



**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, March 2, 2021  
210 River Drive, Wausau WI**

| <b>Attendance:</b> | <b><u>Member</u></b>  | <b><u>Present</u></b> | <b><u>Not present</u></b> |
|--------------------|-----------------------|-----------------------|---------------------------|
| <i>Chair</i>       | Jacob Langenhahn..... | X                     |                           |
| <i>Vice-Chair</i>  | Sara Guild.....       | X                     |                           |
|                    | Rick Seefeldt .....   | X                     |                           |
|                    | Bill Conway .....     | X                     |                           |
|                    | Allen Drabek .....    | X                     |                           |
|                    | Randy Fifrick.....    | X                     |                           |
|                    | Arnold Schlei .....   | X                     |                           |
|                    | Dave Oberbeck.....    | X                     |                           |
|                    | Marilyn Bhend .....   | X                     |                           |
|                    | Eric Vogel .....      | X                     |                           |

} via Webex or phone

Also present via Webex, phone or in Room 5: Paul Daigle, Dominique Swangstu, Lane Loveland, Jeff Pritchard, Andrew Lynch and Cindy Kraeger – Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF) Craig McEwen – County Board Vice-Chair; Jean Maszk – County Board Supervisor, Jason Hake – Deputy Administrator, Mark Kolbe and Tom Radenz.

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. via WEBEX.
2. **Public Comment** – None.
3. **Approval of February 2, 2021 Committee minutes**

**Motion** / second by Guild / Drabek to approve of the February 2, 2021 Environmental Resources Committee minutes as distributed.

Motion **carried** by voice vote, no dissent.

4. **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. Galen & Kathleen Schoepke – R-R Rural Residential to L-D-R Low Density Residential – Town of Plover

**Discussion:** Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 1.52 acres shown as Lot 2 of the Preliminary Certified Survey Map (CSM) submitted with the petition. A letter of Map Amendment (LOMA) was submitted and approved by the Federal Emergency Management Agency (FEMA) on 2/12/2021. Swangstu 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 Plover has reviewed the application and recommends approval without any concerns. Langenhahn discussed a phone call from Randy Gorski in regards to a general question regarding the septic system on the parcel and he was directed to the packet available on the website. Randy Gorski had no additional questions.

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 3:23 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

**Action:** **Motion** / second by Fifrick / Conway to recommend approval to County Board, of the Galen & Kathleen Schoepke rezone request. 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. 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. Re-open the public hearing on the Kocourek Properties LLC – F-P Farmland Preservation to L-D-R Low Density Residential – Town of Marathon

Discussion: Swangstu discussed the agent and applicant submitted a formal request to remove the Kocourek rezone from the County Board agenda this month so it may go back to the ERC for additional consideration and discussion. Swangstu discussed the changes to the original staff report with the committee and provided reasoning to the committee why they could not recommend approval of the original rezone petition due to the town's resolution of denial. At the last ERC meeting on February 2, 2021 the ERC and staff recommended approval of the rezone in question to the County Board as submitted, yet should have either recommended approval with change or denial based on the town resolution. The Town of Marathon filed a certified resolution disapproving the proposed amendment prior to the public hearing therefore, the agency may not recommend approval of the petition without change, but may only recommend approval with change or recommend disapproval. Staff reviewed where the petition was in the process given it was pulled from the County Board agenda and was not acted upon by the full board. The petition was pulled from the County Board agenda as requested by the applicant and agent to allow for more time for the county, town, and applicant to discuss options and come up with a proposal that the town would approve and/or not veto.

Therefore, while taking into consideration Wis. Stat., 59.69(5)(e)(3), CPZ staff recommend that the Environmental Resources Committee either recommend Approval with Change to the Marathon County Board of Supervisors or Postpone the determination until the applicant and town have time to discuss available alternatives and options. A change in the zoning district, parcel size, parcel configuration, etc. could constitute a "Change" which could be included in a motion to recommend Approval with Change.

Action: **Motion** / second by Fifrick / Seefeldt to postpone the Kocourek Properties LLC rezone until the next scheduled ERC meeting date.

Committee members questioned who pulled the application from County Board. Swangstu discussed CPZ received a written request from the agent and applicant to withdraw the rezone from the County Board agenda. It is the goal of the applicant and agent to work with the Town of Marathon to reach a common ground through additional discussion or alternate options.

