safety and welfare of the people who live there. Please deny this rezone request and thank you for the hard work that you are doing.

James Foss - Registered in opposition but not testify.

Judy Foss – Registered in opposition but not testify.

Kristoff Ausderau – Registered to testify in opposition. Ausderau stated he is a resident of the City of Whitehall but his family farm is located in the Town of Hale. It is not in his back yard but he is still definitely opposed to it. A couple of points that Ausderau would like to echo is: this Committee hold power here. Upon Ausderau's inquiry, Lien verified that 16 permits have been issued and 9 are up and coming. Lien stated the Department has probably handed out 50 to 100 Conditional Use Permit applications. Ausderau reiterated that this Committee holds the power to evaluate these mines on a best case and look at them as a whole as to how many mines this County can support. How much money can our roads or what support. Ausderau doesn't believe there have been any studies done on that. Everyone is talking about this economic boom and if it is truly that, the "trickle down" economics should come into play and we shouldn't have to worry about finding funds for our roads. If that is all such a big concern, it should all take care of itself. If this is a true economic boom we should all be sharing in this wealth, not just one or two families. Ausderau is not begrudging these families as they should get to do what they want with their land, but as we have heard from a lot of other people, it is our neighboring land also. It is our views and our water and air as well. Ausderau would really like the process to slow down and take evaluations as a whole and not just on a one time basis and not rubber stamp them all. Ausderau asked for the Committee to re-evaluate the whole process that goes on here and decide here at the County what we want to be. Do we want to be a mining county or do we want to hold true to the values of our ancestors and really enjoy the land for what it has been for many, many years. One of Ausderau's biggest concerns is the speed at which everything is going. There are many people who are trying to get up to speed on these issues. It is very difficult to do so as it is very technical and there are many legal documents. Ausderau felt to look at this as clearly a zoning issue, is not to treat it as what it really is. We all know what is behind it. Ausderau feels the whole process needs to be evaluated, and brought down to a slower process.

Timothy K. Johnson – Registered in opposition. Signed up so he could finish his wife's speech if she didn't have time to finish. He echoes everything his wife had said and is opposed to this.

Harold Lindebo – Registered to testify in opposition. Lindebo stated he supports what has been said already against sand mining and against all the noise and all the pollution that will go with it. Lindebo is opposed to

people thinking that they can do anything they want with their land and that it is their god given right to destroy it and sent it out to Montana or someplace. As far as Lindebo is concerned, this land is sacred and it is fairly evil. Lindebo feels that this whole sand mining business that we're doing is not quarries, which we are using for our own use, this is about dollars. It is about us not wanting to give up our addiction to oil and gas. Maybe we have to take a different turn in our life and live differently and be simpler and use and consume less. We will have to do that some day anyway. If you want to pass onto your kids a world that is decimated, and fractured, that is up to you, but to Lindebo it is evil. Lindebo supports the County Committee putting their foot down. If this Committee doesn't do it, nobody will. If democracy works, lets let it work here, don't just be a stooge for industry and money.

Gail Lindebo – Registered in opposition but not testify.

Jeanne Nutter – Registered to testify in opposition. Nutter hoped that Vold would listen to her because he is her County Board representative. Frac sand mining and other nonmetallic mining operations permanently alter the landscape, environment and health of those who live near them. My husband and I are some of those who lives will never be the same if a mining operation is allowed go forward. It was 25 years ago that my husband and I moved to rural Strum. We searched for a place that would be perfect for our daughter, our animals and our lifestyle. Nutter remembers the day they arrived on Moe Valley Road. It was a gravel road which they thought was great because it meant less traffic. They eventually got to N46477 and drove in the driveway. They both looked at each other and said, "We don't even need to go inside, this is the house we are going to buy". It is perfect. Nutter knew this land was for her; the hills, trees, birds, flowers, gardens, the old pole building that was the first barn for their horses. It was perfect and for 25 years Nutter has loved every minute of living there. She has seen it change, of course. There are houses on the road that weren't there 25 years ago. Nutter admits, it was tough to share her space with others, but we are families learning how to live together and to share this beautiful space. Everyday when she wakes up and her feet touch the ground she is at peace. She feels blessed and close to her creator. She feels the earth under her feet. Now when she wakes up, she fears with her whole heart and soul that this will be stolen from her. Nutter has been lucky enough to work in Trempealeau County. She has been able to work in many of the back roads and experience a landscape unlike any other in Wisconsin. We have beautiful wetlands to the south, the Mississippi River, hills and valleys, rich farm lands, unique rural communities brimming with their own special cultures, eagles soaring across our skies, herons, sand hill cranes, cranberries, honey. We even have the Karner blue butterfly which is in the township of Hale and it is a federally protected butterfly. There is a lot of research being done on this species right now. We have corn fields, grain, alfalfa, turkeys and trophy bucks. Her husband has two trophy bucks hanging on the wall. We have streams, rivers, flowers, fish, birds, rich black dirt and yes, we have sand. That sand is there for a purpose. That sand filters the toxins from our earth. When that sand is gone, there is nothing to filter our water. No amount of reclamation that can be done will ever bring that back. All of this is about to change. If the rezoning of this property is allowed to go forward, nothing in her neighborhood will ever be the same. There will be destructive traffic on the roads, air and water pollution from mining, dust from the mining, waste and mine reclamation issues. When one takes down hills, they can't be replaced. Groundwater pollution, noise and vibrations from blasting – no one has talked about that. Nutter has a dog that was rescued from the Humane Society and is terrified of fireworks, gunshots and thunder. His life will never be the same when the blasting starts. There is devaluation of property as no one wants to live with a sand mine in their front yard. Nutter trusts many of her board members that are sitting here do not want a sand mine out their kitchen window. Hunting and other outdoor sports will not be the same. Nutter saw posters all over Trempealeau County when we had to endure this recall election that stated "Sportsmen for Walker – protect our outdoor environment". It that what we are doing today? Nutter thinks not. Here we are, ready to sacrifice our beloved land and hunting heritage for mining. Nutter added there are a lot of sportswomen out there who like our outdoor life. There will be more sand mines to follow. This issue is not just about one mine; it is about what will follow. Nutter envisions a Trempealeau County without hills. Nutter envisions a time when we will no longer have the Eleva ridge. Nutter envisions a time when she will travel up Highway 93 towards Arcadia and she gets to the top and looks across the horizon and will see sand mines, dust – orange sunsets filled with dust, replacing the green, lush farmlands. Is this what we want to leave our children? Is this the outdoor heritage we want to preserve? It is now time for our boards and our

committees to remember that it is their responsibility to protect our people. It is written in the Town Board rules. It is the responsibility for town boards to see that we are safe, well and that they protect us. It is not their job to protect the sand mine and to serve the interests of the sand mine. Our interests are paramount. There should be no conflict of interest. It should be clear to everyone, the people you represent, that is who you are interested in. Now it is time for this County Board and this Committee to do what you have been elected to do – to serve and protect us. To listen to our voices and to begin to regulate nonmetallic mining operations in our County and to slow this process down. After all, two separate mining companies are on the brink of being charged with their negligence – at the Blair mine and the St. Croix mine. The DNR has recently asked the Department of Justice to investigate this. Do we really want this to continue in our County? Do we trust these mining operations? Do we want to have a spill in the Town of Hale similar to the one in Blair or to the one in Burnett where it rushed muddy, sludgy water into the creek and into the St. Croix River and that went unnoticed for a few days. It is time for us to all take a breath and to think about what we are doing. We need this land to pass on to our children. Nutter doesn't want to pass on to her children a Dust Bowl.

Frank Danek – Registered to testify in opposition. Danek lives in the Hale township. He moved there about 11 years ago out of the City of Eau Claire. It is a beautiful place to live, and we want to keep it that way, because of the air, water and the wildlife. Danek is not against people trying to do better and make a life for their children and home, but we are all neighbors together in this township and this County and we have our values. That is why we are here today; we have our values and know what is precious. Danek is not trying to put anyone down but he is trying to make people see what is precious, not just for us, but for our children and grandchildren. Danek asked the Committee to reconsider what they are doing.

Patricia Erickson Barnes-Sperl – Registered to testify in opposition. Erickson Barnes-Sperl stated if one looks at a map, Erickson actually lives inside of the requested, rezone property. Not on the outside, not on the borders, but inside. She was also approached by the brother of the sand mine owner, in regards to the purpose of the rezoning. Erickson Barnes-Sperl understands that he told her it was only for rezoning, but it was brought to her immediate attention by the brother of the owner that the zoning change is to accommodate a sand mine which is right directly in front of her property and around it. With that being said, that is the main purpose of the rezoning, not for a chicken barn. Erickson Barnes-Sperl stated we are so “up in arms” because we have been lied to. We have been disrespected and treated like we are nothing. We are not the people that said, “we want our property R-8 and now we are saying, “oh we want it ag”.

