

CONSERVATION EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE

DATE: Wednesday, May 2, 2018

TIME: 9:00 a.m.

LOCATION: Wood County Courthouse, Room 115

1. Call meeting to order
2. Public Comments (*brief comments/statements regarding committee business*)
3. Review Correspondence
4. Consent Agenda
 - A. Approve minutes of previous meeting
 - B. Approve bills
 - C. Receive staff activity reports
5. Risk and Injury Report
6. Discussion/appointment of WCA –Steering Committee member.
7. CEED History and future discussion.
8. Land & Water Conservation Department
 - A. NRCS report – Roy Diver
 - B. Discuss Water Committee.
 - C. Discussion with staff regarding CEED Committee highlights of the Dr. Mark Borchardt and Kevin Masarik presentations that are identified in the March 7, 2018 CEED Committee minutes item 6.C.
 - D. Review draft of proposed Wood County Nonferrous metallic Mining and Reclamation Ordinance.
 - E. Approve Cost-Share Funds Transfer Agreement from Jackson County to Wood County in the amount of \$8,000
 - F. North Central Land & Water Conservation Association (NCLWCA) Spring Re-organization meeting.
 - G. Appoint NCLWCA representative.
 - H. Discuss Golden Sands RC&D representative from CEED Committee.
 - I. Wisconsin Land + Water new supervisor training.
9. UW Extension
10. Economic Development
 - A. Activity update from Marshfield Area Chamber of Commerce and Industry (Scott Larson)
11. County Surveyor
12. Private Sewage
13. Planning
14. Schedule next regular committee meeting – 9:00 a.m. Wednesday, June 6, 2018.
15. Agenda items for next meeting
16. Schedule any additional meetings if necessary.
17. Adjourn

MINUTES
CONSERVATION, EDUCATION & ECONOMIC DEVELOPMENT COMMITTEE
WEDNESDAY, April 4, 2018
WOOD COUNTY COURTHOUSE, ROOM #115, WISCONSIN RAPIDS WI

Members Present: Hilde Henkel, Kenneth Curry, Robert Ashbeck, Bill Leichtnam, Adam Fischer and Harvey Petersen.

Staff Present:

Planning & Zoning Staff: Jason Grueneberg and Adam Dekleyn, Jeff Brewbaker
Land & Water Conservation Staff: Shane Wucherpennig, Tracy Arnold, Adam Groshek
UW Extension Staff: Jason Hausler, Katie Tomsyck

Others Present: Dist. #14 Supervisor Dennis Polach, Dist. #15 Supervisor Bill Clendenning, dist. #16 Supervisor Lance Pliml, Melissa Reichert

1. **Call to Order.** Chairperson Henkel called the CEED Meeting to order at 9:00 a.m.
2. **Public Comments.** None.
3. **Review Correspondence.**
 - A. Chairperson Henkel shared a memo of her final report from the WCA meeting.
4. **Consent Agenda.** The Consent Agenda included the following Items: 1) minutes of the March 7, 2018 CEED meeting, and the March 20th special CEED meeting. 2) bills from Planning & Zoning, Land & Water Conservation and UW Extension and 3) staff activity reports from Jason Grueneberg, Adam DeKleyn, Justin Conner, Jeff Brewbaker, Stevana Skinner, Kim Keech, Victoria Wilson, Shane Wucherpennig, Tracy Arnold, Adam Groshek, Emily Salvinski, Lori Ruess, Matt Lippert, Jodi Friday, Chris Viau, Laura Huber, Jackie Carattini and Jeremy Erickson.

Motion by Ken Curry to approve and accept the minutes of the March 7, 2018, and March 20th, 2018 meetings, the bills from Planning & Zoning, Land & Water Conservation, and UW-Extension, and the staff activity reports as presented. Second by Bill Leichtnam. Motion carried unanimously.

5. **Risk and Injury Report.** None.
6. **Land & Water Conservation Department**
 - A. Discuss the Guidance Document for the development of the Wood County Nonferrous Metallic Mining Ordinance. Shane Wucherpennig, Adam Dekleyn and Tracy Arnold have been reviewing zoning ordinances vs. licensing ordinances from other counties. With a zoning ordinance, each town would have to approve that zoning ordinance. With the licensing ordinance, it would be county-wide. Peter Kastenholtz suggested that he is leaning more towards a licensing ordinance. The ordinance can be self-supported depending on how it is drafted. It would be based off the state minimum requirement. Bill Leichtnam suggested using what Taylor County learned from their licensing ordinance. Shane Wucherpennig added that the goal of this ordinance is not to prohibit the mining from coming into the county, but to outline the process and path that mining companies will have to follow in order to come in. Hilde Henkel urged that whatever process is set in place, that it applies to the potential mine owning company, not the landowner. Wucherpennig, Dekleyn and Arnold will have a rough draft of the licensing ordinance at the next CEED meeting, where they will need additional

guidance from the CEED committee. Bill Leichtnam reminded that this needs to be done quickly before companies start with exploration. The setbacks of the ordinance will match the state standard.

Motion by Adam Fischer for Land & Water Conservation and Planning & Zoning to work on a Wood County Nonferrous Metallic Mining Licensing Ordinance draft as quickly as possible. Second by Bill Leichtnam. Motion carried unanimously.

- B. Open and approve bids for closure of a manure storage facility on property owned by Darrell Sternweis. Received three bids. First bid from Pankratz Trucking was for \$10,800. Second bid from Kolo Trucking was for \$3,994. Third bid from Jeff Ignatowski Trucking was for \$14,376. Chairperson Henkel commented that this is an extraordinarily large range. Shane Wucherpfennig responded that the Wood County estimate was roughly \$9,000.

Motion by Harvey Peterson to approve the lowest qualifying bid. Second by Adam Fischer. Motion carried unanimously.

- C. Update on Healthy Soil, Healthy Water Workshop. 51 people attended; most were new attendees. Wucherpfennig mentioned that this area was saturated with similar events on this topic. He will give a more detailed report on this later in the year.
- D. Discussion of Central Sands Groundwater Group. Adam Fischer wants Wood County staff to cease involvement with the Central Sands Groundwater group, including facilitation, minute taking and Supervisor per diems. He believes this group is a special interest group, so the county should have no involvement. Bill Leichtnam commented that this group talks about best practices in farming, lawn care and fertilization. He has not found it to be anti-CAFO. Ken Curry agreed with Bill Leichtnam. Adam Fischer commented that staff could attend the meeting to learn, but that no county funds should be used toward the group.

Motion by Adam Fischer for Wood County staff to have no involvement with the Central Sands Groundwater group. Second by Harvey Peterson.

Ayes: Hilde Henkel, Adam Fischer, Robert Ashbeck, Harvey Peterson

Nays: Bill Leichtnam, Ken Curry; it is incumbent that the county is involved in water issues.

Motion carried 4-2.

7. UW Extension

- A. Communities Extension Educator Discussion. Jason Hausler shared the draft position description. Hausler explained that after the position is hired, the educator will develop a plan of work, which will determine the measurable goals of the position. Ultimately, the CEED committee will have annual budget approval of the position. Hausler will make the assessment of the position, but the CEED committee makes the judgment. Hilde Henkel asked how the committee can ensure that the old Department Head functions are being met. The Extension office is currently going through cross training to ensure that checks and balances are in place across the office. Hausler gave a status update on the open position. After a budget meeting with the state at the end of March, Hausler did not get the go-ahead to post the position. He explained that if the county wanted to hire the position right away, they could agree to fund the position 100% going forward, instead of the usual 40%. There are currently available funds from the open .7 support staff position to fully fund the Community Extension Educator position. The office would maintain the 2.0 FTE support staff positions. Wendy Young currently works .7, but she has the flexibility in the summer to work up to 1.0. Lance Pliml believes that it

needs to move forward. Adam Fischer shared his concern on how future positions will get funded when educators leave.

Motion by Adam Fischer to fully fund the Communities Extension Educator position. Second by Robert Ashbeck. Motion carried unanimously.

- B. Office Ergonomic Assessment Update & Plan of Action. The Extension office did an ergonomic assessment through Adam Fandre, the Wellness Coordinator. After speaking with the Finance Department, Jason learned that he could transfer some of the salary savings from the open positions to put towards office furniture with committee approval. Jason shared the results of the assessment and a plan to move forward. He also shared that there is a musty smell in Peter's old office and that there are not enough electrical outlets in the offices. Hilde Henkel commented that if the room is dysfunctional, the Maintenance Department should be taking care of the problems, not UW-Extension. The CEED committee gave Hausler direction that to continue looking into this, and then present a final budget with exact breakdowns to the committee.

Motion by Ken Curry to hold a special meeting to act on the budget for this project. Second by Adam Fischer.

Ayes: Hilde Henkel, Adam Fischer, Bill Leichtnam, Ken Curry

Nays: Robert Ashbeck; this decision should wait for the incoming committee.

Motion carries 4-1.

- C. Updated UW-Extension Contract. Tabled until Community Extension Educator position numbers are updated.

8. Economic Development

- A. Activity update from the Heart of Wisconsin Chamber of Commerce (Melissa Reichert). Melissa Reichert listed the activities and programs that the Chamber of Commerce involved with. She also mentioned that she has observed strong communication and collaboration with economic development efforts regionally, especially between the Heart of Wisconsin and MACCI.

9. County Surveyor. No update.

10. Private Sewage-

- A. Jeff Brewbaker clarified a line in his staff active report regarding "Failure to obey the POWTS Administrator's orders". He mentioned that the people going to court typically are the ones who do not communicate with the department. The 1st Septic Maintenance Notice postcard mailing is targeted for April 23rd, with a due date of August 11th to respond. There will be a second and third notice if they do not meet the deadline. Jeff also shared that the religious waiver for private sewage has been resolved. Hilde Henkel asked about plans for replacing the Carmody system. Jason responded that he has talked with IT about creating an in-house version of Carmody, however, it has not been a high priority as compared to other projects and IT may not be able to create a program that costs less than what we currently pay Carmody.

11. Planning. Jason Grueneberg shared that a lot of the towns in Wood County are reaching the 10 year mark for their comprehensive plans. They are currently working on one with the Town of Lincoln.

12. Schedule next regular committee meeting

The next regular CEED meeting is scheduled for Wednesday, May 2nd, 2018 at 9:00am at the Wood County Courthouse, Room 115. This could potentially be changed if the new CEED committee decides to meet on a different day.

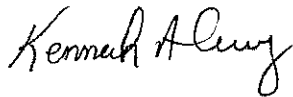
13. Agenda items for next meeting

14. Schedule any additional meetings if necessary.

A special CEED committee meeting will be held on April 17th at 9:00am to review the ergonomic assessment proposal for UW-Extension.

Chairperson Henkel declared the meeting adjourned at 11:26 am.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Kenneth Curry".

Kenneth Curry, Secretary

Minutes by Katie Tomsyck, UW-Extension

Review for submittal to County Board by Kenneth Curry (approved on April 10, 2018)

MINUTES
CONSERVATION, EDUCATION & ECONOMIC DEVELOPMENT COMMITTEE
WEDNESDAY, April 17, 2018
WOOD COUNTY COURTHOUSE, ROOM #115, WISCONSIN RAPIDS WI

Members Present: Hilde Henkel, Kenneth Curry, Robert Ashbeck, Bill Leichtnam, and Adam Fischer

Staff Present:

UW Extension Staff: Jason Hausler, Katie Tomsyck

Others Present: Dist. #14 Supervisor Dennis Polach, Dist. #15 Supervisor Bill Clendenning, Mark Henkel

1. **Call to Order.** Chairperson Henkel called the CEED Meeting to order at 9:00 a.m.

2. **Public Comments.** None.

3. **Review Correspondence.** None.

4. **UW Extension**

- A. Office Ergonomic Assessment Update & Plan of Action. Jason Hausler gave an update about the restoration work that Maintenance is doing to fix the smell coming from two of the Extension offices. Years ago, a pipe burst, this has since caused a rank smell. The work on this is coming out of the Maintenance budget. Hausler then presented the budget estimates for the office upgrades, not to exceed \$20,000. He mentioned that he will be getting two more quotes from other furniture companies and working with IT to do the technical equipment updates. The furniture quote did not include installation.

Motion by Kenneth Curry to postpone this decision to a later CEED meeting. Second by Bill Leichtnam. Motion passed unanimously.

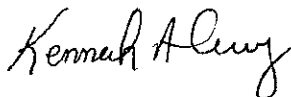
Bill Leichtnam requested an accurate estimation from Rueben on the electrical updates as well as the restoration work in the two offices, and instructed Jason Hausler to present multiple quotes for the furniture.

5. **Agenda items for next meeting**

Kenneth Curry asked about setting a date and time for the CEED Committee reorganization meeting. Robert Ashbeck will organize and set a date after the new CEED Committee members are selected.

Motion to adjourn by Adam Fischer at 9:14am. Second by Bill Leichtnam. Motion passed unanimously.

Respectfully submitted,



Kenneth Curry, Secretary
Minutes by Katie Tomsyck, UW-Extension
Review for submittal to County Board by Kenneth Curry (approved on April 17, 2018)

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Committee Report

County of Wood

Report of claims for: Land & Water Conservation Dept.

