

Chippewa County Land Conservation  
Committee Meeting  
May 19, 2010

The meeting was called to order by the Chair, M. Holte, at approximately 8:00 a.m. Members present were C. Cronquest, M. Goettl, M. Holte, R. Pecha, E. Rineck, K. Schmitt, and L. Willkom.

Agency staff present at times throughout the meeting were M. Dahlby, D. Masterpole, D. Nashold, J.T. Jensen, R. Yohnk, and J. Schemenauer – Recorder, (LCD).

**Item #1 – Approve Minutes. Review Summary of Conservation Plans/Contracts/Agreements.**

The minutes of the 5/4/10 LCC meeting were presented. Motion to approve the 5/4/10 minutes: Pecha/Goettl. Motion carried.

There were no plans or contracts presented.

**Item #2 – Consider Conceptual Points of Agreement to Renew and Revise Chapter 66.03 Intermunicipal Storm Water Agreement Between Chippewa County and Eau Claire County.**

D. Nashold introduced and the Committee reviewed a handout titled: Conceptual Points of Agreement to Renew and Revise Chapter 66.03 Intermunicipal Storm Water Agreement, (LCFM 5/19/10). The handout explains the purpose of the storm water agreement and outlines revisions to an existing agreement between Eau Claire, Chippewa County, and other municipalities that participate in the “Chippewa Valley Storm Water Forum”. A summary of core content is as follows:

- Purpose: The agreement provides the framework for a coordinated storm water education program in the Chippewa Valley.

- The revised agreement builds on the ongoing framework and provides the institutional and financial basis for ongoing program delivery.

- Structure:

- Two primary signators: Eau Claire Co. and Chippewa Co.
- Additional signators: Municipalities and other public holders of storm water permits (WPDES) in the Chippewa Valley.
- Program delivery through the Chippewa Valley Storm Water Forum (CVSWF).

- Responsibilities:

Eau Claire County

- Manage awarded grants.
- Provide oversight and guidance to contracted individuals or firms.
- Maintain records of expenses and reimbursements.
- Fully participate in functions of the CVSWF as a whole.

Chippewa County

- Draft annual budgets and activity schedules for the CVSWF.
- Assist in providing oversight and guidance to contracted individuals or firms.
- Provide input and assistance in management of awarded grants.
- Fully participate in functions of the CVSWF as a whole.

### Chippewa Valley Storm Water Forum

- Develop institutional arrangements to implement educational efforts.
- Conduct specific public educational and outreach efforts.
- Conduct educational tours of storm water Best Management Practices.
- Conduct workshops or training sessions for municipal officials, agency staff, and developers.
- Pursue grant opportunities.

- Anticipated Timetable: primary signators, 2<sup>nd</sup> quarter of 2010.

There was general discussion. Discussion focused on:

1. The purpose of the Chippewa Valley Storm Water Forum (CVSWF), and the status of educational program delivery.
2. The updated roles and responsibilities, as outlined in the revised agenda.
3. The costs and benefits of participating in a regional cooperative effort.

Motion to accept the points of agreement, as outlined in the Conceptual Points of Agreement to Renew and Revise Chapter 66.03 Intermunicipal Storm Water Agreement, (LCFM 5/19/10), and to authorize staff to complete the revision of the Chapter 66.03 Intermunicipal Storm Water Agreement: Willkom/Schmitt. Motion carried.

### **Item #3 – Introduce Changes to Chippewa County Non-Metallic Mining Reclamation Ordinance to Address Solid Waste Management Concerns at Permitted Facilities.**

D. Masterpole introduced and the Committee reviewed the following materials:

1. Report Summarizing Scope of Management and Ordinance Changes to Address Solid Waste Disposal and Recycling Issues at Non-Metallic Mine Sites in Chippewa County, (LCD 5/20/09). The report:
  - Provides a summary of management issues as they apply to non-metallic mining sites and the use of those sites for solid waste disposal, refuse processing, and recycling.
  - Outlines the charge of an ad hoc advisory committee of industry stakeholders and citizen representatives, formed in February, 2009, to identify issues of concern and management guidelines that will better define acceptable waste management and recycling activities, and improve ordinance compliance at non-metallic mine sites.
  - Outlines concepts that are recommended as a basis for improvement.
  - Recommends the next steps to be used to advance changes in the Chippewa County Non-Metallic Mining Reclamation Ordinance, the Chippewa County Litter Ordinance, and the Chippewa County Recycling Ordinance.
2. Working Draft of Non-Metallic Mining Reclamation Ordinance Changes to Address Solid Waste Management Concerns, (LCFM 5/13/10). The working draft outlines changes to the Chippewa County Non-Metallic Mining Reclamation Ordinance, as recommended by the ad hoc advisory committee.

There was general discussion. Discussion focused on:

1. The draft ordinance changes as proposed, including the concepts of site registration and prohibited uses.
2. Current penalties and enforcement authority, as established under Section 30.58 of the ordinance, and the concept of using “stepped enforcement” to achieve compliance when violations occur.

