

**SAUK COUNTY BOARD OF SUPERVISORS  
LAND RESOURCES & ENVIRONMENT COMMITTEE  
Thursday, December 12, 2019  
County Board Room, Sauk County West Square Building**

Conservation, Planning, and Zoning (CPZ) Committee members present: M. Krueger, J. Dietz (arrived 9:09), G. Johnson, C. Whitsell, B. Newport, C. Spencer, and J. Berlin.

Absent: R. Puttkamer

Others present: L. Wilson, G. Templin, E. Geoghegan, S. Brown, B. Bailey, B. Simmert, J. Alt, and C. Fowler, See Registration slips for others.

At 9:04 a.m. Chair Spencer, called the Land Resources and Environment Committee meeting to order and Templin certified to be in compliance with the Open Meetings Law.

Adopt agenda: Motion by J. Berlin/B. Newport to adopt the agenda as discussed. Motion carried, all in favor.

Adopt minutes: Motion by G. Johnson/C. Whitsell to approve the November 26<sup>th</sup> LRE minutes. Motion carried, all in favor.

Public Comment:

Charles Luthin, spoke on behalf of the Conservation Alliance and BOMC regarding the upcoming agenda item regarding the funds disbursements.

Curt Meine, spoke on behalf of the BOMC and upcoming agenda item regarding the funds disbursements.

Communication: Wilson spoke of the email and proposal from Mr. Luthin and verified that Committee members had received the information.

Land Records

a. Review and approval of vouchers. Templin reviewed vouchers. Motion by C. Whitsell/G. Johnson to approve vouchers as submitted. Motion carried, all in favor.

b. Discussion and possible action on resolution Authorizing a Contract with EO Johnson Business Technologies for Conversion of Real Estate and Personal Property Tax Rolls to Electronic Images. Geoghegan reviewed the resolution and proposals submitted. Motion by J. Berlin/C. Whitsell to accept the resolution as presented. Motion carried, all in favor.

Register of Deeds

a. Department report. Bailey appeared and provided the department report.

b. Review and approval of vouchers. Bailey appeared and reviewed vouchers. Motion by C. Whitsell/J. Berlin to approve as presented. Motion carried, all in favor.

**Public hearing: To begin at approximately 9:15 a.m. (Committee to consider and take possible action at the conclusion of the respective hearing.)**

Petition 21-2019. A petition from Bug Tussel Wireless to consider a conditional use permit pursuant to s. 7.038(9)(i) for a mobile tower siting on property owned by Michael Pletzer. Said conditional use is located in the NE ¼, of the SW ¼, Section 15, T09N, R3E, Town of Bear Creek, tax parcel 004-0228-00000.

Gary Henshue, Applicant, appearing in favor of the request, provided a hand out, and stated he did go to the Town of Bear Creek and explained how the tower location was determined. He also review information to address the health concerns and provided a hand out from the American Cancer Society. He noted a quote from the planning commission stating that the tower will add no significant value and referred to the hand out which disputes the comments. He spoke of support from the Sauk County Sheriff's Dept, the River Valley School District, and the Sauk County Development Corp, for the tower to provide internet/broadband service due to the lack of service in this area. He then reviewed the site locations, distance from nearby homes and elevations of the home locations.

Whitsell asked if he provided the same information at the town location. Henshue stated he did answer several questions, but he did not have the information, as he obtained it due to questions that were raised from the town meeting.

Berlin asked about the higher megabits resulting in less coverage. Henshue stated he could not answer that, but there are others here that can.

Krueger explained the FirstNet contract and how it works.

Mike Pletzer, applicant and owner, appearing in favor of the request, stated he attended the Town of Bear Creek meeting and explained that he reviewed the comprehensive plan for the Town of Bear Creek and that the decision does not conform with the town's plan. He distributed a packet of information and provided a presentation on how the tower meets with the town's plan. He notes that the town has not brought forth any reasons that meet state or county code that the CUP should be denied.

Spencer asked if the applicant pays taxes. Pletzer stated he does.

Steve Emerson, Town Supervisor, Town of Bear Creek, stated that the applicant is correct a tower is needed in this area, but he struggles having to pick one side or the other.

Krueger asked how many are on the town board. Emerson stated there are 3. Krueger asked if the other property owner of the other preferred site is on the planning commission for the town. Emerson stated he is.

Whitsell reviewed the comprehensive plan document for Emerson regarding the telecommunications.

April Fuhr, Bug Tussel, appearing in favor of the request, talked about the company and the things they do for the communities that they serve. She spoke of the difference in the two tower options.

Richard Lins, appearing in opposition, presented a petition of signatures opposed to the tower, as well as a map, and spoke of health risks of cell towers and suggested a different site where he would not see a tower. He reviewed a study of possible property value losses.

Whitsell asked about the neighbors on the map signing the petition. Lins stated that is correct.

Johnson asked how the petition was proposed to the neighbors and how it was explained. Lins stated he didn't really explain it.

Spencer asked if he was in favor of a tower anywhere in Bear Creek. Lins stated he has no problem with cell towers.

Krueger asked if there would be the same opposition if the other site would have been chosen. Lins stated there wouldn't have been as big of a push from him, but you still have the health concerns.

