

## MINUTES

The Iron County Comprehensive Planning/Land and Zoning Committee met at the Courthouse on Tuesday October 21, 2014. The meeting was called to order at 3:00pm by Chairman Kichak. Proper publication of the meeting was established.

Committee members present: Jim Kichak, Brad Matson, George Nasi, Vic Ouimette, and John Smith. Also present was Zoning Admn Bergman and Joe Pinardi County Board Chairman.

Motion by Matson/Nasi to approve the minutes from 9/16/2014; carried 5-0.

Conditional Use Hearing – Greg and Lianne Dunham – Allow the construction of a 48' x 26' accessory building in an RR-1 (Residential Recreation) zoned District located in part of the NE ¼ of the NE ¼, Sec. 29, T41N, R3E, Town of Sherman, Lot 4 of CSM 95 (site address is 4161W Hanks Road). Town approval was received. Motion to approve by Matson/Smith; carried 5-0.

Conditional Use Hearing – Terrance Peters – Allow the operation of a non-metallic mine site in an F-1 (Forestry) zoned District located in part of the SE ¼ of the NE ¼, Sec. 7, T46N, R1W, Town of Saxon, (site address is Hwy 122). Town approval was received with the following condition: the hours of operation are limited to 7am to 5pm Monday through Friday and 7am to 12pm Saturday, only extendable by Town Board approval. Bergman also suggested the committee add the condition of receiving all state permits required. Motion to approve with conditions by Nasi/Matson; carried 5-0.

Conditional Use Hearing – Leo Zalaznik – Allow the construction of a 40' x 36' accessory building in an RR-1 (Residential Recreation) zoned District located in part of GV Lot 3, Sec. 30, T44N, R4E, Town of Oma, (site address is 7785N Quill Point Road). Town approval was received. Motion to approve by Ouimette/Smith; carried 5-0.

Conditional Use Hearing – Todd and Sheri Schlitt – Allow the operation of a tourist rooming house in an RR-1 (Residential Recreation) zoned District located in part of the NE ¼ of the NW ¼, Sec. 22, T41N, R3E, Town of Sherman, (site address is 3511W Hwy 182). Town approval was received. Motion to approve by Matson/Smith; carried 5-0.

Conditional Use Hearing – Greg Geiszler – Allow the construction of a 56' x 42' accessory building in an RR-1 (Residential Recreation) zoned District located in part of GV Lot 2 and part of the SW ¼ of the NE ¼, Sec. 16, T42N, R3E, Town of Mercer, (site address is just north of the Popko Circle East and Wilson Lake Road intersection). No public comment. Town board approval was received. Motion to approve by Nasi/Ouimette; carried 5-0.

Conditional Use Hearing – Charles Lurquin – Allow the construction of a 28' x 20' seasonal residence in an F-1 (Forestry) zoned District located in part of the SE ¼ of the SW ¼, Sec. 20, T46N, R2E, Town of Kimball, (site address is easement from Hoyt Road). No public comment. Town approval was received with the following conditions: A fire number must be approved prior to building, a copy of the recorded easement from Hoyt Road to the property building site/property line by the grantor of the easement. This copy must be given to the Town, the roadway to the property must be to the Town of Kimball driveway ordinance. Failure to comply with this ordinance may cause the Town's inability to provide fire service protection to the building(s). Motion to approve with conditions from the town by Matson/Smith; carried 5-0.

Conditional Use Hearing – Joseph Osterman – Allow the construction of a 60' x 48' accessory building in an R-1 (Residential) zoned District located in part of the NW ¼ of the NW ¼, Lot 3 of CSM 214, Sec. 12, T45N, R1E, Town of Knight, (site address is 11639N Perrero Road). No public comment. Town approval was received. Motion to approve by Nasi/Smith; carried 5-0.

Conditional Use Hearing – John Bestler and Cheri Little – allow the construction of a 80' x 45' accessory building in an RR-1 (Residential Recreation) zoned District, located in part of GV Lot 1, Sec. 3, T42N, R3E, Lot 2 of CSM 365, Town of Mercer, (site address is 4819N Little Pike Lake Road). No public comment. Town approval was not received. Motion to table until town approval is received by Matson/Smith; carried 5-0.

Rezone Hearing – Dean Bettinger – Rezone from an F-1 (Forestry) zoned District to an R-3 (Rural Residential) zoned District, part of the SW ¼ of the NE ¼, Sec. 21, T46N, R2E, Town of Kimball, to bring the property into zoning compliance. Site address is access by easement on grade from Defer Road. Town approval was received. Motion to approve by Nasi/Ouimette; carried 5-0.

Rezone Hearing – Linda Thompson – Rezone from an F-1 (Forestry) District to an RR-1 (Residential Recreation) District, part of the SW ¼ of the SE ¼, and part of the SE ¼ of the SE ¼, Sec. 33, T42N, R2E, Town of Mercer, to bring the property into zoning compliance. Site address is 2550N Koshak Road. No public comment. Town approval was not received. Motion to table until town approval is received by Ouimette/Matson; carried 5-0.

