

PIERCE COUNTY WISCONSIN
DEPARTMENT OF LAND MANAGEMENT & RECORDS
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MINUTES - Pierce County Land Management Committee Meeting, January 4, 2023, in-person meeting for everyone along with the option of remote attendance.

Present: Jon Aubart, Neil Gulbranson, Dan Puhrmann, and Eric Sanden

Others: Andy Pichotta, Adam Adank, Emily Lund, and Anna Anderson

Absent: Joe Fetzer

Acting Chairperson Jon Aubart called the Pierce County Land Management Committee meeting to order at 6:00 pm in the County Boardroom.

Set meeting dates for 2023: Committee agreed to keep the 1st and 3rd Wednesday of each month at 6:00 pm for 2023.

Next meeting dates: Next meeting date set for February 1, 2023.

Approve Minutes from the November 2, 2022 Land Management Committee meeting: **Gulbranson moved to approve the Land Management Committee minutes from November 2, 2022/Sanden seconded. All in favor. Passed.**

Public hearing to consider and take action on a request for a conditional use permit for Filling & Grading in the Kinnickinnic River Blufflands Area in the General Rural Flexible 8 District by Ross Wegge, agent for John Armstrong & Jo Ann Lincoln, owners, on property located on Lot 24 of Hidden Hills of the Kinni Phase 2, in the NE ¼ of the SE ¼ of Section 9, T27N, R19W, Town of Clifton, Pierce County, WI.

Staff Report – Emily Lund: The applicants are proposing to construct an in-ground pool in their backyard that will encroach within the Kinnickinnic River Blufflands bluffline setback. The excavation for the pool requires CUP approval for filling and grading within the bluffline setback. On 7/21/2022, the applicants obtained a Land Use Permit (LUP) to construct their residence and attached garage on this lot. In August 2022, a CUP was granted for filling and grading within the same bluffline setback area to create a walkout basement for the residence. The proposed pool would be located in back of the house off the walkout basement. On 11/2/2022, the LMC approved a CUP for tree removal and restoration in the Kinnickinnic River Blufflands bluffline setback. On 9/29/1998, Pierce County Zoning Code amendments were adopted by Ordinance# 98-07 relating to the Kinnickinnic River Blufflands. The code amendments established a bluffline setback for structures. This parcel is 7.156 acres and is located in the Town of Clifton. Pierce County Code (PCC) §240-45C states, “Slope Setback. All structures shall be set a minimum of 15 ft behind the bluffline, which is defined as a line connecting points at which a slope along the river and the first 1,320 ft of adjacent ravines in excess of 20% decreases to a slope of less than 12%.” PCC §240-45D states, “Site plan approval. All applications for structures along Kinnickinnic River Blufflands shall require site plan approval to assure compliance with the provisions of this chapter and to address erosion control during construction and afterward.” PCC §240-45E states, “Any filling and grading of slopes downslope from the bluffline setback shall require a conditional use permit.” The applicants are proposing to install a 20 ft x 40 ft in-ground pool with a 4 ft concrete apron in their backyard. Depending on the bedrock depth, the pool is proposed to be 8 ft to 10 ft deep. During the construction of the residence, the backyard was graded nearly flat. A small portion of the pool is proposed to extend into the bluffline setback. All other disturbance will be outside of the setback area. Also, all the remaining soil will be hauled off site. Existing erosion control measures are in place from the filling and grading CUP approved in August 2022. Existing erosion control measures are shown on the submitted site plan and include: An erosion

log at crest of hill, two rows of coconut logs, a silt fence & a grass buffer. Site plan review was completed administratively in accordance with PCC Sec. 240-45(D). The Town of Clifton recommended approval of this request on 10/17/2022 without reference to the Town Comprehensive Plan or any listed concerns or recommended conditions.

Staff Recommendation: Staff recommends the Land Management Committee consider the above and determine whether the proposed conditionally permitted activity for filling and grading would be contrary to the public interest, or detrimental or injurious to public health, safety or character of the area. If found to be not contrary to the above, staff recommends that the LMC approve this conditional use permit with the following conditions:

1. Activities shall be conducted as submitted in the application and as presented to the LMC.
2. Existing erosion control measures shall be maintained during construction.
3. Best management practices shall be utilized to control excessive ground disturbance.
4. Applicants shall address any erosion control issues to the satisfaction of the Pierce County during and after the construction of the 20 ft. x 40 ft in-ground pool with a 4 ft concrete apron.

Chairperson Aubart asked Mr. Wegge if he had anything else to add. Wegge stated nothing at this point.

Chairperson Aubart asked if the committee had any questions. **Chairperson Aubart opened the hearing to the public.** No public comment. **Chairperson Aubart declared the public hearing closed.** Sanden stated that the pool extends very slightly into the Blufflands area, and asked if the heavy equipment could also stay north of that point? Mr. Wegge stated there will be about 25 ft. between where the hole will be dug and the septic mound is on the north side, so yes that is possible. **Sanden moved to approve the conditional use permit for filling and grading in the Kinnickinnic River Blufflands Area for Ross Wegge, agent for John Armstrong & Jo Ann Lincoln, owners, due to the fact this is not contrary to the public interest, nor detrimental or injurious to public health, public safety, or the character of the surrounding area with conditions #1 - #4,/Puhmann seconded. All in favor. Passed.**

Public hearing to consider and take action on a request for a conditional use permit for a Large Solar Energy System in the General Rural Flexible District, pursuant to Pierce County Code Chapter 240-41D(3), for Pierce Pepin Solar, LLC, agent for Pierce Pepin Cooperative Services, owners on property located on Lot 1, Certified Survey Map (CSM) V12, P20, part of the SW ¼ of the NW ¼ of Section 28, T25N, R18W, Town of Trenton, Pierce County, WI.

