

August 25, 2017
Public Hearing

Chairman Ruzic called the public hearing to order at 7:32 p.m. He verified the postings. He introduced the board, the commission, and attorney Tom Harnish.

Laurie Casper read the proposed amendment to the Town of Garden Valley Comprehensive Plan (CP). See attached.

Discussion followed.

Mona Kufaulk - commended the committee

Dean Chase - Zoning regulations have protested us. Is the plan and zoning regulations in harmony?

Does mining include bore drilling? Would they have to inform zoning? Can sand mine buy land?

Yes, but would need to rezone to mine.

Is there any recourse for Garden Valley (GV) if damages are caused by neighboring towns?

Wade Stubrud - Non means no to sand mine.

Bill Leis - Money and lawyers can change minds.

Sam Boynton - Need to follow up with legal recourses and other towns.

Tony Dryak - With proposed amendment we will have more security, it gives more details, and attempts to be proactive.

Sam B - We could be fighting the legal issue after the fact.

Tom Harnish - There is private and public damages and action can be taken even in next town.

Nuisance action is hard to prove though.

Pat Pople - Chippewa County - commended commission. Made aware of DNR's new procedures for water drainage which includes waterways. Mining companies are urging landowners to register land.

Jack Dryak - What could mining companies counter with.

Tom H - Everything is challengeable.

Bill L - County Board will not decide against town.

Ron Casper - CP gives another layer of protection.

Steve Lowe - When does amendment go into effect?

Kathy Leis - If passed, it will go into effect after it is posted or published.

Dan Yildirdyn - Is there statute for noxious activity within 6 miles?

Dick Solliss - Riparian Rights?

Tony D - Flowing water rights, streams

Tom H - Explained this

Wade S - Does CP secure us from mining.

Ron - C - another layer. Board is main factor. If passed, Board would have to make change to CP to be able to allow mining.

Mona K - Company circumvented CP in their town.

Dean C - Commended Board and Commission

Vince Ruzic - The town was zoned in 1976 - that Board should be commended

Tom H - Made note that there were two instances in the amendment that made references to townships rather than towns.

Ron Casper - Made the motion to change the two instances of the word "township" in the amendment to the word "town". Tony Dryak seconded. Carried.

Adjourned.