Rezone Hearing – Frederick Hilgart – Rezone from an F-1 (Forestry) District to an R-3 (Rural Residential) District, part of the SW ¼ of the NW ¼, Sec. 8, T46N, R1E, Town of Saxon, to bring the property into zoning compliance. Site address is 9298W Old 10 Road. No public comment. Town approval was received. Motion to approve by Matson/Ouimette; carried 5-0.

Rezone Hearing – Bryan and Lynn O'Leary – Rezone from an F-1 (Forestry) District to an R-3 (Rural Residential) District, part of the SE ¼ of the SW ¼, Sec. 27, T44N, R3E, Town of Oma, to bring the property into zoning compliance. (Site address is 3656W County Highway G). No public comment. Town approval was received. Motion to approve by Nasi/Matson; carried 5-0.

Rezone Hearing – Gary Theisen Trust – Rezone from an F-1 (Forestry) District to an R-3 (Rural Residential) District, part of the SE ¼ of the NE ¼ Sec. 31, and part of the SW ¼ of the NW ¼ and the SE ¼ of the NW ¼ Sec. 32, T44N, R3E, Town of Oma, to bring the property into zoning compliance. (Site address is 4535N Island Lake Road South). No public comment. Town approval was received. Motion to approve by Smith/Nasi; carried 5-0.

Discussion of Coastal Management Grant Comprehensive Revision – Bergman explained that the comprehensive plan is up for a revision. It is suggested that it is done about every 10 years. The department is looking to apply for a Coastal Management grant to assist in the cost of updating the Comp Plan. The project will likely happen in Fall of 2015. There should be no additional cost to the department with the use of Land Information funds. Motion by Matson/Ouimette to direct Bergman to put in an application for the Coastal Management Grant; carried 5-0.

Administrator's Report – Bergman explained he has spoken to Rockford Maps about a Plat book for next year. Design would start in spring of 2015 and be ready for fall of 2015. Bergman described that there was some disappointment with the 2013 version so we may ask them to go back to the 2009 format. We also plan to ask for a complete copy to review before we place an order.

Ouimette questioned the status of the mining ordinance. Bergman replied that we are waiting for the county's go ahead. It seems the ordinance is ready; we are cleaning it up and waiting for the word to release it. It looks like we could be ready with a draft for the November committee meeting, with time for suggestions in December and to schedule a public hearing for January. Ouimette suggested to the committee that they give verbal direction to Bergman to move ahead. Bergman explained that if we release it in November some workshops between the Zoning Committee and Jaekels could take place, along with the Mining Impact Committee. Ouimette asked if there is current communication between Jaekels and the Mining Company. Bergman responded that Jaekels has received comments from the Mining lawyer about their comments regarding a draft of the ordinance. Ouimette asked why. Bergman responded that like the public, everyone has the right to comment on the ordinance. Pinardi responded that they have that right to comment, and the local agreement will help to figure out everyone's comments and concerns. Ouimette voiced his concern that if the mining company is talking directly to our lawyer or their lawyer to our lawyer that we may lose our bargaining terms by the time we get to a local agreement.

Public Comment – A member of the public mentioned that we need this county ordinance in place before we get to the local agreement because there is no local agreement if there is no ordinance to base it off of. Bergman clarified that the local agreement supersedes the ordinance but only if the ordinance is in place.

A member of the public stated that the purpose of the ordinance is to protect the county and its citizens beliefs and to set bargaining terms for a local agreement. So why can the mining company talk with the county lawyer but not members of the public? Pinardi responded that we can't have all the public allowed access to our lawyer, we can't pay for that. The lawyer was hired for us not the mining company. Matson agreed that the mining company should not have access to our lawyer if we are writing the ordinance.

A member of the public stated that GTac has a history of their lawyers communicating with law makers to get what they want, lawyer to lawyer. Pinardi responded that he is not aware of what exactly goes on. Ouimette suggested that we ask Jaekels directly what their communication is. Ouimette stated that he is uneasy not knowing what is going on. Bergman stated that once the ordinance is released the workshop is to talk this out and to become comfortable with the ordinance.

A member of the public stated that they had a conversation with Anna Henning about taxes, tonnage rates, and our net proceeds. Iron County's best bet is the local agreement so a tonnage tax can be put in place. Bill Williams has stated that they don't need a local agreement unless the county has something the company wants. Pinardi responded that conditions for the local agreement have been a topic of discussion at the Mining Impact Committee meetings.

A member of the public asked if the general public will be able to attend the workshop. Bergman responded that the workshop is for committees to take comments previously voiced or sent in and work on the ordinance. Public can submit comments but can't comment at the workshop. The public hearing is when we take public comments at the meeting regarding the ordinance.

Bergman stated that the timeline would be to release the ordinance in November, leave time to make comments, workshop in December, time to take comments, Public Hearing in January.

A member of the public asked if the mining lawyers have access to the new ordinance draft. Kichak stated that if that was happening he would be very disappointed and we will find out if anything is happening.

Approval of Bills – Ouimette/Nasi to approve the bills; carried 5-0.

Next Meeting Date – Tuesday November 18, 2014 at 3:00pm.

Motion by Smith/Ouimette to adjourn.