Staff Report – Adam Adank: The applicant is proposing to construct a 2-megawatt (MW) alternating current (AC) solar generating facility in the Town of Trenton. The facility will be located on a 16.033 acre parcel and will have an East-West tracking solar panel system for offsite consumption. The proposed fenced in area of the project would occupy approximately 11.60 acres of the 16.033 acre parcel. The SES will have onsite Inverters that convert the direct current (DC) output from the panels to AC current that can be used by the grid. A pad-mounted transformer will increase the 480-volt output from the inverter and step it up to the grid voltage of 12,470 volts The power generated would interconnect to the existing distribution lines along Hwy 35. Pierce Pepin Solar, LLC will develop, construct, own and operate the project. Pierce Pepin Solar, LLC is a fully owned subsidiary of OneEnergy. The property is located in Section 28, Town of Trenton. The property is zoned General Rural Flexible. Adjacent properties are zoned Industrial, Commercial, General Rural Flexible, and Agriculture-Residential. Surrounding land uses are agricultural, woodland and residential. The property abuts State Hwy 35 which is a designated National Scenic Byway. State Hwy 35 is also identified as a High Access Corridor in Pierce County’s adopted Comprehensive Plan, within which higher intensity uses, including commercial and industrial, are to be located. The majority of the parcel is comprised of prime farmland soils. The proposed project footprint is located entirely on prime farmland soils. Pierce Pepin Solar, LLC has submitted an application and supplemental information intended to provide additional detail/information.

Submittals include:

- Addendum A – Zoning Permit Application Addendum
- Addendum B – OneEnergy Solar Information
- Addendum C – Glare Analysis
- Addendum D – Solar Project FAQ’s

Addendum E – Native Upland Seed Mix

Staff reviewed additional studies/guidance documents relating to solar energy systems in effort to recommend appropriate conditions specific to this site. A brief summary of these supporting documents can be found in addendum F. Major components of the project include solar modules, racking, tracking system, inverters, and transformers. The project is designed to use approximately 4,134 x 550 Watt VSUN BMH bifacial solar panels. The required vs proposed setbacks are listed. No structure of buffer vegetation is proposed in the vision clearance triangle. Large solar energy systems setbacks shall be established by the Land Management Committee based on the purpose and intent of the zoning ordinance. The project location was chosen based on suitability for solar and adequate parcel size along an existing 3-phase distribution line. The site has electrical infrastructure adjacent to the property with adequately sized lines and favorable electric characteristics to interconnect the solar facility. The solar cells proposed for this project are made from silica which is formed into ingots and then sliced into thin wafers. These solar cells convert sunlight into electricity and are wired together with copper. The solar cells are sandwiched between two layers of tempered glass and enclosed in an anodized aluminum frame. The glass, aluminum, solar cells, and copper wiring compromise about 99% of a solar panel by volume and are all recyclable. The racking for the proposed project consists of driven steel I-Beams that are embedded approximately 8-10 feet into the ground and extend approximately 5 feet above ground. A torque tube connects to the top of the I-beams, and the panels are mounted on top of the torque tube. All components of the racking system are galvanized steel. The panels will have a +/- 50degree range of motion driven by electric motors. Most equipment (inverters, electrical panels, etc.) will be mounted on driven pilings similar to the pilings that support the solar panels and racking with a maximum height of 8 feet. The horizontal tracker would be in its highest position during the morning and evening hours when the trackers are tilted at their maximum angel and the panels would be a maximum of 8 feet above grade. The panels will be approximately 6 feet above grade when tilted flat at mid-day. Approximately 20 inverters will be installed on a north central part of the parcel. The inverters are proposed to be 60' from the north property line and least 250' from all other property lines. The project is expected to be constructed in the summer of 2023 pending availability of key equipment and lead times. Approximately 10-30 employees are expected during the construction window of 3-6 months. Construction equipment is listed. Delivery trucks will consist of semis to deliver the racking and modules, and smaller box trucks to deliver other miscellaneous equipment such as the fencing rolls, inverters, etc. No laydown yard area is needed. Construction will happen over a 2-4 month period during which all necessary work will be performed in sequence. The applicant may need to work with state and local authorities to obtain the applicable oversize-overweight permits. Construction activities are proposed to be conducted during daylight hours Monday through Friday with the option to work Saturdays in order to shorten the schedule of on-site work. An 18' access drive is proposed off County Road K. Earthwork will be very minimal and mostly contained to the access road construction with minor grading within the site. All grading will be done pursuant to an approved stormwater permit from the WI DNR. Fencing will be used to surround and provide security to the photovoltaic panel areas. The inverters, electrical panels and transformers will also be located within the project fence as depicted on the site plan. The fence will be an 8' tall agricultural-style fixed knot wildlife exclusion fence. After construction, the facility will be an unmanned plant that will operate through local and remote control. Local control will occur through autonomous controllers. The PV system will be monitored through the operations and maintenance contractor's Data Acquisition System (DAS). One or two people will visit the site once or twice a month tor inspection and minor maintenance, as needed. A third-party vegetation management contractor will perform the seeding of the site and the vegetation maintenance for the first five years. They are contracted to ensure the best outcome for the pollinator planting, and set up a site-specific management plan based on the existing weed seed load and planting conditions after planting. They typically perform a high mowing 3 times per year the first 2 years, and spot spray invasives if necessary. Years 3-5, they typically do a high mowing twice per year. And once the pollinator meadow is well established (year 6 and beyond), the idea is to only need to mow once a year in late summer or early fall. This baseline plan is subject to change based on ongoing monitoring of the vegetation over time. Seed bed preparation and seeding procedures as well as seed mix are listed. The applicant is required to conduct a hydrology study showing how the water flows before the project is installed and after the project is installed as part of the stormwater permit obtained through the DNR. The applicant has stated that these studies show that water infiltration actually

