

**PIERCE COUNTY WISCONSIN**  
**DEPARTMENT OF LAND MANAGEMENT & RECORDS**  
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MINUTES - Pierce County Land Management Committee Meeting, February 1, 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, Jesse Stenske and Anna Anderson

Absent: Joe Fetzer

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

Next meeting dates: February 15, 2023, March 1, 2023 & March 15, 2023.

Approve Minutes from the January 4, 2023 Land Management Committee meeting: **Gulbranson moved to approve the Land Management Committee minutes from January 4, 2023/Sanden seconded. All in favor. Passed.**

**Public hearing to consider and take action on a request for a conditional use permit for Expansion of Nonconforming Structure pursuant to Pierce County Code §240-67A(2) in the Agriculture-Residential District for John Paul Walker & Brooke Obrien, owners on property located on part of the SE ¼ of the SW ¼ of Section 4, T24N, R16W, Town of Maiden Rock, Pierce County, WI.**

**Staff Report – Emily Lund:** The applicants are requesting a CUP to expand two nonconforming structures in the Town of Maiden Rock. The Town Assessor has stated that the original structures were built around 1920. The applicants want to expand an existing shed and house. The existing shed is 69.5 ft from the centerline of 385<sup>th</sup> Street. The applicants want to expand it from 8’x20’ to 16’x20’. After expansion, the shed would be 61.5 ft from the centerline of 385<sup>th</sup> Street. The existing house is 33 ft from the centerline of 385<sup>th</sup> Street (just outside of the road right-of-way). The applicants want to add a 9’x19’ deck to the west side of the house on the second floor which would remain 33 ft from the centerline. The 5’x21’ stairway would extend downward along to the south side of the house to a landing. The applicants own 16-acres, where 13-acres is an MFL contract, 2-acres is undeveloped and 1-acre is for their home, lawn, and the buildings. The adjacent land uses are agricultural, residential, forested, and wetland. This property and the surrounding properties are zoned Agriculture-Residential. Pierce County Code (PCC) §240-27C states, “Town highways. Except as provided in Subsection E, the required setback for all structures fronting on all town highways shall be 75 ft from the center line of the road or 42 ft from the edge of the right-of-way, whichever is greater.” PCC §240-67A(2) states, “Additions to or extensions of nonconforming structures are permitted, provided that such additions or extensions comply with all the provisions of this chapter or a conditional use permit is granted as provided in §240-76.” PCC §240-76A states “Applicability. A conditional use permit shall be required for the establishment of each use permitted as a conditional use and for an addition to or expansion of a nonconforming structure, or expansion or intensification of a nonconforming use.” The existing topography slopes toward the west and the buildings are located at the base of the hill. The existing septic system is located north of the house. The existing well is located by the southwest corner of the house. The nearest intersection is more than 1,500 ft south of the applicant’s driveway. The nearest dwelling is located more than 1,550 ft south of the proposed expansion(s). Permit renewal is not needed for this request. The Town of Maiden Rock recommended approval of this request on 12/12/2022. The town did not provide recommendation justification or reference its comprehensive plan. The town did suggest the expansion stay within the existing house parameter (meaning to not expand any closer to the road than the existing house).

**Staff Recommendation:** The staff recommended the Land Management Committee consider the above and determine whether the proposed expansions 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. The proposed expansion shall be completed within 12 months of CUP approval.
3. The deck and stairway expansion shall not protrude any closer to the town road right-of-way than the existing home.
4. Applicant shall contact the Town Chairman or the Town Building Inspector, All Croix Inspections, to determine if a building permit is required.