We wanted it R-8 before because we wanted to develop it and reap the benefits of having R-8, and now we want it a sand mine. R-8 would have been ok with us, but a sand mine – totally different. Erickson Barnes-Sperl disputed what Lien said that Hale is a very typical valley in Trempealeau County, however, if one goes through the valley and takes a look, how many of the properties are developed and groomed and taken care of (maybe some not as much) but we take pride in them. Erickson Barnes-Sperl is the third oldest living resident of this valley. Allan Erickson is the oldest, Donna Oliver is second and Erickson Barnes Sperl is the third. She has a rose bush, irises and a Wandering Jew that are older than everyone else as they came when it was homesteaded. Erickson Barnes-Sperl asked Tom not to be condescending to them. The rezoning is a direct request due to sand mining.

Heather Anderson – Registered to testify in opposition. Anderson reminded everyone that this is democracy in action. Although we work with a representative type democracy, there are people that are anxious to get this thing over. Anderson appreciates the fact that there is patience here. Anderson doesn't hail from the Town of Hale. Anderson comes from Chippewa County in the Town of Auburn, where one fifth of their land has been taken over by mining companies. One fifth (1/5) is a lot of land. It has either been bought out right or leased. Anderson knows that approximately 1200 acres have been bought up by the same mining company and it is going to mine this land. This has to do with rezoning. You must accept the fact that one needs to look at these mining companies, find out where they are from, what has their history been? The history of this mining company is not real good. In May 2011, this mining company, in the village of Woodbury, MN, had a spill. This was after there were problems with noise, dust control, truck traffic and public health. Then there

was a spill and an impact onto adjacent park property. This was a year ago. In May 2011, there was a spill releasing a significant amount of water, silt and sand material. The water, sand and silt traveled down a slope to the east ultimately impact 4.3 acres of city park property. Approximately 2.5 acres of this property are wetlands. The remaining two acres impacted by the pond failure are wooded uplands. This could not even be reclaimed for what it was originally intended to do because of the amount of silt that was left. Anderson stated the mining companies will tell you they want to be good neighbors, but the problem is always, “it is not their problem – it was due to large amounts of rainfall – acts of God”. The same company had another spill, although they are not calling it a spill, in Blair. The Department of Justice and the DNR are working together to prosecute this mining company. It was explained to Anderson that there was a overburden and because of 5 inches of rain in an hour, the overburden didn’t hold up and the spill came down. If one looks at the pictures on the website, or asks DNR to show you these pictures, it had quite an impact. Anderson was also told it was just sand. It doesn’t look like just sand to Anderson, not when it comes coursing down many, many feet off an embankment picking up sludge and other stuff along the way. Anderson claims they said the wall of water that came down was so large that the people that lived in the little farm home that it impacted, had they been home, could have been very, very injured by what came down, but they were not home. They had to evacuate their home until the stuff (sand) could be removed. Please be aware, do your research and find out. Anderson understands that accidents happen, but these are some pretty severe accidents. In regard to the spill in Burnett County (in Grantsburg) into the St. Croix River, because this is a scenic waterway, will be investigated by the Feds in addition to the DNR. These spills are to be taken extremely seriously.

Julie Hanvold – Registered to testify in opposition. Hanvold wanted to share with the Committee a couple of definitions as read from the Webster dictionary. The definition of “right” - in accordance to what is good and proper or just right conduct. 2). In conformity with that truth or some stand or principle that is fact and right. 3) correct in judgement or opinion or action. 4). Fitting or appropriate. 5) most convenient, suitable or favorable. The definition of “wrong” - not in accordance with what is morally right, good, a wrong deed, 2) deviating from truth or fact, erroneous, a wrong answer, 3) not correct in action, judgement, opinion, method, 4) not proper or usual, not in accordance with requirements or recommended practice, 5) out of order, awry, amiss. In considering the definitions that Hanvold just presented, she respectfully asked the Committee to remember their duty to the citizens of Trempealeau County asking themselves these very simple questions; here is the difficult part – consider your answer. Is it right or wrong that you allow the greed of a few to dictate what is fair market value of other neighboring properties, once a sand mind moves in on top of them. Is it right or wrong that we should be forced to endure heavy truck traffic, silica dust, noise, light pollution, water pollution and the blasting that occurs in an industrial sand mine for the next 25 plus years. Is it right or wrong to knowingly jeopardize our health, to knowingly jeopardize our groundwater and wells? It is right or wrong to knowingly jeopardize the safety and welfare of our children when you cannot prove, without a doubt, that silica sand will not affect well being or life spans. It is right or wrong when families across the U.S. turn on their water faucets and they can ignite their water because of the methane gas released from sand fracking which is using a product mined from Wisconsin. Is it right or wrong that you knowingly not enforce our basic right to a peaceful existence? It is right or wrong that whether by evolution or by God you give man and machine the authority to tear down what took over 500 million years to create. This is a worldwide catastrophic event that is taking place all for the greed of man. It is right or wrong if you are knowingly party to this. Hanvold asked Trempealeau County and this Committee to be the example – the right example – say “no” to any further rezoning of land to landowners who want to turn a fast buck and turn our natural resources over to corporate industry. Make Trempealeau County a place where people want to relocate to and those of us that are lifers will want to continue to live here.

Donna Oliver – Registered in opposition but not testify.

Paul Gunderson – Registered in opposition but not testify.

Barb Siegfried – Registered in opposition but not testify.

Steve Siegfried – Registered in opposition but not testify.

Jerry Thewis – Registered to testify in opposition. Thewis is in opposition to any mine that is trying to get going here whether it is here or in Buffalo County. What it means is less groundwater for the trees and the foliage. We are trying to do whatever it takes by going in there and make our forest better. We have hiking and horse trails up there in those hills. Thewis has horses and he rides horses on those trails. What is it going to be like when one has to go up there and ride and see these sand mines and breathe the air? That is bad. As far as deer trails, there are people that go up there and wonder around up there looking for sheds. People are up there deer hunting and with deer cameras and they see bear, etc. and all that is going to disappear. The creeks are going to be polluted. All the water running is going to go into the creeks. Men have been trying to riprap these creeks to make it more favorable for the fish. Now there will be runoff from all of this silica sand and so we did it for nothing. The water level is going down so wells are going to have to be re-drilled, again and again. Thewis reiterated that he does oppose this sand mining.

Mary Dubiel – Registered to appear and testify for information only (that is, I wish to speak or ask questions without expressing a definite stand for or against.) Dubiel asked Lien about the notices that were sent out and if there was any mention of sand mines. Lien responded no and added that the publication stated it was a rezone from R-8 to Exclusive Ag 2. Dubiel felt that is why there is nobody here from Dodge to say anything about disagreeing with the rezone. Dubiel herself wouldn't say anything about a rezone, but a sand mine is a different story. It didn't seem right to Dubiel that it should have been included, it can't go to industrial zoning because we have no control, so we slip it under agricultural. To Dubiel it just didn't make any sense. Dubiel mentioned there were 46 sand mining operations in Wisconsin. There were five sand mines for this industry two years ago, there are now 63 sand mines (Star Tribune). That is twelve times as many sand mines in two years. That is a lot of sand mines. They have had five sand mine processing plants and we now have 36 which is seven times the amount in two years. Dubiel doesn't think sand mining is a bad thing. Everyone likes energy and everybody wants to have their electricity and drive their cars, etc., but how are we doing this. Dubiel doesn't blame anybody for wanting to sell their land. Dubiel would like them to think about whether or not they are doing any harm. We don't own this land, nobody can tell us we own this land, we are only here using it, it belongs to the world. Dubiel would like to have six or seven million dollars, but this isn't the way to do it. We need restrictions, we need to know when blasting is going to occur. We need to know that they put the money down so that the roads can be fixed. We need to know how many trucks are going to go through and are they going to go 24/7. Or are they only going to go maybe 9 to 5. We know they need the sand really bad. We know we are only getting a pittance of what they need. We also need to know the water usage. The spills are bad enough but what about the water usage. They say they are not doing anything, but the spills show. They say their berm failed, but how can it fail. They know why it failed because they didn't put the money into it. We need accountability from these companies. If we can't get rid of the sand mines at least, gentlemen, please make them accountable. The Town of Hale is here because there is a sand mine. The Town of Dodge isn't here because they don't know anything about it, well wait until they find out but it will be too late.