For the period of: April 2018

For the range of vouchers: 18180034 - 18180042

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
18180034	LAURA'S LANE NURSERY	TS - TREES	04/19/2018	\$2,775.75	P
18180035	PRAIRIE NURSERY INC	TS - PRAIRIE SEEDS	03/29/2018	\$279.99	P
18180036	WOOD CAFE THE	LWC - HSHW CATERING	03/22/2018	\$1,101.02	P
18180037	PAINT CREEK NURSERY	TS - SWAMP WHITE OAK & DOGWOOD	01/18/2018	\$2,501.25	P
18180038	WOODSTOCK NURSERY	TS - GENERIC GEL	04/06/2018	\$770.00	P
18180039	HRAMOR NURSERY	TS- SPRUCE, MAPLE, RED BUD	01/29/2018	\$8,756.00	P
18180040	TRACTOR SUPPLY CREDIT PLAN	WD - ENERGIZERS & POLY TAPE	03/21/2017	\$561.03	P
18180041	ARNOLD TRACY	LWC-MEAL REIMBURSEMENT	04/12/2018	\$30.00	
18180042	WAL-MART COMMUNITY/SYNCO	TS - TREE SALE SUPPLIES	03/16/2018	\$9.07	
Grand Total:				\$16,784.11	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: UWEX

For the period of: April

For the range of vouchers: 30180036 - 30180047

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
30180036	POSTMASTER - WISCONSIN RAPIDS	CWAS newsletter	04/05/2018	\$94.95	P
30180037	EO JOHNSON COMPANY INC	copies	04/10/2018	\$322.23	P
30180038	WAL-MART COMMUNITY/SYNCB	Kitchen, Foodwise, HeadStart	04/10/2018	\$449.49	P
30180039	WOODTRUST BANK	FoodWise, Office supplies	04/10/2018	\$188.24	P
30180040	HUBER LAURA	HUBER APRIL EXPENSES	04/25/2018	\$51.78	
30180041	LIPPERT MATTHEW	LIPPERT APRIL EXPENSES	04/25/2018	\$347.17	
30180042	TOMSYCK KATIE	TOMSYCK APRIL EXPENSES	04/25/2018	\$76.30	
30180043	VIAU CHRISTOPHER	VIAU APRIL EXPENSES	04/25/2018	\$101.92	
30180044	EO JOHNSON CO INC	copier lease	04/25/2018	\$229.49	
30180045	OPPORTUNITY DEVELOPMENT CNTR	4H newsletter	04/25/2018	\$134.43	
30180046	UW EXTENSION	Lippert- sheep & goat event	04/25/2018	\$25.00	
30180047	UW SOIL TESTING LAB	soil tests	04/25/2018	\$15.00	
Grand Total:				\$2,036.00	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Report

County of Wood

Report of claims for: Planning & Zoning Department

For the period of: April 2018

For the range of vouchers: 22180038 - 22180048 38180007 - 38180008

Voucher	Vendor Name	Nature of Claim	Doc Date	Amount	Paid
22180038	EMMONS BUSINESS INTERIORS	PL-Office Chair	03/20/2018	\$362.97	P
22180039	INDUSTRY SERVICES DIVISION	PS-State Sanitary Permits(Mar)	03/31/2018	\$1,400.00	P
22180040	WOODTRUST BANK NA	Credit Card Charges	03/20/2018	(Voided)	P
22180040R	WOODTRUST BANK NA	Credit Card Charges	03/20/2018	\$462.33	P
22180041	WOOD COUNTY CLERK OF COURTS	PS-Small Claims (4)	03/27/2018	\$398.00	P
22180042	CONNER JUSTIN	LR-Expenses (March)	03/29/2018	\$50.15	P
22180043	CARMODY SOFTWARE INC	PS-Upgrades/Services (April)	04/02/2018	\$299.00	P
22180044	BOYER KEVIN	SU-Services Per Contract (Apr)	04/05/2018	\$833.00	P
22180045	RAPIDS FORD LINCOLN MERCURY	PS-Truck Maintenance	03/31/2018	\$84.22	P
22180046	GRUENEBERG JASON	PL-Expenses (April)	04/03/2018	\$30.00	P
22180047	POSTMASTER - WISCONSIN RAPIDS	PS-Postage Septic Mtce 3007pcs	04/16/2018	\$758.25	P
22180048	CONNER JUSTIN	LR-Expenses (April)	04/17/2018	\$137.35	P
38180007	HEART OF WI CHAMBER OF COMMERCE	ED-2018 Annual Allocation	04/02/2018	\$19,500.00	P
38180008	GRUENEBERG JASON	ED-Expenses (April)	04/03/2018	\$137.89	P
Grand Total:				\$24,453.16	

Signatures

Committee Chair:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

Committee Member:

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Committee Member:

4C



Activities Report for Shane Wucherpfennig April 2018

- **April 2** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 3** – Staff Meeting.
- **April 4** – Attended CEED meeting
- **April 5** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 6** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 9** – Meetings, Active Shooter Presentation in Auditorium.
- **April 10** – Active Shooter Training at River block..
- **April 11, 12, 13** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 16, 17**– Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 17** – Attended County Board
- **April 18** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 19** – Met with Land & water and P&Z to discuss and draft the Wood County Nonferrous metallic mining ordinance.
- **April 20** – Wild Parsnip Presentation at Highway Dept. safety meeting.
- **April 20** – Met with Portage County, Wood LWCD along with Parks and the Wi Wind shed Partnership coordinator to discuss a joint AmeriCorps application to get them for summer project within the County.
- **April 23** – Attended Judicial & Legislative committee meeting.
- **April 23**– Worked on PowerPoint presentation for Farmers of Mill Creek Lunch & Learn (April 27) & Crop budgets for corn & soybeans to present on the economics of No-till & cover crops for local landowners.
- **April 24** – Phone conference with Discovery Farms on a proposal for Edge of Field monitoring in Wood County. We will be potentially partnering with them on monitoring a site or two for 5-7 years.
- **April 24** – Attended Special CEED Reorganization Meeting.
- **April 25** – Worked on Mill Creek Watershed 9 Key Element Plan.
- **April 26** – Staff Meeting.
- **April 26**– Preparation for Farmers Lunch and learn on the 27th.
- **April 27**– Presentation for Farmers Lunch and learn in Junction City.
- **April 30** – Tree Sale preparation.
- **April 30**– Base flow monitoring meeting in Wautoma.

4C

Activities Report for Adam Groshek – April 2018

Land and Water Resource Management Program/Animal Waste Storage Ordinance/CREP Activities:

- ~Working on bidding documents and cost share estimate for pre-ordinance pit on land that Daryl Sternweis bought. Bid opening and choosing bid at April CEED meeting.
- ~Assistance in loading up/selling tree planters and using money toward no-till drill.
- ~Planning for a site investigation, nutrient management plan, and potential future manure storage pit for farm near Nasonville.
- ~Planning for a streambank improvement project.
- ~Active shooter lunch n learn and in office training to go over potential scenarios in the River Block building.
- ~Discussion with volunteer over possible trout stream restoration of Lynn Creek near Nekoosa.
- ~Accola manure abandonment check and phone discussion of holding off on spreading manure solids until the ground thaws to prevent manure runoff. Pit is being backfilled with clean soils as it is being cleaned out to avoid excavator equipment from getting stuck in saturated soils.
- ~Update on available information of potential MDV funding available to Wood County in 2019.
- ~CREP easements conference call and plan for 2018 site visits
- ~Update by DNR to the wetland indicator layer to better represent potential wetlands within the state instead of all clayey soils.
- ~Site visit, survey, design, landowner review, and bid prep for abandonment of a manure pit for Mike Van Whye.
- ~Discussion over manure hauling problems for Barry Richardson and planned visit and potential solutions.
- ~Tree sale discussion and dealing with late snow messing up schedules. Unboxing and storage/watering from first tree shipment to make trees last until we can get other shipments in from nurseries affected by late winter weather.
- ~Investigation and ongoing technical assistance of a past overflowing manure storage pit on the Schill farm near Auburndale. NOD grant application site investigation with Terry Kafka from the DNR and NMP assistance with Emily from LWCD.
- ~1 more KnowBe4 required IT training.
- ~Assisting landowner with well questions/water quality/water quantity for a property purchase near Rudolph.
- ~Review of the National Agricultural Waste Management Field Handbook for manure-related engineering designs.

Activities Report for Tracy Arnold 04-2018

Wildlife Damage Abatement and Claims Program

- Maintaining DNR database with current Wood County information
- Re-enrolling Wood County landowners for the 2018 crop year
- Coordinating paperwork for the WDACP 2018 season
- Designed 2 WDACP permanent fences for 2018. Working with landowners for final approval and will submit them to DNR for funding approval
- Start the designs for 4 additional permanent fences to submit to DNR for approval
- Submitted 2 fence for DNR approval
- Working with DNR to receive the 2017 reimbursements

Non-metallic mining reclamation program

- Updating NMM databases
- Following up on the status of financial assurance on those expiring soon
- Working with Adam D and Shane W to draft a metallic mining ordinance
- Formatted the draft metallic mining ordinance

Land and Water Conservation

- Entering stream flow data into the SWIMS database for 11 sites (authorized by state to enter data)
- Chair of the Youth Education Committee for the WI Land+Water
- Facilitated the WI Envirothon
- Participated in the active shooter training
- Secretary of the North Central Land and Water Conservation Area Association
- Coordinated pick up dates with nurseries and Marquette Co for tree sale
- Worked with EG and HWY for use of trailers, crews and equipment for tree sale
- Contacted all tree sale customers regarding date change due to weather with Lori and Emily
- Completed IT security training
- Requested new tree sale program from IT, current one is from 1995

HC

Activities Report for Emily Salvinski March 2018

- **Monday, April 2.** Vacation Day
- **Tuesday, April 3.** Staff meeting. Processed checklists. Added multiple NMP maps to database. Tree sale prep.
- **Wednesday, April 4.** Processed checklists. Tree sale prep. Added NMP maps to database.
- **Thursday, April 5.** Reviewed 2 NMPs. Shredded paper for tree sale.
- **Friday, April 6.** Typed up e-mail list for 2018 tree sale purchasers. Looked over a submitted plan and responded back with comments.
- **Monday, April 9.** Contacted multiple NMP writers. Shooter training. Edited field map to add to database.
- **Tuesday, April 10.** Shooter training. Reviewed 3 NMPs. Added maps to database.
- **Wednesday, April 11.** Reviewed 2 NMPs. Phone calls to change tree pick up date.
- **Thursday, April 12.** Tree sale prep-went through e-mail replies. Started display for tree sale.
- **Friday, April 13.** Reviewed 2 NMPs. Updated 9-key database.
- **Monday, April 16.** Phone calls for tree sale. Phone calls for checklists. Finished display for tree sale. Created land use map for 9-key plan.
- **Tuesday, April 17.** Sent out plan reviews with individual messages.
- **Wednesday, April 18.** Contacted agronomists for more NMPs. Processed checklists. Started article for Mill Creek newsletter.
- **Thursday, April 19.** Downloaded Portage Lidar info for 9-key plan. Met with landowner to answer questions on their snapplus file database.
- **Friday, April 20.** Went with DNR and Adam to discuss NOD steps with landowner. Worked on maps for watershed plan.
- **Monday, April 23.** Worked on maps for watershed plan. Phone calls/emails to landowners/agronomist regarding NMPs.
- **Tuesday, April 24.** Tree pick up, Westfield.

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Activities Report for Lori Ruess – April 2018

- Answered telephone and front desk questions.
- Mail pickup/delivery - Courthouse.
- Deposit of incoming checks on Wednesdays & Fridays.
- Reviewed general ledger and payroll registers and completed journal entries to correct payrolls.
- Completed March sales tax report and submitted report to Finance.
- Attended March 12th staff meeting and typed minutes.
- Compiled information for the audit and took to Finance prior to April 13th deadline.
- Completed the 2019 Joint DATCP/DNR Nonpoint Source Grant application requesting \$238,559 in staff and support and \$304,000 in cost-share. Emailed the grant application to DATCP prior to the April 16th deadline.
- Compiled information for the Annual Work Plan and emailed to DATCP prior to the April 16th deadline.
- Preparation for tree and shrub distribution
- Attended the Active Shooter lunch and learn.
- Participated in the Active Shooter training.
- Attended the April 18th Employee Feedback meeting.
- Completed and mailed bid summaries for Daryl Sternweis's manure storage closure.
- Assisted with the mass email regarding the change of tree, shrub and wildflower pickup.
- Assisted Tracy and Emily with calling of customers who did not have email addresses and informed them of the tree/shrub distribution date change.
- Attended the CREP Easement teleconference.
- Completed the "New Fuel System" workbook with LWCD employee and vehicle information and sent it back to the Wood County Highway Department before the April 18th deadline.
- Updated Acronyms and put together a packet of information for the new CEED members.
- Working on cleaning/organization of electronic files.

CEED Committee Report *for the month of April 2018*

MATT LIPPERT

Wood County UW-Extension, Agriculture Agent

- I met with the Executive committee for the Farm Technology Days Event.
- Many Farm Technology Day deadlines are fast approaching; there was a deadline during the month for being a sponsor of personalized benches. Copy for the souvenir booklet is due at the end of the month. Committees are fast making final preparations.
- I attended the annual banquet in Madison of Wisconsin Farm Technology Days.
- I met with the fund raising and field demonstration committees of Farm Technology days.
- Jointly with educators from Clark, Marathon and Portage Counties we offered a program on Farm Stress. This program had good publicity as the television media joined the event to discuss this problem.
- I served on a panel for a program hosted by Wood County Farm Bureau on strategies to survive difficult financial times. There were about 25 people in attendance.
- I met with the MACCI Agri-Business committee. Currently our office is coordinating the outstanding senior recognition program for agriculture students from 12 area school districts. The youth will be recognized at the Mayor's breakfast in Marshfield on June.
- The first of the season's Cranberry Crop Management Journal was produced during the month. This is sponsored by a grant from the Wisconsin Cranberry board and is available to every cranberry grower in the state, and is produced ten times each season during the growing season.
- Cranberry Spring Clinics were held on two marshes during the end of the month providing updates to growers on management strategies.
- I was on the radio with both WDLB and WFHR during the month.

JODI FRIDAY

Wood County UW-Extension, FoodWise Nutrition Educator

- Began a series of five lessons with Kindergarten students. Taught in 20 classrooms with approximately 300+ teaching contacts. (4/4, 5, 11, 12, 18, 19, 20, 23, 25, 26 & 27). Lessons will continue throughout April and May in 3 different schools in 8 different classrooms.
- Attended the Feeding America Health and Hunger Summit (4/9 & 10).
- Meet with YMCA staff to discuss future Eating Smart, Being Active lessons to be offered at the Y in the fall (4/12).
- Taught "Healthy Cents at the Pantry" at the South Wood County Emerging Pantry. The topic was 'Saving Money on Food Away from Home.' My max capacity of fifteen learners registered for the class. Unfortunately, only eight learners attended due to illness and unforeseen circumstances. (4/17).
- Participated in the monthly Wood/Portage FoodWise meeting (4/19)
- Presented at the Community Food Center "Update and Ask" meeting (4/25)
- Attended the UW-Extension All Colleague meeting (4/30)

- Participated in weekly Wood County Staff meetings (4/2, 9, 16 & 23)

CHRIS VIAU

Wood County UW-Extension, 4-H Youth Development Educator

The following is a summary of Youth Development activities:

4-H Club and Program Management:

- Leadership Washington Focus Trip Planning and Logistics
 - Orientation Prep
 - Pre-Tavel Logistics-shirt sizes and ordering, rooming lists
- 4-H Club and Volunteer Management concerns

Central WI State Fair

- FairEntry software updates and prep for 2018
- Market Sale Committee Meeting

Other

- WDLB and WFHR Radio-Saving for College, Where do I start?
- Youth for the Quality Care of Animals YQCA workshops
 - Marshfield (4/24) and Wisc. Rapids on 5/10

Administrative

- State and Regional Phone Conferences and Meetings
- UW-Extension All-Colleague Meeting
- 4-H Youth Development Liaison Responsibilities- 25% FTE

Laura Huber

Wood County UW-Extension, 4-H Program Assistant

- Received training on using and facilitating a ZOOM webinar on 2 April
- Taught "Robots @ the Library" at the Charles and JoAnn Lester Public Library of Nekoosa on 4 April. This drop-in event was open to the public (10 youth and 3 adults participated.)
- Hosted 4-H camp counselor training webinar on 5 April.
- Appeared on WDLB and WFHR radio (10 & 12 April) to promote Creative Arts Day. Was joined on WDLB with a 4-H member from Webster 4-H.
- Taught "Robots @ the Library" at the Everett Roehl Marshfield Public Library on 10 April. This drop-in event was open to the public (31 youth and adults participated.)
- 4-H program WisLine on 12 April
- Attended the Cary Go-Getters 4-H Club meeting on 17 April
- Attended Farm Tech Days Future Generations planning meeting on 25 April
- Attended UW Extension All Colleague meeting in Wisconsin Dells on 30 April

Ongoing responsibilities:

- Updated and maintained the Wood County 4-H, WI Facebook page which currently has 712 followers.
 - Assisted with maintenance of the Central WI 4-H Shooting Sports Facebook page which has 268 followers
- Responded to communications to the office including general questions, 4-H enrollment, planning meetings, etc.
- Ongoing coordination of Creative Arts Day (cancelled due to weather on April 14 - now coordinating new date of May 19)
- Ongoing assistance for new leaders and the volunteer background checks

Jackie Carattini

Wood County UW-Extension, Family Living Educator

- Attended multiple meetings and work associated with WEAFCFS (Wisconsin Association of Family and Consumer Sciences- Currently State President) -Attended PILD Public Issues in Leadership Development in Washington DC on behalf of WEAFCFS as the President and UW-Extension to advocate for support and funding.
- Met with multiple partners about community needs regarding financial education and scheduled programming for 2018.
- Taught a monthly parenting and financial education program at the Ho-Chunk HeadStart.
- Attended the monthly "Raising a Thinking Child" team meeting via wisline.
- Led the monthly JCEP (Joint Council Extension Professionals) board meeting. (current chair)
-Attended the Community Food Center meeting at the library on April 25th.
- Taught a Credit program for a the county wellness lunch program.
- Presented at the HCE West District Meeting on April 23rd.
- Taught a Digital Parenting program on April 25th.
- Was on a radio program on WDLB and WFHR speaking on Digital Parenting and healthy ways for parents to use technology.
- Attended monthly community coalition meetings: Homelessness Coalition, Financial Stability Coalition and Stuff the Bus.