Chairperson Aubart asked Mr. Walker if he had anything else to add. Walker 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 Town of Maiden Rock mentioned to stay within the current house parameter, which it seems like it does, however the shed does not. Has the Town of Maiden Rock addressed the shed expansion at all? Lund said on the application it stated they shall stay within the parameter of the house. Staff contacted the Town Chairman to ask for clarification of what that meant. Lund stated they were more worried about the deck getting any closer to the road as compared to the shed. **Gulbranson moved to approve the conditional use permit for expansion of Nonconforming Structure in the Agriculture-Residential District for John Paul Walker & Brooke Obrien finding that it 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/Sanden seconded. All in favor. Passed.**

**Public hearing to consider and take action on a request for a conditional use permit for a Farm & Home Business for antique & handcrafted décor sales pursuant to Pierce County Code §240-36D in the Primary Agriculture District for Kelly & Diane McCoy, owners on property located on part of the SE ¼ of the NE ¼ of Section 26, T26N, R17W, Town of Ellsworth, Pierce County, WI.**

**Staff Report – Emily Lund:** The applicants are requesting a CUP to operate an antique business in the Town of Ellsworth. They occasionally sell antiques; unique, handcrafted décor; repurposed and salvaged materials in their barn. The applicants have had their business for a few years and were not aware a permit was necessary for their advertising signs and business called “The Real McCoy Antiques.” The applicants own 39.62-acres, where 28.62-acres is for crop production, 6-acres forested, 2-acres undeveloped, and 3-acres is for their home, lawn, and the buildings. The adjacent land users are agricultural, residential, and forested. The property is zoned Primary Agriculture. The adjacent zoning districts are Primary Agricultural and General Rural Flexible. PCC §240-36D permits Farm & Home Based Businesses accessory to permitted single-family residences upon issuance of a conditional use permit in the agricultural districts, subject to the following as stated. Applicants manage the business themselves and do not have any employees at this time. The business utilizes 2,060 sq. ft of their barn. No new structures are proposed with this request. Property access is located west of 530<sup>th</sup> Street. Sales begin the last week in April, and continue in May, June, September, and October. They are closed in July and have a one weekend sale in August. Proposed hours of operation are Thursday, Friday, Saturday and Sunday from 10 am – 6 pm. PCC §240-54 establishes parking requirements and requires a minimum of 1 off-street parking space per 200 ft of primary floor area. A minimum of one parking stall shall be ADA compliant. The applicant’s have ample parking space to meet these requirements. There is ample parking for at least 10 vehicles. A restroom is available within the existing residence that is served by a mound septic system. PCC §240-61C(1)(b) allows the applicants with a CUP to have a maximum of two advertising signs located on their parcel that do not exceed 32 square ft in sign face area. Signs shall be located out of the road right-of-way and at least 5 ft from all side lot lines. Off-premise signs are limited to specific zoning districts, need a separate permit, and special review and approval. The applicants intend to install two advertising signs on their parcel within the next year that do not exceed 32 sq. feet in sign face area. Ellsworth Town Board recommended approval of this request on 1/9/2023. The Town Board justified their approval by stating, “Their business is

approved as it preserves rural character of the Town. We see no problems with having an antique business in the Town. They indicate they will not have signs on the roadway.”

**Staff Recommendation:** The staff recommended the Land Management Committee determine whether the proposed use at the proposed location would be contrary to the public interest, detrimental or injurious to the public health, public safety or character of the surrounding area. If found to be not contrary to the above, staff recommends the LMC approve the proposed Farm & Home Based Business with the following conditions:

1. Activities shall be conducted as presented in the application unless modified by a condition of this CUP.
2. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If applicant has questions as to what constitutes expansion or intensification, Land Management staff should be contacted.
3. The business shall be conducted by the owner of the dwelling unit.
4. The entire business area in the accessory building shall not exceed 5,000 square feet.
5. There shall be at least 1 off-street customer parking space. A minimum of one parking stall shall be ADA compliant.
6. Hours of operation shall be Thursday, Friday, Saturday and Sunday 10 am – 6 pm.
7. A maximum of 2 on-premise advertising signs that do not exceed 32 square feet in sign face area are allowed on this parcel. All advertising signs shall comply with the zoning code standards.
8. The CUP shall be renewed every 2 years. Renewal may be completed administratively if no compliance issues arise.

Chairperson Aubart asked the applicant if they wanted to add anything. The McCoys had nothing to add.