increases after the installation of the project due to the field being planted to deep-rooted perennial vegetation after construction and since there is no tillage or soil disturbance associated with row-crop harvesting. The inverters have an audible noise level of <65dBA @ 1 meter and 77 degrees Fahrenheit. The noise from the inverters is expected to reduce to below ambient levels of a quiet rural area (~45dBA) at 250 feet. The nearest property line from the inverters is approximately 60 feet away. The nearest residence is approximately 790 feet away. The property owners nearest to the inverters (approximately 60 feet from property line) have signed a letter stating that they approve the location of the proposed inverters. The solar panels planned for installation at this project have 30-year warranties. One Energy expects the panels to continue working beyond the warranty period and designs the remainder of the site equipment to a 40-year design life. The agreement with the landowner obligates OneEnergy to remove all facilities at the end of the project life and return the land to farmable condition. Depending on market conditions and project viability, the applicant may look to renegotiate the term of the lease with the landowner to extend the life of the project. The current lease is 40 years. OneEnergy renewables has an agreement with the landowner that obligates the company to remove all the solar facilities within one year from when the project is no longer producing power. All solar facilities (including all electric cabling and conduit, foundations, and access road) will be removed from the property within one year from when the project is no longer producing solar. The access roads may be left in place if requested and/or agreed to by the landowner. OneEnergy works with The Retrofit Companies, Inc. in Minnesota to recycle panels that are damaged during shipping or installation, and intends to partner with TRC or another similar panel recycler to recycle any panels that may need to be disposed of in the future. When asked to provide a decommissioning estimate, the applicant responded, "Our lease agreement obligates us to maintain financial security sufficient to fully decommission the project. The amount of the financial security is set by a third party estimate of the decommissioning cost net of salvage value performed once the system installation is complete, and updated every five years throughout the operation term. Typically, the salvage value of the equipment exceeds the decommissioning expense for the first 15 years, after which point the decommissioning expense exceeds the salvage value." Pierce County Zoning Ordinance §240-41D(3) outlines zoning standards. Large Solar Energy System is defined as, equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy which is intended for off-site consumption. Large SES setbacks shall be established by the LMC based on the purpose and intent of this ordinance. Large SES height shall be established by the LMC based on the purpose and intent of this ordinance. The applicant is proposing no structures greater than approximately 8 feet. The SES shall be positioned so that the glare does not create any unsafe conditions. The glare study provided shows no glare at adjacent residences and roadways (Addendum C). No mention of glare to aircraft was mentioned. OneEnergy has stated that modern solar panels are designed to absorb rather than reflect sunlight and are not considered to produce glare. Further, the panels they use are treated with an anti-reflective coating. All SES shall be installed by a North American Board of Certified Energy Practitioners (NABCEP) certified solar installer or other person qualified to perform such work. Contractor selection is still in progress. The applicant can commit to submitting the contractor's qualifications prior to construction. A SES shall comply with all applicable State of Wisconsin electrical codes and the National Electrical Code. Projects of this scale are considered electrical facilities subject to state electrical licensing and inspection in Wisconsin. The applicant has stated that their electrical engineering designs must be approved by the Wisconsin DSPS. The state sends an electrical inspector to verify the system is being installed per the approved plans during construction, and at the end of construction. The facility cannot be energized until this inspection is complete. The inspection ensures that the system is installed and grounded correctly per National Electric Code, and that the utility interconnection is designed with the appropriate fault detection. A small SES that intends to connect to the electric utility shall not be permitted until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. A copy of the final agreement shall be submitted to the Zoning Office. Applicant will provide final Generator Interconnection Agreement prior to construction. The structure upon which the proposed SES is to be mounted shall have the structural integrity to carry the weight and wind loads of the SES. Applicants has stated that the racking system is being designed by a structural engineer based on the results of the geotechnical analysis that was performed onsite last month and based on the relevant risk category and weather condition in the area. Stamped design drawings can be submitted prior to commencement of construction. Upon issuance of

a conditional use permit, all large SES shall notify the Public Service Commission of Wisconsin. Applicants confirm that the Wisconsin Public Service Commission will be notified upon issuance of CUP. Pierce County Zoning Ordinance §240-31 Landscape Buffers outlines zoning standards. These requirements are intended to reduce potential adverse impact that a particular land use might have on occupants of adjacent properties, such as glare of lights, dust, litter and appearance. With vegetative screening, such adverse impacts will be lessened. Landscape buffer requirements shall only apply to proposed uses in cases where a commercial or industrial use abuts a residential or agricultural district; where a utility use requiring a land use permit abuts any district; or such landscape buffer is required by a provision in this chapter. General requirements are listed 1-6. Landscape buffer tree requirements state landscape buffers, at the time of establishment, shall meet the design specifications on file in the Zoning Office as approved and incorporated into this chapter. The Land Management Minimum Landscaping Policy adopted February 7, 2007, states vegetation, earthen berms and or fencing shall be placed between nonresidential development and adjacent properties so as to render the development as visually unobtrusive, as is practical, from adjacent properties or from public view. Native vegetation should be utilized whenever practical. Vegetated screening buffers shall be maintained in good condition. Power and orientation of light fixture is listed. The applicant has proposed a vegetative screening along the length of the project parallel to State Hwy 35 frontage and wrap around for the first 100 feet of the County Road K frontage. The applicant has been working with Reuver's Nursery in Hager City to determine appropriate plantings. Based on recommendation from the nursery, the applicant is proposing to plant one row of shrubs consisting of viburnum (12-15' tall and 10' wide), autumn brilliance serviceberry (15-20' tall/wide), and dogwood (10' tall/wide). The spacing is proposed at 10'-15' feet depending on species. Photos of the proposed shrubbery can be seen in Addendum B. The Town of Trenton recommended approval of this request on November 15, 2022, stating the use benefits the community by economic development as a natural resource, by possibly reducing our carbon footprint. The town also has suggested screening along Hwy 35 and a short distance on County Road K. It was suggested to the Town Board Chair and Clerk that if the Town of Trenton wanted to support a method of screening that was different from the default established by the LMC in prior approvals of utility size solar projects, that specific support should be included in the Town's recommendation. While it is staffs understanding that the Town is supportive of the applicants proposed setbacks and screening method, the Town's recommendation did not address the method of screening to be utilized or setback distances. Additionally, Wis. Stats. 66.0401 (1m) Authority to Restrict Systems Limited, states: No political subdivision may place any restriction, either directly or in effect on the installation or use of a solar energy system...unless the restriction satisfies one of the following conditions:

- (a.) Serves to preserve or protect the public health or safety.
- (b.) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c.) Allows for an alternative system of comparable cost and efficiency.

(4) Local procedure.

- (b) "A political subdivision shall make a record of its decision making on an application for approval, including a recording of any public hearing, copies of documents submitted at any public hearing, and copies of any other documents provided to the political subdivision in connection with the application for approval."
- (d) "A political subdivision shall base its decision on an application for approval on written findings of fact that are supported by the evidence in the record..."