Bice commented that as far as the zoning change that we are working on at this time, before anybody comes in and mines sand, they also have to come back with a public notice and public hearing to get a Conditional Use Permit. That is when the public will have an opportunity to voice opinions on the sand mine. What is happening right now, is work on a zoning change and that is why Bice has specified that this is what this hearing is about. There will be an opportunity in the future, if they want to mine sand, to have a public hearing for that Conditional Use Permit.

Linda Danek – Registered to testify in opposition. Danek stated she lives in the Town of Hale. Recently she submitted an e-mail to Lien voicing opposition to the rezone or frac sand mining in Hale. Lien advised Danek that all Committee members would receive a copy of that e-mail. In order not to be redundant to what Danek has previously written, she would like to bring another fact to the Committee's attention. That is, control of information. Danek's township can send out a mailing list to inform her of snowplowing fees and to inquire if

she would like to be added to the list. Danek's township can send out a letter informing her of a Firemen's Dance but it is apparent that her township is not interested in sharing information with her in other areas that are extremely important. Why is this? Danek had no idea when the Town of Hale meetings were previously held because they were not published in the Ad Delite that is delivered free to every home. They were published in the Whitehall Times which is a publication that Danek would have to purchase in order to be informed. There is no website for the Township of Hale that she can go online and check things out. Rather, Danek would have to drive 15 miles, round trip, go look at the front door to find out when the meetings are and don't forget, these meetings can be changed. Now, finally, just before the last meeting, they put an ad in the Ad Delite. The Town of Hale had their meetings in the morning, when everyone else was at work. It is apparent from the Ad Delite that other townships hold these meetings when the populus can attend. Last week, Danek called the Clerk of the Hale township to request copies of the agenda and the minutes for the past meetings and to request to speak at the next meeting. In the return call, that Danek's husband received, the Clerk stated that she did not have to give Danek all that information and that the Town Chair did approve her to speak at the town meeting and to give him a call. Danek made two phone calls, on two separate days and left messages. Danek's phone call was returned Monday of this week. At that time, Danek requested to speak at Tuesday's meeting and she wanted a copy of the agenda and the minutes beginning with the month of January 2012. Danek was told that she needed to submit in writing her request for the minutes and that she would get them at the following meeting. Danek responded she would bring her written request with her the next day and they could just give them to her then. The Town Chairman replied that Danek would get them at the following meeting. Danek stated this is public information and she doesn't understand the reason that this is such an issue. So, yesterday morning, Danek attended the meeting at 8:00 AM in the Town of Hale and she was allowed her five minutes. Danek's husband had also made phone calls the week before to request to speak and when the Town Chair called back, he said, "no, they didn't have time". Danek questioned, "Didn't have time?" – there were two people there that spoke at the meeting, Danielle Johnson and herself. Johnson was cut off so rudely it was embarrassing and Danek is darn glad that Dave Carlson was there and got this on film. When this meeting was over, Danek went to the Clerk and handed her the written request for the copies of the meeting minutes. Danek was really quite surprised because the Clerk gave her all of the meeting minutes, right then and there. Totally different from what Mr. Berg had told her – that she would have to wait for a whole month. In quickly looking at the meeting minutes, it was noticed that on March 13th, 2012 at 11:00 AM meeting, "that Alan Erickson asked the Board to rezone his property and a motion was made to change to Ag from Eric Franson and seconded by David Lyngen. Alan also wanted the Board to write a letter of support for sand mining on his land and a motion was made by David Lyngen and seconded by Eric Franson". Also quoted in the minutes, "Thomas Segerstrom brought up to the Board and a discussion that he would like the Board to issue a letter of approval for him to sand mine on his land. A motion was made by Eric Franson and seconded by David Lyngen". All of this happened in one clean swoop at a meeting in March at 11:00 AM. Danek asked what is going on here? Why can the township not inform the residents of something like this? Are these sand mining companies counting on the naivety and the trust of the rural areas and Boards that have really never handled anything more than road maintenance and other basic issues? Are they lured and fooled with the promise of jobs in the area, or probably by big money from personal property tax? What is it that lures all of you to listen to the slick talk of these big corporations and to not listen to the residents? It is a sad day if we find that not only the township, but the County as well chooses to be short sighted and turning a deaf ear to the residents that are speaking up.

Kelly Thewis – Registered in opposition but not testify.

Steve Seigfried – Register in opposition but not testify.

Keith Nichols – Registered to testify in opposition. Nichols stated he had already testified.

Diane Sczepanski – Registered to testify in opposition. Sczepanski stated she lives on North River Road in Whitehall.

This is her first meeting because she works two jobs and she didn't realize what was going on. Sczepanski didn't realize that this zoning for agriculture is leading right into mining. She had no idea and she apologizes for being that ignorant. When we Europeans took this country, we discovered it and took it away from the Native Americans. It was prime and pristine and pure then. We have raped, ravaged, tortured, and prostituted this "turtle island" as they called it. Most of this has been done in the big cities and on the coasts and it didn't affect us until now, it is right here on the land that we stand on. We can truly do something about this. We can stop this. As Sczepanski mentioned, she was not aware of this going on really, but they have Amish customers at their laundry mat here in town and they have been telling her some very strange stories. She asked them to come today, they said they had been at other meetings and it didn't do any good, so they didn't come. Sczepanski is trying to be their representative today. One of the families that have come to their laundry mat over the years is a Miller family and they live out on Rat Road. There are three homes of Amish there and they have not sold out to the mine, but they live near by. One of the men in those homes is autistic and he is usually very mild mannered, but the blasting (booming) sounds have agitated him and sometimes he has difficulty breathing. So the family with the autistic man may have to move as the other two households may have to move. They have told her about another Amish family that lives over the hill from the mining but in the early spring rains that we have here there was a water reservoir up on the hill containing very contaminated water that is used to wash the sand. This Amish family lives over the hill. When the rains came it took the reservoir over but the water instead of going down to the mining side, it went over the hill the other way and it ran into an Amish home and filled it with contaminated mud. The Amish were told that they had to burn their clothing, destroy all their food and of course, they had to leave. They can have haz-mat people come and clean it out, but it isn't known, that even if they get it cleaned out, if they could ever live there. Sczepanski didn't think they would probably want to. Whatever kind of insurance that one would have, Amish don't have any insurance, would never cover you in any catastrophe like this. There isn't even a name that the insurance would have for something like this. One can say that it is their land and they can do what they want with it as you please, but there are a lot of other people that are going to be affected by your decision. Sczepanski doesn't feel that the people, like the peaceful Amish, should have to be the ones to have to move. It seems to Sczepanski that the person that is really greedy and wants more money should move somewhere else and find that money. We in America are 20% of the world population and we are using 80% of the world's resources, which spells greed. Sczepanski feels it is up to each individual to cut back on what they use to change our lifestyles and above all not to make these peaceful people have to move.

Linda Duggleby- Registered in opposition but not testify. Duggleby stated she changed her mind and would like to testify. Duggleby stated they have some property over on County Road OO out of Strum. Their major residence is in Minnetonka, MN. They are originally Iowa people and living in a large city in a suburb was just so different from living in Iowa, in the rural, that they came and brought some property in Wisconsin so that they could get away. They love it out there, it is beautiful and wonderful and they have some hills. Because they live in the Twin Cities, they get the Star Tribune. The Star Tribune ran articles regarding the lawsuits that are going against Plymouth and Maple Grove owners of the mines. Plymouth and Maple Grove are right by them and they are not rural. Plymouth has 55,000 people in a small area and Maple Grove is an extension of that. These people don't live where they are making their money and they don't live by anything or no way do they have a hill that looks like these. These people live in nice places and they are making a lot of money and the problem is, from what Duggleby sees is that mining is big in Minnesota and there are constant battles between southern and northern Minnesota where the mining is going. They are in big fights now about what is going to happen with the sulfur mining. These guys don't really care as they are used to "buffaloing" people and just bullying them because they get what they want and they pay for it. In this article, it says that a certain couple had property and it was valued at \$147,000 and they gave her \$330,000 for it. The other information that was listed in the article, is that the value of the property (if one just took the value of the property in Wisconsin that was agricultural) was like 1.3 million dollars and so far these guys have paid 5.3 million dollars for that land. This is big bucks and that is enticing. So the only thing that we have left is honor for the ground and to the neighbors. Duggleby doesn't want to have her hill look like this and she doesn't want to live by somebody else's hill that looks like this. Duggleby doesn't have much time left to earn money so they spent money buying their property in Trempealeau County in the Hale Township. She doesn't want to