Loveland was sworn in and discussion occurred regarding the safest way to take action on the rezone. Daigle conferred with Corporation Counsel and it was determined to re-open the public hearing; take public testimony and to take action.

Action: Motion was **withdrawn** by Fifrick to postpone the Kocourek Properties LLC rezone until the next scheduled ERC meeting date.

Discussion: Mark Kolbe was sworn in and is in opposition of the rezone. Kolbe thought the rezone should be dropped and reapplied and brought back to the Town level. Kolbe is concerned about the timeframe of the next ERC meeting date on March 30 and the Town having enough time to review the rezone.

Chair Langenhahn asked Kolbe about why the rezone is not consistent with the Town Comprehensive Plan. Kolbe discussed the other options available and have they been addressed. The applicant owns several other parcels in the Town of Marathon and asked if the applicant can adjust the parcel which would create two parcels. The area of this property is a unique area – located by Nine Mile Recreation area which could have problems with no access to the back and limits access points at a later date to the back forties which creates a unique situation in the future. Fifrick questioned the status of the application. Swangstu indicated the petition, at the applicants request, was pulled from County Board to be placed back on the ERC agenda for reconsideration and reopening. Daigle stated additional testimony was provided today and based on Corporation Counsel's recommendation to postpone the Kocourek Properties LLC rezone until the time is right to be placed on a future ERC committee meeting in which the Town has adequate input into any postponed meeting. Fifrick questioned any time limits with this rezone. Swangstu responded there appears to be no time limits regarding the postponing of the rezone and committee action.

Loveland stated CPZ is following the wishes of the applicant to postpone to a later ERC meeting date in which the applicant feel it is the correct time to place on the agenda at a later date.

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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 4:01p.m.

Action: **Motion** / second by Fifrick / Vogel to postpone the public hearing of the Kocourek Properties LLC rezone request to a future meeting date when the applicant brings forward an amended application.

Motion **carried** by voice vote, no dissent.

Follow through: CPZ staff, the applicant and the Town of Marathon will work together to discuss alternative options, possible solutions, and potential changes to the rezone in question.

3. Re-open the public hearing on text amendments changes to the General Code of Ordinance for Marathon County Chapter 22 Shoreland, Shoreland-Wetlands & Floodplain Ordinance

<https://bit.ly/35z5YAm>

Discussion: Swangstu was sworn in and stated new information was recently received from the WI DNR to be incorporated into the ordinance. A vast majority of the ordinance is complete but more changes need to be incorporated into the ordinance.

Loveland stated there has been a lot of transition at the DNR level. Staff has been notified of the new Floodplain Coordinator and will be working with them to incorporate the policy changes in the ordinance.

There was no additional testimony in favor or opposed to the text amendment revisions to the General Code of Ordinance for Marathon County Chapter 22 Shoreland, Shoreland-Wetlands & Floodplain Ordinance. Testimony portion of the hearing was closed at 4:10 p.m.

Action: **Motion** / second by Fifrick / Conway to postpone the public hearing of the text amendments changes to the General Code of Ordinance for Marathon County Chapter 22 Shoreland, Shoreland-Wetlands & Floodplain Ordinance to a future ERC meeting date until the staff has time to complete their due diligence.

Motion **carried** by voice vote, no dissent.

Follow through: CPZ staff to bring back to Committee when text amendments are completed.

- 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.

### 5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

A. Strategic Plan Annual Update – ERC responsibilities and report – McEwen/County Staff

Discussion: McEwen reviewed the successes of the Committee/CPZ staff/Solid Waste/Park Recreation and Forestry achieved in 2020 the objectives of the Strategic Plan 5.2 and 6.3 was included in the meeting packet. Daigle highlighted the events completed in the last year. The Land and Water Resource Management Plan and the update to the Chapter 17 Zoning Code being approved at County Board in February 2021.

Pritchard discussed Objective 6.3 and the proposed project to reduce road salt use through the UniverCity program.

Daigle discussed the Groundwater Planning status in regards to the Strategic Goal completion by December 31, 2022. CPZ staff has engaged with Central Wisconsin Groundwater Center at UW-Stevens Point as well as research Groundwater Plans in other counties within Wisconsin.