Staff Recommendation: The staff recommended conditions are intended to ensure that impacts to adjacent properties are mitigated whether those parcels are developed or not and are based on guidance from a variety of sources including the American Planning Association's (APA) Planning Advisory Service. The recommended conditions are intended to serve as a default minimum that ensures mitigation strategies are in place to limit impacts, to the degree possible, to those properties that are in proximity to proposed utility sized solar projects. It is recognized that each town under County Zoning is unique and that each town has the ability to recommend deviation from these standards if so desired through the Town Recommendation requirement. Recommended conditions also provide adjacent landowners with an ability to waive setback and buffer requirements, if so desired. Staff recommends that the LMC determine whether the proposed use at the proposed location would be contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or

the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for a Large Solar Energy System with the following conditions:

1. The owner or operator shall construct, maintain, and operate the facility in compliance with the submitted plan/application unless modified by a condition of this permit.
2. Inverters shall be set back a minimum of two hundred fifty (250) feet from any adjacent land owners lot line. Inverter setback may be waived/modified with the consent of adjacent property owner (no less than 10 feet) Notice of consent shall be submitted to the zoning office.
3. A minimum 50-foot vegetative buffer (consisting of existing trees and vegetation) shall be maintained between the facility and adjacent properties and road right-of-ways. If existing vegetation is inadequate to serve as a buffer, new plantings of trees, shrubs and grasses shall be established. The majority of the vegetative buffer shall have a minimum height of the project exterior fence. Initial plantings shall render the facility visually unobtrusive from adjacent properties and public view. Vegetative buffer requirement may be waived/modified with the consent of the adjacent property owner. Notice of consent shall be submitted to the zoning office.
4. The project shall be setback a minimum one hundred fifty (150) feet to all above ground project components from any residence and at least one hundred (100) feet from property lines (excluding fences and access roads), sixty-seven (67) feet from County Road right-of-way, and seventy-seven (77) feet from State Highway right-of-way. Property line setbacks may be waived/modified with consent of adjacent property owner (setback shall be no less than 10 feet). Notice of consent shall be submitted to the zoning office.
5. A vegetative management plan shall be developed for the site and it shall be reviewed and approved by the Land Management Committee. The applicant shall work with the Land Conservation Department in developing the plan. The plan shall include trees and shrubs, seed mixes, vegetation maintenance, and weed controls for the vegetative buffer, facility construction as well as facility operations.
6. Construction hours shall be daylight hours, not earlier than 7am and not later than 7pm Monday through Saturday.
7. Dust control measures shall be implemented when necessary during construction. Dust control shall be addressed to the satisfaction of the County.
8. A final grading plan shall be submitted to the zoning office prior to any site disturbance.
9. The applicant shall submit a decommissioning plan to the County for approval. The purpose of the decommissioning plan is to specify the procedure for which the applicant or its successor would remove the solar facility after the end of its useful life.
10. The decommissioning plan shall include a decommissioning cost estimate prepared by a State licensed professional engineer. The cost estimate shall provide the net estimated cost (cost minus value of the components) to decommission the solar facility in accordance with the decommissioning plan and these conditions. The decommissioning plan shall be updated every five years.
11. Applicant shall provide decommissioning security in one of the two following alternatives to the Pierce County Corporation Counsel for approval:
 - a. Letter of credit or other acceptable assurance for the full decommissioning cost.
 - b. Tiered Security, such as:
 - i. 10 percent of the decommissioning cost estimate to be deposited in a cash escrow reasonable acceptable to the County; and
 - ii. 10 percent of the decommissioning cost estimate in the form of a letter of credit or other acceptable assurance with the amount of the financial assurance increasing by an additional 10 percent in years 2-9 after commencement of operation of the facility.

- iii. In the tenth year of operation, the applicant will have increased the value of the financial assurance to 100 percent of the decommissioning cost estimate. At such time, the applicant may be entitled to a return of the 10 percent cash escrow.
- 12. The maximum height of the project's equipment shall be ten (10) feet.
- 13. Panels shall have a resting angle of 50 degrees.
- 14. The Owner/Operator shall install an 8' tall agricultural-style fixed knot wildlife exclusion fence (as described in the application) unless electrical code mandates a different height.
- 15. All lighting shall comply with Land Management Department Minimum Landscaping Policy.
- 16. No structures shall be placed or land disturbed in the floodplain.
- 17. A signed copy of the interconnection agreement shall be submitted to the Zoning Office.
- 18. Contractor's qualifications shall be submitted prior to construction.
- 19. Any unforeseen erosion issues shall be addressed to the satisfaction of the County.

Chairperson Aubart asked the applicant if they wanted to add anything. Beth Esser from OneEnergy Renewables, project manager, said we appreciate the opportunity to be here and that there are some members of the township here as well as Pierce Pepin Cooperative Services. OneEnergy has been partnering with many Dairyland Power Cooperative members to build these local utility scale solar projects that fit in with their ability to generate approximately 10% of their load locally, rather than purchasing that through Dairyland. OneEnergy has built 15 projects in the state. Not all of those have been Dairyland Power Cooperative members, but they've all been similar sized projects, under 5 megawatts (MW). OneEnergy has talked with Dairyland and Pierce Pepin Cooperative Services about what their load need is and production would be and finding the land that could occupy. OneEnergy has a few concerns with some of the proposed conditions. There is some distinguishment in the utility scale solar world, between Large Scale Utility Solar and Small Scale Utility Solar. Esser defined that in terms of, how it is connecting to the existing electrical grid. OneEnergy projects connect to distribution lines and serve the local population and that is the smaller of the utility scale sized projects. The larger utility scale sized projects are on multiple parcels of land and comprising, typically, hundreds or thousands of acres and are connecting to transmission lines. That power is purchased from different utilities across the state and serve different populations. Esser stated that they are not against those large projects, but wanting to make that distinguishment, because she believes that the American Planning Associations large utility scale solar siting recommendations are largely based on the larger scale sized projects. The recommendations that OneEnergy would like to discuss tonight have to do with all of the setbacks. One Energy's experience in building all of these projects have been to really look at setbacks that are related to residential, existing residence and not to property lines in general. OneEnergy adheres to the existing zoning regulations of townships and counties for general property line setbacks. In Pierce County it's a 10' setback from property lines. That has been acceptable in OneEnergy's other projects. Vegetative screening is typically only required for existing property. OneEnergy acknowledges that Hwy 35 is a designated scenic byway and that is why, in early conversations with the county, had proposed to do a vegetative buffer along Hwy 35 and then going on K for that single residence that is along K. One other thing that OneEnergy would like to note is the Hwy setbacks. The way OneEnergy engineers have proposed that design right now is based on the centerline setback. They have two projects with Oakdale Electric Cooperative, that is in Juno County. In Juno County, its not the county that makes the decision, but the townships that makes the decision, and they actually exempted the solar panels and racking from being considered a structure. OneEnergy wanted to just raise the possibility of having our panels and racking being exempted based on the public utility exemption of different road setbacks for public utility equipment that doesn't have permanent foundation. Esser asked Adank to clarify. Adank stated that exemption reads, "public utility poles, lines and related equipment without permanent foundations are exempt from road setbacks" Esser stated that OneEnergy is proposing to consider an exemption from the Hwy setback for that reason. OneEnergy wouldn't be proposing to go nearer to the Highways than they have in the current layout, which is 110' from the centerline of Hwy 35 and 100' from the centerline of County K. OneEnergy engineers told Esser that by pushing those setbacks that will compromise our ability to produce enough power in that lot as what we have agreed to do for Pierce Pepin. Esser stated that she also wanted to bring up the decommissioning and the salvage value of these projects. When the project is constructed, OneEnergy is looking at an investment of 2 million dollars approximately into this project, and the