4c

TO: Conservation, Education & Economic Development Committee

FR: Jason Grueneberg, Planning & Zoning Director
Adam DeKleyn, County Planner
Justin Conner, GIS Specialist
Jeff Brewbaker, Code Administrator
Stevana Skinner, Code Technician
Kim Keech, Admin Services 5
Victoria Wilson, Admin Services 4

RE: Staff Report for May 2, 2018

1. Economic Development (Jason Grueneberg)

- a. Wood County Convention and Visitors Bureau Meeting – On April 5th, I met with the directors of the Marshfield and Wisconsin Rapids CVBs. At the meeting updates were provided on marketing activities and events for 2018. A big part of the meeting was to coordinate future marketing initiatives.
- b. Central Wisconsin Economic Development Board – On April 1st, I participated in the Central Wisconsin Economic Development Fund meeting. At the meeting 3 loan requests and 1 loan subordination were approved. The Board also talked about creating a loan review committee in the future.
- c. Marshfield Economic Development Board – On April 5th, I attended the Marshfield Economic Development Board meeting. At the meeting some of the items discussed include an update on the Wenzel Family Plaza, 2nd Street Corridor redevelopment, 2018 HATCH Program, and updating the Marshfield housing study.
- d. ATV Routes and Trails – We have taken the first step in the process of exploring options for ATV trails and routes in Wood County. Planning & Zoning staff is in the process of contacting municipalities in the County to determine which ones have ordinances that allow ATVs on town roads. From the information collected an inventory map will be created, and we will identify gaps in the route network, as well as opportunities for off-road trails.

2. Planning (Adam DeKleyn)

- a. Plat Review Officer – (4) CSM's were submitted for review/approval. (6) CSM's were approved/recorded. (2) CSM's are pending approval.
- b. Water Quality Management (WQM) Review – 208 Review Compliance Letter issued for:
 1. Sanitary sewer/watermain extensions for Hume Avenue, City of Marshfield.

- c. Town of Lincoln Comprehensive Plan Update – Presented a resolution before the Town Board to initiate the plan update (approved). Plan Commission is finalizing public participation procedures to be approved by the Town Board. Community Survey is being developed.
- d. Wood County Parks, Recreation, and Open Space Plan – Final draft of the Community Survey Summary has been completed. Survey results will be presented at two open houses in May. Other sections of plan are being prepared.
- e. Wisconsin Rapids Downtown Steering Committee – Met to discuss and brainstorm potential downtown improvement projects. Committee is working on finalizing its mission/vision.
- f. Heart of Wisconsin (HOW) Community Leadership Program – Attended the HOW community leadership “Community Visit” session. Met with the Mayor of Baraboo to discuss the successes and challenges of the community and how we can use those experiences to benefit this area. Shared my experiences and findings on WFHR-AM Radio - Morning Magazine.
- g. Wood CDAC Committee – Reviewed preliminary recommendations and public input to determine final quotas and permit recommendations.
- h. Nonferrous Metallic Mining – Work group met several times to develop a preliminary working draft of a Nonferrous Metallic Mining and Reclamation Ordinance.

3. Land Records (Justin Conner)

- a. Wisconsin NG 911 Subcommittee Meetings – Attended meetings in Madison and online representing the state GIS/Land Information community. The NG911 Subcommittee was created under the Dept. Military Affairs by Gov. Walker to plan the implementation of NG911 in Wisconsin.
- b. Highway Dept. Sign Inventory – Continued development and refinement of the new sign inventory app. New GIS based inventory is hosted in the ESRI cloud and is accessible on any device anywhere it is needed.
- c. Parcel Mapping – Parcel editing as new deeds and CSMs arrive.
- d. Surveyor Records – Last of the surveyor records have been scanned. Scanned documents are available here:
<http://woodcogis.com/index.html/Surveyor/>
- e. Census LUCA – Began reviewing Census address list.

- f. Multiple Map Requests – Address and Airphoto maps for the Town of Lincoln and Village of Hewitt, Town of Hiles parcel map book, Hewitt recreation maps.

4. Code Administrator's (Jeff Brewbaker and Stevana Skinner)

a. Private Sewage Program, Permitting, Maintenance and Violations

- i. (4) on-site investigations/inspections/compliances
- ii. (0) septic system verification letters & failing system investigations
- iii. (0) failing septic system orders, (0) holding tank maintenance violations & settlements
- iv. (9) soil tests reviewed, (1) soil on-sites, (3) hydrograph reports reviewed, (1) interpretive soils report reviewed
- v. (2) holding tank plan reviews, (5) conventional plan reviews, (0) mound plan review, (1) system-in- fill plan
- vi. (5) sanitary permits reviewed
- vii. (4) court cases for malfunctioning septic system and overfull holding tanks (10) referrals invoices & maintenance
- viii. (0) sanitary system easements (1) Undersized System Affidavit
- ix. (0) camper complaints
- x. (7) court cases for failure to comply with septic tank maintenance program 4/24/18
- xi. (5) meetings with holding tank offenders in office (1) meetings at property owners residence regarding holding tank violations
- xii. Answered phone calls, emails and met in office regarding permitting and inspection questions.

b. Floodplain Ordinance Investigations and Permitting

- i. (4) site inspections, meetings or enforcement
- ii. (0) permit issued, screening sites or Letter of Map Amendment (LOMA)
- iii. (0) DNR Approved flood studies reviewed
- iv. (0) Cranberry farm certification
- v. (3) Meetings in office regarding citizens building near floodplain
- vi. Answered questions from citizens regarding building in floodplain and shoreland areas.

c. Shoreland Ordinance Investigations and Permitting

- i. (2) general shoreland permits reviewed & issued
- ii. (0) mitigation plans reviewed, (0) exempt structure affidavit
- iii. (3) onsite pre-construction inspections, meetings & enforcement, compliances
- iv. (0) navigability determinations
- v. (0) wetland evaluation/site visit

- vi. Answered phone calls and met with various people at the counter regarding shoreland zoning requirements.

5. Office Activity (Kim Keech and Victoria Wilson)

- a. Monthly Sanitary Permit Activity There were 14 sanitary permits issued in March 2018 (13 New, 1 Replacements, 0 Reconnect and 0 Non-Plumbing) with revenues totaling \$3,475. There were 15 sanitary permits issued in March 2017 (9 New, 6 Replacements, 0 Reconnects and 0 Non-Plumbing) with revenues totaling \$3,825.

There were 20 sanitary permits issued through March 2018. For comparison purposes, the following are through the same period for the previous five years: 2017 – 22, 2016 – 17, 2015 – 14, 2014 – 10 and 2013 – 20.

- b. 2018 Tax Refund Intercept Program (TRIP) – As of April 23rd, Wood County has received \$691.50 on two outstanding cases.
- c. 2017 Program Fee Notices – Small Claims have all been initiated for failure to pay \$20 program fee. All court cases have been scheduled for Small Claims.
- d. 2018 Maintenance Notices – Septic Maintenance Notices, ATU (Aerobic) Maintenance Notices, White Knight (Aerobic) Maintenance Notices, and Farmer Exempt Holding Tank Maintenance Notices were mailed on Monday, April 23rd with a due date of Friday, August 10th. There were 3,041 scheduled to be mailed between the four notices.
- e. Enforcement Activities Update (Small Claims).

- i. Small Claims Court Cases Scheduled

<u>Court Date</u>	<u># Cases & Court Case Type</u>
5/08/2018	(9) Failure to pay \$20 program fee (2017)
5/22/2018	(10) Failure to pay \$20 program fee (2017)

- f. Document Imaging Projects
 - i. Base Flood Elevation Document Imaging Project – Scanning base flood elevation maps and correspondence. This project is now completed.
 - ii. Sanitary Permit Document Imaging Project Status. Sanitary permits for the years 1982 – 2016 are available for viewing on Wood County's website www.co.wood.wi.us/Departments/PZ. 2017 Sanitary Permits will be prepped and scanned in fall 2018.

- g. Wisconsin Fund Grant Program – The Joint Finance Committee on Thursday, May 11th on a 12-4 vote adopted ongoing funding for the Wisconsin Fund Grant Program through June 30, 2021.
 - i. (7) Wisconsin Fund Applications FY2019 – Wisconsin Fund Grant Applications were emailed to the State of Wisconsin on January 30th meeting the deadline date of January 31st. Disbursement of Wisconsin Fund Grant is expected late fall 2018.
 - ii. (0) Wisconsin Fund Applications FY2020
- h. Kim attended the Wellness Committee meeting on April 17th and the Employee Feedback meeting on April 18th.
- i. Kim and Victoria attended “Administrative Professional Conference-Take Charge of Your Career” held at Mid-State Technical College in Wisconsin Rapids on April 20th.

ORDINANCE ####
NONFERROUS METALLIC MINING AND RECLAMATION
WOOD COUNTY, WISCONSIN

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 - 47.14 (2) Traffic Safety, Roadway Maintenance and Infrastructure.
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 - 47.25 (5) (c) Cash Deposit to Trust for Land Value Compensation.
 - 47.25 (5) (d) Cash Deposit to Well Fund.
 - 47.25 (6) Annual Operations Report.
 - 47.25 (7) Quarterly Inspection Summary.
 - 47.25 (7) (a) Daily Inspections.
 - 47.25 (7) (b) Monthly Inspections.
 - 47.25 (7) (c) Natural Event Inspections.
 - 47.25 (8) Inspection Logs.
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PART I – GENERAL

47.01 TITLE. Nonferrous Metallic Mining and Reclamation Ordinance of Wood County, Wisconsin.

47.02 FINDINGS. (update for Wood County logistics)

(1) Wood County (the “County”) is a rural region largely dominated by and economically dependent on agricultural-lands and recreational-lands forest-lands. Clean air and clean water are necessary to maintain a healthy environment and support public health, safety and wellbeing within the County. Water is an especially precious natural resource in Wood County.

(2) **Potential deposits.** If not properly regulated, metallic mining could result in environmental degradation that would have substantial adverse consequences to the residents of Wood County.

(3) Metallic mineral mining can only occur in the few locations where the forces of nature have deposited the minerals in abundance. Metallic minerals are a necessary component of products in daily use throughout the County. Metallic mineral mining has the potential to become the County’s most environmentally intensive industrial activity and has the potential to adversely impact the environment and beneficially or adversely affect the public health, safety, welfare and economic well-being of the residents and transients of Wood County.

(4) Water and air resources move by natural forces throughout the County, carrying their life-sustaining qualities or noxious residues across property boundaries. If not properly regulated, metallic mineral mining, reclamation and mine waste management could have an adverse impact on the environmental quality and character of the County and the social and economic qualities and general welfare of the communities in Wood County. The County’s independent review and regulation of metallic mining within the County are enabled by State statutes and anticipated by state regulations. The County has a duty to apply its police powers to ensure that its environment and the health, safety, general welfare and interests of its residents are protected to the same extent that the environment and residents of other counties are protected, including the interests of Wood County residents in having a clean, safe and healthy environment and water supply. **Add wood county data.**

47.03 INTENT. The Board of Supervisors ordains that all unincorporated areas of the County be uniformly subject to the County’s regulation as set forth in this chapter to regulate within those areas how nonferrous metallic mineral mining may be conducted so as to promote the public peace and good order within the County including, without limitation, the purposes set forth in Section 59.69(1), Wisconsin State Statutes. Accordingly, nonferrous metallic mineral mining activities shall only be conducted in the County pursuant to a license to

mine issued in conformance with this chapter and containing conditions that the County determines necessary to achieve the intent of this chapter. The general intent of this chapter is to regulate the location, construction, installation, alteration, design, operation, use, reclamation and long term care of all nonferrous metallic mines and restrict the conduct of nonferrous metallic mineral mining activities within Wood County as necessary so as to protect and promote the public health, safety, prosperity and general welfare of residents and transients; preserve the public peace and good order within the County; further the appropriate use of land, air and water resources of Wood County; promote aesthetic values; provide for environmentally sound reclamation of land disturbed by mining activities; and promote the administration and enforcement of this chapter and provide penalties for its violation. This chapter is not intended to regulate the mining of any "ferrous mineral" as that term is defined in Chapter 295 of the Wisconsin State Statutes.

47.04 STATUTORY AUTHORITY. This Chapter is adopted under authority of the powers set forth in Sections 59.01, 59.03, 59.04, 59.51, 59.54(6), 59.57, 59.70, 92.07, 293.41 and 293.43(4), Wisconsin State Statutes. **Add Peter K comments**

47.05 INTERPRETATION. In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any power granted by the Wisconsin State Statutes.

47.06 SEVERABILITY. Should any portion of this chapter be determined invalid or unconstitutional by a court of competent jurisdiction, the remainder of this chapter shall remain in full force and effect.

47.07 APPLICABILITY. This chapter applies to the use and proposed use of land within all unincorporated areas of Wood County for the purpose of nonferrous metallic mineral mining regardless of when such use is commenced.

47.08 ADMINISTRATION. The provisions of this chapter shall be administered by the Wood County in conjunction with **CEED, P&Z, LWCD**, in this chapter.

47.09 EFFECTIVE DATE. This chapter shall become effective upon its adoption and publication by the Wood County Board of Supervisors.