**Chairperson Aubart opened the hearing to the public. Chairman Aubart asked for any public comment.** Pichotta stated he received an email from a neighbor, Neil Siverson. The letter stated, “as per my phone conversation the other day, my husband Neil Siverson and I (Sue) strongly support the issuance of a CUP to the McCoy’s. A great service is offered to the community by offering the sale and preservation of local memorabilia and culture. Looking forward, it would be ideal if agribusinesses, such sales of crafts and antiques, were an allowed use in the Agricultural District.” **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. Sanden asked if there have been any complaints in the two years they have been operating. Lund stated no complaints. **Sanden moved to approve the conditional use permit for a Farm & Home Business for Kelly & Diane McCoy in the Primary Agriculture District, finding that it 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 - #8/Puhrmann seconded. All in favor. Passed.**

**Discuss take action on a request for renewal of a conditional use permit for a Resort in the General Rural and Commercial Districts, pursuant to Pierce County Code §240-39G, for John Grabrick, Big Dog Daddy’s Roadhouse LLC, owner on property located in part of Government Lot 3, in Section 7, T24N, R17W, Town of Isabelle, Pierce County, WI.**

**Staff Report – Adam Adank:** The applicant is requesting to renew a CUP for a Resort. The resort will operate year-round and include 42 campsites, 24 cabins, a support structure with bathrooms and showers, and infrastructure. No cabins or campsites have been constructed at this time. The applicant has removed vegetation and prepared the site for utility installation. The applicant intends to have 8 park model homes brought onsite and anchored to cement slabs to be used for the comping cabins this summer. Campsite utilities are also planned to be installed soon and the applicant intends to open campsite operations this summer. In 2019, a survey of the site was completed, a discrepancy with the existing fence line and east property line led the applicant to purchase a 30’ strip of land from the DNR in 2020. A Bar and Grill and mobile home (applicant’s residence) are located on the property. The Bar and Grill was destroyed in a fire. The applicant is in the process of building a new Bar and Grill on the site. The portion of the property containing the Bar and Grill was recently rezoned to Commercial. Resort is defined as: “A facility for transient guests where the primary attraction is generally on-site recreational features or activities and may include multiple related uses managed as one operation.” The proposed design for the resort is included in the packets. The applicant now intends to use park model homes

for the first 8 cabin sites. The applicant received a Land Use Permit to construct a shed in 2016. The applicant intends to convert this structure for use as the resort's bathrooms and showers. Staff contacted the Town of Isabelle Chairperson regarding this renewal request. The town has concerns about the amount of time it is taking to build/establish the resort and rebuild the bar and grill. No other complaints or concerns have been received. PCC §240-76(G) states, "all conditional use permits shall expire 12 months from the date of issuance where no action has commenced to establish the authorized use. If a time limit has been imposed as a condition for the permit, the permit shall expire at the end of the time limit." A screening plan will need to be completed as required by condition #4. The applicant has indicated they will be ready to submit the screening plan soon. The existing conditions are listed #1-#9.

**Staff Recommendations:** Staff recommends the Land Management Committee consider whether any additional conditions or modifications are necessary. If not, staff recommends the Land Management Committee renew this Conditional Use Permit for a Resort with the following conditions:

1. The resort shall be conducted as described in the application, unless modified by a condition of this permit.
2. A survey of all property lines, existing structures, and setbacks for cabins and campsites shall be completed. Land Management Department staff shall verify side yard setbacks and minimum campsite dimension requirements prior to campground operation.
3. State Plan approval for the required improvements to the sanitary dump station, holding tank, and sewer services, as well as associated service contracts and contact information, shall be submitted to the Land Management Department prior to construction.
4. If the applicant does not own the neighboring property to the west, a Screening plan shall be submitted to the LMC for approval. Any required screening shall be established prior to resort operation.
5. Internal roads, camping pads, and water and sanitary improvements shall be constructed or implemented prior to operation of the resort. Staff shall be contacted to verify prior to operation.
6. All advertising signage shall comply with the Pierce County Zoning Code.
7. The applicant shall comply with the following conditions, numbers 4, 6, 7, 10, 11, and 12 as modified, as recommended conditions of Town of Isabelle dated December 18, 2017 unless specifically modified by another condition of this CUP.
  4. Fires are allowed in fire rings and grill only. All fires shall not be left unattended and all fires shall be extinguished before being left unattended. The burning of garbage, plastic, glass, cans or other recyclable items shall not be permitted. To minimize the spread of diseases, firewood shall be purchased locally.
  6. Excessive noise is inconsiderate to fellow campers and of the general residences of the areas near the campground and bar area. Noise levels shall not exceed 80 decibels, DBs, at the property lines of Parcel #014-01019-0700 (applicant parcel) at any time. Additionally, the noise level shall not exceed 55DBs 200 feet west of the West property line of parcel #014-01019-0700 which is the west property line of parcel #014-01018-0910 (neighboring residential parcel). In addition, noise levels shall not exceed 70DBs (with the exception of air conditioners) at the property lines of Parcel #014-01019-0700 for a time duration of eight (8) hours commencing at 10 pm each day of the week except Friday and Saturday. The start time of the 70 DB limitation on Friday and Saturday shall be no later than 11 pm.
  7. Fireworks shall not be permitted at any time on Parcel #014-01019-0700.
10. The warm weather camping season shall run from May 1st through October 31st. Approved electric, sewer and water hookups shall be provided during the warm weather camping season for each campsite as shown in Exhibit B. Cold weather camping shall be permitted if and only if permanent restrooms as defined by applicable Wisconsin Codes are operational. Year round residences shall not be permitted at the designated campsites and cabin sites.
11. The maximum number of campsites including cabin sites as shown in Exhibit A shall be limited to 66.
12. Applicant shall provide an annual status report to the Town of Isabelle.



8. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If the applicant has questions as to what constitutes an expansion or intensification, Land Management staff should be contacted.
9. This permit shall expire in one year.

Chairperson Aubart asked the applicant if they wanted to add anything. Mr. Grabrick stated it has taken us a little while, but we finally have obtained the financing that we needed, contractors are coming in. He stated that if you haven't driven past the place in the last few months, there is a pretty spectacular facility going up to replace the old bar. We have two different contractors looking at doing the campground grading for us, that will be done this Spring. We are looking at these park models for cabins on a concrete slab. As soon as we have the state approval on the septic system and the frost is out of the ground, we will get rolling on that. Mr. Grabrick stated that he submitted the new screening plan this week. If everything goes as planned, things should be ready and opened by springtime. Chairperson Aubart asked the town if they wanted to add anything. Scott Nelson, from the Planning and Zoning Commission for Isabelle Township, stated that it states the screening plan shall be established prior to resort operation, so his question was if the screening would have to be completed before Mr. Grabrick could open the door of the resort? Adank stated yes. Mr. Nelson asked who approves the screening plan? Adank stated the Land Management Committee. Dennis Potts, Chairman of Isabelle, stated he talked with Mr. Grabrick because he has heard some complaints from the neighbors that it is taking too long, and it's not getting done. Mr. Grabrick stated that this year is going to be it, he has the financing and the campground and building will be done. Potts stated that, as of right now, Mr. Grabrick does not have a liquor license, we've held that for the last two years because he doesn't have an establishment to serve it at. Mr. Potts told Mr. Grabrick if he gets the building done by July we can renew the license. Chairperson Aubart asked for any other questions. No further questions. **Gulbranson made motion to approve the renewal of a conditional use permit for a Resort in the General Rural and Commercial Districts for John Grabrick, Big Dog Daddy's Roadhouse LLC with conditions #1 - #9 as written/Puhrmann seconded. All in favor. Passed.**

**Discuss take action on a request for renewal of a conditional use permit for Nonmetallic Mining in the General Rural District for Pierce County Highway Department, owner on property located in part of the NW ¼ of Section 5, T25N, R16W, Town of Salem, Pierce County, WI.**

