

Minutes

Sawyer County Zoning and Conservation Committee

December 9, 2010

Committee Members Present: Jim Bassett, Bruce Paulsen, Warren Johnson, Fred Zietlow, Chuck Gunderson, Bernie Kadlec.

Others Present: Dan Tyrolt, LCO; Tom Artilla, DNR; Mike Koehler, NRCS; Mark Laustoup; Kris Mayberry, County Clerk; Dianne Ince, County Treasurer; Phil Nies, Town of Bass Lake; Len Eckerly, Town of Hunter; Dick Dewhurst, Town of Hayward; Dale Olson, ZAC Administrator; Cindy Yackley, Deputy Zoning Administrator; Terrell Boettcher, Sawyer County Record.

The meeting was called to order at 9:00 a.m. by Chairman Bassett.

Motion by Zietlow, second by Johnson to approve the agenda. Motion Carried.

Olson informed the Committee that he had received an e-mail from Dave Kafura regarding the ordinary high water mark of Round Lake and that Kafura asked that the November minutes be corrected to reflect that the ordinary high water mark is not 77.27 as listed in the minutes, but rather this figure is the upper range for any water level order that would be assumed to not have a change in the ordinary high water mark.

Johnson also had a correction on the Price Dam, (second page of minutes) indicating that it was Land and Water who put the automatic controls back on and not the town. Discussion held and it's determined that this issue will be tabled until Kafura arrives at the meeting to answer any questions the Committee may have.

County Treasurer – Review Bids of 2006 In-rem

Ince presented a hand out stating the county received only one bid. Sawyer County Abstract & Title Co. submitted a bid for \$25.00 per parcel with an estimated cost of \$6,000.00. She requested the bid be accepted and approved.

Motion by Bassett, Second by Gunderson to approve the bid. Motion Carried.

Mayberry asks that the descriptions be correct.

Audience Recognition

Phil Nies asked about the seepage lagoons that the tribe has and the permitting process. Discussion held on where these lagoons are and how maintained. Tyrolt answered any questions the members had.

Tiger Car Dam Failure Analysis

Olson reported that he hasn't heard anything yet from Bill Steurtevant from the DNR as far as the approval goes.

Placid Lake Diversion Canal

Olson reported that he has not officially heard from the DNR.

Proposed Ordinance Amendments – F-1(Special Use) & A-1 zone districts

Notices were sent to all the towns regarding the F-1 & A-1 amendments. Twelve towns reported back with approval. One town (Edgewater) denied stating they would like to have 30 days notice for applications on Special Uses. Round Lake also had additional comments.

Motion by Zietlow, Second by Bassett to hold a public hearing on the amendments. Public Hearing to be held December 17, 2010. Motion Carried.

Proposed Ordinance Amendment – Board of Appeals by-laws vs Zoning Ordinance

Olson reported that all towns were notified regarding this amendment. Thirteen towns approved. Motion by Bassett, Second by Johnson to hold a public hearing on this amendment. Public Hearing to be held on December 17, 2010. Motion Carried.

Price Dam

Olson reported one big wheel is off, the other is on. The automatic controller is off now for the winter months. Discussion was held on how the wheels run. Olson stated the wheel was fabricated by the welding shop on Hwy B and that the wheel that is off will be welded the exact same way as the wheel that is on at present. The water level was discussed and Johnson stated that as of December 1st the lake was way down below the license limit. He sent an e-mail and the same day someone came and closed the gates and unfortunately they were completely closed and there was no water in the river for 4 days and it took over 3 days for the water to get high enough so it flows through the spill way down to the lake. Johnson requested that another sub committee meeting will be held in the future.

Septic Ordinance

Olson reported that Eric has sent the proposed septic ordinance to all the towns and is waiting for town comments. Some comments have already come in and that the results of those comments could possibly be compiled by next month. A public hearing will be scheduled at a later date to adopt the new ordinance if approved.

NR115

Olson reported that the grant has been received and that the office has a year to work on the new rules. Phil Nies stated that the Sawyer County Lakes Forum has all the information and homework to do, and after the first of the year, he will have recommendations for the Committee.