47.10 DEFINITIONS.

- (1) Any term not expressly defined herein shall have the meaning set forth in Chapter 293, Wisconsin State Statutes, ("Ch. 293") and if not defined therein then as defined in Ch. NR 132, Wisconsin Administrative Code ("NR 132"), and if not defined therein then as defined in Chapter 182, Wisconsin Administrative Code ("NR 182") as those definitions exist on the effective date of this chapter.

(2) As used in this chapter:

- (a) "Administrator" shall mean the head of the Wood County Zoning Department.
- (b) "Applicant" shall mean a person or business entity that has applied for a Wood County Metallic Mining License.
- (c) "Committee" shall mean the Metallic Mining Committee established pursuant to Chapter 2.08(24), Wood County Code. CEED?
- (d) "County" shall mean Wood County, State of Wisconsin.
- (e) "Department" or "WDNR" shall mean the Wisconsin Department of Natural Resources.
- (f) "License" or "Metallic Mining License" shall mean a license to mine nonferrous metallic minerals that is duly issued by the County in accordance with this chapter.
- (g) "Licensee" shall mean a person or business entity to whom a Wood County Metallic Mining License has been awarded.
- (h) "Mining" or "mining operation" means all or part of the process involved in the mining of nonferrous metallic minerals, other than for exploration or prospecting, including commercial extraction, agglomeration, beneficiation, construction of roads, removal of overburden and the production of refuse.
- (h) "Mining site" means the surface area disturbed by a mining operation, including the surface area from which the minerals or refuse or both have been removed, the surface area covered by refuse, all lands disturbed by the construction or improvement of haulageway, and any surface areas in which structures, equipment, materials and any other things used in the mining operation are situated.
- (i) "Nonferrous metallic mineral" means an ore or other earthen material to be excavated from natural deposits on or in the earth for its metallic content but not primarily for its iron oxide content.

47.11 LEGAL REFERENCES CITED. For convenience, the titles of legal references used in this chapter on effective date are set forth below. Peter K review

(1) Statutes.

- Wis. Stat. § 30: Navigable waters, harbors and navigation
- Wis. Stat. § 31: Regulation of dams and bridges affecting navigable water
- Wis. Stat. § 59.01: Body corporate; status
- Wis. Stat. § 59.03: Home rule
- Wis. Stat. § 59.04: Construction of powers
- Wis. Stat. § 59.51: Board powers
- Wis. Stat. § 59.54: Public protection and safety
- Wis. Stat. § 59.57: Economic and industrial development
- Wis. Stat. § 59.70: Environmental protection and land use
- Wis. Stat. § 92.11: Regulation of local soil and water resource management practices
- Wis. Stat. § 280: Pure drinking water
- Wis. Stat. § 281: Water and sewage
- Wis. Stat. § 283: Pollution Discharge Elimination
- Wis. Stat. § 285: Air Pollution
- Wis. Stat. § 291: Hazardous Waste Management
- Wis. Stat. § 293: Nonferrous Metallic Mining
- Wis. Stat. § 293.01: Definitions
- Wis. Stat. § 293.37: Application for mining permit
- Wis. Stat. § 293.41: Local agreements
- Wis. Stat. § 293.65: Withdrawal of surface waters; withdrawal of groundwater; damage claims
- Wis. Stat. § 295: Nonmetallic Mining Reclamation; Oil and Gas; Ferrous Metallic Mining
- Wis. Stat. § 985: Publication of legal notices; public newspapers; fees

(2) Administrative Codes. **Peter K review**

- Wis. Admin. Code Ch. NR 102: Water quality standards for Wisconsin surface waters
- Wis. Admin. Code Ch. NR 103: Water quality standards for wetlands
- Wis. Admin. Code Ch. NR 104: Uses and designated standards and secondary values
- Wis. Admin. Code Ch. NR 105: Surface water quality criteria for toxic substances
- Wis. Admin. Code Ch. NR 132: Metallic mineral mining
- Wis. Admin. Code Ch. NR 132.03: Definitions
- Wis. Admin. Code Ch. NR 132.05: Notification of intent to collect data
- Wis. Admin. Code Ch. NR 132.07: Mining plan
- Wis. Admin. Code Ch. NR 132.08: Reclamation plan
- Wis. Admin. Code Ch. NR 132.17: Minimum design and operation requirements

- Wis. Admin. Code Ch. NR 132.18: Location criteria and environmental standards
- Wis. Admin. Code Ch. NR 135: Nonmetallic mining reclamation
- Wis. Admin. Code Ch. NR 140: Groundwater quality
- Wis. Admin. Code Ch. NR 142: Wisconsin water management and conservation
- Wis. Admin. Code Ch. NR 150: Environmental analysis and review procedures
- Wis. Admin. Code Ch. NR 151: Runoff management
- Wis. Admin. Code Ch. NR 182: Metallic mining waste
- Wis. Admin. Code Ch. NR 200: Application for discharge permits
- Wis. Admin. Code Ch. NR 207: Water quality antidegradation
- Wis. Admin. Code Ch. NR 216: Storm water discharge permits
- Wis. Admin. Code Ch. NR 269: Stone, gravel and sand segment of mineral mining and processing
- Wis. Admin. Code Ch. NR 270: Ore mining and dressing
- Wis. Admin. Code Ch. NR 300: Time limits and fees for waterway and wetland permit decisions
- Wis. Admin. Code Ch. NR 400: Air pollution control definitions
- Wis. Admin. Code Ch. NR 500: General solid waste management requirements
- Wis. Admin. Code Ch. NR 528: Management of accumulated sediment from storm water management structures
- Wis. Admin. Code Ch. NR 538: Beneficial use of industrial byproducts
- Wis. Admin. Code Ch. NR 660: Hazardous waste management: general
- Wis. Admin. Code Ch. NR 662: Hazardous waste generator standards
- Wis. Admin. Code Ch. NR 820: Groundwater quantity protection

PART II - STANDARDS

47.12 APPLICATION OF STANDARDS. All applications for license pursuant to this chapter shall be evaluated in accordance with the minimum standards, which are set forth in this subchapter, for the purpose of establishing conditions on and enforcing any license granted pursuant to this chapter. The committee shall evaluate the best available evidence and determine by a majority vote whether any standard has been or would be violated. The committee may recommend the County enter one or more local agreements pursuant to Section 293.41, Wisconsin State Statutes, and the provisions of any such local agreement shall determine the applicability of this chapter, in whole and in part. Except as provided by a local agreement to which the County is made a party, no license shall be granted to an applicant whose mining operation is projected to violate any applicable standard, except as the license establishes conditions that eliminate or mitigate the projected violations to the committee's satisfaction. If in evaluating whether a standard would be violated the committee relies on any provision of any local agreement to

which the County is or will be made a party, the committee shall recommend that compliance with such local agreement be made a condition of licensure. The chapters and sections of Wisconsin State Statutes and Wisconsin Administrative Codes referenced in this subchapter are hereby adopted in full, as they are written on the effective date of this chapter, for the purpose of incorporating and enforcing the standards and procedures there set forth as standards of this chapter. If any of these standards should conflict, the strictest applicable standard shall control.

47.13 GENERAL STANDARDS. All proposed metallic mining operations that would take place on lands in Wood County are subject to the standards in this section and any other considerations deemed necessary by the committee, except as set forth in any applicable local agreement to which the County is made a party.
Verify minimum standards, Peter K review.

- (1) Location and Operation. A metallic mineral mining project shall be located, designed, constructed and operated in such a manner so as to prevent any surface or subsurface discharge from the facility into navigable waters or groundwater that would cause a violation of any applicable water quality standard contained in or promulgated pursuant to Chapters 281 or 283, Wisconsin State Statutes, or constitute an unlawful discharge of any hazardous substance under Chapter 292, Wisconsin State Statutes, or under any other State, Federal or local law.
- (2) Environmental Impact Study. A license for a metallic mineral mine operation shall be denied unless an environmental impact report prepared by the applicant has been reviewed by the committee and all environmental impacts of the proposed mining operation have been considered and addressed to the committee's satisfaction.
- (3) Financial Assurance. The licensee shall provide financial assurance, adequate in kinds and amounts and to the committee's satisfaction, of the licensee's ability to undertake and complete the proposed mining operation in a manner that address all environmental impacts arising from the proposed mining operation in accordance with this chapter.
Verify this meets Act 134 law change.
- (4) Control of Environmental Pollution. The licensee shall comply with the standards of Wisconsin State Statute Chapters 280, 281, 283, 285, 291, and 293, and related Administrative Code Chapters including but not limited to Chapters NR 102, 103, 105, 132, 135, 140, 142, 151, 182, 200 et seq., 300 et seq., 500 et seq., and 660, Wisconsin Administrative Code.

- (5) Natural Beauty. The licensee shall comply with the requirements of Sections NR 132.07(4)(j), 132.17(1) and (11), Wisconsin Administrative Code.
- (6) Groundwater Protection. The Preventive Action Limits and Enforcement Standards set forth in Chapters NR 140 and 820, Wisconsin Administrative Code, shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter, including but not limited to application of the provisions of Chapters NR 132 and 182, Wisconsin Administrative Code.
- (7) Surface Water Protection.
- (a) The Non-Agricultural Performance Standards set forth in Chapter NR 151 shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter, including but not limited to application of the provisions of Chapters NR 132 and 182, Wisconsin Administrative Code.
 - (b) The water quality standards set forth in Chapters NR 102, 103, 104 and 105 shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter, including but not limited to application of the provisions of Chapters NR 132 and 182 and Chapters NR 207, 216, 269, 270, Wisconsin Administrative Code.
- (8) Water Supplies. The mining operation shall be conducted in compliance with the requirements of Section 293.65, Wisconsin State Statutes, and Chapters 30, 31, 280 and 281, Wisconsin State Statutes, and related Administrative Code Standards and Federal laws.
- (9) Hydrologic Studies. A hydrologic study, including well and surface water monitoring, shall be conducted as part of the application and license requirements by an independent consultant agreeable to the applicant/licensee and the committee. The hydrologic information obtained prior to Application for License shall be included in the environmental impact report prepared pursuant to this chapter, and submitted to the administrator and the town clerks of townships that contain any portion of the proposed mining operation and all adjacent townships, to be kept on file and available to the public. Each owner of a well in an affected township shall be given a copy of the information relevant to his well or wells upon request and shall receive a full copy of the full hydrologic study upon payment of costs for photocopying and delivery. Should a license be granted, the licensee shall continue

hydrologic studies and reporting as required by conditions set forth in the license.

- (10) Well Monitoring. For a period of two years prior to commencement of construction of any mine, and during the period of operation of any mine, and for thirty (30) years after completion of mine reclamation as determined by the committee, the applicant/licensee shall monitor on a continuous basis all private and public wells located within two miles of the perimeter of the mining site and any other wells that the hydrologic study recommends should be monitored, in order to provide baseline data concerning quantity and quality of water adequate for all purposes, including, but not limited to, determining the validity of any well damage claim. The well monitoring intervals and analytical parameters shall be established at the time of permit application and included in the permit as a condition of permit approval. The well monitoring required under this chapter shall be performed by an independent consultant agreeable to both the committee and the applicant. The identity of the consultant shall be set forth in the license, and any change in the identity thereafter shall be approved by the committee. That consultant shall employ the split sample technique upon request of the Administrator, committee, applicant or licensee and shall make samples available upon request to the committee or any person or consultant designated by the committee to receive such samples. The information obtained in this monitoring program shall be included in the environmental impact report specified in this subchapter and shall be filed with the Administrator. Who keeps track of this, where do they submit this data too.
- (11) Air Quality Standards. The standards set forth in Chapters NR 400 et. seq., Wisconsin Administrative Code, shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter.
- (12) Hazardous Waste Standards. The standards set forth in Chapters NR 662 et. seq., Wisconsin Administrative Code, shall apply to hazardous wastes generated by metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter.
- (13) Solid Waste Standards. The standards set forth in Chapters NR 182, 528 and 538, Wisconsin Administrative Code, shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter.

- (14) Mine Reclamation Standards. The standards set forth in Sections NR 132.08(2) and (3), Wisconsin Administrative Code, shall apply to metallic mineral mining activities in Wood County, and shall be applied and enforced as set forth in this chapter.
- (15) Topsoil Preservation for Use in Reclamation. The mining operation shall be conducted in compliance with the requirements of Section NR 132.07(4)(g), Wisconsin Administrative Code.
- (16) Indigenous Plant Species Required in Reclamation. The mining operation shall be conducted in compliance with the requirements of Section NR 132.08(2)(g), Wisconsin Administrative Code.
- (17) What is this???? Adjustment for Inflation. The dollar amount to be paid for any fee, deposit or other amount fixed pursuant to this chapter shall be adjusted to reflect the percentage change in the "Consumer Price Index" for all urban consumers (CPI-U) for the U.S. City Average price data for "all items" as published by the United States Department of Labor, Bureau of Labor Statistics, provided however that in any event, the amounts payable shall not be reduced below the amounts fixed in this chapter or fixed in any license issued pursuant to this chapter. If said Consumer Price Index ceases to be published during the effective lifetime of this chapter, another standard indexing technique shall be designated by the committee and become immediately effective except with respect to any licensee then in effect, for which the committee and the licensee shall attempt to negotiate a mutually agreeable indexing technique before the committee establishes the actual new indexing technique. Disputes over the proper calculation shall be resolved by reference to the procedures, provisions and data of the U.S. Department of Labor, including but not limited to those currently available for inspection at <http://www.bls.gov/cpi/cpi1998d.htm>.
- (a) Definitions. The charge fixed by this chapter for the Reference Year shall be deemed the "Base Charge." The year for which a payment is due shall be deemed the "Applicable Year." The term "index" shall mean the "all items" group of the United States City Average Consumer Price Index (CPI-U) (1982-84=100) issued monthly by the Bureau of Labor Statistics of the United States Department of Labor, or its successor. The Reference Year for amounts fixed by this chapter shall be the year 2011 and the annual average for the Reference Year shall be 224.939. The Reference Year for amounts that are not fixed by this chapter but are fixed and required to be paid by any license issued pursuant to this chapter, shall be the

calendar year prior to the year in which the subject license is awarded. The charge in successive years shall be the Base Charge increased or decreased for inflation relative to the Reference Year.

- (b) General Explanation. The Base Charge fixed by this chapter shall be multiplied by the inflation adjustment for the Applicable Year relative to the Reference Year to yield the actual amount payable for the Applicable Year.
- (c) Specific Calculation. Each payment due shall be equal to the product of the Base Charge multiplied by the fraction, the numerator of which is the "index" for the Applicable Year and the denominator of which is 224.939, as expressed by the following formula: Amount Due = Base Charge x (Index for Applicable Year / 224.939).

