



**Marathon County
Environmental Resources Committee Minutes
Tuesday, May 31, 2022
500 Forest Street, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn	X	} via in person, Webex or phone
<i>Vice-Chair</i>	Rick Seefeldt	X	
	Allen Drabek	X	
	Dave Oberbeck	X	
	Andrew Venzke	X	
	Tony Sherfinski	X	
	Kim Ungerer	X	
	Mike Ritter	X	
	Marilyn Bhend	X	
	Rodney Roskopf		X (excused)

Also present via Webex, phone or in person: Laurie Miskimins, Nicole DeLonay, Shad Harvey, and Kirstie Heidenreich– Conservation, Planning, and Zoning (CPZ); Dale Grosskurth - Health Department; Jamie Polley, Tom Lovlien – Parks Department; Lance Leonard – County Administrator; Dejan Adzic – Corporation Counsel; Kurt Gibbs, Bill Schrubba, Nancy Stencil, Matthew Leinbach, Daniel Barth, Brian Bretl, Brittanie Bretl, Ron James, and Gavin Borchardt.

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m.
2. **Pledge of Allegiance to the Flag**
3. **Public Comment** –
 - Nancy Stencil – Concerned about the test drilling & water quality
 - Daniel Barth – Water Quality concern in the possibility of mining and how it relates to our strategic plan
 - Bethany Brettell – Concerned neighbor regarding the water quality being impacted by the possible mine site
4. **Approval of May 3, 2022 Committee minutes**
Motion / second by Drabek / Venzke to approve of the May 3, 2022, Environmental Resources Committee minutes as distributed.
 Motion **carried** by voice vote, no dissent.
5. **Operational Functions required by Statute, Ordinance, or Resolution:**
 - A. **Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**
 1. Tim Vreeland on the behalf of Norbert Guden – G-A General Agriculture to R-R Rural Residential – Town of Frankfort

Discussion: Harvey was sworn in and noted the staff report and decision sheet had been included in the packet. Harvey reviewed the rezone request. The rezone request is related to the building of a single-family home. Harvey additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

The Town of Frankfort has not submitted a formal resolution of approval to the ERC Committee but have indicated via email and Town of Frankfort Town Board Minutes from May 9, 2022, that the Town does not have any concerns regarding this rezone.

Langenhahn questioned why the Town of Frankfort did not provide a resolution. Harvey stated the town was contacted and the Town of Frankfort did not feel they had any criteria that went against

May 31, 2022

the rezone request.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:25 p.m. Committee deliberated.

Sherfinski questioned if we could carry the approval contingent on the Town of Frankfort resolution to be submitted.

Bhend stated Towns need to pass a resolution to officially tell the ERC they approve of the rezone.

Laurie Miskimins was sworn in. Langenhahn and Miskimins discussed whether it could be approved with the stipulation that the Town of Frankfort provide an official resolution to affirm the support stated in their email and Town Board minutes. It was decided clarification from Corporation Counsel was needed first.

Langenhahn closed the hearing at 3:31pm to get clarification from Corporation Counsel regarding approving a rezone pending the approval of the Town of Frankfort's town resolution on June 13th. See minutes below (3:55pm) for continuation of Agenda item 5.A.1.

2. Gavin Borchardt on the behalf of K&B Storage LLC - L-I Light Industrial, to N-C Neighborhood Commercial – Town of McMillan

Discussion: Harvey noted the staff report and decision sheet had been included in the packet. Harvey reviewed the rezone request of Lot #1 shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Harvey additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

Harvey noted, The Town of McMillan has reviewed the application and recommends approval without any concerns.

Gavin Borchardt was sworn in and stated he is the owner of the property and explained the current use of property and why the rezone is necessary.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:40 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Seefeldt / Sherfinski to recommend approval to County Board, of the Gavin Borchardt on behalf of K&B Storage LLC rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet. Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

3. Matthew Leinbach - U-R Urban Residential and R-E Rural Estate, to R-R Rural Residential – Town of Spencer

Discussion: Harvey noted the staff report and decision sheet had been included in the packet. Harvey reviewed the rezone request of Lot #2 shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Harvey additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

The Town of Spencer has reviewed the application and recommends approval without any concerns.

Langenhahn questioned if the two designations will be rezoned to R-R Rural Residential and indicated the agenda only stated R-E Rural Estate to R-R Rural Residential.

Harvey indicated the agenda was a clerical error and should have state U-R Urban Residential and R-E Rural Estate, to R-R Rural Residential.

Langenhahn questioned if an act can be made based on the inaccurate information being on the agenda.

Dejan Adzic – Corporation Counsel was sworn in and stated usually we would not make an act on any item that was not on the agenda.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:54 p.m. Committee deliberated.

Action: Move this agenda item to a forthcoming month, for the Matthew Leinbach rezone request. The Committee determined the rezone to be inadequately represented in the agenda notice.

Follow through: Move the agenda item to a forthcoming ERC agenda.

Continuation of Agenda item 5.A.1: Tim Vreeland on the behalf of Norbert Guden – G-A General Agriculture to R-R Rural Residential – Town of Frankfort

3:55 PM Dejan Adzic from Corporation Counsel was present and stated the ERC Committee can place a conditional approval on the rezone, if they are not contrary to any State Statute, Federal Law or Zoning Ordinances.

Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Sherfinski/ Drabek to recommend approval to County Board contingent that the Town of Frankfort supply a town resolution stating their recommendation of approval, of the Norbert Guden rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet. Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting contingent that the Town of Frankfort resolution be submitted after their 06/13/2022 meeting, recommending approval of the rezone.

- B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.) – None.
- C. Review and Possible Recommendations to County Board for its Consideration – None.
- D. Review and Possible Action - None.

6. **Educational Presentations/Outcome Monitoring Reports and Committee Discussion**

A. Department Updates: Conservation, Planning and Zoning (CPZ)

1. MCDEVCO Loan Program

Discussion: Miskimins updated the Committee on the discussions with Administrator Leonard and MCDEVCO regarding the POWTS Loan Program. Changes are being suggested to make the loan more appealing and attainable. Changes will include allowing borrowers, if qualified, to seek the entire loan amount needed for the POWTS repair and expanding eligible income requirements to include homeowners that are in very low-, low-, and moderate-income levels. Bhend stated she believes the application fee should be lowered too.

Langenhahn discussed the history of the EIF Funds/ WI Fund and why the County created this loan program with MCDEVCO.

Administrator Leonard explained our goal behind the reasoning for the loan program.

Follow through: CPZ staff to continue to work with Administrator Leonard and MCDEVCO to create an updated Loan Program. CPZ hopes to have an updated loan program in place this summer.

2. Groundwater Planning Efforts 2023-2028

Discussion: Kirstie Heidenreich discussed the groundwater planning efforts. Marathon County has a groundwater plan in place but was last updated in 2001. The County is looking to update the plan over the next few years. The first step is to get more comprehensive, updated well data and seeking to do sampling across the County. Heidenreich showed visual maps of nitrates, atrazine, and risk of contamination areas throughout the County and provided data from the UW UniverCity Alliance studies. Heidenreich explained the County would propose to attempt to get 1000 wells sampled within 2023-2024, and get the UW Stevens Point Water and Environmental Analysis Lab to conduct testing of the samples. She would also like to see a Marathon County Groundwater Workgroup established (comprised of CPZ, the Health Department, and others) which will aid in meeting the County's Strategic Plan Objective of having potable drinking water for all residents. Heidenreich also discussed potential costs for the 1000 well testing project. CPZ has requested funding via the County's Capital Improvement Funds and plan on applying for American Rescue Plan Act (ARPA) funds if needed.

Dale Grosskurth (Health Department) explained in the Health Department's role in protecting County groundwater.

Ungerer & Bhend questioned who will be supplying the funding if a well is considered contaminated. CPZ explained the first steps are to understand the condition of our groundwater, and there will be a robust educational campaign following the well testing program, providing citizens information on the options available to remediate their well if needed.

Follow through: None at this time. CPZ will update the Environmental Resources Committee with schedule for sampling and plan development once funding is secured.

3. Fenwood Update

Discussion: Miskimins stated CPZ submitted the Fenwood Application for ARPA funding consideration in April. The ERC Committee provided a letter of support for this application. It is believed that CPZ will present on this request to the HR, Finance, and Property Committee in June or July. Heidenreich also noted she had reached out to State legislators and got some feedback about how to get funding request considered again in the next session.

Follow through: None, for informational purposes only.

4. Potential Updated to the 2018-2022 Strategic Plan

Discussion: Craig McEwen discussed the Strategic Plan and that it is 3-5-year outlook, scheduled to be updated at the end of 2022. He explained 12 objectives from the 2016 Comprehensive Plan were prioritized in the Strategic Plan. He discussed Objective 5.2 which is promote sound land use decision that conserve with economic development and growth and Objective 6.3 to protect and enhance the quantity and quality of potable groundwater and potable surface water supplies, both of which ERC is the champion. He discussed that the question before the Standing Committees now is whether the 12 objectives are still the priority, and if more time is needed to work on them given the pandemic. He also discussed the possible input of Objective 4.1 - promote a variety of safe and affordable house options that meet the needs of all community members and Objective 10.1 - ensure that every person has the opportunity for education and employment to be self-supporting. Which committee would champion these objectives would need to be determined.

Administrator Leonard asked the ERC to consider if the current Strategic Plan should be extended, possibly with some updated strategies and outcomes, and look at what other objectives should be added to the Strategic Plan as a whole. Leonard gave the history of the Comprehensive Plan and Strategic Plan, last adopted in 2016.

Kurt Gibbs reiterated to the Board to look at the Comprehensive Plan and bring ideas to next meeting.

Follow through: Continue discussion at next ERC meeting.

7. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration**

8. **Next meeting date, time & location and future agenda items:**

Tuesday, July 5, 2022, 2022 3:00 p.m. *Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI*

A. Committee members are asked to bring ideas for future discussion

1. Brine Application
2. PFAS

B. Announcements/Requests/Correspondence

1. Langenhahn announced he will be meeting with Green Light Metals Inc on June 17th and hopes to bring Green Light Metals Inc to meet in front of the ERC Committee soon.

9. **Adjourn – Motion** / second by Seefeldt/ Venzke to **adjourn** at 5:07p.m. Motion **carried** by voice vote, no dissent.

Laurie Miskimins, CPZ Director

For Jacob Langenhahn, Chair

cc: (via email/web site) ERC members; County Administrator; Corporation Counsel; County Clerk

LM/nd