only way OneEnergy is going to make money, is to make sure that this project keeps producing power. OneEnergy is incentivized to make sure that this project is producing power as long as possible. The salvaged value of the equipment at the time of installation exceeds by approximately 12 times the amount of the decommissioning cost. OneEnergy has experienced within other communities to do a decommissioning security bond, letter of credit or corporate guarantee that adds the language of decommissioning cost net the salvage value. Esser suggested that if it would make the committee more comfortable, that we could increase that decommissioning cost times 150%, but still net the salvage value. OneEnergy does want to reflect the value of the equipment, which does exceed the value of decommissioning until approximately year 15. **Chairperson Aubart opened the hearing to the public.** Bruce King, Oak Grove Township, presented a handout of questions/comments. Mr. King stated it seems that this is going to change an eco system or landscape and he don't know how much science is behind large scale solar systems. What will this do with birds, animals, species, the type of species and migration movement? He doesn't believe anybody would prefer a black, reflective chunk of land over a field which does have environmental advantages. He is glad to see that we are talking about setbacks. How many more of these are we going to see in this direction that America is going? How many is it going to take for us to power the future? China is already a threat in the economic system, which is communism, but in economic power and in power, they will have an advantage and our weaknesses are only going to grow worse if we try to rely on green power. He stated that we are currently starved for energy and that he got notice in the mail that there could be rolling blackouts. King never thought he would live to see that day, America is becoming a third world nation. Rural areas and small businesses will suffer most from energy starvation. It is going to get worse with rechargeable batteries for your cars, and Pierce Pepin putting in broadband, but yet they tell us that maybe you're not going to be able to have power for a few hours now and then. If you think our power supply is going to go to rural areas, its not. Pierce Pepin folks have been exposed to this and to the author of Apocalypse Never: Why Environmental Alarmism Hurts Us All. It is a great read, not by someone who is anti-green, but someone who is green and recognizes that we need power. **Chairman Aubart asked for any other public comment.** Dave Chavie, Energy Innovation & Technology Manager at Pierce Pepin Cooperative Services, stated that the reason that Pierce Pepin is proposing to build this project and the reason we bought that property down in Hager City, is to increase the amount of renewable energy that's available to our people that live in Pierce and Pepin counties. There is a percentage from this output array that will potentially be made available to low income families through a state grant program that we are working on. Chris Truttmann spoke and stated that she and her husband Tim are the people that sold the land to Pierce Pepin for this project. They live on County O and own farmland in Trenton and Diamond Bluff Townships, they are very active on conservation practices for farmland, blufflands and the Trimbelle River. They are excited to be involved with this solar field project because it is another way that they can help to serve their community. Truttmann stated that when they considered selling the property, it was clearly understood that we agreed to sell the property for the sole reason of a solar field. They were concerned of other things that would be visually concerning on the property, such as a gravel pit. They felt very confident in the fact that a solar field is something that has minimal concerns as far as the property itself, all the solar panels are being held with posts down into the ground, and at some point, if it is no longer needed can be taken away and returned back to the property that it is in right now. They would like to see this project developed as depicted in the picture presented by Pierce Pepin Solar, LLC and OneEnergy. This is considered a small solar field and has qualities that are necessary for a solar field, such as the flat land, the three phased lines and a substation that is close. Requiring excessive setbacks and a larger area for the shrubs and vegetation on the outer fenced area, will limit the area of land that will actually be used for the solar field itself. Their hope is to benefit our community at the maximum possible size within the land that we have sold. They are concerned with the restrictions that are being discussed by the county. In regard to any concerns regarding the sound or noise that may come from the solar field, the sound is minimal. Truttmann asks the LMC to keep in mind that there are two railroad crossings, on each end of the field on the other side of Hwy 35, and the trains are required to blow their whistles at both ends, which happen every 10-20 minutes. In regards to how the proposed solar field will look, this is a small solar field, and I understand that this is along the Historic Scenic Hwy 35, but in driving past this solar field at 55 miles per hour, it only takes 20 seconds that the solar field is in view. Historic Scenic Hwy 35 is approximately 250 miles long in WI, and there are plenty of other things that we see that we don't have control

over, such as gravel pits, or lots of cars that our sitting in people's lots, etc. Keep in mind the size of this solar field. Brian Berg, Trenton Town Chairman, stated that he has been a longtime supporter of solar energy. He noted that it had been stated that we should be looking into nuclear or something that might be cheaper or more reliable and not take up land space. Berg noted that nuclear is a proposal, but we don't know when that is coming, and it's not going to be cheap. It is estimated solar with battery storage will be half the price of this nuclear energy they are coming up with. Berg stated that this solar project is a temporary installation. They just drive the pilings into the ground. In the 25-30 years that this will be in place, maybe better technology does come along, maybe there will be something cheaper. Then you just pull the stuff out and it hasn't changed the ground. If a building or parking lot is put in, the top soil would all be excavated off and it would never be the same. This proposal doesn't change it at all. It could be back into production if you wanted it to. As far as the visual aspect, across from this is railroad tracks and lp tanks sitting there. There is no vegetation in front of that.