47.14 SPECIAL STANDARDS. In addition to all other standards in this chapter and except as set forth in any applicable local agreement to which the County is made a party, all proposed metallic mining operations that would take place in Wood County on lands that are not owned by the United States or any agency thereof shall be subject to the standards in this section. **Verify with Peter K that it is not more restrictive than we can be.**

- (1) Public Health, Safety and Welfare. All mines licensed pursuant to this chapter shall be located, constructed, operated and reclaimed to protect the public health, safety and general welfare. A proposed mining operation shall be deemed in violation of this standard if the committee determines the proposed mining operation would result in a measurable, overall negative effect to public health, safety and general welfare of the residents and transients of Wood County in the short-term or the long-term, pursuant to the committee's analysis and as evidenced by the best available data on parameters approved by the committee. The committee's analysis shall include, at minimum, the following parameters: changes in per capita rates of illness, disease, accidents and injuries; reasonably foreseeable and measurable changes in recreational opportunities and other indices of well-being; reasonably foreseeable and measurable changes to the natural environment; per capita income; average wage rate including benefits; total employment; unemployment rate; tax base; availability of quality housing stock; availability of quality health care; traffic congestion; social well-being; economic and social changes to the affected communities; and other reasonably foreseeable and measurable direct and indirect impacts of the mining operation on the residents and economy of Wood County, all as the committee finds relevant and appropriate. As determined by the committee in accordance with this paragraph and, considering all

reasonably foreseeable direct and indirect detriments and benefits of the mining operation, an analysis performed to the committee's satisfaction must demonstrate a positive overall benefit for the public health, safety and general welfare combined, or the mining operation shall be deemed in violation of this standard.

- (2) Traffic Safety, Roadway Maintenance and Infrastructure. All studies, plans, reports and analyses regarding roadways, traffic, traffic safety, drainage, utilities, and public utilities shall be in conformance with Wisconsin Department of Transportation standards.
- (3) Mine Safety and Security. The licensee shall comply with the requirements of Sections NR 132.07(3)(i) and (j), NR 132.07(4)(m), and NR 132.17(2), Wisconsin Administrative Code.
- (4) Prevention of Harm to Agricultural Lands or Livestock. The mining operation shall be conducted in compliance with the requirements of Section NR 132.08(2)(c), Wisconsin Administrative Code.
- (5) Limitations on Blasting. The licensee shall comply with the requirements of Section NR 132.07(5), Wisconsin Administrative Code. However, should the committee and licensee disagree on the scope of the pre-blasting survey, the committee's reasonable determination shall prevail and will be set forth in the license.
- (6) Financial Assurance. The licensee shall provide financial assurance, adequate in kinds and amounts and to the committee's satisfaction, of the licensee's ability to undertake and complete the proposed mining operation in accordance with this chapter including, without limitation, the ability of the licensee to address in conformance with this chapter all adverse economic impacts arising from the proposed mining operation.
- (7) Economic Impact Study. A license for operation of a metallic mineral mine shall be denied if on the basis of all information provided by the applicant and gathered by the committee, the committee projects that the mining operation will result in a net adverse economic impact on the County or the residents of the County. The economic impact study shall include all relevant post-mining costs and losses including costs and losses related to environmental impacts of the mining operation.

PART III – NOTICE OF INTENT

47.15 NOTICE OF INTENT TO COLLECT DATA. A person or business entity intending to collect data leading to submission of an application for Wood County Metallic Mining License, Wisconsin Metallic Mining Permit or Federal

authorization to conduct metallic mineral mining operations shall, prior to collecting any such data, provide the administrator with a nonrefundable fee in amount of \$25,000.00 and a notice of intent which shall include all the materials specified in Section NR 132.05, Wisconsin Administrative Code. The notice required by this section shall be known as the Notice of Intent and shall be submitted to the committee in care of the administrator, who shall promptly provide a copy to the current chair of the Mining Committee. 12 months state stats 293 ??, why the \$25,000 fee what are we going to do with it?

47.17 ADMINISTRATIVE FEE REQUIRED.

- (1) The person or business entity intending to collect data leading to submission of an application for metallic mining license shall pay all extraordinary costs associated with the County's review of and response to the Notice of Intent, such as legal and consulting fees to review the notice of intent, assist with the hearing and assist the committee understand and appropriately respond to the notice of intent. The County's Notice of Intent review shall be deemed complete upon the latter of the withdrawal of Notice of Intent, receipt by the County of application for a license or after all appeals of any issue related to the Notice of Intent have been exhausted.
- (2) The required administrative fee shall include the initial fee of \$25,000.00 to be paid with submittal of the Notice of Intent. The County reserves the right to require, and the person or business entity intending to collect data shall promptly submit, as required by the committee, payment of additional funds as necessary to complete the County's review of and response to the Notice of Intent. What fee do we want?

PART IV – METALLIC MINING LICENSING

47.18 ASSUMPTIONS. In ordaining this chapter, Wood County assumes that the state mining regulations in effect on the effective date of this chapter including, without limitation, Chapter 293 of the Wisconsin State Statutes and Chapters NR 132 and NR 182 of the Wisconsin Administrative Code, will apply to any metallic mine in Wood County.

47.18 LICENSE REQUIRED.

- (1) No person or business entity may commence construction of a metallic mine or conduct metallic mining in Wood County except in conformance with a valid Metallic Mining License issued by the County pursuant to this chapter.
- (2) Licenses issued in accordance with this chapter may contain conditions, restrictions and limitations on mine construction and performance of Mining activities as necessary to achieve the intent of this chapter.

- (3) Conditions established by any license granted pursuant to this chapter must be met at all times or the licensee may be found in violation and be subject to enforcement, fines, penalties and license revocation as provided herein.
- (4) Except as provided in this chapter, a license issued pursuant to this chapter shall become valid on the date the applicant is awarded a State of Wisconsin Metallic Mineral Mining Permit for the same mining site. If a State of Wisconsin Metallic Mineral Mining Permit for the same mining site is not required, then any Metallic Mining License awarded pursuant to this chapter shall not be effective until the licensee has procured all necessary permits, licenses and approvals from applicable state and federal agencies to construct, operate, reclaim and close the mining operation.
- (5) Any license issued pursuant to this chapter may be in addition to any Local Agreement entered into by the County and the applicant.
- (6) Any license issued pursuant to this chapter may be in addition to any other State, Federal or local permits, licenses or approvals necessary for any mine construction or any aspect of the mining operation.

47.20 APPLICATION FOR LICENSE.

- (1) Application. An application for a Wood County Metallic Mining License shall be filed with the administrator and shall include a fee of **\$50,000**, and an electronic copy and 25 paper copies of the following original materials:
 - (a) A request for license;
 - (b) A copy of the applicant's application for State of Wisconsin metallic mineral Mining Permit;
 - (c) If for any reason a State of Wisconsin metallic mineral Mining Permit is not required to conduct the mining operation or the State of Wisconsin will not require an application for a Metallic Mineral Mining Permit, or if the application requirements for State of Wisconsin metallic mineral Mining Permit should change substantially from those in effect on the effective date of this chapter, the applicant shall provide the administrator with all of the information, materials and application content that would be required to be provided to the Department under the mine permit application process;
 - (d) Other materials as required by this chapter;

(e) A statement signed by the applicant and notarized by a Wisconsin notary public in which the applicant certifies to all of the following:

1. The applicant's name and address;
2. All information provided in the application is accurate and complete to the best of the applicant's knowledge;
3. The applicant agrees to abide and be bound, during and after the application process, by all of the provisions and requirements of this chapter, applicable County, State and Federal laws and regulations and any permits, licenses and approvals granted under such ordinances, laws and regulations; and
4. As a condition of applying for a Metallic Mining License, the applicant agrees that the County ordinances are valid and agrees not to challenge in court the validity of any County Code chapter pertaining to the application for or granting of a Metallic Mining License, provided the applicant may challenge any denial of a license.

(2) Environmental Impact Report. The application shall include an environmental impact report as described under the version of Section NR 150.25, Wisconsin Administrative Code, which shall be limited in scope to baselines and impacts in Wood County and shall include such contents as may be specified by the committee including, without limitation, the existing baseline conditions and the likely and potential impacts of the mine with respect to each of the following baselines:

- (a) Employment, economic activity and tax base.
- (b) Population and housing stock.
- (c) Government services and utilities.
- (d) Major and minor land uses and the percentage of lands devoted to each use.
- (e) Traffic impact analysis.
- (f) Air quality and classification per state and federal standards.
- (g) Environmental characteristics of the mine site, including wildlife, vegetation and physical parameters of groundwater quality and

quantity, and surface water quality and quantity, including wetlands.

- (h) Environmental characteristics within Wood County including, without limitation, air, groundwater, surface water and acres of disposal facilities for any waste
- (i) Aesthetic features and conditions.
- (j) Cultural features including an analysis of historical and/or cultural preservation concerns.
- (k) Ambient noise within five (5) miles of mining site and along major roadways within 10 miles of the mining site.

- (3) County Impact Summary. The application shall include a county impact summary report, which shall include a thorough narrative description of the project in sufficient detail to allow the County to assess probable physical, environmental and developmental impacts of the proposed mine and assess and summarize the potential and estimated impacts on the human health, safety and welfare and economic well-being of residents and transients of the County, based on the potential environmental and socioeconomic impacts of the proposed mining operation. The report shall include a life-of-mine analysis of mining impacts upon social and environmental baseline parameters through completion of reclamation, and shall address such phenomenon as the boom/bust cycle. The county impact summary report shall identify all reasonably foreseeable roadway construction and maintenance needs arising in Wood County from operation of the proposed mine and reasonably foreseeable secondary impacts of the mining operation which may result in the demand for additional roadway improvements. With respect to roads in Wood County, the county impact summary report shall identify and describe the anticipated needs for roadway modifications resulting from the likely mine-related traffic impacts, including both primary and secondary impacts and shall fully describe the existing reasonably foreseeable mine-related changes to traffic patterns, traffic volume, the class of roadways associated with those patterns, and any load-related needs and restrictions.
- (4) Incomplete Application. If any required information is not provided with the initial application materials, the application shall not be considered complete until all required submittals are provided and the applicant shall provide an estimated date when such materials will be provided.

47.21 ADDITIONAL INFORMATION.

- (1) The applicant is responsible for providing any documents required under any other section of this chapter.
- (2) The applicant must submit to the administrator copies of application materials submitted for all other permits, licenses and approvals required by any County ordinance, state or federal law or regulation.
- (3) The committee, upon determining that sufficient information has not been provided as required by any provision of this chapter or that additional information is necessary for adequate consideration of the proposed project, may request supplemental information from the applicant. Such request will be in writing and with as much specificity as reasonably possible. Should the committee request additional information, it may halt its review until such information is provided by the applicant. Who is the mining committee? What happens if we make a recommendation to approve license and committee votes all no?? Do we develop a mining committee with someone from HWY, Corp Counsel, P&Z, LWCD, Health, ??

47.22 ADMINISTRATIVE FEE REQUIRED.

- (1) The applicant shall pay a fee to cover all costs associated with the County's review of the application, which shall be known as the administrative fee. application review shall be deemed complete upon the latter of issuance of a license, after all appeals of any denial have been exhausted, or after the County completes its work following any withdrawal of the application by the applicant.
- (2) An application fee in the amount of \$50,000.00 shall be deposited with the County as the initial payment of the required administrative fee. The County reserves the right to require payment of additional funds as necessary to pay for the extraordinary expenses to complete application review, which include but are not limited to the cost of legal counsel, consultants and the cost of any additional staff the administrator must hire to handle the workload created by the application review and other tasks the County finds necessary to comply with this chapter. The applicant shall promptly submit supplemental application review deposits as recommended by the committee and required by the County. The applicant shall maintain an adequate administrative fee deposit balance at all times as a condition of maintaining an application in good standing.

PART V – CONDITIONS ON METALLIC MINERAL MINING LICENSE

47.23 GENERAL. A Metallic Mining License shall be issued only upon such conditions as necessary to fulfill the intent of this chapter and ensure that the impacts of the mining operation are consistent with the protection of public health, safety and general welfare of the residents of Wood County and conservation of the environmental resources of Wood County; the impacts of the mining operation will not violate any County ordinance; and lawful conduct of the mining operation would promote the economic well-being of the residents of Wood County. It is not the intent of this chapter to duplicate in type and amount any financial assurance that will be provided by the applicant pursuant to any state or federal requirement.

47.24 SELECTION AND CONTENT OF CONDITIONS OF LICENSURE. The Committee shall determine such conditions as it finds necessary to achieve the intent of this chapter and shall make a final recommendation to the Board of Supervisors regarding the appropriate conditions of licensure, appropriate conditions of County local agreement, approval of County local agreement and issuance of a license so as to achieve the intent of this chapter. The paragraphs below in this subchapter are examples of conditions that may or may not be recommended by the committee, or may be revised, rewritten or supplemented with additional conditions addressing the same or any other issues as the committee deems appropriate to achieving the intent of this chapter. The committee may recommend conditions be required in a license, in a County local agreement or both. The committee shall act on a case by case basis, upon the facts and circumstances presented, to devise and recommend any conditions that it finds appropriate, including devising conditions to address topics that are not expressly addressed in this chapter or recommending no conditions if the mining operation will be satisfactorily regulated by the state or federal government or the mining operation will be satisfactorily regulated by conditions set forth in a local agreement to which the County is a party. In establishing conditions, the Committee shall be mindful that the conditions it may establish for award of a license may vary depending on whether the mining operation is proposed to be conducted on federal lands.

47.25 EXAMPLES. Types of issues which may be considered as conditions of license and how these issues might be addressed.

- (1) Strict Compliance. Strict compliance with all applicable State and Federal laws, regulations and permits shall be required of any licensee. Failure to comply with such laws, regulations or permits shall constitute a violation of the County Metallic Mining License and shall give the County the right to suspend or revoke the County Metallic Mining License and take other enforcement action.

