

**Walworth County Board of Supervisors
Land Conservation Committee
MEETING MINUTES
Monday, September 15, 2014
Walworth County Government Center
County Board Room 114
100 W. Walworth Street, Elkhorn, WI 53121**

Chair Nancy Russell called the meeting to order at 2:20 p.m.

Roll call was conducted. Committee members present included Chair Nancy Russell, Vice Chair Charlene Staples, Supervisor Dan Kilkenny, USDA/FSA Representative William Leedle and Citizen Member Rosemary Badame.

Others in Attendance:

County Board Supervisors: Kathy Ingersoll and Tim Brellenthin

County staff: Louise Olson, Deputy Director of Land Use and Resource Management (LURM); Michael Cotter, Director of LURM/Deputy Corporation Counsel; County Administrator David Bretl; Neal Frauenfelder, LURM Senior Planner

Members of the public: See below under Public Comment.

Supervisor Kilkenny made a motion, seconded by Citizen Badame, to move agenda item 10 for consideration after approval of the meeting minutes. The motion carried 5-0. On motion by Vice Chair Staples, seconded by Citizen Member Badame, the amended agenda was approved by voice vote.

New Business

- Discussion/Possible Action - Amendment to the Regional Water Quality Management Plan to expand the City of Burlington Sanitary Sewer Service Area into Section 1 Town 2 North Range 18 East, Walworth County - Neal Frauenfelder

Director of LURM Michael Cotter informed the committee that this is a sewer service amendment; the first one since 2011. Neal Frauenfelder, LURM Senior Planner, reviewed the amendment process. Under Wisconsin statute, the Southeastern Wisconsin Regional Planning Commission (SEWRPC) is the approving agency for the expansion, with input from the Department of Natural Resources. In this case, the hearing was expedited. Normally, this committee would have had a meeting prior to the hearing to provide input on the amendment; however, the petition has already been approved by SEWRPC. After the Commission takes formal action, it prepares a final report and requests the county to concur with the amendment by resolution. Frauenfelder advised the committee they can prepare a resolution approving or denying the amendment. The County's role is advisory only. The site in question is proposed to be the future site of an Aurora health care complex. Most of the acreage is zoned prime agricultural, A-1. The County's Park and Open Space Plan states that prime agricultural land should be preserved wherever practicable. The Farmland Preservation Plan advocates for preservation of the agricultural base within the County, and property with Class 1, 2, and 3 soils should be preserved. Approximately 85-95% of the property in question falls within Classes 2 and 3. There is no identified critical species habitat, no abandoned landfills, no planned transportation facility projects or floodplain acreage on the property. The isolated natural resource area will not have sewer service. **On motion by Supervisor Kilkenny, seconded by Vice Chair Staples, the amendment was placed on file. The motion carried 5-0.**

- Discussion/Possible Action – Correspondence from Enbridge Energy regarding the Line 61 Pipeline Upgrade Project – Charlene Staples

Supervisor Kilkenny proposed a resolution (No. 26-09/14) supporting a full environmental impact statement and public input concerning Enbridge Energy Line 61 expansion. Kilkenny stated that it is crucial that an environmental impact study be completed to provide citizens with full information about potential risks to citizens and the environment associated with the products flowing through the pipeline.

Public Comment

The Chair opened the meeting for public comment on the pipeline upgrade project. She asked those offering comment to be as brief as possible in consideration of the number of speakers and another committee meeting scheduled for 3:30 p.m. County Administrator Bretl announced the names of the speakers from the sign-up sheet and the public comment period commenced, as follows:

L.D. Rockwell, Sierra Club, N6619 Grove Road Elkhorn, Wisconsin: Supports the resolution urging the appropriate State agencies to conduct an environmental impact study on the proposed Line 61 Pipeline Upgrade Project.

Jim Cusak, N3165 Gooseberry, Lake Geneva, Wisconsin: Supports the environmental impact study and additional public information on the project.

Charles L. Colman, Lake Geneva Conservancy, W4461 N. Lake Shore Drive, Williams Bay, Wisconsin: Supports environmental impact study.

Susan Olson, 107 Lake Vista Circle, Fontana, Wisconsin: Supports the study.

Gerald Petersen, Kettle Moraine Land Trust, N7622 Pleasant Point Circle, Elkhorn, Wisconsin: Supports the environmental impact study and asked that an engineering study on the pipeline also be requested.