Chairman Aubart asked for any other public comment and stated hearing none, we will close the public hearing. Chairman Aubart asked for questions from the committee. Aubart asked about the differing of opinions of large scale vs. small scale. Why are we calling this large scale? Adank stated our ordinance defines large scale as being intended for off-site consumption. Beth was stating that there are various sizes of solar facilities that produce power for off-site consumption. Aubart asked about off-site, does that mean not particular to a specific farm or residence? Adank clarified that it is for more than one owner, to be sold vs. roof-mounted solar panels, or ground mounted by an individual for their home. Aubart asked if it's a specific number of panels? Pichotta stated, no, our code basically defines any utility scale solar as large scale, what they are suggesting that there is some deviation between the large solar projects, that they are not all the same. When we say our small scale solar we are referring to the ones people generally put on their roof, or in their yard, to offset their own personal consumption and what they don't use feeds back the grid vs. off-site consumption where the power isn't intended for use on-site, it is intended to be sold for use elsewhere. Aubart asked Esser about security. The application stated that it would be visited one to two times per month, and Aubart stated that seemed a little light to me because things happen. Is there any kind of security notice or alarm system? Esser stated that there is a remote monitoring system so that at any time if any of the panels, even one panel, isn't working appropriately, we get alerted. Someone would then be sent out to take a look at it or repair or replace whatever is needed. Aubart asked which conditions are we questioning specifically so we can focus in on those. Adank stated condition #3,#4 & #10. Esser stated that on #2, we do have a letter from the neighboring landowners to waive the 250' setback for the inverters. The inverters are typically centrally located, not adjacent to any residences. Sanden asked staff with reference to conditions #3 & #4, 110' from Hwy 35 centerline and 100' from County K centerline, how will that translate into the language we have in condition #3 & #4? Adank asked if the question was how far would they additionally have to be setback vs. what they have in their plans? Sanden stated the conditions are talking about from the property lines or from the road right-of-way. Adank stated from Hwy 35 it would bump them back to 127' which would be an additional 17' from what they have shown, and then on County Rd K it would be 17' as well. Sanden asked if we changed the language to instead of 67' to 50' and instead of 77' to 60' that would be in keeping with what is requested? Adank stated those are ordinance standards so we can't necessarily change those. They would have to be granted a variance to be closer to those road setbacks. Adank stated that Esser mentioned the exemption, but we don't really feel that exemption applies to solar panels, it is more transmission lines, underground cables, etc. If it applied to solar panels, essentially, they could put panels 33' from the centerline. The only way we can apply greater setbacks is through a vegetative buffer. Sanden stated what we're looking at in condition #4 is a standard, and if they would like that to be reduced they would have to go through a separate process. Adank stated that the setback of 150' to the residences and 100' from property lines, we could reduce those. Those numbers came out of the American Planning Association Guidance document. They recommended 150' from property lines, we bumped that down to 100' which is consistent with what has been done for other large scale solar projects. The intent of those larger setbacks is to treat undeveloped properties the same as properties that are developed.

Sanden asked if Esser's issue was more setbacks from the roads? Esser stated the concern is setting a precedent that it does not match what we have experienced in other communities in terms of setbacks for our size of solar projects. Esser has already had conversations with the two neighboring landowners to the north and west and

both of those property owners have said they would grant waivers to those setbacks. Esser stated that those are not as concerning from a design standpoint in being able to meet the production targets that have been agreed on with Pierce Pepin Cooperative. Esser stated the Hwy setbacks, however are going to impact our production if we cannot go from the centerline and we have to go from the right-of-way, because it will take out an entire row of panels on the southern side. Adank stated the setbacks from the roads cannot be adjusted, the setbacks from the property lines and the residences can be adjusted. The setbacks from the right-of-ways are ordinance standards, so they would either need a variance or they would have to be considered exempt through the portion of the ordinance that was mentioned. Sanden asked, so we don't have ability at this level to make any adjustments there without a variance? Pichotta stated you would basically need to make a determination that the panels aren't structures in order for that to happen. Gulbranson stated to be consistent with the large scale one we did out in Spring Lake, many parcels, all over the place, these same guidelines were pretty much followed. Pichotta stated yes. Our goal is to have a default standard with the recognition that each town is unique and if the town wanted to see some deviation - to allow it, to the degree that was possible. We want to be consistent whether 16 acres or 40, its still a field of panels. Gulbranson asked Esser if you could get a little more land and put a couple more rows? Esser stated that the panels are mounted on steel piles and then there is a torque tube that runs on top of them. They are bi-facial panels that rotate throughout the day. The tracking system can only be skewed so far and our engineers have reviewed this with the tracking system manufacturer on how they can lay it out, and how much they can angle it, and they are not able to skew it any further. We also lose a lot of efficiency if you shorten rows of panels. The engineers have said they have maximized the space that is available with the setbacks. Esser stated they would lose a row of panels and shorten panels and that would decrease our target production based on discussions with Pierce Pepin Cooperative Services. Esser stated they are not asking to be any closer than what our current layout depicts, which is from the centerline. Sanden stated that respecting that we want to consistent instead of precedent county wide, would there be an avenue for them to go back to the Town of Trenton and have these declared not structures and then come back to us? Pichotta stated I think a determination that a solar panel isn't a structure, wouldn't be something that we would want to address through a town recommendation, essentially what you would be asking is for the Town of Trenton to say in this particular case to consider solar panels not to be structures. Normally, when you propose a change through a town recommendation, we like to see them tie it to the comprehensive plan or have it based on their local knowledge. In this particular case, seems like we are trying to get too creative to make it work for what they are proposing vs. what the standards are. I would be concerned if we were to declare in this case solar panels not to be structures, and thus not subject to setbacks. Sanden stated that it was mentioned about the flexibility of the town. Pichotta stated that was more in reference of the setbacks to adjoining property lines and the buffering requirements. Some properties don't have state highway and county highway along them and so there are properties that would have 10' setbacks all the way around. The fact that we have two highways on this parcel makes it a little difficult to deviate from what the code calls for. Gulbranson asked for any wiggle room on the bond for the decommissioning. Pichotta stated we had a very similar discussion with another case and the argument is that the panels for the first 10-15 years retain a lot of their value, so the value of the panels is much more than the cost to actually take them down. That is assuming that there is a market for those used panels. We are not assuming that there is a market and that it could be that they are obsolete, and they are not worth anything. We are trying to put something in place that ensures there is adequate financial resources to decommission regardless what happens with the value of salvage. Puhmann asked about the possible recommendation that Esser made about the 150% of the value at that time? Pichotta stated that the committee should do what makes sense, our recommendations are merely recommendations. If you feel a there is a valid reason to deviate, certainly that is in your purview to do so. Chairman Aubart asked Esser to go over that one more time. Esser explained the decommissioning estimates that we get are inclusive of the salvage value of not just the solar panels, but other equipment as well. Esser stated that an independent engineer will estimate what the salvage value and decommissioning cost of the project components. Esser stated we have found that at the time of commencement of operation the salvage value exceeds the decommissioning costs by approximately 12 times. The salvage value decreases steadily over time, and at year 15, the estimates from the engineer say that the salvage value and the decommissioning costs are about equal at that time. It is helpful to acknowledge, in a decommissioning letter of credit, the net salvage value. Puhmann asked, Isn't that a guess from 15 years? Esser