- (2) Changes to Laws. If State laws or regulations are amended or created and are less restrictive than previous law or federal law, the licensee shall comply with the standards that were in place at the time the Metallic Mining License was granted. Under changing law circumstances, the licensee may request a license modification in accordance with this chapter, but if the license is opened for modification the licensee shall not be entitled to retain the original license conditions.
- (3) Conflict of Laws. Whenever State, Federal or County requirements may be in conflict, the strictest standard shall govern.
- (4) Administrative Fee Deposit. The licensee shall pay all costs associated with the County's administration of the license, including but not limited to fees charged by consultants and other experts, legal fees, and administrative costs incurred by the County to handle the workload created by administering the license and other tasks necessary to comply with this chapter. Maintaining an adequate administrative fee deposit balance at all times shall be a condition of maintaining a license. The County shall notify the licensee annually of the anticipated fee which shall be paid in advance on a quarterly basis and shall be reconciled and adjusted on an annual basis. All administrative fees paid shall be deposited to an Assigned Account and the County shall issue statements at least annually of such account showing all deposits and categories and amounts of expenses incurred. The account shall remain funded as provided in this chapter, conditions to the license or any agreement in force between the County and the applicant or licensee, but the minimum amount on deposit shall not be allowed to fall below \$100,000.00. The account shall remain funded until after all required mine reclamation is determined by the committee to be complete and all mine waste facilities are closed to the committee's satisfaction and then only then shall any amount remaining on deposit be refunded to the applicant.
- (5) Financial Assurance. After consulting with the applicant and considering all relevant information including but not limited to the amount of financial assurance provided by the applicant to comply with applicable state and federal financial assurance requirements and information gathered at public hearings and provided by the applicant and the County, the committee may require the licensee to provide any means and amount of financial assurance the committee deems necessary to fulfill the intent of this chapter. The following subsections provide examples of some of the possible means of financial assurance.
- (a) Performance Bond. The committee may require the licensee to post an irrevocable bond issued by a surety company authorized to conduct surety business in Wisconsin, in an amount the committee shall determine, the amount of which

shall be sufficient to cover 100% of all reasonably foreseeable costs of mine reclamation, long-term care of any mine waste facility, and possible damages and negative impacts arising from mining operations which are not, to the committee's satisfaction, already adequately bonded or otherwise provided for under other local, State or Federal financial assurance requirements. The amount of the required bond may be increased or reduced for cause shown, including changing conditions. If at any time there is a default on the bond provision, the Permit shall be automatically suspended until the bond deficiency has been cured. Any bond provided to satisfy an obligation arising under this paragraph may not be cancelled without first providing a replacement bond or other financial assurance and receiving the advance approval of the committee. If the issuing surety company becomes bankrupt or insolvent or ceases to be authorized to conduct business in Wisconsin, the licensee shall, within 30 days of notice, deliver a replacement bond to the committee's satisfaction. An alternative means of financial assurance, including combinations of methods, may be requested by the applicant provided the applicant supplies all supporting materials the committee believes necessary to evaluate the alternative, but the committee shall have sole discretion over the sufficiency and acceptability of any alternative means financial assurance.

(b) Cash Deposit to Trust for Roadway Damage Compensation.

The licensee agrees to enter a roadway maintenance agreement to the satisfaction of the committee and to establish and fund an irrevocable road damage trust of which the County shall be the sole beneficiary. The committee shall name a **trust administrator** who shall receive the initial deposit. The licensee shall initially deposit funds in an amount determined by the committee to be the reasonably anticipated cost to construct, repair and reconstruct all affected public roadways to meet the traffic demands brought about by the mining operation for one cycle of road use and rebuilding. The cost projection shall be based on a roadway improvement and maintenance engineering study conducted by the committee at the licensee's expense. As a condition of the license, the licensee shall make additional deposits to the trust as required by the roadway maintenance agreement. The County may enter agreements with other units of government affected by the proposed or actual mining operation as provided by law, including Section 59.03(2)(b), Wisconsin State Statutes, to provide for road construction, maintenance and repair; and in accordance with such agreements the County may spend or

disburse funds from the road damage trust to address roads under the jurisdiction of such other governments. The committee shall seek the cooperation and assistance of the county highway committee (HIRC) and county highway commissioner, if any, in planning and undertaking all roadway studies, planning, construction, maintenance and repair pursuant to the roadway damage trust.

(c) Cash Deposit to Trust for Land Value Compensation. The County shall establish and the licensee shall fund an irrevocable land value compensation trust, or other mechanism mutually agreeable to the committee and licensee, to compensate affected landowners for diminution in value of their owned property, suffered as a result of the mining operation or secondary impacts of the mining operation. The committee shall name a trust administrator and determine the amount of initial deposit. The licensee shall initially deposit funds in an amount equal to the equalized value of the land and improvements the committee reasonably expects would be lost over a 10 year period at locations that are (i) within 3 miles of the mine site or (ii) contiguous to a navigable lake or stream that is likely to be adversely affected by the mining operation. Land owned or leased by the licensee and land that is part of any mining site shall not be eligible for payments under this section. Land sales between family members or relatives or affiliated business entities shall not be taken into account for purposes of price comparison. To avoid duplication of payment for the same loss, any award for diminution in value provided pursuant to this chapter shall be recorded against the pertinent property in the County Records and shall run with the land.

- i. Aggrieved landowners may apply periodically at their sole expense to receive reimbursement from the trust to compensate them for the diminution in value to their property. The landowner shall pay the County's costs to hear and decide their claim. The landowner shall bear the burden of establishing that there has been a diminution in the value of their property as a result of the mine, the amount of that diminution, and that the funds requested would not duplicate any payment for the same loss.
- ii. It shall be the licensee's responsibility to maintain an adequate fund balance in the trust at all times during mine construction, operation and

reclamation, as established by the committee after consultation with appropriate experts and considering all relevant information including, but not limited to, information gathered at public hearings and provided by the applicant or licensee. If the licensee shows by a preponderance of the evidence that the balance in the trust is greater than necessary to compensate for actual diminution in property values, the trust administrator shall issue an appropriate refund to the licensee. The trust shall continue in force until five years after the later of completion of reclamation or closure of the last mine waste facility, at which time the balance on deposit shall be paid to the licensee or its successor in interest and the trust shall be dissolved and cease to exist.

- iii. To hear and decide claims for reimbursement from the Land Value Compensation Trust, the County may establish a board consisting of three to five residents of the County, at least one of whom shall be licensed to appraise real estate in Wisconsin and another of whom shall be a certified public accountant, and all proceedings of said board shall be in public and all decisions of said board shall be reduced to writing that is signed and dated by the board chairperson and which contains findings of fact, conclusions of the board and recommendations to the trust administrator.

(d) Cash Deposit to Well Fund. The licensee shall agree to pay into a fund established by the County to pay for replacing any wells contaminated, damaged or depleted by the mining operation and/or for providing potable water to any owner of a well adversely affected by the mining operation. Disbursement of funds from the fund account shall be at the sole discretion of the committee and shall be in accordance with any rules the committee may adopt to limit fraud and abuse of the Well Fund. The account shall be an Assigned Account and bear interest and be funded by the licensee in an amount determined by the committee based on the maximum number of wells likely to be adversely impacted based on the mining plan and hydrologic modeling of the mining site and any adverse effects to groundwater

and surface water reasonably anticipated from mining related activities. Hydrology studies shall be conducted by an independent consultant named by the committee and shall be completed before the onset of mine construction. The costs of the studies shall be at the expense of the licensee. On an annual basis the administrator shall issue a report to the committee covering the preceding calendar year and presenting the status of the fund, distributions made there from, and interest and principal balances on December 31. The committee may agree that after a certain balance has been reached or after charges against the fund have stabilized for a certain number of years, the licensee could receive all future interest paid on the fund balance. At any time after the 30th anniversary of the completion of mine reclamation, the committee may direct the administrator to disburse all remaining funds in the well fund to an Assigned Account, for use by the County in such manner as the committee deems to be appropriate.

- (6) Annual Operations Report. The licensee shall submit to the administrator an annual report by March 1 of each year for the preceding calendar year, until and through the release of financial assurances other than the well fund, or the licensee's certification of the completion of reclamation, whichever is later. Each report shall include all of the following:
- (a) The current acreage affected by the extraction process but not yet reclaimed.
 - (b) The amount of acreage that has been reclaimed to date including detailed explanations and photographs of the reclamation efforts and the cost incurred to achieve those results.
 - (c) Information identifying any instances of noncompliance, penalties, fines or complaints and the manner in which such instances were rectified.
 - (d) Records of any non-routine maintenance required on site.
 - i. A signed certification by the licensee to the effect that: "I certify that this information is true and accurate, and except as expressly set forth herein the metallic mineral mining site

described herein complies with all conditions of the applicable County license and any applicable permits, licenses and approvals.”

- (7) Quarterly Inspection Summary. The licensee shall submit to the administrator, within 30 days following the close of each calendar quarter, a report summarizing the results of the following inspections.
- (a) Daily Inspections. The licensee shall inspect any tailings ponds and any other waste lagoons on a daily basis for evidence and indications of any phenomenon, activity or process which might affect the integrity of the tailings pond or dike.
 - (b) Monthly Inspections. The licensee shall designate one or more qualified senior personnel to inspect the tailings ponds and any other waste lagoons on a monthly basis and prepare, sign and date a report. If the person or persons making the monthly inspections is not a Wisconsin registered professional engineer, then the licensee shall also provide for quarterly inspections by a registered professional engineer.
 - (c) Natural Event Inspections. The licensee shall inspect the tailings ponds and any other waste lagoons after any unusual natural occurrence including, but not limited to, the following: earthquake, tornado, flood, storm event exceeding the 100-year storm threshold or any other natural event which the licensee should reasonably expect could affect the integrity of the tailings pond or dike.
- (8) Inspection Logs. All daily, monthly and quarterly inspection observations shall be recorded in a log and maintained on the premises of the mine and be made available for inspection by County officials during regular business hours. The licensee shall submit copies of inspection logs to the County upon request.
- (9) Commencement of Construction. Mine construction must be commenced within two (2) years of the effective date of the last necessary County, state, or federal permit, approval or license issued to the licensee or the County may modify or terminate the license.
- (10) Survival of Obligations. All obligations of the licensee pursuant to this license shall be continuing obligations of the licensee and shall survive commencement and termination of mining and revocation of this license.

- (11) Any other condition that the committee deems appropriate.

PART VI - ADMINISTRATION AND PROCEDURES

47.26 ADMINISTRATIVE FEE PROCEDURES.

- (1) The fees submitted by an applicant for Notice of Intent Review and Application for Metallic Mining License, and for deposit upon being granted a license and other administrative fee deposits received from the applicant or licensee shall be placed by the County in an Assigned Account, for which statements shall be issued at least annually, and shall be used as necessary to pay the County's reasonable administrative and enforcement expenses associated with the evaluation of the subject Notice of Intent including expert fees, legal fees and administrative expenses for Notice of Intent review, holding of required hearings, enforcement, and other matters compelled by the need to review and respond to the Notice of Intent the application for license as provided by this chapter, such as environmental monitoring. At the request of an applicant or licensee that is attempting to transfer its interest in any application or license, upon any such transfer any monies on deposit in the Assigned Account shall be held and applied for the benefit of the transferee, provided the transferee meets all requirements of this chapter and further provided that if County approval is required for the applicant or licensee to transfer such interest then such transfer must first meet with the County's approval and satisfaction. **Who absorbs this work load?**
- (2) The County will provide a periodic accounting of its expenses to the applicant as appropriate, and within 30 business days of notice from the County, the entity from which funds are requested shall deposit additional administrative fee deposits as requested by the County. **Who absorbs this work load?**
- (3) Should the applicant challenge the County's review of or response to the Notice of Intent or review of the application, the applicant shall continue to fund the administrative fee account until all of the applicant's and County's appeals have been exhausted. Should the courts not uphold the County's review of or response to the Notice of Intent or review or response to the application, and the exhaustion of appeals results in a final decision in the applicant's favor in any respect, the County shall in no circumstances be required to refund any of the administrative fee encumbered to that date nor shall the County under any circumstances be required to pay any of the applicant's costs, losses or attorney fees.

- (4) Should the Notice of Intent be withdrawn by the person or business entity that filed the Notice of Intent, the County shall complete its work on the notice of intent and within 120 days there from shall perform an accounting and send the applicant an invoice to cover the cost of the County's work or issue a refund to the applicant of all deposits that were not utilized or encumbered in the County's review and withdrawal process.
- (5) Should the applicant submit an application for metallic mining license the County shall complete its work on the notice of intent and within 120 days there from shall perform an accounting and any unencumbered Notice of Intent funds from the applicant that are on deposit in the administrative fee account shall be converted to application review fees and the applicant shall be responsible to ensure that the account is and remains funded as provided in this chapter.
- (6) Should the applicant withdraw its application for metallic mining license, the County shall as soon as practicable halt the application review process and perform the tasks necessary to memorialize its work regarding the application and then the County shall stop its work on the application and within 120 days there from shall perform an accounting and send the applicant an invoice to cover the cost of the County's work or issue a refund to the applicant of all deposits that were not utilized or encumbered in the County's review and withdrawal process.
- (7) Should a license be awarded, the administrative fee account of the applicant shall be and remain funded as provided in this chapter, any conditions to the license and any agreement in force between the County and the applicant or licensee.
- (8) Should the license be denied, the applicant shall fund the administrative fee account until all of the applicant's appeals have been exhausted. Should the courts uphold the County's decision to deny, and the exhaustion of appeals results in a final decision in the County's favor, within 120 days of the exhaustion of all allowable appeals the County shall perform an accounting and send the applicant an invoice to cover the cost of the County's work or issue a refund to the applicant of all deposits that were not utilized or encumbered in the County's review and withdrawal process. Should the courts not uphold the County's decision to deny, and the exhaustion of appeals results in a final decision in the applicant's favor in any respect, the County shall perform an accounting and send the applicant an invoice to cover the cost of the County's work or issue a refund to the applicant of all deposits that were not utilized or encumbered in the County's review and withdrawal process, but the County shall under no circumstances be required to refund any of the administrative fee encumbered to that date nor shall the County under any circumstances be required to pay any of the applicant's costs, losses or attorney fees.

- (9) The administrative review fees shall be in addition to any other fees necessitated by County review such as inspection fees, construction related fees, site-related fees for waste disposal or other matters and any fees necessitated by additional County approvals, licenses or permits and/or County oversight.

47.27 HEARING REGARDING THE INTENT TO COLLECT DATA. The Administrator shall schedule and conduct a public informational hearing to occur not later than 45 days following the receipt of any notice of intent to collect data. At the hearing, (i) the committee shall briefly explain the state mining regulation process, the process for obtaining a license under this chapter and explain its role in administering this chapter; (ii) the person or business entity intending to collect data shall present a brief statement summarizing its intentions and shall answer questions from and as allowed by the committee regarding the potential mining project and any information presented in the notice of intent; and (iii) the committee shall seek public comments regarding the notice of intent. This hearing may be held in conjunction with any hearing held in Wood County pursuant to Section NR 132.05(3), Wisconsin Administrative Code.

47.28 RECEIPT OF APPLICATION FOR LICENSE.

- (1) Upon receipt of any application, the administrator shall immediately initial and date the original of each of the application materials filed and shall promptly prepare an affidavit by the administrator that the materials so initialed constitute the application in its entirety as presented by the applicant.
- (2) Within two business days following receipt of the application materials submitted by the applicant, the administrator shall provide the initialed original application materials to the County Clerk along with the administrator's affidavit, to be preserved with County records.
- (3) Within five business days following receipt of the application, the administrator shall distribute one copy to each of the following:
 - (a) Each member of the committee.
 - (b) The town chairman of any town in which any part of the proposed metallic mineral mining project would be located of every town adjacent thereto.
 - (c) The tribal government of any Native American community that owns tribal lands or claims ceded territory rights in any town in which any part of the proposed metallic mineral mining project would be located.

- (d) The Secretary of the Wisconsin Department of Natural Resources.
 - (e) The designee or ranking local employee of any federal agency that owns any land on which any part of the proposed mining site is located.
- (4) The remaining copies shall be made publicly available at the following locations:
- (a) The town hall of any town in which the planned metallic mineral mining project is proposed.
 - (b) The office of the Administrator.
 - (c) The office of the County Clerk.
 - (d) The public libraries within Wood County.
- (5) Promptly after distributing the application as required above, the administrator shall ensure the application is posted on a web site established by the County.