**Staff Report – Adam Adank:** This mine was previously owned by Gregory Bisel. In January of 2020, Mr. Bisel sold 150 acres to the Highway Department. The Pierce County Highway Department has been the operator of this mine since 1990 and is now the owner. When Mr. Bisel owned the property, the Highway Department had a lease agreement that encompassed 70 acres. In February of 2021 the highway department submitted an updated reclamation plan and was granted approval to expand the mine. During the past two years the highway department has been crushing annually as they have done in the past. The last on-site blast was November 2, 2022 and the quarry face is advancing away from US Hwy 10 to the north. In the past two years the highway department has stripped an additional two acres. Hauling was steady in 2022 and future hauling volumes are expected to be consistent. The current active mining area is approximately 12 acres. The operation typically removes 30,000 to 40,000 tons of material each year. Blasting takes place dependent upon when material is needed. Staff contacted the Town of Salem Chairperson regarding this renewal. The town has received no complaints since the last renewal and they have no concerns at this time. The existing conditions of the mine are listed in the staff report #1-#11.

**Staff Recommendations:** Staff recommends that the Land Management Committee consider whether any changes or additions to the existing conditions are required. If no additions or modifications are deemed necessary, staff recommends this CUP be renewed with the following conditions:

1. Hours of operation shall be 7:30 am to 3:30 pm, Monday through Friday, except in June July and August; hours of operation shall be 6 am to 6 pm.
2. A 100-foot setback shall be maintained from all property boundaries. In areas where prior mining has extended within this setback no further encroachment shall occur.
3. Reclamation of the mine shall adhere to the original plan which states that slopes shall be restored to 3:1.

4. The owner shall notify the Zoning Office when the operator of the mine is no longer a public entity. Modifications to the permit may be required at that time.
5. Applicant shall comply with NR 135 Annual Reclamation Permits.
6. All blasting shall be done by a certified state licensed blaster.
7. Residential property owners located within 1000 feet of mining operations shall be given a two-day notice of any planned blasting.
8. Well tests for nitrates, suspended solids, and dissolved solids shall be conducted for all existing wells within 1000 feet of the proposed mining operation annually.
9. Any unforeseen erosion issues shall be addressed to the satisfaction of the Zoning Office or the Land Conservation Department.
10. The CUP is valid for two years and may be renewed upon request. The owner/operator is responsible for requesting renewal. Operations conducted without a valid permit shall be subject to enforcement action.
11. A renewal fee of \$200 plus \$20 per acre of expansion shall be paid.

Chairperson Aubart asked if anyone had any questions or concerns. Pichotta noted that the Highway Commissioner is online if anyone had any questions for him. **Purhmann made motion to approve the renewal of a conditional use permit for Nonmetallic Mining in the General Rural District for Pierce County Highway Department with conditions #1 - #11 as written/Sanden seconded. All in favor. Passed.**

**Discuss take action on a request for renewal of a conditional use permit for Nonmetallic Mining in the Industrial District for Monarch Paving, owner on property located in the NE ¼ of the SW ¼ of Section 28, T25N, R18W, Town of Trenton, Pierce County, WI.**

**Staff Report – Adam Adank:** This operation was originally permitted for nonmetallic mining in 2001 and was expected to provide sand and gravel for Monarch’s asphalt plant for 5-8 years. The property is currently the storage site for dredged materials taken from Corps Island on the Mississippi River, near Diamond Bluff. 350,000 cubic yards of dredged material were hauled to the site in 2011. The dredged material was originally used for “interim reclamation” and is now being utilized by the operator in other projects as needed. Since 2011 Monarch Paving has averaged 3,000-4,000 tons of sales per year up until 2021. There have been no sales since the last renewal in 2021. The sand is available for sale to anyone, private or public, but most of the sand being sold is to local excavating companies. This site is internally drained. The floor of the pit is at 690 feet above mean sea level. Surface water is directed to the northwest towards the pit entrance. Permitted hours of operation are 6 am to 6 pm, Monday through Friday and 8 am to 6 pm on Saturday during the construction season. The haul road was paved to address airborne dust concerns. The groundwater response plan has been approved. The County has received no complaints about this operation since the last renewal. Staff contacted the Town of Trenton Chairperson regarding this operation. The town has not received any complaints since the last renewal and has no concerns with the operation at this time. The existing conditions are listed #1 -#12.

