

**CALUMET COUNTY**  
**PLANNING, ZONING & FARMLAND PRESERVATION COMMITTEE**  
**June 10, 2021**  
**THESE MINUTES ARE APPROVED**

**1. Meeting Announcement and Posting**

The meeting was properly announced and posted. Chair Hofberger called the meeting to order at 8:30 a.m.

**2. Roll Call**

Committee Members present: Hofberger, Budde, Deiter, Kleckner (8:36 a.m.), Kesler, Geiser (8:36 a.m.)

Absent: Ott

Staff Members present for all or part of the meeting: Meuer, Faust, Mooney, Giebel, Depies

Others Present: Gordon Speirs, Ron Herzog, Jason Johnson, Mike Rivera (Webex)

**3. Pledge of Allegiance**

The Pledge of Allegiance was recited by all.

**4. Approval of Agenda**

Motion by Deiter and second by Kesler to approve the agenda. Motion carried unanimously.

**5. Approval of Minutes from May 13, 2021 Committee Meeting**

Motion by Deiter and second by Kesler to approve the minutes from the May 13, 2021 Planning and Zoning Committee Meeting. Motion carried unanimously.

**6. Public Participation**

None

**7. Convene Meeting and Enter public hearing**

Motion by Deiter and second by Kesler to convene into Public Hearing at 8:35 a.m.

**a. Petition 1: Randall Habermann Estate, and agent Brad Buechel; Rezone; Sec. 82-48(f) Zoning Ordinance SW1/4 and SE1/4 of SE1/4, S. 13, T18N-R20E, Town of Charlestown**

Meuer read the staff report into the record. The petitioner is requesting to rezone approximately 80 acres from Exclusive Agricultural to Agricultural Residential and Exclusive Agricultural Preservation. Approximately 5 acres will be converted to Agricultural Residential (AR) for residential use and approximately 75 acres will be converted to Exclusive Agricultural Preservation (EA-P) to remain in agricultural. Mr. Herzog, the Habermann's financial accountant spoke on behalf of the Habermann Estate. The Town of Charlestown had no issues except for moving the property lines. Staff found no impacts to this request as it relates to the Farmland Preservation Plan 2020-2030. Discussion followed. Motion buy Budde and second by Deiter to approve the rezoning of 5 acres to agricultural residential and the 75 acres to Exclusive Agricultural Preservation. Motion carried unanimously.

**b. Petition 2: Gary and Georgene Schultz and acting agents Shiloh Dairy LLC and Outagamie Clean Energy Partners LLC; Alternative Proposal; Sec. 62.46(b)(4)(A) Land Division Ordinance; SE1/4, SE1/4, S. 16, T20N-R20E, Town of Brillion**

Mooney read the background information and staff recommendations into the record. The petitioners are requesting an alternate proposal from the Calumet County Land Division Code to create an agricultural lot less than 20 acres and less than 600 feet of lot width. The proposed site will be the location of a solar panel array. The Town of Brillion had no comments regarding this request. Staff recommends approval for this request with the condition that an owner of Lot 2 of the Schultz CSM must have an ownership interest in Lot 2 of Shiloh Dairy CSM. Discussion followed. Motion by Budde and second by Kesler to grant this permit request with the condition that the owner of Lot 2 of this CSM yet to be determined, shall also have ownership interest in Lot 2 of the CSM staff approved last month, as yet to be determined. Motion carried unanimously.

**c. Petition 3: Shiloh Dairy LLC and Outagamie Clean Energy Partners LLC; Conditional Use; Sec. 82-48(c) Zoning Ordinance; SE1/4, SE1/4, S.16, T20N-R20E, Town of Brillion. Construction of a Solar Utility Facilities –Type B**

Meuer read the staff report into the record. The petitioners are requesting a Conditional Use Permit for a proposed a 1.8 megawatt solar farm to utilize power to the existing farm operations and biogas plant located at Shiloh Dairy. The parcel the petitioner is looking to place the solar utility facility is currently owned by the Schultz's. If the alternative lot creation is approved, the parcel will be split off and ownership will be shared by Shiloh Dairy and Outagamie Clean Energy Partners. Staff supports the proposal but that a condition to promote public health and safety be included with the permit to establish a bond or financial assurance provided by the owner and or operator of the facility to complete the decommissioning of the proposed project within one year that it has ceased operation. Discussion followed. Budde made a motion to approve this petition with two conditions. Condition 1 – Petitioner provides a financial vehicle whether a letter of credit and bonding or some other surety to cover the cost of decommissioning the facilities within one year after it has ceased operation. The financial assurance shall be payable to the regulatory authority, Calumet County, and will be released upon successful completion of removal and proper disposal of all above-ground solar components. The financial assurance shall be established prior to construction of these facilities. Condition 2 – The petitioner shall issue to Calumet County a letter indemnifying the county of any and all liability related to this project. Motion seconded by Geiser and unanimously approved.

**8. Close Public Hearing and Reconvene Regular Meeting**

The public hearing closed at 9:35 a.m. and reconvened back to the regular meeting.

**9. Report of Committee Members**

**a. Report of Official Meetings Held Since Last Committee Meeting**

None

**b. Upcoming Events Reported by Committee Members**

Budde reported on behalf of East Central ITBEC about the upcoming filming by Discover Wisconsin.

**10. Communications**

None

**11. Items for Action or Discussion**

**a. Discussion Regarding Sanitary 3-Year Maintenance Program**

Giebel presented the history of the three year maintenance program, how many systems we currently have in the county, the types of septic systems that are installed and how each system works. He also explained the reasoning for inventorying septic systems countywide and how the septic systems are tracked in the Transcendent program. No action taken.

**b. Discussion Regarding American Rescue Act Funding**

Meuer reported the County will be receiving over 9 million in direct aid. These funds must be spent by 2024. There are allowable uses for these funds. Chris drafted a list of eligible projects that could be subject to the funding. Discussion followed. No action taken.

**12. Report of Department**

**a. Code Administration Update Since Last Committee Meeting**

Meuer reviewed the code administration activities since the last meeting.

**b. Staff Updates**

Mooney reported Discover Wisconsin will be here next week filming at various parks in the county. Giebel reported on the Zoning Board of Adjustment held last month and finishing up final inspections. Depies reported on his learning the process of zoning. Meuer reported he's been training with both Depies and Giebel and the recent Electronics Recycling event. Meuer also reported that Hess is preparing for the redistricting process.

**13. Upcoming Events/Past Events**

None

**14. Consider Specific Items for Next Meeting Agenda**

None

**15. Discuss Next Meeting – Proposed – Thursday, July 8, 2021; 8:30 a.m.**

The next meeting will be held on Thursday, July 8, 2021 at 8:30 a.m.

**16. Adjournment**

Chair Hofberger adjourned the meeting at 10:26 a.m.

**Respectfully Submitted,**

Rose Faust  
Recording Secretary