47.29 PROCEDURES FOR APPLICATION REVIEW AND PUBLIC HEARINGS.

- (1) Nothing in this chapter shall be construed to mean that the committee or the Board of Supervisors (the "County Board") shall be required to approve an application or grant a license for metallic mineral mining.
- (2) The Mining Committee will direct the administrator as required to facilitate the committee's review of all application materials.
- (3) Within 15 business days of receipt of the application, the administrator shall publish Class 2 legal notice, under Chapter 985, Wisconsin State Statutes, announcing receipt of the application for a Metallic Mining License and providing a list of locations where the application can be reviewed, and the notice shall be posted at the office of the administrator. All public hearings pursuant to this chapter shall be preceded by Class 2 legal notice unless a Class 3 notice is required by other applicable law or regulation.
- (4) The administrator shall schedule a meeting of the committee to discuss the application review procedures to occur within 30 days of receipt of the application, and shall promptly provide notice of such meeting by registered letter to the town chairman of any town in which any part of the proposed metallic mineral mining project would be located.

- (5) The committee shall conduct at least one public informational hearing and may use other reasonable means to identify and determine which issues raised by the application are of substantial significance to the human and natural environments. The hearing under this Section 47.29(5), Wood County Code, shall be scheduled to occur no sooner than 15 days after the committee's first meeting following receipt of the application and no later than 60 days after that committee meeting. The time allotted for any such hearing shall be determined by the committee in advance and be made part of the public notice. The hearing shall be held in a space deemed appropriate by the administrator based upon proximity to proposed mine site, available space and anticipated participants and other attendees. At least one week prior to the public hearing the administrator shall publish a summary of the application in a local newspaper and post the summary on the web site of the zoning department.
- (6) The public informational hearing under **Section 47.29(5)**, Wood County Code, shall be conducted by the committee's designee, who shall act as moderator of the discussion to ensure a fair hearing within the guidelines established by the committee. At the hearing, the administrator, the committee or its designee shall describe the purpose of the hearing and the regulatory and local agreement process applicable to metallic mining proposals. At the hearing, the applicant shall present a brief statement summarizing its intentions and shall answer first the questions from the committee, the administrator and/or the committee's designee and then from the public as called upon by the moderator. The moderator may use reasonable means to control the discussion to create efficiency and complete the hearing within the time allotted for the hearing, including the use of written question and comment cards and halting discussion of topics that have already been adequately addressed in the opinion of the moderator or the committee's chairperson.
- (7) Following the public informational hearing under **Section 47.29(5)**, Wood County Code, during the committee's review of the application and prior to the adoption of preliminary recommendations, the committee shall accept written comments to be considered in its review of the application, and such comments shall be addressed to the committee in care of the administrator.
- (8) The committee shall consider the application, the advice of its advisors, and public comments received for at least 45 days but not more than 365 days from receipt of application, subject to any pause provided by this chapter, at which time the committee shall, at an open meeting of the committee, adopt preliminary recommendations on the application based on the committee's review of the application, public comments and any information provided by the committee's experts. If the committee's recommendations include negotiation of a local agreement that has not yet been executed by the County Board, then the committee shall present its recommendations as alternatives, which shall include the preferred recommendations if a local agreement containing specific provisions as recommended by the committee is made effective between the

County and the applicant as distinguished from the second choice alternatives that are recommended if such local agreement would never become effective between the County and the applicant.

- (9) The committee's preliminary recommendations on the application shall be posted by the administrator on a web site established by the committee and a paper copy shall be made available to the public at the Wood County **zoning department**. Within 30 days of the committee's adoption of preliminary recommendations, the administrator shall ensure that a public informational hearing is noticed and held on the committee's preliminary recommendations. The hearing may be held at the County Seat, in any town in which any part of the proposed metallic mineral mining operation would be located, or at any other appropriate facility designated by the administrator. The moderator may use reasonable means to control the discussion to create efficiency and complete the hearing within the time allowed, including the use of written question and comment cards and halting discussion of topics that have already been adequately addressed in the opinion of the moderator or the committee's Chairperson.
- (10) Following the public informational hearing under **Section 47.29(9)**, Wood County Code, the committee shall accept written comments for a time period of 15 days. Such written comments and any comments raised in the public hearing shall be summarized by the committee's advisors and considered by the committee in preparing its final recommendations.
- (11) Within 60 days of the public hearing under **Section 47.29(9)**, Wood County Code, the administrator shall deliver to the County Clerk a written summary of the comments received at the public hearing and the County Clerk shall promptly publish the summary as a Class 1 legal notice under Chapter 985, Wisconsin State Statutes.
- (12) Within 90 days of the public hearing under **Section 47.29(9)**, Wood County Code, but not before 15 days following the publication of legal notice of the summary of public comments the committee shall, subject to any pause provided by this chapter, at an open meeting of the committee, consider the summary of public comments and other relevant materials and shall, by majority vote, adopt a summary response to the public comments and proposed final recommendations with respect to granting or denying a license to the applicant and any appropriate conditions of licensure, and shall promptly provide its summary response to the public comments and proposed final recommendations to the County Clerk.
 - a. Each of the committee's proposed final recommendations shall be supported by written findings of the committee. The committee's proposed final recommendations shall, at minimum, address the following:

- i. Identify any standard(s) the committee finds inapplicable to the proposed mining operation and the reasons therefore.
 - ii. Identify any standard(s) the committee finds applicable to the proposed mining operations and the reasons therefore.
 - iii. For each applicable standard, identify with specificity any conditions(s) the committee recommends be placed on any license issued to allow the proposed mining operation so as to meet the applicable standards or mitigate the projected impacts of the proposed mining operation to the committee's satisfaction, and for each such condition, identify the standard that will be met or adequately mitigated by inclusion of such condition.
 1. If the committee recommends that the County and the applicant enter into a local agreement that is not in full force and effect, then the committee shall identify each objective of such local agreement that is necessary to meet the intent of this chapter or otherwise advisable and the committee shall recommend the County not issue a license unless a local agreement meeting each recommended objective is executed by the County and the applicant.
 2. If the committee concludes a license should be awarded, the committee shall state its conclusion along with each condition that should be set forth in the license.
 3. If the committee concludes a license should be denied, the committee shall state its conclusion along with the specific reasons a license should be denied.
- (13) The County Clerk shall schedule a meeting of the County Board, which shall occur not later than 90 days after the County Clerk receives the committee's proposed final recommendations, subject to any pause requested by the applicant pursuant to Section 47.29(19), Wood County Code, and shall place the committee's proposed final recommendations on the agenda of that County Board meeting and publish the final recommendations and summary response to the public comments as a Class 1 legal notice under Chapter 985, Wisconsin State Statutes.
- (14) The County Board shall consider the proposed final recommendations of the committee at the open meeting of the County Board held pursuant to **Section 47.29(13)**, Wood County Code, at which it shall decide when to hold public hearings regarding the committee's proposed final recommendations for local agreement and award or denial of license.

The action taken at this meeting may not include awarding or denying a license.

- (15) At any time prior to voting on the committee's final recommendations, the County Board may request additional information from the committee but such request shall not lengthen the County Board's decision-making time frame.
- (16) No sooner than 45 days before and not later than 60 days following the County Board meeting held pursuant to [Section 47.29\(13\)](#), Wood County Code, the County Board shall hold a public hearing on the issue of whether to award or deny a Metallic Mining License and, if any local agreement has been proposed between the County and the applicant, the public hearing shall also address the issue of whether the County and applicant should enter the proposed local agreement. A notice of hearing shall be provided in writing to the appropriate district office of the WDNR and to any federal authority that owns any land upon which any part of the mine site will be located at least ten (10) days prior to the hearing. At the public hearing, any person may appear or be represented by an attorney or agent to present testimony on the record. If after the public hearing held pursuant to [Section 47.29\(16\)](#), Wood County Code, and before the County Board votes to award or deny a license the committee should, by resolution, revise any of its proposed recommendations to the County Board, the committee shall submit its revised recommendations to the County Board and such revised recommendations shall become the committee's final recommendations. If the committee does not so revise any of its proposed final recommendations then the committee's proposed final recommendations shall be its final recommendations.
- (17) Within sixty (60) days of the close of the public hearing under [Section 47.29\(16\)](#), Wood County Code, the County Board shall, at an open meeting and by resolution supported by a majority of the County Board, either deny awarding the applicant the Metallic Mining License or approve awarding the Metallic Mining License as provided in the committee's final recommendations including any conditions regarding any local agreement, provided the County Board's approval shall not amend any conditions recommended by the committee. A copy of the resolution shall be submitted, within ten (10) days after it is adopted, to the applicant, the appropriate district office of the Department and to any federal authority that owns any land upon which any part of the mine site will be located.
- (18) Should the County Board approve awarding a license, the administrator shall issue the license as resolved by the County Board and not inconsistent with the committee's final recommendations, provided that if a local agreement is a condition of licensure the County Corporation

Counsel first provides a written opinion that the local agreement is valid, fully executed, made upon adequate consideration and meets all conditions the County Board has established for inclusion in the local agreement. Every license awarded under this chapter shall contain the condition that it will become effective on the effective date of the last to be awarded of the permits and approvals required under state and federal law for the lawful commencement of construction of the proposed mine.

- (19) The applicant may request any reasonable pause in the committee's work schedule under **Section 47.29(8), (12) and/or (13)**, Wood County Code, to better coordinate the timing of the County's activities pursuant to this chapter with similar activities taking place within the state government, and the applicant may withdraw its application for license at any time and request cancellation of all further County consideration of its application by notifying the administrator in writing.
- (20) The committee may, upon motion duly made and supported by majority vote of the committee, increase the time schedule provided for by **Section 47.29(8) and/or (12)**, Wood County Code, only for good cause shown, including the desire to allow additional time to address public concerns timely raised, to complete negotiations of a local agreement, to postpone a hearing or decision until relevant and appropriate materials become available for review from the state and/or federal permit process, or to allow for the County's proceedings to occur closely in time to the occurrence of similar proceedings under the state and/or federal permit processes, provided that any extension of time effected pursuant to this paragraph shall, by itself and in combination with any "pause" previously effected by the applicant **Section 47.29(19)**, Wood County Code, allow the County to complete its decision to grant or deny a license before the state's decision to grant or deny a state mine permit.

47.30 LICENSE DENIAL. Only the County Board may deny awarding a license to an applicant. Any such denial shall be in accordance with **Section 47.30**, Wood County Code, and shall occur at the open meeting held in conformance with **Section 47.29(17)**, Wood County Code, and only after completing the procedures set forth in **Sections 47.29(1) through (16)**, Wood County Code.

- (1) Denial Required. A license shall be denied upon the committee's recommendation of denial to the County Board if, after reasonable attempts to establish conditions intended to mitigate the adverse effects of mining and allow the proposed mining operations to meet all applicable standards, the committee determines to its satisfaction that the mining operation, as proposed, would violate any applicable standard without adequate mitigation to the committee's satisfaction.

(2) Denial Allowed. A license may be denied upon the committee's recommendation of denial to the County Board if the applicant is not in good standing with respect to its payment of administrative fees required under this chapter or if any of the following situations may reasonably be expected to occur during or subsequent to mining as a result of the proposed mining operation:

- (a) Landslides or significant deposition of sediment or debris from the proposed operation into any navigable stream or on the bed of any natural lake.
- (b) Surface subsidence which cannot be stabilized or reclaimed.
- (c) Any hazard is presented that would result in irreparable and unavoidable damage to any of the following, which has not been mitigated by the applicant's obtaining of the consent of the landowner or regulatory agency:
 - (i.) Residential dwellings.
 - (ii.) Public, commercial or institutional property, structures or roads.
 - (iii.) Public roads.
 - (iv.) Culturally significant or historic properties.
 - (v.) Habitat required for survival of vegetation or wildlife designated as endangered by WDNR or Federal regulations in effect with respect to the mine site.
- (d) Any net adverse economic impact on the County as measured over the life of the proposed mine, including the reclamation phase, provided the proposed mining site is not confined to land owned by the United States.
- (e) Any detriment to public or private water supplies including, but not limited to, the impacts of withdrawals of groundwater for the operation or mine de-watering, that is not cured to the satisfaction of either the committee or the affected private landowners.
- (f) Any instance of current, substantial non-compliance at another mining site owned or operated by the applicant, located within or outside the State of Wisconsin, that has persisted for at least 365 days without formal resolution by, or commencement of remedial actions acceptable to, the regulatory agency with primary

jurisdiction over the matter, provided the proposed mining site is not confined to land owned by the United States.

- (g) Any instance of significant ongoing environmental investigation, remediation, or oversight by a government entity as the result of substantial documented noncompliance at another site owned or operated by the applicant including, for example, judicial or administrative proceedings, suspensions or revocations of other permits, forfeitures of financial assurances required by other permits, or fines and penalties assessed against the applicant in excess of \$500,000 as the result of all claims pertaining to a single matter, provided the proposed mining site is not confined to land owned by the United States.
- (h) Any instance in which the applicant provides false or misleading information in any material respect or significantly limits the County's ability to properly consider all relevant information.
- (i) Any instance in which the applicant, after opportunity to make corrections or supplement the record, fails to provide to the County with an adequate license application, fee deposit, evidence of financial assurance or any other submittal required by this chapter.
- (j) Any other factors which lead the County to conclude that the proposed license would be contrary to the public health and safety of County residents, provided such factors are supported by specific factual findings of the committee as to a particular factor and a particular harm to public health and safety, and further provided the proposed mining site is not confined to land owned by the United States.

(3) Denial Must Be In Writing. Any denial under this chapter shall be in writing, signed and dated by the County Board, and shall contain detailed documentation of the reasons for denial.

(4) Re-Submittal. If the County denies a license after conducting proceedings as set forth in this chapter, the applicant may re-submit its application in accordance with this chapter, and re-submittal shall constitute a new application in conformance with all provisions of this chapter, provided that any differences between the original application and the new application shall be summarized by the applicant in a document entitled "Explanation of Reasons for Re-Submittal." An application received by re-submittal may be denied for any reason that any application may be denied.