Dennis Count, N6726 Gilbert Street, Elkhorn: Supports the pipeline expansion.

Roger Clark, SE Building Trades, 3030 39th Avenue, Kenosha, Wisconsin: Supports promoting the progress on the pipeline.

Lynn Shoemaker, 172 N. Esterly Avenue, Whitewater, Wisconsin: Supports the study and additional public information.

Marlene Titus, W3450 McDonald Road, Lake Geneva, Wisconsin: Supports an environmental impact study.

Mary Burpee, 609 W. Walworth Street, Elkhorn, Wisconsin: Supports the passage of the resolution.

Jane Roberts, Sugar Creek Township: Supports the study and thanked the Board for their consideration of citizen safety.

Mariette Nowak, N9053 Swift Lake Drive, East Troy, Wisconsin: Supports the environmental impact study.

Dr. Carl Whiting, Wisconsin Safe Energy Alliance, 1112 Edgehill Drive, Madison, Wisconsin: Thanked the committee for taking the issue seriously and expressed support for the study and more public input and information.

Bob Weaver, Operating Engineers Union, 233 Christie Lane, Twin Lakes, Wisconsin: Expressed support for the pipeline upgrade.

Jim O'Brien, Steamfitters Union Local 601, W276 S2223 Fenway Drive, Waukesha, Wisconsin: Expressed support for the pipeline project.

Jerre Collins, 181 N. Esterly Avenue, Whitewater, Wisconsin: Supports the resolution requesting the environmental impact study.

Steve Roalstal, Enbridge Energy representative, 26 E. Superior Street, Duluth, Minnesota: Provided a brief overview of Enbridge Energy's plan to add pump station capacity between Superior, Wisconsin and Flanagan, Illinois. He stated that Enbridge has invested \$4.4 billion in technology and training to improve safety.

Karen Coburn, 1 Coburn Lane, Whitewater, Wisconsin: Supports the environmental impact resolution.

Linda Loomer, 878 Cravath Street, Whitewater, Wisconsin: Supports the resolution and asked that the information provided by the community be taken into consideration.

Ellen Hawley, no address given: Supports the environmental impact study.

Dr. Carl Whiting was recognized by the Chair to respond to Steve Roalstal's comments. He stated he was not comfortable with Enbridge Energy's emergency response plan.

Administrator Bretl asked if there were any additional statements or rebuttals. Steve Roalstal, Enbridge Energy, requested to speak. Chair Russell closed the public comment period and no further comment was permitted.

Supervisor Kilkenny offered modifications to the resolution that initially went to the County Board and was referred to the Land Conservation Committee. Kilkenny stated that the purpose of the resolution is to request further study to determine if the pipeline would be safe and not detrimental to land values. **Vice Chair Staples offered a motion, seconded by Supervisor Kilkenny, to recommend to the Board of Supervisors the adoption of Resolution 26-09/14, with the following modifications: on Line 40, add: the "State Department of Transportation and Wisconsin Department of Natural Resources (DNR)"; on Line 41, add: "and engineering study and further public hearings." The motion carried 4-1 with USDA/FSA Representative William Ledle voting no.** Chair Russell read the resolution as revised.

- Discussion/Possible Action – 2013 Wisconsin Land and Water Conservation Annual Progress Report (<http://datcp.wi.gov/uploads/Environment/pdf/LandWaterAnnualReport2013.pdf>) - Louise Olson
- Discussion/Possible Action – RCPP Program for Walworth County (<http://www.grants.gov/web/grants/view-opportunity.html?oppId=256049>) - Louise Olson

- Discussion/Possible Action – DATCP Report August, 2014 – Louise Olson
- Discussion/Possible Action – Nonmetallic Mining Reclamation Ordinance – Chapter 26, Article VI – Review of Determination per Statute §68.11 – Fay Amerson

The above items were postponed to the next regularly scheduled committee meeting due to time constraints.

Confirmation of Next Meeting

Monday, October 20, 2014, 2:00 p.m.

Adjournment

On motion by Supervisor Kilkenny, seconded by Citizen Member Badame, the meeting was adjourned at 3:55 p.m.

Submitted by Becky Bechtel, Administrative Clerk. Meeting minutes are not considered final until approved by the committee at the next regularly scheduled committee meeting.