Pritchard discussed the ways to approach the Groundwater plan with the deliverables that was included in the meeting packet. Pritchard asked the Committee to review the spreadsheet. The Health Department who is partnering with CPZ has been extremely busy with the pandemic therefore it is unrealistic if this will be completed December 31, 2022. Need to determine what type of Groundwater Plan does the County want to see

Follow through: McEwen asked ERC to review/complete the following questions at the next regularly scheduled meeting regarding the Strategic Plan:

- What was done or accomplished in 2020 by this Committee relating to the implementation of

the Strategic Plan?

- What are your plans in 2021 relating to the implementation of Strategic plan?
- Does your committee understand their role in implementing the Strategic Plan?

B. Department Updates: Parks Recreation and Forestry (PRF), Conservation Planning and Zoning (CPZ), Solid Waste

PRF

1. 2020 County Forest Division Annual Report

Discussion: Lovlien discussed some of the program highlights including revenue and expenses, timber management, road and trail maintenance, wildlife management, recreation, public outreach and professional development.

Action: None needed.

Follow through: The report will be distributed to the full County Board and regular plan holders according to the County Forest Comprehensive Land Use Plan.

2. Great Lakes Timber Professional Association Article on County Forest Recreation

Discussion: Lovlien discussed the article that was included in the meeting packet on the strong timber program and strong recreation program at Nine Mile. Lovlien thanked Karyn Powers for writing the article.

Action: None needed.

Follow through: None.

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

A. Legislative and Budget Report: current and future legislative initiatives

Discussion: Fifrick will reach out to Solid Waste regarding the legislation that was denied on the Environmental Repair Fund during the previous legislative initiative.

Langenhahn stated the budget summary was included in the packet today, but it will look completely different than what is being viewed now.

1. Parks, Recreation and Forestry (PRF)

Discussion: Polley discussed the current and future legislative items in the Governor's budget proposal related to PRF that were included in the meeting packet. These items will be monitored for County Board support or action.

2. Conservation Planning and Zoning (CPZ)

Discussion: Daigle discussed the items related to CPZ. Daigle is looking for support from the Committee to request staff to work with Chair Gibbs to send letters of support related to the items shared at the meeting.

3. Solid Waste – no report

**Motion** / second by Conway / Fifrick to request staff to work with Chair Gibbs on the letters of support for the following: increases in funding for Soil and Water Resource Management bond increases, county conservation staff, funding the Wisconsin Fund for failing septic systems, Grants to coordinate local grazing, funding for the Producer Led Watershed Grant program, funding for Conservation Planning, funding for Geographic Information System grants, changes to the Farmland Preservation Program and any future legislation actions that are consistent with established past county board actions, plans and ordinances.

Motion **carried** by voice vote, no dissent.

Follow through: Letters of support will be sent to the Governor, Joint Finance Committee, legislators/committee's who sponsor legislation/budget initiatives consistent with established Marathon County Plans and ordinance. Copies will also be forwarded to the Committee.

B. Wisconsin Land and Water Conservation Association Legislative Priorities Discussion

Discussion: Langenhahn brought up for discussion county staff involved in statewide associations and possible policies by state associations that may conflict with county policy as a part of WLWCA but to be broader as well. CPZ staff along with PRF staff discussed their roles in these associations. When proposed policies are ripe for discussion they will be brought back to standing committees for

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discussion and possible action. If staff are publicly supporting an association position, they are to follow county policy to be sure to identify that they are representing an association and not the county if they take a position on some statewide policy/legislative change.

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

**Tuesday, March 30, 2021 3:00 p.m. 212 River Drive Room 5 Wausau WI**

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

1. Strategic Plan discussion questions:

What was accomplished in 2020 by this Committee relating to the implementation of the strategic plan

What are the plans in 2021 relating to the implementation of strategic plan goals

Does the committee understand the role in implementing these goals

B. Announcements/Requests/Correspondence

8. **Adjourn – Motion** / second by Seefeldt / Conway to **adjourn** at 5:12 p.m. Motion **carried** by voice vote, no dissent.

Paul Daigle, Land and Water Program Director

For Jacob Langenhahn, Chair

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

PD/cek