47.31 LICENSE MODIFICATION.

- (1) The County reserves the right to reopen and modify any Metallic Mining License if it is determined by the committee, upon the basis of newly discovered evidence, including evidence presented at State or Federal hearings for the same project, that mining activity pursuant to the license would, without further conditions placed on the license, substantially endanger the public health, safety or welfare. Any action to reopen a license shall be done by hearing with at least 30 days' notice to the license holder. In order to reopen the license and modify any terms and conditions, the hearing must show that there is reasonable cause to believe that the newly discovered evidence demonstrates a substantial threat to the public health, safety or welfare. No modifications to an existing license shall be made unless supported by a preponderance of the newly discovered evidence.
- (2) The County reserves the right to reopen and modify any Metallic Mining License if newly discovered evidence shows that there is new science or technology that would substantially decrease the impact of the mine's operations on human health, safety, welfare or the environment or would substantially and cost-effectively allow the required outcome of the planned reclamation to be accomplished in less time or with greater certainty. Any action to reopen a license shall be done by hearing with at least 30 days' notice to the license holder. In order to reopen the license and modify any terms and conditions under this section, the hearing must show that there is reasonable cause to believe that the newly discovered science or technology substantially and cost-effectively allows the planned reclamation to be accomplished in significantly less time or with greater certainty. No modifications to an existing license shall be made unless supported by a preponderance of the newly discovered evidence.
- (3) For the County to reopen a license, the committee shall identify the specific terms of the license subject to reopening and shall hold a public hearing before presenting its recommendations to the County Board. The recommendations shall include the specific reason(s) for reopening the license. If the committee recommends reopening the license, the County Board shall reconvene the Metallic Mining License hearing in accordance with the procedures in this chapter.
- (4) Should the licensee desire to modify the license in any way, it may request modification by submitting a written application for and supporting such modification to the administrator. Such application shall be in substantially the same form as the original application for license, with the same level and substance of information required, although it shall be permissible to incorporate by reference any portions of the original application that still pertain. Upon receipt of the application to

modify, the administrator and committee shall follow the procedures outlined in this chapter for review of an application for license.

- (5) If, subsequent to issuance of a license, State or Federal laws or regulations are created or amended to be less restrictive than previous State or Federal laws or regulations, the licensee may request a modification in accordance with this chapter, provided any such modification shall open the license to additional conditions as the committee deems necessary to meet the intent of this chapter, and further provided the applicant must comply with the standards which were in place at the time the Metallic Mining License was granted, unless and until the license is modified or this chapter is amended to provide otherwise.

47.32 TRANSFER OF LICENSE. When one entity succeeds to the interest of another in an un-reclaimed mining site, the County shall release the current licensee of the responsibilities imposed by the license only if:

- (1) Both the current licensee and the successor are in compliance with the requirements and standards of this chapter.
- (2) The successor assumes the responsibility of the current licensee in writing and agrees to operate, complete, and reclaim the mine in accordance with the license and all other applicable permits and approvals.
- (3) The successor shows proof of financial responsibility in substantially the same manner and amount as the current licensee and the successor agrees to maintain any instrument of financial assurance or trust fund at the same level as the current licensee.
- (4) The transfer is not valid until all required financial assurances have been submitted by the successor, accepted by the County, and the County makes a written finding that all conditions of the license will be complied with. The current licensee shall maintain compliance and all required financial assurance until 30 days after the successor has received the County's approval and license consistent with this chapter.
- (5) Failure to comply with the requirements of this section shall constitute default and shall automatically terminate the license.

47.33 DURATION OF LICENSE. The Metallic Mining License issued in accordance with this chapter shall last through operation and reclamation of the Metallic Mineral Mining Site so long as the licensee complies with all conditions of licensure and provisions of this chapter, provided all required licenses, permits, approvals and financial assurances are maintained, and suspension or revocation does not occur pursuant to this chapter. However, should any State

or Federal permit, license or approval necessary for lawful operation of the mining operation be revoked or rescinded, the County Metallic Mining License will be deemed immediately suspended and will be revoked for cause if evidence of cure is not delivered to the administrator within 180 days or another time period established by the committee at the licensee's request.

47.34 EXPIRATION OF LICENSE. A Metallic Mining License shall expire on the date the committee finds that expiration is appropriate, as suggested by any of the following.

- (1) The licensee gives written notice that it will not proceed with its project.
- (2) Mine construction has not begun and two (2) years have elapsed.
- (3) A state or federal permit necessary for the mine is denied and such denial is upheld after the final appeal or the time to appeal has elapsed.
- (4) Reclamation of all mining facilities has been completed, pursuant to the conditions of the license and all amounts payable under any financial assurance provision of the license have been paid, or sufficient sums are on deposit to pay such amounts in the future.

47.35 EXPANSION OF MINING OPERATIONS. Expansion of any metallic mining operation that is not specifically allowed by or is inconsistent with any limitation or parameter of the existing license for such operation is prohibited and is a violation of this chapter. Performance of activities not described in the application and activities not expressly allowed by a condition of the license shall be considered an unlawful expansion. The movement of any waste, ore or concentrate to a mining site from a location outside the boundary of that mining site shall be deemed an unlawful expansion of mining operations unless such movement is specifically and expressly authorized in a license issued under this chapter.

47.36 SUSPENSION OR TERMINATION OF MINING.

- (1) A licensee must provide notice to the County as soon as possible of any temporary halt of mining operations lasting more than 180 days including a statement showing projected loss of employment. Notice shall include the reason for the temporary suspension as well as plans to ensure continued compliance throughout the suspension period.
- (2) The licensee must provide notice of its intent to permanently terminate all activity at the project site no later than one year before the proposed operation is terminated. The licensee must provide notice by the end of each calendar year of any significant change in the anticipated timing of each major phase of the project as originally reported in its plan of

operation submitted pursuant to this chapter and explain any reasonably foreseeable changes to the overall project lifetime based on such changes.

- (3) Upon receipt of a notice of temporary halt in mining or upon a cessation lasting more than 180 days, whichever is sooner, the committee may require that the licensee take additional measures to ensure that public health, safety and welfare are protected during the temporary cessation of mining operations, including but not limited to, a temporary cap on tailing facilities, additional security measures, additional erosion control measures, and other site stabilization measures.
- (4) A suspension longer than two (2) years shall be considered a permanent abandonment and require the licensee to commence closure and reclamation. The licensee may request the committee re-evaluate this requirement based on exceptional circumstances but the committee's eventual decision is final.

47.37 COMMENCEMENT OF RECLAMATION. Reclamation of any mine shall begin as soon as possible with a minimum of within one year after cessation of mining activities, whether temporary or permanent, in accordance with the Reclamation Plan.

PART VII - ENFORCEMENT

47.38 RIGHT OF ENTRY AND INSPECTION BY THE COUNTY.

- (1) Compliance Inspections. Upon issuance of a Metallic Mining License, the licensee is deemed as a condition of licensure to have consented to allow inspections of the mining site and all mining operations by the administrator, the committee or their designees for the purpose of determining compliance with the provisions of this chapter and the terms conditions of the license. Inspections may occur pursuant to this section upon showing of proper identification, with or without advance notice to the licensee.
- (2) Right to Sample. As a condition of licensure, the right of inspection includes the right to perform environmental sampling and testing for any purpose, including to determine compliance with the license and any health, safety and environmental laws and to determine the need to increase reclamation bonding amounts.
- (3) Records Review. All required records to demonstrate lawful operation of the mine shall be maintained by the licensee at the mining site and made available within a reasonable time to the committee's designee to assist

the committee to determine compliance with the provisions of this chapter.

- (4) Investigation of Complaints. The licensee shall provide access to the mining site to allow the County, the committee or their designees to inspect for the purpose of investigating any complaint against the licensee alleging a condition contrary to the protection of the public health, safety or welfare.

47.39 PENALTIES. Any violation of this chapter, a license issued pursuant to this chapter or a plan required by a license issued pursuant to this chapter may result in injunctive relief, forfeitures, or both, against the violator.

- (1) Any person or licensee who violates this chapter or any license or order issued under this chapter shall forfeit not less than \$10 nor more than \$10,000 for each violation. Each day of violation is a separate offense.
- (2) The administrator shall, promptly after verifying any violation of any provision of any license or local agreement to which the County is a party, notify the licensee in writing of such violation and require the licensee to report to the administrator within 10 days.
- (3) The County shall be entitled to recover from the violator the reasonable and necessary expenses associated with prosecution of the violation.
- (4) All funds recovered pursuant to this section will be placed in an assigned account established by the County and used at the committee's sole discretion consistent with achieving the intent of this chapter.

47.40 REVOCATION OF LICENSE.

- (1) Revocation of any license awarded pursuant to this chapter shall terminate the licensee's right and authority to mine pursuant to this chapter, but shall not affect the licensee's obligation to comply with any continuing obligations of the licensee under the terms of the license or any local agreement to which the County is a party.
- (2) For any violation that is not corrected to the satisfaction of the administrator and the committee, the committee shall review reports and recommendations prepared by the administrator and the violator or licensee and shall, at one or more open meetings, establish and levy an appropriate forfeiture and order an appropriate compliance schedule consistent with the intent of this chapter, the violation of which shall constitute a separate violation of this chapter.

- (3) If the licensee fails to correct or cure the violation to the committee's satisfaction in accordance with any compliance schedule approved by the committee, the committee shall immediately petition the Board of Supervisors to revoke the license and commence legal action against the licensee for injunctive relief and additional appropriate forfeitures.

2018 North/West Wood County Funding

Return on Investment Update:

Please find the following economic development projects and programming update detailing activities performed thus far in 2018.

➤ **Workforce Development:**

- Continue the efforts being made to work with K-12 leadership to identify ways to promote career opportunities & to encourage business engagement and the incorporation of technical training in K-12 curriculum.
 - Inspire. This software tool has been implemented throughout Wisconsin and specifically the central Wisconsin region. The goal of Inspire is to bring career decision makers and local employers together to help individuals achieve their career goals and address the workforce development needs of our communities. The online program allows school children, grades 6 through 12, to find and investigate career paths that appeal to their interests and long-term plans. Inspire helps students make a successful transition to the workforce, creates student engagement and achievement, and gives every student the ability to be future ready. Thus far system registrations include 4,000 students, 73 companies with over 100 career paths in Central Wisconsin.
 - Youth Apprenticeship program coordinator. This program is available to high school juniors and seniors to gain vocational experience. Fifty-six area 2017-18 youth apprenticeship students were registered through our consortium (Central Wisconsin), exceeded our grant enrollment estimates.
 - Health Career Connections program coordinator. This program is available to high school juniors and seniors to gain experience in healthcare careers. The 2017-18 program will be completing work site rotations in May.
 - Reality Store program coordinator. This program exposes 8th grade students to real-life work scenarios and the expenses that go along with those scenarios. (Marshfield (public and private), Auburndale and Pittsville schools are eligible to participate). The first Reality Store occurred on March 13th with over 235 students attending. The second Reality Store occurred April 10th with over 360 students attending.
 - X-treme X-ploration. This program assists high school juniors prepare for the world of work. This event was held in February at UW-Marshfield/Wood County where 300 high school juniors participated.
- Conducting business tours for area students to visit and meet area manufacturers to promote career opportunities.
 - Working with NCWWDB to plan the October 2018 Heavy Metal tour within Marshfield and the surrounding area. Approximately 400 students and 11 businesses participated in the north Wood County area.
 - Assisted with the planning for Construction Career Day at Staab Construction which gave area high school students interested in the construction-related trades an opportunity to participate on many hands-on learning activities. MACCI/MACFI was there to discuss youth apprenticeship opportunities and survey the students. There were 150 high school students from 5 area high schools, 12 construction-related businesses, and 1 post-secondary education facility, and 3 representing organizations. The survey results showed that the

students gained a better understanding of the careers and really enjoyed this hands-on opportunity to explore the trades.

- Collaborate with Higher Education to identify and support issues that will improve their ability to respond to the on-going business needs for workforce improvements.
 - Collaborating with area universities and technical colleges to develop and enhance workforce development programs and incumbent worker training opportunities.
 - Planning continues with UW-Stevens Point's Community to Campus event that will highlight the Marshfield area for the UWSP students.
- Collaborate with Workforce Development, Higher Education & Business Leaders in the area to promote new career opportunities.
 - Collaborating with the Information Technology sector to improve the ability to develop, attract and retain a sufficient qualified workforce to allow the IT sector to continue to grow in this area.
 - Collaborating with the Advanced Manufacturing Alliance to improve the conditions for the manufacturing sector, its ability to attract and retain a qualified workforce and the opportunity to expand markets and supply chains.

➤ **Regional & County Development:**

- Actively working with local, county and regional stakeholders to align and coordinate economic development strategies.
 - Working with Centergy, NCWWDB, HOW Chamber and municipal partners, we have advocated on behalf of pro-Wood County issues with state and federal representatives and agencies through events like Central Wisconsin Days, to name one.
 - Working with State of Wisconsin, regional and county partners to enhance broadband coverage within under-served areas.
- Utilize state-wide and regional tools to enhance economic development efforts.
 - MACCI/MACFI continues to assist in rolling out WEDC economic development tools and strategies at the local level. This includes meeting with local communities to inform local stakeholders of the tools, programs and incentives available for development projects.
- Seeking new resources and opportunities for key industry sectors by the development of new and expanded markets and supply chains.
 - Assisted with the redesign of regional website (Centergy) to "unite resources to stimulate regional economic development by marketing the region, convening resources and supporting collaboration through economic competitiveness, talent development, and innovation and entrepreneurship. The mission is to promote the region, retain and attract thriving businesses, align regional talent development resources and initiatives, and support innovation and entrepreneurship to inspire continuous improvement in our region's economic vitality.
 - Working with HOW Chamber and other regional partners in arranging for the exposure of Wood County properties to national retail developers through such venues as the International Council of Shopping Centers, to name just one.
 - Partnering with the State (WEDC), local businesses and other regional partners to promote county business opportunities through the development of a regional supply chain database through the Supply Chain Marketplace.

➤ **Marketing/Promotion/Advertising:**

- Represented the County at identified conferences & events:
 - ICSC (Int. Council of Shopping Centers) in Milwaukee
 - WEDA's Governor's Conference on Economic Development in Madison
- Updating of local properties to the WEDC property website (Locate in Wisconsin) to attract new development.
- Creating specific marketing materials and utilize various media to promote the Marshfield area such as:
 - Annual Economic Development report
 - Updated 2018 economic profile
 - Magazine focusing on Marshfield area's strengths for economic development and workforce attraction
 - Flyers and marketing tools/equipment for trade shows, mailings etc.
- Responding to site selector, local business, and state RFI requests.
- Partnering with realtors and developers to market development and redevelopment opportunities.

➤ **Business & Entrepreneurial Support:**

- Working with Brightstar, Newaukee and local young professional groups to coordinate and promote the second year Hatch Event. A community-based startup pitch platform that aims to convert strong "napkin" ideas into business plans that launch new companies in central Wisconsin. Winners received cash and an invitation to attend the end-of-year finale to compete against the other winners from previous programs. The winners' event will offer the opportunity for the four semi-finalists to pitch their concepts, hopefully with more articulation, and attempt to win a grand prize.
- Provided counseling, education and forums to entrepreneurs to assist with business formations.
 - Specifically, 13 clients have been assisted with business start-up and/or expansion needs.
 - Partnered with Stevens Point Small Business Development Council office and SCORE to promote and present four educational program for new and existing businesses:
 - Finding the Money
 - Marketing for Talent
 - Buying and Leasing commercial Real Estate
 - Growing Your Customer Base

We hope this brief summary of year-to-date 2018 activities has provided the committee with a better understanding of the economic development services and business assistance programming provided to northern and western Wood County. We believe the summary represents good value to Wood County's investment in economic development. We appreciate Wood County's continued support of economic development efforts for northern and western Wood County.