**Staff Recommendations:** Staff recommends that the Land Management Committee determine whether additions or modifications to the existing conditions are necessary. If no additions or changes are warranted, staff recommends this CUP be renewed with the following conditions (prior conditions #1 & #12 removed): #1 was removed because it relates to compliance with other agencies. #12 was removed because hydraulic placement is no longer considered by Monarch, and new materials on site would need to be addressed on this CUP. Pichotta stated that condition #12, was added prior to hydraulic placement of dredge materials becoming a conditionally permitted use in the code.

1. Hours of operation are from 6:00 AM to 6:00 PM, Monday through Friday and 8:00 AM to 6:00 PM on Saturday during the construction season.
2. The haul route for commercial trucks is from the pit entrance on County Road K to Hwy 35.
3. Reclamation financial assurance information shall be reviewed and approved by Corporation Counsel and kept current.
4. A 50 ft. setback shall be maintained from all property lines for all mining activities.
5. The applicant shall notify the Zoning Office if groundwater is encountered.
6. Applicant shall comply with PCC Chapter 241 Nonmetallic Mining Reclamation.

7. Reclamation shall be according to submitted plans.
8. Applicant agrees that any unforeseen erosion issues shall be addressed to the satisfaction of the County.
9. The approved Groundwater Response Plan shall be adhered to.
10. This CUP shall be reviewed for renewal in two years.

**Sanden made motion to approve the renewal of a conditional use permit for Nonmetallic Mining in the Industrial District for Monarch Paving with conditions #1 - #10 as written/Gulbranson seconded. All in favor. Passed.**

**Discuss take action on a request for renewal of a conditional use permit for Nonmetallic Mining in the General Rural, General Rural-Flexible and Primary Agricultural Districts, pursuant to Pierce County Code 240-37A for Wisconsin Industrial Sand Company, agent for Kathleen & John Thayer, My Course LLC, Cynthia Hanson and MOAP LLC/TROLL KING LLC, owners on property located in part of sections 33, 34, and 35, all in T25N, R17W, Town of Hartland, Pierce County WI and for Wisconsin Specialty Sands Inc, owner and agent for Nellie Anderson, My Course, Charles & Lynn Brown, Lynn Brown, Dennis Potts, Florness Farms LCC, Gregory & Debra Anderson and Margaret Chesley, on property located in part of Sections 2, 3, 4 and 10, all in T24N, R17W, Town of Isabelle, Pierce County, WI.**

**Staff Report – Adam Adank:** The underground mining operation began in 2006; in 2008 the hours of operation were expanded to 24 hours a day. In 2013, the LMC approved an expansion of the mining area into the Town of Hartland. Activities on the site include blasting and screening, the sand is trucked to the processing facility in the Town of Trenton. Trucks enter and exit the site directly onto State Hwy 35. To date, all mining activity has taken place in the Town of Isabelle. Due to current market demand, mining at the site has ceased and reclamation activities have begun. Staff contacted the applicant asking for a summary of any reclamation activities that have taken place within the last two years. The applicant responded that *“mining activities have been idled at the site since June 2016. We will be prepared to discuss the reclamation activities that have occurred to-date, the activities remaining at the site, and the anticipated timeline.”* Although actual mining has not occurred since 2016, WISC had, up until this renewal, detailed the actions taken to maintain the mine and its associated systems to ensure that the mine could be quickly opened should the sand market rebound. Said maintenance had been adequate to “maintain the use” from a permitting standpoint. Staff contacted the town of Isabelle Chairperson regarding this renewal. The town has had no complaints since the last renewal and has no concerns at this time. Staff contacted the town of Hartland Chairperson regarding this renewal No response has been received at this time. The existing conditions of the mine are listed #1 - #26.