stated, yes, our longest project is 5 years. Chairman Aubart wanted to go back to #3 with the vegetative buffer. Esser stated they suggested to have a vegetative buffer along Hwy 35 and 100' up County K. Their experience with vegetative buffers is really to obstruct residences from line of sight, not Highways. OneEnergy works hard to make the projects look nice, and don't necessarily want to hide them from view. Esser stated we are asking that the depth requirement not be there for the 50' depth requirement. Esser asked if we could do a single line or stagger plants. Reuvers Nursery has suggested a variety of different plants that would be suitable for this area. One of our projects has vegetative buffer that has two rows that are offset. Esser also asked that there wouldn't be a requirement of a buffer around the rest of the project on the west and north side and the entire length of County K. Adank stated that the department policy regarding minimum landscaping requirements, requires screening from adjacent properties and public view. That is why it was recommended all the way around the property. The ordinance requires landscaped buffers shall be provided independent of existing landscape buffers on adjoining lots, to protect undeveloped properties, just like we would a property that has already been developed. Chairperson Aubart asked if there was a waiver to get around that? Pichotta stated that folks who are willing to waive that requirement, certainly can. Esser stated that they have talked with the northern neighbor, Chris & Tim, and Pierce County Highway Dept. is the western neighbor. Chad Johnson from the Highway Dept. told Esser she could state that he verbally agreed to a waiver for that vegetative buffer as well as the setback from the property line. Along County K, there is no waiver we could seek. Chairman Aubart stated that they are looking at 50' along the Hwy 35 and the length going along County Rd K. Esser stated they are happy to do a vegetative buffer along Hwy 35, we knew early on in conversations with the county, because of it being a designated scenic byway. Esser stated because there was a residence along County K, we proposed it to be along County K, but we did not propose further buffer along County K. Esser stated she has talked to the neighbor on the eastern side and she has verbally expressed support and no requirement of a vegetative buffer. Chairman Aubart asked what have we done in the past with the county roads, I know along Hwy 35, we've done all kinds of different things, we've had berms put in and a number of different screening. Pichotta stated we've done blue spruce staggered, two or three rows, we have been pretty consistent with our requirement of buffers, and I would remind you, that just because their experience with other municipalities has been a certain way, doesn't mean yours has to be the same as theirs. Sanden asked if we were to reduce the width of the buffers, would that in some way compensate for the 17' extra setback. Esser stated because the buffer can be within that setback area, it doesn't really impact that. Sanden asked one more question about the salvaged cost, is salvaged cost reselling the panels to be reused or recycling the panels and getting minerals out of them, etc. Esser stated that the independent engineer suggests recycling and resale when appropriate for each. Gulbranson asked a question to Pierce Pepin if this was the first solar project they were involved in. Chavie stated yes. Chairman Aubart addressed Mr. King's concerns as it relates to the land and wildlife migration patterns, etc. We have talked about that one at the last project and this is not a large piece of land and maybe none of that is really a concern. Pichotta stated that this is a small enough project where there should be no real impacts to wildlife. Pichotta stated that they are working with Reuvers and Land Conservation to make sure that it is native and it is beneficial. Land Conservation is sort of our check and balance on those sorts of things. Gulbranson asked isn't it true that with the State Statute, its really not up to this committee to address Mr. Kings questions with a yes or no? Pichotta stated that we have very specific standards relating to the issuance of conditional use permits and basically conditions have to be measurable, they have to be based on fact, and if something is turned down, it has to be for a real reason that can be demonstrated. Gulbranson stated we've deviated on different solar projects we've done in the past. Pichotta stated that each conditional use is unique in its own right and so you do have the ability to take into consideration the unique characteristics of each different project site, if in this particular case you were to determine that solar panels aren't structures and thus are exempt from setbacks, that would be a hard one to find in this particular case and not do that moving forward. Pichotta suggested that we move forward systematically and address #3, #4, #10 & #11 and make some decisions. Pichotta asked if, in #3, we wanted to change the 50-foot vegetative buffer? Sanden stated he was thinking of the recent buffer along Hwy 35 for a storage facility and it seemed like it was just one row of trees. Pichotta stated that was a commercial use in a commercial district. Committee determined to leave #3 as written. Pichotta stated there really wasn't an issue with #4, as they can get waivers from both the property owners. We simply don't have the ability to deviate from the 67 feet from county road right-of-way and 77 feet from state

