



**Marathon County
Environmental Resources Committee Minutes
Tuesday, October 4, 2022
500 Forest Street, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn.....	X	
<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

Via in person,
Webex
Or phone

Also present via Webex, phone or in person: Laurie Miskimins, Nicole DeLonay, Shad Harvey, Garrett Pagel, Kirstie Heidenreich– Conservation, Planning, and Zoning (CPZ); Lance Leonhard – County Administrator, Mike Puerner – Corporation Counsel, Meleesa Johnson, David Hagenbucher, Eric Olson – Solid Waste; Kurt Gibbs, Jean Maszk, Bruce Grau, Ron James, Nancy Stencil, Dan Barth, Kathy Konte -Barth, Eric Rempala, Rieta Pachal, Christine Kot, Larry Lang, Dustin Vreeland, Daniel Schreiber

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** –

The following individuals spoke in opposition to metallic mining in the County, and/or expressed concerns for the impacts mining could have to the area and environment. They also referenced resolutions from the Ho-Chunk and Menominee Tribes and the Great Lakes Inter-Tribal Council, letters from the Wisconsin Resources Protection Council and the Oneida County Clean Waters Action, and petitions in opposition to metallic mining in the county.

- Bruce Grau – Wausau
- Ron James – Town of Evergreen
- Nancy Stencil – Town of Rib Mountain
- Dan Barth – Town of Knowlton
- Kathy Konte -Barth – Town of Knowlton

4. **Approval of August 30, 2022, Committee minutes**

Motion / second by Drabek/ Ungerer to approve of the August 30, 2022, Environmental Resources Committee minutes.

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. Don Sebastian - F-P Farmland Preservation to R-R Rural Residential – Town of McMillan

Discussion: Pagel was sworn in and noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel 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 McMillan has reviewed the application and recommends approval without any concerns or additional

October 4, 2022

comments. It was confirmed that the property is not currently being farmed.

Dustin Vreeland was sworn in and indicated he is present to answer any questions regarding 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 3:22 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 Don Sebastian 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 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.

2. Larry and Patricia Lang - G-A General Agriculture to R-R Rural Residential- Town of Spencer

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request described as lot 1 and 2 of the preliminary CSM. Pagel additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. Pagel noted, The Town of Spencer has reviewed the application and recommends approval without any concerns.

Larry Lang was sworn in and indicated he is present to answer any questions regarding 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 3:32 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Drabek/ Ritter to recommend approval to County Board, of the Larry & Patricia Lang 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. Daniel & Jennifer Schreiber - G-A General Agriculture to R-R Rural Residential (Lot 1) and G-A General Agriculture to R-E Rural Estate (Lot 2) - Town of Holton

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request of Lot #1 & Lot #2 shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel 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 Holton has reviewed the application and recommends approval without any concerns.

October 4, 2022

Dan Schreiber was sworn in and indicated he is present to answer any questions regarding 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 3:41 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 Schreiber 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.

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

- 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), Parks Recreation and Forestry (PRF), Solid Waste

1. Funding for the Groundwater Plan in 2023 (CPZ)

Discussion: Miskimins provided an updated on the funding. It was included in the tentative list that was adopted by County Board for the Capital Improvement Program but with the guidance that was given by County Board it is on the list but not identified for funding for 2023 at this time. Discussion was had for possible alternative strategies to get this project funded. Administrator Leonhard gave an update to the current ARPA funds.

Follow through: Alternative funding strategies will be discussed at future meetings. ERC's initial guidance to CPZ is to consider scaling back the project and look at putting in an ARPA request.

2. Potential Updates to General Code of Ordinances for Marathon County Chapter 17 – Zoning Code in 2023 (CPZ)

Discussion: Harvey brought forth some potential updates to the Marathon County Chapter 17 & Chapter 22 zoning codes. Harvey also gave a brief introduction about Land Division. Brief descriptions of potential updates CPZ would suggest were discussed. Harvey went through the timeline of gathering input from County Zoned Towns and bringing changes forth to the Towns and ERC for review, then to the ERC and County Board for adoption in early 2023.

Follow through: Future discussions will take place and forthcoming meetings.

3. User Fee Increase Considerations for 2023 (CPZ)

Discussion: Miskimins gave brief introduction on user fee increases that could be proposed in 2023. Miskimins gave a brief background of past CPZ user fee increases and what influences the need to ask for an increase in fees. Langenhahn suggested that CPZ present data to support the future increases at future meetings.

Follow through: Future discussions will take place at forthcoming meetings.

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

A. Review of Possible Metallic Mining Resolution to be submitted to the State of Wisconsin

Discussion: Maszk brought forward a Resolution created by several individuals, in opposition of the metallic mining within Marathon County. Discussion was had on the resolution, and it was indicated that this resolution would call for Statewide action, not just action in Marathon County.

Environmental Resources Committee Minutes

October 4, 2022

Supervisors discussed that Marathon County is unable to be more or less restrictive than the State. Supervisors discussed that resolutions are typically sent to the State when items are being debated, which is not being debated at this time. The suggestion was made to bring forward the resolution to a local State Legislator. Maszk mentioned this is the first step to making a difference to protect the natural resources and the resolution will be rewritten and taken through other avenues.

Follow through: Suggestion was made that the resolution be rewritten and discussed with other state entities to establish interest in bringing the issue up at a state level.

- B. **Motion/** second by Sherfinski/Drabek to go into closed session (roll call vote suggested) pursuant to §§ 19.85(1)(e) and (g) for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, to wit: discussion and strategy regarding potential legal or contractual action relative to Marathon County Solid Waste facility. Motion **carried** 8 “yes,” 0 “no,” roll call vote.
- C. Motion to Return to Open Session - **Motion/** second by Drabek/Venzke to return to open session. Motion **carried** by voice vote, no dissent (roll call vote not required).
- D. Announcements and/or Action Regarding Closed Session Discussion - None.

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

Tuesday, November 1, 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
- B. Announcements/Requests/Correspondence
 - 1. Miskimins shared the ERC Public Hearing dates for 2023, noting the July 4th meeting will be held on June 27th. Towns and public will be made aware of these dates later this year.

9. Adjourn – **Motion/ second by Seefeldt/Drabek to **adjourn** at 6:20 p.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