**Staff Recommendations:** Given that WISC has officially ceased mining activities at this site, staff recommends that the Land Management Committee renew this CUP with the following conditions:

1. Reclamation shall be according to submitted plans and shall be completed within 2 years.
2. After the asphalt and road gravel is removed, following mine closure, the road shall be graded so storm water will run laterally off the old road bed and not longitudinally down the old profile grade of the road bed.
3. Applicant agrees that any unforeseen erosion issues that arise shall be addressed to the satisfaction of the county.
4. This CUP shall expire in two years.

Adank stated we should consider adding one more condition to clarify that there are no conditions relating to active mining now, that it is not a free for all to continue mining without limitations. We are also recommending condition #5 stating, “Active mining shall not take place, unless reauthorized by this CUP. Pichotta noted that we have folks from the mine present and asked that they give us an update on activities. Jaimie Swenson stated she wanted to clarify a couple of items and provide some additional information. Nothing has changed from previous renewals, we are still maintaining the site in an idled status. Swenson wanted to let us know that they have begun their due diligence to start closure and reclamation of the site. They have started repurposing equipment, moving it off site and have initiated conversations with DNR, U.S. Fish and Wildlife for the bat hibernaculum at the site. Swenson stated there are going to be a lot of moving parts when it comes to the

reclamation of this site. Swenson stated we are requesting is that condition #1 be removed as far as the timeline. We know the CUP is good for 2 years, and there is a lot of unknowns when working with the DNR on the reclamation, so we have no idea if that will take us 1 year or 3. Michele Maxson added that this is an underground mining operation and with the bats, we do want to make sure we are not disturbing them during the hibernating season, so that is really why we would want to remove #1 and to expand that. Pichotta asked if it would be better from their perspective if it was re approved with all of the existing conditions. Swenson stated we would prefer to keep it as it is. We have continued to maintain mine in an idle position and have initiated conversations with the DNR and will continue to do the monitoring and do the maintenance and make sure that we have safety concerns addressed. Keeping all those existing conditions in the permit for the site would be our preference. Pichotta suggested the Land Management Committee consider renewing the conditional use permit for this mine with existing conditions #1 - #26. Pichotta also noted that there are folks from the Town here as well that may have questions. Dennis Potts, Town of Isabelle chairman, asked about the vacant house adjoining his land and what they intended to do with it. Swenson stated that they continue to do their due diligence with the security issues. **Gulbranson made motion to approve the renewal of a conditional use permit for Nonmetallic Mining in the General Rural, General Rural-Flexible and Primary-Agriculture Districts for Wisconsin Industrial Sand Company with existing conditions #1 - #26 as written/Purhmann seconded. All in favor. Passed.**

**Discuss take action on Travel/Training Requests.** Pichotta stated he has two travel/training requests. One for Jesse Stenske to attend a POWTS training in Tomohawk, WI, on March 8<sup>th</sup> & 9<sup>th</sup>. There is also a field day on April 6<sup>th</sup>. The cost is \$50 plus lodging. \$110 total and he would use the county car. The other training is for Adam Adank and Emily Lund to attend the WI County Code Administrators annual conference located in Wausau, WI on March 29<sup>th</sup> – 31<sup>st</sup>. The cost is \$200/per person plus lodging. We have money budgeted for these requests. **Sanden made motion to approve/Purhmann seconded. All in favor. Motion approved.**

**Future agenda items:** Pichotta stated our next meeting will be March 1<sup>st</sup>. Belle Vines was sold and the new buyer is going to request a different plan and CUP, and they are working their way through the town of Clifton. When we do meet again, we will have that screening plan for Big Dog Daddy's Roadhouse. We do not have much for CUP renewals as we have moved more toward the administrative renewals.

**Motion to adjourn at 6:49pm by Gulbranson/Purhmann seconded. Motion passed.**

Respectfully submitted by A. Anderson