right-of-way, as that would require the issuance of a variance by the Board of Adjustment. Committee determined to leave #4 as written. Pichotta stated with #10 and the decommissioning plan, it comes down to determination by the committee as to whether or not to go with industry standard, which is the value of these components are 12 times the cost of decommissioning. Sanden asked what if along those lines, work on the second sentence, to say something like, “The cost estimate shall provide the gross estimated cost minus value? Pichotta stated you could just change the word gross to net in that sentence, and that going forward that would likely be our new standard, that we accept the industry suggesting that there is that value there. Sanden stated that there seems to be that things will change over time and net today will be different from net 10, 20 or 30 years from now, its not a set number. If they decommission them tomorrow that will be different than 30 years from now, so that value of net changes. Pichotta stated that #11 would address that. Sanden stated he would propose changing gross to net. Gulbranson asked if this was intended to protect the land owner? Pichotta stated yes, that is what we are trying to do. Gulbranson asked Pierce Pepin if they were ok if we changed that word in #10 from gross to net? Pierce Pepin representatives stated that they were ok with that. Adank asked if we changed that word then there is probably not going to be any financial assurance for at least 15 years? Esser stated that typically what happens is that because it exceeds then there isn’t anything until year 15. Esser stated, we can review that every 5 years. #10 will now read, “The decommissioning plan shall include a decommissioning cost estimate prepared by a State licensed professional engineer. The cost estimate shall provide the net estimated cost (cost minus value of the components) to decommission the solar facility in accordance with the decommissioning plan and these conditions. The decommissioning plan shall be updated every five years. Pichotta stated #11 has been addressed and can remain the same. Pichotta stated the last issue would be whether the committee would view solar panels as not being structures and exempt them from setbacks. It was agreed upon that the solar panels would remain a structure. Pichotta stated that we have worked through the items and asked if there was anything else? Esser asked on #3 about the buffer on Hwy 35 and not wanting to change that, but wanted to confirm along the length of County K, if that was something you wanted to change, as the township approved it with the 100-foot distance along County K? Pichotta stated that his understanding was that the buffer along Hwy 35 still needs to be 50 feet, but a portion of that could be creative, example native grasses. As far as the buffer along County K, again some creativeness could be built into that 50-foot width and you could vary on what you propose. Esser asked on #4, she wondered if our solar system, because it ties into the distribution grid, which is a public utility, that this would then be part of that exemption for road setbacks. Pichotta stated that the code exempts public utility poles, lines and related equipment without permanent foundations, when that was written, it was not intended to include solar panels. The committee could take a different tact on it, this is staffs interpretation and it could be challenged, but I would have concerns about eliminating setbacks for a whole category of use. Chairman Aubart asked if substations that tie into the grid system, are considered structures? Pichotta stated we have done a number of conditional use permits (CUP’s) for tank farms, transformer stations, etc. Chairman Aubart stated he would have a little bit of an issue not saying it’s a structure when you have pilings 8-10 feet into the ground. **Sanden moved to approve the conditional use permit for the Large Solar Energy System for Pierce Pepin Solar, LLC, due to the fact that this is not contrary to the public interest, nor detrimental or injurious to the public health, public safety, or the character of the surrounding area with conditions #1 - #19, adjusting condition #10 sentence two, to read, “The cost estimate shall provide the net estimated cost (cost minus value of components) to decommission the solar facility in accordance with the decommissioning plan and these conditions/Puhrmann seconded. All in favor. Passed.**

Discuss potential code amendments to Pierce County Code Chapter 240.

Staff Report – Adam Adank: Staff has summarized four code concepts relating to possible ordinance amendments below. Staff requests that the LMC consider the concepts and determine if staff should bring forth potential amendments related to each. Chapter 240-37 Industrial Uses & Chapter 240 – Attachment #2 (Table of Dimensional Requirements). All development regulated under Chapter 240 is required to meet the minimum dimensional requirements as shown in the Zoning Ordinance Table of Dimensional Requirements, which is attached. Each zoning district in the table has specific dimensional requirements. All Zoning Districts are shown in the table except the Industrial District. The table does not stipulate development standards for the Industrial

District which appears to be an oversight, or possibly an error in codification that has made administering setback requirements unclear at times. Although dimensional requirements for industrial districts are missing in the table of dimensional requirements, some industrial uses have specified setbacks established in Article IV (particular Use Requirements), that apply regardless if the use is proposed in an Industrial or Agricultural zoning district. Staff suggests that setbacks for industrial uses in industrial districts should be standardized as the very large setbacks which are appropriate when siting uses in Agriculture Districts, may not be appropriate or necessary in Industrial districts. Chapter 240-40(A) Accessory Residences. In November of 2021 amendments were made to allow the permitting of accessory residences via a regular land use permit instead of needing to apply for a Conditional Use Permit (CUP) as long as the area of the accessory dwelling is no greater than 60% of the square footage of the principle dwelling, and cannot exceed 1500 square feet. These changes were made in part due to legislative changes under 2017 Wisconsin Act 67 that required that a zoning authority to grant a CUP if any applicant meets, or agrees to meet, all of the requirements and conditions specified in the relevant ordinance or imposed by the relevant zoning board. Staff has had approximately one year to administer the new accessory residence amendments and would like to discuss how the 60% rule is working and to potentially propose amendments to streamline. Chapter 240-78 Variances. The Pierce County Zoning Code lists 5 standards to consider for granting a variance. However, WI Statutes, Case law, and zoning guidance documents have identified 3 standards for granting variances. Staff suggests that the 5 standards identified in the ordinance inadvertently muddle the two different types of zoning variances (Use variance vs area variance) and cause confusion for those attempting to justify the approval or denial of a variance. Staff suggests that amendments to 240-78 would better differentiate use vs area variances and identify standards consistent with case law. Chapter 240-32 – Accessory Structures. Pierce County Zoning code stipulates that an accessory structure shall not be permitted until its associated principle structure is present or under construction. Agricultural structures are exempt from this requirement if located within an agricultural district. The majority of the County is zoned agricultural and it seems to be increasingly more common for landowners to request a pole shed prior to construction of a principle structure. As previously stated, this can now only be allowed if the shed is used for agricultural purpose or if the shed is constructed as the principle structure (which typically involves adding living quarters). Both situations have created compliance issues and permitting difficulties. Staff would like to discuss the issues/difficulties with permitting accessory structures and have the LMC determine if changes may be warranted.

Staff Recommendations: Staff recommends the Land Management Committee discuss the outlined concepts, and if appropriate, direct staff to draft ordinance amendments for future LMC Consideration. Pichotta stated that if the committee is comfortable with these concepts, we will in the course of the next 6-8 months be bringing things in for your consideration. Pichotta stated in regards to the last one on accessory structures, you can't buy a piece of land and put up a pole shed and store your collector cars in it. The question is, should you be able to or should we only allow agricultural structures. Most of our neighboring counties do allow for you to put up a garage/pole shed. There are cases where we wouldn't want to do that, an example being in a residential land division, you don't want someone that has a big pole shed and uses it as storage in the midst of a land division. This may be limited to agricultural uses. We also have some land divisions that are entirely zoned Agriculture. Pichotta stated we don't need a motion in this regard. Committee consensus to direct staff to bring draft language regarding issues identified for future discussion.

Discuss take action on Travel/Training Requests. Pichotta stated he has one travel/training request for Kevin Etherton to attend the WI Land Information Associations Annual Conference. It is in Kalahari in WI Dells, February 22nd-24th. He would use the county car, and if you recall this is one of the training opportunities that we get a grant for. **Gulbranson made motion to approve/Sanden seconded. All in favor. Motion approved.**

Future agenda items: Pichotta stated we will not be meeting for the second meeting in January, it will be February 1st. We have renewal of Bay City underground mine, and a request for a CUP to authorize the expansion of nonconforming structure in the Town of Maiden Rock, and potentially a Farm & Home Business in Ellsworth Township.

Motion to adjourn at 8:05pm by Gulbranson/Sanden seconded. Motion passed.

Respectfully submitted by A. Anderson