

MINUTES

The Iron County Comprehensive Planning/Land & Zoning Committee met at the Courthouse on Tuesday, August 16, 2011. The meeting was called to order at 3:00 p.m. by Chairman Kichak. Proper publication of the meeting was established.

Present: Committee Members Kichak, Lambert, Innes, Luke & Smith. Also present Zoning Admn Tom Bergman & Corp Counsel Michael Pope.

Motion by Luke/Innes to approve the minutes from the 7/12/11 meeting; carried 5-0.

Conditional Use Hearing – Clifford Dibelius – Allow the construction of a 30' x 50' accessory building on Lot 9, County Plat of Parkside Heights, located in Sec. 25, T43N, R3E, Town of Mercer. The Mercer Town Board denied this application. Motion by Lambert/Innes to deny; carried 5-0.

Conditional Use Hearing – James Blum – Allow the construction of a 30' x 40' accessory building on lands located in part of Gov't Lot 3, Sec. 28, T42N, R2E, Town of Mercer. Town Board approval was received with the condition that the building not be used for a commercial business or for human habitation without proper permitting and inspection. Motion by Lambert/Luke to approve, with the Town of Mercer conditions; carried 5-0.

Conditional Use Hearing – Iron County – Allow the construction of a communication tower on lands located in part of the West ½ of the SE1/4, Sec. 9, T42N, R3E, Town of Mercer. Town Board approval was received. Motion by Innes/Smith to approve; carried 5-0.

Rezone Hearing – Dan & Sharon Ofstad - Rezone from an F-1 (Forestry) District to an RR-1 (Residential Recreation) District, part of the SW-NW, Sec. 18, T47N, R1E, Town of Saxon, to bring an existing residence into compliance with the proper zoning district. Town Board approval was received. Motion by Smith/Innes to approve; carried 5-0.

Pitlik & Wick Request – Correspondence was received from Pitlik & Wick requesting that the Zoning Committee rescind the motion made at the 7/12/11 meeting regarding the conditional use hearing application to operate a non-metallic mining pit in the Town of Sherman (please see minutes from the 7/12/11 meeting, attached). Corporation Counsel Michael Pope advised the Committee that they should not have taken action (denied) on the application submitted by Pitlik & Wick, because the applicant had withdrawn their application. Gerald Luke had several questions for Corp Counsel Pope, which Corp Counsel Pope advised the Committee that if at any time in the future, Pitlik & Wick came in with the same request for a conditional use permit on this property, they would have to start the process all over again. Corp Counsel stated that at the present time, there is no provision contained in the county ordinance which puts a time limit on when they can reapply, or when an application can be withdrawn. The Committee agreed that both these items should be implemented in the ordinance to address these situations. Following a lengthy discussion, Gerald Luke made a motion to rescind his original motion from the 7/12/11 Zoning Meeting to deny the application of Pitlik & Wick for a conditional use permit to operate a non-metallic mining pit in the Town of Sherman, based on legal counsel advice; support by Innes; a roll call vote was taken to rescind the motion of the 7/12/11 meeting, making the application of Pitlik and Wick null and void; Smith – yes; Luke – yes; Innes – yes; Lambert – yes; Kichak – yes.

Public Comment – Jim Lambert stated that he didn't appreciate the comments about Zoning Administrator Bergman contained in a letter submitted by a group of residents of the Town of Sherman. Lambert stated that Bergman is only doing his job, and he has done nothing but try to help the residents of the Town of Sherman. Joe Morman requested that all meeting notices be posted on the county website. Ms. McComas stated that the Zoning Meeting and the motion made regarding Pitlik & Wick were in violation of Robert's Rules of Order. Iron County Corporation Counsel Michael Pope stated that he disagreed with Ms. McComas, and the meeting and action taken by the Committee were not in violation of Robert's Rules of Order, and done under his advisement. Gerald Luke stated that it is his opinion that Pitlik & Wick is a very reliable company.

Bills – Motion by Innes/Smith to pay the bills; carried 5-0.

Next Meeting Date – Tuesday, September 20, 2011 at 3:00 p.m.

Motion by Lambert/Smith to adjourn; carried 5-0.