

STATE OF WISCONSIN
Town of Frankfort
Pepin County

RESOLUTION TO ADOPT PEPIN COUNTY ORDINANCE NO. 181 IN THE TOWN OF FRANKFORT

WHEREAS, on December 21, 2011, the Pepin County Board of Supervisors adopted an ordinance establishing a one year moratorium prohibiting the establishment or expansion of non-metallic “frac sand” mining in Pepin County for the stated purposes of studying and revising local land use plans and evaluating and implementing available regulatory measures that could allow for appropriate and permitted frac sand nonmetallic mining operations in a manner intended to avoid undue adverse impact on the citizens and environment in the County ; and

WHEREAS, after its effective date and during its one year term the County’s Moratorium Ordinance prohibits the establishment in the County of new frac sand mining operations and the expansion of existing ones beyond the area, land and materials for which said operations have a current non-metallic mining reclamation permit; and

WHEREAS, on December 6, 2011, the Richardson/Bechel nonmetallic frac sand mining site in Section 10 of the Town of Frankfort received an amended nonmetallic mining reclamation permit from Pepin County affecting 43 acres in said Section, before the effective date of the County Ordinance, as a result of which it appears that the Richardson/Bechel nonmetallic frac sand mining operation will not be prohibited by the terms of the County’s Moratorium; and

WHEREAS, by its terms the County’s moratorium will not be effective in a town until it has been adopted by the town board; and

WHEREAS, the Town Board of the Town of Frankfort has reviewed Pepin County Ordinance NO. 181 and finds adopting it as contemplated in the County Ordinance to be in the best interest of the Town as it and the County consider available regulatory options and act as appropriate to protect the citizens and environment of the Town and County from the adverse effects of any unsafe or incompatible land use of this nature.

NOW, THEREFORE, BE IT RESOLVED that the Frankfort Town Board hereby adopts Pepin County Ordinance 181, titled Ordinance Establishing a One Year Moratorium on Non-Metallic Mining for Frac Sand within the Jurisdictional Limits of Pepin County for the Purposes of Developing/Updating/Amending Land Use Plans and to Evaluate Regulatory Controls to Prevent Incompatible Land Uses within the County, to be effective in the Town of Frankfort;

BE IT FURTHER RESOLVED that during the term of the Moratorium, Pepin County shall have sole and separate responsibility for enforcing its Moratorium Ordinance in the Town of Frankfort; and

BE IT FURTHER RESOLVED that the Town Clerk is directed to file a certified copy of this resolution with the Pepin County Clerk upon its passage by the Town Board

Adopted by action of the Frankfort Town Board this 10th day of January 2012.

TOWN BOARD

/s/ Brad Anderson, Chairman
/s/ Denny Richardson, Supervisor (no)
/s/ Jeff Anderson, Supervisor

Attest: Maureen Manore, Clerk

Posted January 13, 2012