Joe Bauer, appearing in opposition, stated he took him to several spots that would have been better and does not feel anyone will switch carriers and does not think anyone will have farm equipment that will use the technology.

Berlin asked if the Town of Bear Creek was in favor of the chosen site. Bauer stated no.

Berlin asked if he can receive cellphone coverage. Bauer stated he can.

Spencer asked if he is opposed to towers or have one his property. Bauer stated he would talk to all his neighbors.

Spencer mentioned that many young people leave because of technology.

Krueger asked about the noticing requirements. Wilson explained.

Krueger asked if there was a problem with the findings of facts of the public hearing itself. Wilson stated there was no issue with the hearing itself; however, the new hearing and evidence presented must be evaluated in their findings.

Seeing that no one else wishes to speak, Chair Spencer closed the public portion of the hearing at 10:44 a.m. and the committee began deliberation.

Berlin stated the town was not informed or notified by staff, nor were adjacent owners of the appeal, and feels the committee needs to honor the wishes of the town board.

Spencer clarified with staff that the town and all adjacent owners were notified. Fowler confirmed notices were sent to the town clerk via certified mail and all adjacent owners were notified.

Whitsell stated that he is troubled by the fact that the owner of the other site had a role in the townships action in the approval or disapproval.

Dietz commented on the number of signatures and the multiple signatures from households.

Krueger spoke of the original hearing and the findings of facts and feels it is problematic that the other land owner didn't recuse themselves from the discussion and voted; and to find fault in the noticing and not find fault in that is disturbing. He also addressed that the broadband and internet coverage is a huge issue for the county as a whole and how it drives economic development.

Whitsell read from the Town of Bear Creek's comprehensive plan, specifically as it relates to the need for telecommunication needs.

Motion by M. Krueger/C. Whitsell to reaffirm the approval of the conditional use permit 21-2019, with the conditions recommended by Land Resources and Environment. Motion carried, 6-1 with Berlin in opposition.

Possible closed session pursuant to Wis. Stat. § 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Performance evaluation of the Land Resources & Environment Director.

Motion by Krueger/Newport to go into closed session. Roll call, Ayes – Spencer, Krueger, Berlin, Johnson, Dietz, Newport, Whitsell. Nays – None.

Motion by M. Krueger /C. Whitsell to reconvene in open session immediately following closed session

### Land Resources and Environment

- a. Department report. Wilson reviewed the department report.
- b. Review and approval of vouchers. Templin reviewed the vouchers. Motion by M. Krueger/C. Whitsell to approve the vouchers as presented. Motion carried, all in favor.
- c. Discussion and possible action on POWTS Fee schedule updates. Wilson reviewed the proposed POWTS fees. Motion by M. Krueger/C. Whitsell to accept the updated fee schedule as proposed. Motion carried, all in favor.
- d. Discussion and possible action on resolution Authorizing the Use of Badger Army Ammunition Carryforward Funds in 2019 and Amending the 2020 Land Resources and Environment Budget. Motion by M. Krueger/C. Spencer to postpone the resolution to the first meeting February. Krueger explained that the intent would be to reimburse the friends group for the signs that were installed, but then have a conversation with the other groups on how to use the remaining funds. Berlin suggested that funds be spent in different ways than what was proposed on the resolution and the money should go directly to the original BOMC. Whitsell asked about the original funds. Krueger explained. Motion carried, all in favor.
- e. Discussion and possible action on Survey Quotes for the Great Sauk State Trail. Simmert explained the quotes and what will take place with the survey work to be done. Motion by J. Berlin/G. Johnson to select United Grading/Surveying. Krueger asked where they are from. Johnson asked if they have ever done work with the department. Simmert stated they have never done work with the department and has never heard of them. Krueger stated it is in the best the interest to do it as expeditious as possible. Spencer stated it makes him nervous that we have no experience with this firm. Motion fails 3-4 with Spencer, Krueger, Whitsell and Newport in opposition. Motion by C. Spencer/C. Whitsell to select Jewell and Associates to conduct the survey work for the Great Sauk State Trail. Motion carried 4-3 with Dietz, Berlin, and Johnson in opposition.
- f. Discussion and possible action on resolution Authorizing to Contract with Ayres Associates for the Engineering of Hemlock Dam. Wilson reviewed the resolution. Motion by C. Whitsell/M. Krueger to approve the resolution to accept the contract with Ayres and Associates for the Engineering of Hemlock Dam.
- g. Discussion on participation in the State of Wisconsin Motorized recreation Grant Program for ATV/UTV Trail Aid. Alt explained the grant program and explained there is no cost to the program except for staff time, which is reimbursable through the DNR. Motion by M. Krueger/C. Whitsell to participation in the Grant Program. Motion carried, all in favor.
- h. Discussion and possible action on Conservation Reserve Enhancement Program (CREP) signature authority for Gus Johnson and Lisa Wilson. Wilson reviewed. Motion by M. Krueger/C. Whitsell to give authority to Johnson and Wilson. Motion carried, all in favor.

Next meetings of the Land Resources and Environment Committee will be held on Thursday, January 9<sup>th</sup> and Tuesday, January 28<sup>th</sup>, 2020.

Motion by G. Johnson/B. Newport to adjourn the meeting at 12:20 p.m. Motion carried, all in favor.

Respectfully submitted,

Glen Johnson, Secretary