have to sit and worry all the time whether her neighbor is going to sell out and what if that person sells out, then she gets the entire residue from it. This is going to cause a big issue. As everyone knows that if one neighbor sells, the other neighbor doesn't want to sit by if they don't like sand mining, so they're going to go to the sand mine people and say, "Hey, our property is up for sale, why don't you take ours?". Just like today, two properties got rezoned for agriculture that purposely says that they wanted to use it for sand mining. That was 150 acres done in 15 minutes. It went from Rural to Agriculture and these people say, this is a zoning meeting. This is just going from Rural to Agricultural. Negligent and ignorant as Duggleby says she was, she didn't know what the EA2 Agriculture meant. The problem also, is that a certain gentleman said this is a zoning meeting, but they approved the zoning so these people who are going to ask to have a conditional use for sand mining, they have already been approved by the Town of Dodge and by this Committee, so that when they come to get the Conditional Use Permit, how are they going to argue. All of the people that were supposed to study these issues have already approved it, so the public's voices get weakened because these are the people who are taking the time to study it. These people who own these mines they don't care about you, or Wisconsin because they live in Minnesota. So every time this Committee approves these mines and these owners, you better think twice. In northern Minnesota, they got taken over by Texas. One guy comes in and sees all that land and buys 300 acres or whatever, the next thing you know, Winona, MN has mining by people from Texas. They don't hire people that are local. There might be a few jobs for driving truck, but these people bring in their own professionals because they have a whole different aspect on it. They are there to make money; they're not there to live. Duggleby really wishes the State of Minnesota would take some thought on this because some regulations are needed and these guys are going to be bullying you all the time. And, they didn't even know that they had a leak. It was a hiker that found out that the mine was having problems. All the people that live here love this country and this Committee needs to be with them not the Texans and the Minnesotans and the people who don't live here. Protect your own community.

Bice commented that no one is going to "bully" this Committee. Bice added, in the Town of Dodge, those are clearly zoning changes. They have no permission to start mining on anything. In regard to what has been done here today, they will have to come back and get permission through a Conditional Use Permit for mining. They will be back for that and the Committee did not give anybody permission to mine today. Upon Duggleby's inquiry, Bice acknowledged that a zoning change was approved from Rural Residential to Agriculture.

Perry Hoesley – Registered to testify in favor. Hoesley stated his father is a landowner in the townships of Dodge and Arcadia where the rezoning has taken place. Accusations of why things would happen in Dodge or why there is opposition in Hale are very interesting. Is it because we know our neighbors? Is it because we want to better what we do as farmers? Hoesley wanted to clear up a few things that the last speaker stated (which were quite upsetting) about the dirty frac mine and that they want to increase oil production. This is his opinion. Hoesley stated all of their sites are agricultural now and will be reclaimed into agricultural after the sand mine (if it is ever approved). Hoesley didn't think they had to justify making some money on it. Anyone that would go through this type of process is hoping to make some money. Hoesley has three brothers and they all have children. Hoesley's youngest child was diagnosed with an illness four years ago and they are very involved with that and some of this potential windfall would be donated to the Type One Diabetes Program. He is not saying that to make it sound sappy, but that is the truth.

Matt Segerstrom – Registered to testify in favor. Segerstrom stated he is the principle of Paramount Sands. He is working with Mr. Segerstrom and the Erickson's on this proposed project. Contrary to popular belief, Segerstrom is not a big corporation; he is not a big oil or sand company. He is the son of a third generation farmer from Monodovi, WI and grew up there. He lived on a farm that backed up to one of the biggest sand and gravel mines in Buffalo County, WI for 22 years of his life. He ran up the hills of that sand and gravel playing as a kid as did his brothers and relatives and they are all perfectly healthy today. There are regulations within the State from the Department of Natural Resources down to the County level, down to the townships that have to be followed. Today, we come here for a rezone for the Erickson property to be conducive for sand mining. We are not here to hide that. We haven't tried to hide anything. We are open and when the

time comes, at a following meeting, for a Conditional Use Permit for a sand mine, all of the information will be public – the reclamation plan and all the plans involved in that permit. As far as the rezone, Segerstrom wanted to reiterate that the rezone is for that and he would be more than happy to address all the other concerns at the following meeting. Although Segerstrom knows that the Township of Hale was predominantly Rural Residential zoning, if he has received the correct information, he believes it was rezoned that way back in the mid 2000's when there was housing boom going on and they were looking to develop that rural area to residential. From what Segerstrom has seen it was mostly agriculture. So although it may be currently zoned Rural Residential it appears to be more agricultural, in his opinion. Also, conducive with the neighboring property that is currently Mr. Segerstrom's which is already zoned Exclusive Agriculture is what borders the Erickson property that they are looking to rezone. Segerstrom wants to thank everyone for their time and consideration and they do have consideration for everyone. Segerstrom hopes that we can remember that this is a rezone for a sand mine and once we get to the actual Conditional Use Permit for the sand mine all of that information will become public and available.

Sidney Peterson – Registered in favor but not testify.

Luverne Johnson- Registered in favor

Michael C.(last name illegible) – Registered in favor but not testify.

Thomas Segerstrom – Registered in favor but not testify.

Christopher Segerstrom – Registered in favor but not testify.

Ronald Halama – Registered in favor but not testify.

Bice called for anyone who would like to testify that has not registered.

Peggy A. Svoma – Registered to testify in opposition. Svoma is from Strum and she lives just two miles east of Strum out in the countryside. Svoma grew up in Milwaukee and she came up here to school, married a local boy and she is here to register her opposition to sand mining. The two things that she thinks about most are the water and the air. In thinking about the water, she asks the Committee to consider the fact that we are such a unique place in the country and in the world. Wisconsin is bordered by three of the largest fresh water bodies in the world – the Great Lakes are considered the largest bodies of fresh water. We have one to the north and to the east and then low and behold to west we are bordered by the Mississippi River which is another huge, fresh water body. Wisconsin is unique. We are a wonderful, unique place as we are a progressive Upper Midwest state. We are rapidly losing many things that make Wisconsin great. We are a home of many “firsts”; the first kindergarten in the country, the first public radio station in the country, the first community college. Svoma used to have a huge list. Also, the first Republican party, although Svoma doesn't know that the Republican party that was birthed here is any way or in any shape resembles the one that is here now. Svoma is just asking the Committee to consider how unique we are and as a lot of people said, it took eons for sand to be laid down and for the water to be collected in the aquifers. It is going to be gone in a geological instant. They talk about millions of tons of sand being mined every month or year for the next 25-30 years. How do you remove that much material and not have something happen. Svoma is totally worried about this whole thing. She worries about the direction that the County is going and the State.

Michael Miller – Registered to appear and testify for information only (that is, I wish to speak or ask questions without expressing a definite stand for or against. Miller stated after listening to all this there are a lot of questions. Miller moved here from Appleton four years ago to this valley because it is a nice place. He didn't intend to talk today but after listening to some things it is sort of disgusting that things are already going on and passed. Last week he was driving from Rice Lake back home and there is a sand mine there. For eleven miles, the dust travelled through the air. Miller pulled into Bloomer at Hardee's and the gal was

wiping off the table from the dust which came from the north which is eleven miles. Miller thought there were seven trucks that went by every minute from that sand mine and this one isn't going to be any different. The other thing is that there is a lawsuit going on in Chippewa County where people are getting lung disease from silica. Since everything is already passed, why doesn't the Committee just put it in there as to who Miller should sue first, the landowner who sells it or the mine that does it or the Board that is going to ok it?

Donna Oliver – Oliver chose to testify at this time. Oliver came here almost 40 years ago looking for land. Her ancestors came to the Town of Hale from Norway on the boat – braved the ocean to get here because they wanted to live in the beautiful hills that we have. Oliver is appalled that she had to stop at the cemetery and apologize to them. They would roll over in their graves that somebody is going to come and take their beautiful hills out of the land that they loved and came here for. Oliver thinks it is a shame. A shame that God's land can be taken away from us one truck at a time and hauled someplace else to another state to help them blow up someone's house which is full of gas and make it impossible to live there. This is just like handing a stick of dynamite and saying, don't light it because if you do something's going to happen. We have beautiful hills that are going to be blown up and shipped someplace else for another purpose. It is not like a gravel mine bringing in gravel for a driveway or lime for a field. Oliver hopes that the people in charge and who wrote the rules earlier can remember why they needed to have those rules. Because when rules are put in place whether it is God's or ours we have to follow those rules. Oliver feels God's rules come first. This is not being truthful to his purpose. How many of us have ancestors that came here in a boat to cross a wonderful ocean to have land of their own in a country that they could trust to protect them from mines and other predators that would use the countryside for their own means. Please consider what God intended. Oliver would not want to have anything that she created torn down and since he sends the weather she would be ducking when the next tornado came. Bice called for any other public testimony.

K. Racki – Registered in opposition but not testify.

Raquel Thewis – Registered to testify in opposition.

At this point Lien stated that he has received a lot of e-mails regarding this issue. Lien asked that if the person is present in the room and spoke. He will read the e-mail if that person requests him to do so.