Motion to:

1. Accept the Working Draft of Non-Metallic Mining Reclamation Ordinance Changes to Address Solid Waste Management Concerns, (LCFM 5/13/10), with minor language changes, and
2. Direct staff to work with Corporation Counsel to establish a “stepped enforcement” procedure to be administered under Sec. 30.58, and
3. Schedule a public hearing to receive public comment regarding proposed changes to the Chippewa County Non-Metallic Mining Reclamation Ordinance:

Schmitt/Pecha. Motion carried.

**Item #4 – Consider Opportunity to Use the Value of the Donated Peterlik Property (T30N, R7W, Section 35) Towards Acquisition of Land in the County Forest Blocking Boundary.**

M. Dahlby distributed and the Committee reviewed a staff report titled: Consideration of Opportunity to Utilize the Fair Market Value of the Paul & Lillian Peterlik Wildlife Area as a Local Match for a State Grant to Acquire Land in Sec. 1, T31N, R8W, for Addition to the County Forest, (LCFM 5/18/10). The report outlines the opportunity to utilize the Paul & Lillian Peterlik Wildlife Area as follows:

**Background**

•On 6/22/09, Paul J. Peterlik donated 160 acres, located in Sec. 35, T30N, R7W, for the purpose of establishing a permanent conservation area for public use to be named the Paul & Lillian Peterlik Wildlife Area (PWA).

•On 7/15/09, the LCC considered management options for the PWA and authorized staff to acquire a full narrative appraisal of the property as a basis for further evaluation.

**Status**

•A full narrative appraisal report was obtained. The value of the PWA, as certified by the DNR is \$287,000. The DNR has confirmed that the donation of the PWA provides approximately \$143,000 in grant credit.

•The Land, Forest, and Parks Committee has acquired an Option to Purchase approximately 115 acres in Sec. 1, T31N, R8W from J. & C. Nohr and has proposed a project budget which utilizes the grant credit resulting from the PWA.

**Current Issue**

•Should the LCC agree to the use of the grant credit from the PWA towards the Nohr acquisition?

## **Future Issue**

- Does the County want to own the PWA or convey to another management entity?

### Advantages of using the PWA grant credit towards the Nohr Property:

1. There is no assurance there will be an opportunity to acquire a similar property within the 3 year window of credit (PWA and Nohr have similar recreational and environmental values).
2. There is no assurance that the State will have money to match the PWA grant credit in the future.
3. Without use of PWA grant credit, the County may not be able to afford the Nohr property.
4. Acquisition of the Nohr property implements a state objective of the 2009 Chippewa County Land & Water Resource Management Plan.

### Disadvantage of using the PWA grant credit towards the Nohr Property:

1. The entire PWA grant credit would be utilized to acquire the Nohr property, and would, therefore, not be available to apply towards another acquisition.
2. The PWA will be encumbered by the DNR Grant Contract for the Nohr Acquisition.

There was general discussion. Discussion focused on:

1. Resolution #46-09, (11/10/09), that has authorized the LCC to use the appraised value of the Peterlik property as the County's matching grant contribution toward a future conservation and public recreational land acquisition.
2. Use of the Chippewa County Quality of Life fund, and other funding sources, to help finance the Nohr acquisition.

Motion to:

1. Authorize the use of the PWA as local match for a State grant to acquire land from J. & C. Nohr in Sec. 1, T31N, R8W, for addition to the County Forest, and
2. Convey this recommendation to the County Land, Forest, and Parks Committee for their consideration and concurrence:

Goettl/Rineck. Motion carried.

M. Goettl left the meeting at 8:50 a.m.

## **Item #5 – Review 2010 Annual Work Plan; Consider Policy Schedule for Committee Work.**

D. Masterpole distributed and the Committee reviewed a table from the Chippewa County Land and Water Resource Management Plan (8/09) titled: Schedule of Activities to Implement LWRM Plan. The table outlines the major program goals and objectives, and establishes a schedule of activities to pursue those objectives under the following program areas:

- Energy Conservation & Waste Reduction
- Land Conservation and Sustainability
- Water Conservation
- Nonpoint Source Water Pollution Control
- Planning and Environmental Regulation

There was general discussion. Discussion focused on:

1. The projects and activities that have been planned under each category.
2. The specific activities that have been scheduled for completion in 2010.

**Item #6 – Review Wis. Stats., Chapter 92.07, Land Conservation Committee Powers.**

J.T. Jensen distributed and the Committee reviewed Wis. Stats., 92.

Committee discussion focused on the statutory powers of the Land Conservation Committee, as enumerated under Wis. Stats. 92.07.

**Item #7 – Committee Communication.**

Staff reported that the West Central Area Land and Water Conservation Association (WCLWCA) summer tour will be held on 6/17/10, to be hosted by Eau Claire County. If interested in attending, members were asked to contact J. Schemenauer.

**Item #7- Public Wishing to be Heard.**

There was no public wishing to be heard.

The next regularly scheduled LCC meeting is set for 6/16/10 at 8:00 a.m.

Motion to adjourn: Rineck/Pecha. Motion carried.

The meeting was adjourned at approximately at 10:10 a.m.