New Business

Round Lake Lawsuit

Mayberry reported that things are mostly on hold waiting for the engineering. Paulson stated that the attorney and met with Mayberry. They visited all of the various sites and the attorney's advise was rather than the county engage SEH in the study that to preserve the client legal privileges that the attorney should engage SEH so the attorney has done that and the latest information received from the attorney is that SEH will have a draft report out within a two week period. Mayberry stated that by the January meeting the Committee should have something to review. If necessary, the agreement may need to be extended. The NN culvert issue was discussed. Gunderson stated that he would be willing to compose a draft of what the county wants and send it on to tribal council for their review and hopefully approval but the important thing is to work together. Tyrolt stated that this may be the chance for some wild rice restoration to improve the wild rice habitation especially in the adjacent culvert areas. Johnson requested that the minutes reflect that the county is willing to work with the tribe on identifying and implementing wild rice habitat improvement in coordination with the culvert replacement and that the Highway Committee should be made aware of this and that this is intend to be done at the time the culverts are replaced.

NRCS Business

Koehler reported that they are in the middle of sign-up for several programs. Sign up for the Environmental Quality Incentive Program and Cost Share Program with farmers goes to January 14th. Wildlife Habitat Incentive Program has very little activity. Sign up for the Conservation Stewardship Program is going on now through the 7th of January. These are 5 year contracts for farmers who are doing a good job that are willing to do a little bit extra and they get a payment, so much per acre. They just completed the review and payment process of the CSP contracts.

DNR Business

Kafura not present. Olson reported that he and Kafura reviewed all of the violations they have. On Osprey Lake, there is a grading violation in grading more than 10,000 square feet. DNR has cited the property owner. Tim is working with the owner of Wilderness Walk and an adjoining land owner and that should be completed next spring. Artilla reported that there will be a new administration the first of the year, with staff changes that will affect Sawyer County. Also, a number of staff will be retiring early next year so a heavy workload is anticipated for staff that is left. LTE's (limited time employees) will be filling some of the positions lost. The department will be having a conference call in the near future regarding EPA's consideration of listing Musky Bay as an impaired water.

LCO

Tyrolt reported he was gone most of November but some projects that were worked on were controlling the beavers and culverts that they have been having problems with. The project at Grindstone Springs has been completed. A couple dams have been removed from Blueberry Creek and the culvert on Blueberry Fire lane needs replacing. The wild rice conversion project at the cranberry marsh is being finished up. Fourteen acres will be kept in cranberry production the rest will be converted to wild rice. LCO has hired a consultant to develop a website for LCO Conservation and they are hoping that will be up and running within the next month or so. All the water sampling has been completed and most of the results have been received.

County Monthly Work Report

Olson passed around the permits report year to date as well as the department calendar. He also passed around an article with photo from the Sawyer County Record of the kids who participated in the speaking contest. Dale informed the Committee that he passed his POWTS test and is now able to inspect septic systems. He also mentioned that Eric, Jay and Kelly were at a continuing education class for soils and sanitation.

Crop Prices

Olson passed out a list of crop prices for corn, soybean and oats for 2010 from the Chicago Board of Trade. After reviewing the amounts from local farmers it was determined that the county would pay \$5.40 per bushel for corn, \$12.15 for soybean, and \$3.00 for oats. Corn silage at \$42.19 a ton, sunflower at \$16.99 and 3rd crop alfalfa at \$140.00. Motion made by Zietlow, Second by Bassett to approve those prices. Motion Carried.

Wildlife Damage APHIS Contracts

None

Cost Share Contracts

None

Verizon Wireless request to amend existing approve Conditional Use Permit

Olson reported that Verizon is requesting an amendment to their Conditional Use Permit from a 230 foot tower to 260 foot. Verizon stated that after reviewing it's coverage they determined that they would need additional height to ensure that it achieves comprehensive coverage between its surrounding site locations. It would eliminate a potential gap in coverage between the proposed site and its proposed neighboring Radisson site to the South that would occur at the approved 230 foot tower.

Discussion was held on a bond being required, as this application did not have a bond posted at the time of approval.

Motion by Johnson, Second by Paulsen approve the 260 foot tower height with the condition that a \$20,000.00 removal bond is posted with the county. The bond is to be used for removal of the tower should one year lapse during which the tower is not utilized. Motion Carried.

Monthly Expenditures

Motion by Gunderson, Second by Paulsen to approve the vouchers.

Motion Carried.

Adjournment

Motion by Zietlow, Second by Bassett to adjourn.

Motion Carried.

Minutes prepared by Cindy Yackley