Jean Wielgus – (Notecard received) My vote is NO to rezoning of Hale Township to allow frac sand mining. A I am voting to oppose this at the county level. Allow Hale Township to have a decent quality of life.

Angela Jager- E-mail – Eau Claire - I am writing to express my extreme opposition to the rezoning of land parcels in Trempealeau county for the purpose of mining frac sand. Frac sand mining poses serious threats and detriments not only to land and wildlife, but most importantly to inhabitants of the areas surrounding the mines. The underlying motivation of those seeking profit cannot and should not compromise the health, safety, and quality of life for the vast majority that will live with and suffer from the effects the mining will have--both in the long and short term. At risk are not only the recreational enjoyment of many individuals that reside in and visit the area, but most importantly, the health and well-being of those living closest to the site(s). Please realize that endorsing the mining of frac sand in Trempealeau county sets precedent for surrounding counties and others throughout the state. I ask that you carefully consider the serious decision that the county board faces tomorrow, and the ramifications that decision will have on generations to come. I trust that you will encourage your colleagues on the county board to do what is right for ALL residents and those concerned by not endorsing the rezoning of Trempealeau county lands for mining.

William C. Hallam – E-mail – Eleva - I'm opposed to any re-zoning of land in Trempealeau County that will result in the mined sand being trucked to it's destination. The County roads were not designed or built to withstand this heavy traffic. The trucks will create noise, vibration and exhaust which will disrupt the peaceful, rural environment. The trucks will present a real safety hazard to all using the County roads. There are hills with steep grades, sharp curves that may have poor visibility, narrow shoulders, and other conditions

not suited for constant heavy truck traffic. Of special concern are conflicts with school bus operation and trucking during poor weather conditions in the winter. The current Zoning Code states in paragraph 1.3 Intent the many good reasons for which the code was approved by the County. Sand mining and the associated trucking do not comply with the intent of the Zoning Code. Thank you for the opportunity to express my opinion. (Town of Albion and Chimney Rock).

Debra Randall – E-mail - Greetings. My husband and I recently purchased land near where the proposed rezoning would allow frac sand mining. We are vehemently opposed to this rezoning. There have been many examples of the negative environmental impacts found to be related to frac mining at other sites which allowed this. We don't want to see this beautiful countryside affected in a similar way.

Kim Randall – E-mail - My wife and I recently purchased Trempealeau County land near the area where frack sand mining is being proposed, and plan on building and living there very soon. I currently fly helicopter for the Mayo Clinic and in those duties frequently fly over the mines in place north of Chippewa Falls and Bloomer. I can honestly say they are a blight on the landscape. Everywhere you look there are now deep and visible scars all across the landscape in this part of the county, and it is getting worse. I have also talked to friends and coworkers who live in that area and the constant drone of heavy trucks and machinery, not to mention the terrible damage to the roads is also a factor. We are vehemently against any changes that would allow this strip mining into additional areas of Wisconsin, and especially in the Trempealeau County area. Please do not consider any rezoning that would allow this expansion of Strip Mining into our area of the state.

Jackie Goplin – E-mail - My husband, Eric and son Brad, and myself are all opposed to the rezoning of our precious land in Trempealeau County to allow FRAC Sand Mining. We feel there are too many long term negative affects for everyone involved. I hope the entire board/committee have contacted actual people that already live near a FRAC mine already in operation. There is nothing attractive about it! It is a health hazard, it is a safety hazard, and negatively affects the welfare and quality of life for people that are unfortunate to live near one. They are true victims of this money hungry adventure that doesn't tell the WHOLE truth about their operation. Please protect the people of this beautiful county.

Curt and Deb Miller – E-mail - We are sending this e-mail to let you know that we are opposed to the rezoning to allow Frac Sand Mining in Trempealeau County. Trempealeau County is beautiful and I would hate to see it dug all up for mining.

Dawn and Al Slaby – E-mail - I have a property in the Town of Chimney Rock, and I am currently opposed to rezoning for this purpose, as is my wife.

Richard Staff – E-mail – Blair - I wish to express my opposition to the expansion of FRAC Sand Mining in Trempealeau County. My opinion is based upon concern for the natural environment, particularly the restoration of soil after mining and the potential contamination of ground water, thereby posing a threat to public health. I have doubts that the projected economic benefits outweigh the negative impact on the health of the land and people of the county. I fear that the mining companies will take what they want and leave the county to clean itself up. Thank you for your attention to my thoughts.

Brad Reents – E-mail - I am a property owner on Kolve Valley Road in the Town of Chimney Rock and I regret that I will not be able to attend the public hearing. I wanted to still let the County know that I am strongly opposed to this land rezoning. Trempealeau County has many other great assets to capitalize on. Once the sand mining industry is gone, we'll have lost our great natural and agricultural asset in this county. Is there any way this message can be passed on to the members voting on this rezone?

Linda Wateski (Getter) –E-mail – I'm opposed to this rezoning I have truck problems can't make it in but I love my area just the way it is.

Julie Hanvold – E-mail – Julie was present and consented to her e-mail not being read aloud.

Margaret Olsen – Margaret’s letter was provided to the Committee in advance of the meeting so it was not read aloud at this meeting.

John and Connie Skoug – E-mail - We are not able to attend Wednesdays land rezoning hearing but wish to have our opinion noted. As land owners in the county, we adamantly oppose the rezoning of land for use in frac sand mining. We hope you are able to convey this message at the meeting.

Sam and Tracy Schweigert – E-mail – Eleva - We are writing to let you know that we are strongly opposed to any rezoning in Trempealeau County that will make it easier for frac sand mines to come in. We both feel that the economic benefits of sand mining have been strongly exaggerated, as they will promise jobs but will bring their own people in from out of state. The people in this county choose to live here because of the beautiful countryside, clean air and water, wildlife, and peace and quiet. The frac sand mines threaten all of these things. We vote, and we are strongly opposed to any rezoning or other legislation meant to benefit sand mining. We cannot make the meeting Wednesday due to our work schedules, but please consider our stance.

William and Marion Runge – E-mail - Wind Lake, WI - We would like to go on record as concerned parents and grandparents that we definitely oppose the rezoning of any further residential land in Trempealeau County for the purpose of removing frac sand. The ultimate damage which will be done to the land, air and water in this and surrounding counties will far outweigh the short-term profit for the individuals seeking monetary goals. From information we have obtained, any new jobs created will be minimal and short-term. The damage done by the sand mines will NEVER replace the hills, forests and ground water. The effects of pollution of the air and water will jeopardize all the residents in this area. The health, safety, welfare and quality of life will never be the same. As an elected official, we urge you to stop this rezoning and think about the people in your county.

David Gunderson – E-mail - My brother, Paul, and I own property at W22972 Gunderson Road in Hale Township (where it borders the town of Chimney Rock). Our mother lives in a house on the property. Several tracts of land on the other side of the hill in Erickson Valley are being considered for sand mining. I do not believe mining should be allowed there for several reasons. Sand mining is known to release silica dust, which can be dangerous if inhaled. The mining companies' claim that they can contain the dust simply by wetting the area down is not believable. Trucks hauling sand will cause congestion, pollution and noise. Right now that part of Hale Township is a quiet agricultural and residential area. If mining is allowed, the quality of life for most of the people there will deteriorate quickly. Any economic benefits will be short-lived and appreciated by only a few; the degradation of the environment will be permanent and will affect everyone in the community. It is not clear, in the current political and economic climate, that government will have the resources, the manpower or even the will power to make sure the mine operators live up to their promises.

Julie and Sam Humphrey – E-mail- I am very upset about the proposed sand mines in Trempealeau County. These mines are going to have a huge environmental impact on the air quality and water quality of our county. As a land owner in Hale Township, I am distressed that our zoning is not stricter as to eliminate any potential for proposed mines or future mines. The economic benefit of these mines to the county is minimal compared to the long range environmental detriment and the declining land value as people begin to realize the negative effects of the mines. Please STOP frac sand mining operations in Trempealeau County!

Don Williams – E-mail – I am totally against rezoning to allow sand mining in Trempealeau County. The countless negative impacts it could have on our area is not worth the profit realized by a selfish few. Much of the damage is irreversible to the quality of life.

Mark R. Olson – E-mail- Walker, MN - As a member of the Olsons Homestead LLC, I register my strong opposition to Sand Frac mining in Hale Township. The process of horizontal hydraulic drilling, and hydraulic

fracturing synonymous with Sand Frac mining creates numerous environmental and public health issues. This process releases high levels of toxic chemicals into the groundwater and atmosphere. The end result is short-term production of a nonrenewable fossil fuels, but long term degradation of the environment, loss of property value, tillable soil, other other unforeseen negative impacts to Trempealeau County, and beyond. I encourage you to reject Sand Frac mining in Hale Township, and safeguard the collective well-being of your community for coming generations.

Bob Sterry- Telephone message – Telephoned in that he could not make the meeting on Wednesday, but he is against mining. There are too many sand mines. He lives in the Town of Sumner but owns land in the Town of Unity. His daughters are partial owners and he talked to them this past weekend and they feel the same way.

Kathleen Zeglin – Email – I understand that there will be a County rezoning hearing on the recent decision in Hale Township to allow a new sand mine in that township. I will try to attend but in case I am unable to I want to voice my opinion on this hearing. I oppose this rezoning and any variances given to allow this mine and any future sand mines. Trempealeau County is primarily an agricultural and residential county. There are already too many sand mines in the county which are destroying our beautiful hills and fields, polluting our air with sand particles, disturbing the peace and ruining our roads with extremely heavy truck traffic, and all with a high potential for polluting our streams and rivers. Along with the sand mines are existing and proposed wash plants which deplete our ground water aquifers that have taken thousands of years for nature to create. Our society can create alternative sources for energy but we cannot create alternative sources for water. Sand mines benefit only a few - the land owner/seller and the sand mine company - to the detriment of all other county residents. Trempealeau County is one of the most beautiful areas of the state and of the United States and should not be marred by continued expansion of these sand mines. Once again, I oppose this rezoning proposal.

Clayton McNamara – Email – We recently just built a home in the Town of Ettrick about a mile west of town. We are literally in the middle of moving into our new country home and our neighbor across the valley said he is going to try to open a sand mine. What are my rights as a landowner, neighbor, etc. that I have here. Our property value certainly is going to be diminished as is the aesthetics, view, noise, water and air.

Tim Zeglin – Email – Independence – I am completely opposed to frac sand mining in Trempealeau County and will oppose any rezoning or variance that permits such mining. As a resident of Chimney Rock Twp. we have already banned such mining in the township but want to oppose sand mining at the county level. In case I am unable to attend the rezoning hearing this Wednesday morning, please be aware of my position.

Brien Gleeson – E-mail - Strum - I am writing out of concern for a change in zoning for proposed new sand mine in Hale township. I am a little familiar with land zoning in our town as I was part of the committee a number of years ago which determined the residential 8 zoning option. My concern at that time was residential development. I recall references to "non-metallic mining" at that time, but did not understand the nature of the reference. I do now. My property is located about 11000 feet from this proposed site and I have a great deal of concern about a sand mine -- for all the usual reasons: ground water pollution, air pollution, noise pollution, increase traffic, damage to roads, and loss of the general beauty of our area. I oppose the idea of any kind of mining in this area, but I realize you have a job to do and various views to contend with. I ask that you approach this change slowly and with significant caution and study. I would also ask to be kept informed and be part of the decision making process. This e-mail is a first step in that process. I would attend the meeting on June 13th, but I have prior commitments. I appreciate your time -- I imagine your job has recently become more "interesting".

Pam Williams –Email - My name is Pam Williams, I live in Chimney Rock, Trempealeau County. I am totally against Frac Sand Mining in the Town of Hale, or in fact, any area in Trempealeau County, which I realize is too late in some areas. It is unfortunate that a few people and an influx of out-of-state companies are taking advantage of and ruining the State of WI for their monetary benefit, destroying land, water and the livelihood

of so many people, who all they have is their little plot of heaven. I am just one person, but hopefully there are more of me that will be heard. Unfortunately, I have to work on Tuesday, to pay for my piece of heaven, so I wanted to be sure you received my E-mail against rezoning for benefit of a small few.

Joseph A. Scaramuzzo – Email - I am writing you this short and to the point letter because I cannot attend the hearing on Wednesday, June 13th, 2012. I would very much appreciate that you present this letter to the board on my behalf since I am unable be there in order to state my feelings and concerns. After looking for a piece of property in Wisconsin for over two years, I finally found it, and closed on it March 1st, 2012. The parcel I purchased is on Erickson Rd.(the SE 1/4 of the SW 1/4 of Section 32) and if I was aware of any potential mining in the area, I would not have purchased this parcel. I currently live in New Jersey, and for quite some time I have been looking for a state to move to in order to live a quieter and healthier life, without lots of people, traffic, construction, etc. If this mining operation is allowed, then that defeats the purpose of the whole move that I had in mind. Not only for the noise factor, but most importantly the many health issues that we will encounter. One of the factors that swayed my decision in purchasing this property was the beautiful terrain and views of Strum, which will be destroyed as a direct result of a mine! I am very concerned about these health issues, which I will only name two; contamination of the ground water, and air born silica dust. To me, these are the most important because of the obvious reasons. You cannot survive without food, water, or air. Once the mining process is fully operational, and you continue to drink the water, eat the crops you grow, and breathe the air of this area, everything is contaminated; your health then suffers as well as your quality of life. Part of the reason I am leaving New Jersey is to have a better quality of life hence, avoiding polluted water, food, air and noise. The last thing I would like to touch on briefly is the impact on our wildlife, another earthly treasure that we take for granted. Not only will the mining process affect the wildlife habitat, but their food and water supply as well. Don't get me wrong, I am a hunter, not a P.E.T.A. representative, but I favor conservation, not destruction. I have a love for wildlife, the outdoors, and all it has to offer. I'm asking you to present this letter on June 13th in hopes that it will help the committee choose the right and ethical decision, which is to think about the impact this mining will have on the future, and vote against it! The only way to have a good future is to make good decisions at the present time. I am opposing the rezoning of residential land to exclusive agriculture (EA2) for mining purposes.

Liz Gunderson – Bo/Gun Ranch - Email - Kevin....received the card regarding the meeting on 6/13 regarding frac mining in Trempealeau County. We own a farm just south of Strum in Trempealeau County. Unfortunately, because of our jobs, we won't be able to attend this meeting. We would like to stress our dislike for the idea of this kind of mining. We support rezoning in the county to stop this kind of mining throughout the entire county. Trempealeau County has always been known for great farming land and would really hate to see this be destroyed by sand mining. Please consider this e-mail our vote against frac sand mining in Trempealeau County.

Roger Olson –Email – Olson Homestead, LLC - I cannot thank you enough for leading an opposition to Frac Sand Mining!! Just where in the world will it stop! I inherited the land my Grandfather Homesteaded in the 1860's and is now an LLC Tree Farm on the West edge of Hale Township. Myself, my spouse and our four adult children are all members of this LLC. I will be asking them each to email their opposition to you. I am sorry I live in North Central Minn. and am 300 plus miles away from you. I wish I could attend the meeting. I stand very much opposed to this . . . I can cite all kinds of reasons. Today's (6/9/12) Mpls Tribune has an article as it relates to what is happening in Northern Minnesota. Thank You again. I encourage reading today's (6/12/12) Mpls Tribune (www.STARTRIBUNE.COM/LOCAL) Section B

Article regarding sand-mine spills in Western Wisconsin - Grantsburg and Blair areas. Very informative. VOTE NO NO NO

Lien noted that there were flyers that were put out and sent around. It was a publication which contained Lien's name and address for a contact. People assumed Lien had distributed it, but he did not, however he received all the E-mails and calls from this distribution.

Bill Sterry –Email - I received a postcard asking me to email you if I was opposed to a Frac Sand Mine in the town of Hale. In fact, I am in full support of free enterprise and therefore fully support sand mines. There certainly needs to be restrictions and accountability in place but to turn away these kinds of jobs and dollars to our area is ridiculous. Much like our agricultural fields, this is another resource our area is blessed with and residents should have every right to it. Very few people like change, and really, that is the issue here – change and fear of the unknown. Government should not stand in the way of the creation of good jobs and a landowners right (within guidelines to protect the environment and surrounding area) to do with their land as they see fit. I do believe that if many of the residents opposed, could somehow get the facts that they would change their minds. I believe many are envisioning a 200 acre hole in the ground. Maybe they already do, but if the mining companies had a booklet with before, during, and after pictures, environmental impact facts, etc... to educate people, that may go a long ways. I can not make the meeting on June 13th, but please count me as one in full support of Frac Sand Mining.

Paul W. Gunderson – Email - I oppose sand mining in Hale Township currently being proposed for several hundred acres along Erickson Rd. My property on W22972 Gunderson Rd is within 1/4 mile of Lindberg Rd and possibly a 1/4 mile from mining activity.

Some of the problems I see are:

- Breathing the microscopic silica dust (which will be in the air 24 hours a day) the mining will produce.
- Water pollution which could endanger drinking water and be a long term problem.
- Noise pollution from truck traffic from Erickson Rd to Lindberg Rd to Highway 93.
- Noise from blasting and mining equipment.
- More pollution from diesel trucks.
- Removing the trees and leveling the hills.
- Water pollution which could also endanger springs and streams. The streams along Gunderson Rd and Erickson Rd feed Chimney Rock Creek where I have fished over 50 years. The DNR and Elk Creek Rod and Gun club have done a great job of maintaining Chimney Rock Creek for trout fishing over the years but changes in water volume and sediment from the mining operations could negate their efforts.
- Property values will decrease and all the above will make it difficult to sell or rent.
- My Historical information:

My great grandfather settled a farm in the area which is now Erickson Rd when the Indians still lived there.

My grandfather settled a farm on Gunderson Rd over 100+ years ago.

My father grew up on that farm and eventually bought it.

My mother, brother and I now own a part of that farm in the town of Hale bordering the town of Chimney Rock.

Patricia Erickson-Barnes –Email – Since Patricia has spoken earlier, some of the public present felt the Email did not need to be read into the minutes.

Barbara Ann Siegfried –Email - My husband, Steve and I left California looking for a quieter lifestyle and found it here in Strum countryside. We chose our property because of this area's natural beauty and peaceful setting. Since moving here 8 years ago, we have appreciated the rural quiet setting and clean air but now face a close proximity to the proposed frac sand mine. This development would totally change our way of life. We are also concerned as to what will happen to our property value and how that may affect our retirement plans (just mentioning a few concerns in this email). Unfortunately, because of work obligations, I will not be able to attend the upcoming Co Rezoning meeting set for June 13, 2012. Please count my vote "NO" regarding rezoning for sand mine(s).

Tony Genelin – Email - I received a card in the mail asking me to contact you about the rezoning of land for sand mining. The card asked me to oppose the rezoning request. I DO NOT OPPOSE the rezoning. As a longtime property owner in Trempealeau county, I see this as a huge opportunity for our area to promote jobs that will help benefit our energy issues in this country. Also, I believe in people's property rights. I know that

there are plenty of regulations that the mining company will have to comply with, and that it has been done safely for decades. Also, I am sure that the county and state will derive revenue from the mining company and property owner. Please help our local economy by considering all rezoning requests for the sand mining. Property owner/tax payer Kolve Valley Road - Chimney Rock and Arcadia, WI

Linda Danek –Email – Linda was present and stated that the Email did not need to be read.

Virginia and Joseph Seymour – Email - I am writing to let you know that we are opposed to the rezoning that would allow sand mining in Hale Township or anywhere in Trempealeau County.

Lien noted there was an attachment of the E-mail regarding the Department of Justice considering to pollution cases regarding mining.

Julie Schaller – Telephone Message – Julie used to teach in Trempealeau County. Julie is concerned about the sand mines and the destruction of the highways. Also silica is not good for the air that people breathe. The destruction will impact the air and tourism. Will people still want to see the area and the long term outcome of mining?

Lois Lawler – Telephone Message – Called to say that she is against mining because of the fumes from trucks and trains. Also, the constant trucking will ruin the roads. She thinks it should be stopped.

Kevin C. Seufzer –Email - As a landowner in Trempealeau County, I am opposed to the rezoning in the Town of Hale for Frac Sand Mining. This needs to be regulated at the County Level.

Gary Duggleby – Email- Duggleby was present and acknowledged that Lien did not need to read his email aloud.

Leah A. Scaramuzzo, MSN, RN-BC, AOCN. Associate Director of Nursing and Patient Education The Cancer Institute of New Jersey –Email - Unfortunately I'm unable to attend the land rezoning hearing this Wednesday, tomorrow, June 13th and am hoping this letter can be presented on my behalf. My husband Joe Scaramuzzo and I recently purchased a beautiful 40 acre piece of property in Trempealeau County, located on the Southeast ¼ of the Southwest ¼ of section 32 on Erikson Road in Strum, Wisconsin. As a native to the central New Jersey area, my life-long dream has been to move out of the most densely populated, traffic congested, highly polluted, over taxed state in the nation. With a passion for nature, the outdoors, and a better quality of life, our search landed us in Wisconsin. After two years of numerous trips from New Jersey to the western side of Wisconsin, looking at thousands of miles of land, walking through woods and fields, and meeting with realtors, we found our dream property in Strum. Personally, I fell in love with the pristine terrain and was quite impressed with the town's regulations to keep the land as such including a minimum acreage between each property owner's house and the restriction of trailers on one's property. Now our goal of building our new home and starting our new life on our newly acquired land has been halted by the proposed frac sand mining in this area. I'd like to share with you that I'm a registered nurse with over 21 years' experience in oncology. 13 of those years I've worked for The Cancer Institute of New Jersey, the state's only National Cancer Institute designated Cancer Center. In our Center, we have a special program investigating cancer clusters, not only in New Jersey, but throughout the United States. The Center's Epidemiology and Cancer Control Programs work to find not only behavioral, but environmental factors that contribute to diseases as well as cancer development. Although the sand mining companies and the Wisconsin Department of Natural Resources state that there are no health hazards if all regulations are implemented, years of research have not been completed in relation to exposure to silica sand, as data has not been collected and analyzed from all perspectives. In addition, this type of research not only takes decades, but also monies which are often lacking for disease/cancer prevention. Most of the research that has been published focuses on exposure of workers to silica sand, but few have focused on the environment surrounding silica dust particles including people living in that area as well as families of these workers. Note this statement on page 70 at the

conclusion of the Wisconsin Department of Natural Resources, Silica Sand Mining in Wisconsin, January 2012: As the number of sand mines and processing facilities increase, especially if clusters of these facilities begin to occur, the department may consider examining cumulative environmental impact. That culminating effect has not yet been studied! As an oncology nurse, what this brings to my mind is the similar effect of asbestosis and the development of mesothelioma, a deadly disease that I often see and treat many of our patients for. A cancer cluster was found in Mansville, New Jersey years after the operation was shut down that dealt with asbestosis. And not only were the workers developing mesothelioma, but their families; a direct result of the particles brought home on the workers' clothing that were touched/inhaled by others. It wasn't until years after that it was determined asbestosis was truly a carcinogen to OTHERS based on the evidence. Here is a link to more information about this event: <http://www.ewg.org/sites/asbestos/facts/fact1.php>

The facts of what we know today about crystalline silica are as follows:

1. According to the Department of Health and Human Services National Toxicology Program, crystalline silica is listed in the RoC (Reports on Carcinogens) as known to be human carcinogen since the 9th RoC (2000)
See this link: <http://ntp.niehs.nih.gov/index.cfm?objectid=BE4CB5F8-F1F6-975E-75CA5F7951957701>
2. After a thorough review of the literature in medical journals, several systematic reviews indicate a link to tuberculosis, lung diseases and cancer from exposure to silica sand. See the attached PDF: Lit Search Silica Sand. Note the highlighted areas of concern.
3. See the attached a meta-analysis review article of silicosis which concludes the hazards of silica sand. Again, although this information relates to workers in this area, what has NOT been studied and published is about those around the frac mine, who live, eat, and breathe contaminated air, food, and water. The lessons in asbestosis are quite relevant when thinking about approving mining plants in residential and agricultural areas!

I am not only writing this letter in opposition for mining in Trempealeau County in order to preserve this beautiful county, the water, crops, air, animals, and quality of life, but most importantly for human life. I hope we don't see the day where a cancer cluster or disease epidemic is on the map for this area as well. Please do consider the facts I provided and view the attachments when making your decision tomorrow. And I'm hoping that I can someday call Strum, Wisconsin my new home!

*Note: the attachments that Scaramuzzo refers to are on file in the Department of Land Management.

Bice called for any other public testimony. Lien stated he had received quite a few calls where people just wanted to give him their opinion, so he will state their name and their opinion.

Pete Fisher – Approves mining. **George and Mary Kuka** – Opposed. **Margie and Daniel Shepherd** – Opposed. **Julia Humphrey** – Opposed. **Debra Randall** – Opposed. **Ivan Wendell Turnipseed** – Opposed. **Bruce Frank** – Opposed. **Barb Bohr** – Opposed. **Harold Lindrebo** – Opposed. **Julie Hallam** – Opposed. **Bruce Howard** – Opposed. **Dean Rogstad** – Opposed. Michael Miller – Opposed. Wade Pittman – Approves. **Ruth Gilberston** – Opposed.

Lien read a letter from the Town of Hale Board which read the Town of Hale Board supports Alan Erickson for mining sand in the Town of Hale. The Town of Hale also allows Mr. Erickson to change his land from Residential to Ag for zoning per the Town of Hale Board as of March 13th, 2012, Please feel free to contact the Town of Hale Board if you have any questions or concerned, Signed Sherri Maug –Town of Hale Clerk.

Donna Oliver commented that she didn't think there was a single person from the township board here today. Their township which should have had this material to begin with, so they could have presented it in a different way. Oliver didn't feel it was an appropriate thing.

Chairman Bice closed the public hearing at 12:06 PM. Bice asked for a motion on this subject. Nelson stated he didn't understand what Lien had said earlier about the County Board petition. Lien responded that the petition that he received was not 100% complete. If they complete the petition (upon Lien's review and Corporation Counsel) and turn it back in, it would then go to County Board and a three quarter (3/4) majority approval would be required at the County Board level for this petition to pass. If there was not a 3/4 majority, this would fail. Lien noted this is a State Statute requirement. At this point Bice made a motion to deny this application for a zoning change, Nelson seconded. Bice commented that there is so much misinformation out there. Bice thinks that sand mines are something that is necessary and the people that want to mine their sand have a right to do that. In many situations it comes down to constitutional rights. In Bice's opinion constitutional rights pretty much weigh on the side of the landowners. The neighbors, the adjoining landowners do have a fair amount of input. As Chair of this Committee and many members on this Committee have struggled to determine whose rights need to be observed more carefully. It was very apparent to Bice, when seeing the information here and seeing the pink area that this is how it was laid out in the Smart Growth. The pink area is the Town of Hale and the Town of Hale very clearly said we want to be pretty much a residential area. So, while Bice would generally lean toward supporting this zoning change, Bice doesn't believe that the Town of Hale has addressed this properly (at least enough for Bice's position) based on the information that Bice has. Bice stated reclamation is something that is mandated by the Trempealeau County Ordinance. Bice is personally working very hard to make sure that when the mine life is done, it is reclaimed. Bice is making sure that they are properly opening up the mine and that they properly close it back up. Bice would like to think that when the mine is opened up and then reclaimed that we ensure that there is money set aside for that and that the land is very usable. One example is, down in Trempealeau, they took a cornfield and turned it into a golf course, many years ago. Basically people have built houses all the way around it thinking it is one of the nicest parts of the area, so reclaimed land can be a very valuable and something that contributes to the community. Bice added that a lot of these sand issues are a trade-off. Most people have come here today in a vehicle that uses some kind of energy and that is what this sand is about, so we do have to try and keep an open mind. Bice feels strongly that the area was set up as a residential area, it is very uniquely residential. Bice made his motion here, that if the Town of Hale wants to get together and come back and say we have no issue here, and they've researched it further, Bice would reconsider, but at this point he is in favor of denying. Bice elaborated on how hard the Committee works to be fair. Bice stated that he travels throughout the county and talks to a lot of people and 90% of the people he talks with are very pro-sand. Bice sees that the gas prices are dropping and some of the credit goes to sand. Again, Bice is a strong believer in people's property rights and the other landowners have rights, but there is no set formula for a good answer. Geske asked what the Erickson's need to do about the broiler/chicken barn that Erickson's are considering? Lien responded when one looks at the County Zoning Ordinance section 2.05 – Table of Uses, any agricultural expansion or new facility would require a Conditional Use Permit in R-8 zoning. That is why Lien went back to the Town of Hale, when they created their Land Use Plan, to make sure that is what they really wanted to do and they were absolutely alright with that. Discussion followed and it was determined that the chicken barn would not be prohibited; Erickson's would just need to apply for a Conditional Use Permit for the chicken barn.

A member of the public commented that Bice had talked about gas, etc. The public comment was that the County seems to be investing in the past and should be investing in cleaner energy and that type of stuff rather than ruining the County for some outdated type of energy. Brandt commented he would have been very happy to hear from the Town of Hale board here today. Bice stated there is a motion and a second on the floor to deny to zoning change application. Bice stated all those in favor say aye and opposed (in other words any one who wants to see this zoning change happen vote now). At this time Brandt asked for clarification from Corporation Counsel on the vote. Brandt questioned that a vote denying, was actually a vote for. Corporation Counsel Radtke agreed that it was mischaracterized; a vote "yes" is actually to deny. Normally one doesn't make a motion in a negative form, but in this case, since it is a denial, a denial recommendation now would go

to the County Board for approval of the denial so a denial motion is in order. Therefore voting yes to deny, denies and a vote “no” does not deny but it does not necessarily approve either. There needs to be an independent motion to approve for a “yes” vote to approve it. Brandt reiterated that in order for there to be an approval there has to be a motion to approve. Bice called for a roll call vote – with a “yes” vote being action to deny and a “no” vote is to not deny and the motion fails. Brandt clarified that if Bice’s motion is approved this will still be on the County Board agenda on Monday and this Committee will be sending a recommendation to the County Board to deny. Upon Quarne inquiry as to whether or not he was able to vote based upon the question of whether it was a sand issue or an ag issue, Corporation Counsel responded he would leave that in Quarne’s discretion as he could not advise him whether to vote or to abstain. Consensus in the room was that it was a rezone to agriculture. The roll call vote was as follows: Quarne – no, Vold –yes, Thompson – no, Nelson –yes, Brandt – yes, Geske – no, Bice – yes, motion to deny passed and the application will be recommended to the County Board to deny. Corporation Counsel discussed briefly the County Board procedures for Monday. Lien stated if the applicant wants to bring this back to this Committee, they can either wait six months to have a hearing re-heard or if the plan is modified or changed, they could come back again, but it has to be modified.

WLWCA Dues - Lien mentioned to the Committee that \$1,308.53 in dues are owed to the WLWCA. Bice made a motion to wait until next month after Lien and Bice have attended the meeting in LaCrosse before paying these dues, Vold seconded, motion carried unopposed.

Surveyor’s Report – Lien referred the Committee to copies of the Surveyor’s reports and bills in their packet. Nelson is working in Township 20 North, Range 8 W. Nelson made a motion to approve the surveyor’s reports and bills as presented, Thompson seconded, motion carried with no opposition.

Explanation of Board of Adjustment – No explanation was given as Low, who is the newest Committee member was not present.

Director’s Report – At this time, Corporation Counsel advised the Committee that perhaps they should summarize their reasons for the Erickson denial today so that the report could be submitted to County Board. The consensus of the Committee was that the Town of Hale current land use plan does not allow for the rezone. There was a great amount of opposition and the Committee also had concerns with the procedures at the town level.

Lien stated Obert Lundberg who has served on the Board of Adjustment for approximately 20 years will be given a recognition award at the next County Board meeting. It was agreed that Bice would be presenting the award to Lundberg.

Lien reported on a complaint on a property in Dodge. Lien went and looked at it initially and there were a couple of unlicensed vehicles. Because there was more garbage, Lien got the Health Dept. involved and they are working with the applicant to get the property cleaned up.

The Non-metallic Mining Advisory Committee has had two meeting so far and they are making progress. It is a very diverse group. Discussion followed on some of the meeting activities. Lien discussed a air flight of the area that he took recently and the sand plumes he observed as well as the sand spills he viewed in the area. A lengthy discuss took place on the sand spill issue.

Lien advised the Committee about a blast which took place at the Guza mine site which was quite large but still was under the measurements required under COM 7. A neighbor has reported damage to the foundation of his house. Lien had visited the site and felt that the cracks were fairly recent. Lien had discussed the matter with the Operator of the mine site and the Operator is working on the matter. Bice felt that the Committee should make sure that the operator’s are held accountable for any damages that occur. Geske agreed.

Lien stated the Soil Judging was held again this year to help further the goals of conservation with the youth.

Brandt noted that the NRCS representatives and a couple of the soil judging coaches came up to him and stated that they really appreciated that the County supports this as it makes a big difference for the youth and it gives them an opportunity for them to go to the State and national levels. It also gives them a perspective on their own landscape and some tools for later in life.

Gamroth commented that there were approximately 200 orders filled through the Tree & Shrub Program which equated to 14-15,000 trees/shrubs. The DLM continues to receive compliments on the program.

Lien stated the Town of Arcadia wants to redo their Land Use Plan at this time. Back in 2010 when the Committee had decided to set money aside for the planning, Mississippi River Regional Planning (MRRP) had estimated that the price would be \$2,000 per township so that was the amount budgeted. Now MRRP has stated the price will be \$2,200 per township. Lien wanted the Committee to be aware that when budget time comes he will be asking that more money be allotted for that price difference in the planning cost.

Next Regular Meeting Date – The next regular meeting date was set for Wednesday, July 11th, 2012 at 9:00 AM.

At 1:28 PM, Nelson made a motion to adjourn the meeting, Brandt seconded, meeting adjourned.

Respectfully submitted,
Virginette Gamroth, Recording Secretary

Michael Nelson, Secretary