

# **GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING**

December 2, 2014

9:00 a.m.

Grant County Conference Room (#266)  
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on December 2, 2014 at 9:00 a.m. by Mark Stead, the Conservation, Sanitation, and Zoning Committee Chairman in the Grant County Conference Room #266, 111S. Jefferson, Lancaster.

Board members present: Mark Stead, Lester Jantzen, Dale Hood, Dwight Nelson, Roger Guthrie, and Pat Schroeder. Chuck Raisbeck was Absent. Others present: County Board Chairman Robert Keeney, Lynda Schweikert, Annette Lolwing, Kevin Lange, Janet Graney, Jeff Krueger, Joe Schmelz, Greg Cerven, Ben Wood, Cliff Stock, David Klar, Emmett Riley, Robin Fuller, Becky Stader, Aaron Austin, Larry Austin, Rocky Skemp, and Dan Smith.

## **Certification of Open Meeting Law**

Annette Lolwing sent the agenda to Karla Schwantes and Linda Gebhard to post in the Administration Building and at the Courthouse, also sent an agenda to Bob Middendorf, WGLR, and was posted in the front of the Ag Service Center Building. Media notices were sent to Karla Schwantes, Linda Gebhard, Herald Independent, Tri County Press, Platteville Journal, and the Muscoda Progressive.

## **Approval of Agenda**

Motion by Lester Jantzen, seconded by Pat Schroeder to approve the Amended Agenda by adding the 80% harvest date for the WDACP and to set the commodity prices for the WDACP. Motion carried.

## **Approval of the Minutes**

Motion by Dwight Nelson, seconded by Dale Hood to approve the November 4, 2014 CSZC Minutes with the correction that the CSZC meeting was held in the County Board Room, not in the Conference Room as it was printed in the heading and in the 1<sup>st</sup> paragraph. Motion carried.

## **Approval of the Bills**

Motion by Roger Guthrie, seconded by Lester Jantzen to approve the bills. Motion carried.

## **Public Hearing Rezone:**

Chairman Stead opened the Public Hearing:

Lynda Schweikert handed out a new worksheet to the board members to answer questions regarding the rezone; this was suggested by the County Corporation Counsel.

Pat Schroeder spoke referencing the worksheet asking why we are doing it now and in the past there was no problem? Mark Stead took consensus of committee and will use it on the opinion of corporation counsel

**#497** - Clifford & Sandy Stock in Ellenboro Township rezoning 10 ac. from Farmland Preservation to Agricultural A-1 for a single family dwelling.

Mr. Stock spoke that they have a cabin on this site and if this was destroyed they would not be able to rebuild unless the zoning was corrected. This is why he is requesting the rezone.

In Favor: Ellenboro Township approve on November 12, 2014.

In Opposition: none

In Interest: Clifford Stock

After going through the questions on the worksheet, Mark Stead closed the public hearing. (See Attachment A)

Lester Jantzen made a motion to recommend approval of the rezone to the full County Board, seconded by Roger Guthrie. Motion carried.

**#502** – GL Enterprises LLC % George Lazarus in Platteville Township rezoning 8.23 ac. from Farmland Preservation to Agriculture A-2 for a new subdivision.

**In Favor:**

Pat Schroeder spoke that there was two board members that have a conflict of interest and that the Platteville Township board may be investigated on the rezone for George Lazarus. Pat Schroeder asked Dale Hood, Chairman of Platteville Township board if this was true and there was no answer from Dale.

Mark Stead spoke that the Comprehensive Planning committee members voted yes to the rezone.

Aaron Austin from Austin Engineering was there representing George Lazarus, he spoke that this property would be next to the existing subdivision and would be using the Hidden Lane driveway to access this land.

Rocky Skemp spoke that this would be a cluster development.

Emmett Riley from Lafayette County spoke in favor of the cluster development.

Dave Klar was neutral and spoke that he felt there is a conflict with the Platteville board members and that they are in violation to the open meeting law.

**In Opposition:** Platteville Twn denied October 31, 2014.

Lynda read a letter from Joe Bodden that the Township board members discussed at length the history of the existing subdivision and the Farmland Preservation requirement. There was no discussion on the general atmosphere and concerns of the current homes on High Ridge and Hidden Lane. These homes are tucked into and along the edges of wooded areas.

He strongly feels that the best use of this land is to keep in productive agricultural use and he is opposed to any further development.

Dan Smith, Township board member spoke and does not agree with the comments made toward the Platteville Township Board. The land is prime farmland and the existing subdivision was part woods and thought that you could only have a percent of development on a parcel.

**Applicant's Rebuttal:**

Aaron Austin said that George Lazarus would bulldoze some existing woods to make more farmland.

Mark Stead spoke regarding the subdivision that Lipska farm had made 4 lots out of prime farmland and the Platteville board approved that subdivision.

Dan Smith asked the question if all the covenants are recorded.

Larry Austin reported that all covenants are recorded.

After going through the questions on the worksheet, Mark Stead closed the public hearing.

(See Attachment B)

Pat Schroeder made a motion to recommend approval of the rezone to the County Board, seconded by Roger Guthrie. Mark Stead requested a roll call vote. Dwight Nelson yes, Dale Hood abstained, Lester Jantzen no, Roger Guthrie yes, Pat Schroeder yes, and Mark Stead yes. Chuck Raisbeck Absent. Motion carried with 4 yes, 1 no, 1 abstained, 1 absent.

**# 503** – Matt & Becky Stader in Ellenboro Township rezoning 2.36 ac. from Farmland Preservation to Agriculture A-2 for a single family dwelling.

In Favor: Ellenboro Twn approved November 12, 2014.

In Opposition: none

In Interest: Becky Stader

After going through the questions on the worksheet, Mark Stead closed the public hearing.

(See Attachment C)

Pat Schroeder made a motion to recommend approval of the rezone to the full County Board, seconded by Lester Jantzen. Motion carried.

**#504** – Brandon Klaas (Klaas Construction LLC) in South Lancaster Township rezoning 1.01 ac. from Agriculture A-2 to Commercial C-1 for a Commercial Building.

In Favor: South Lancaster approved October 8, 2014.

Aaron Austin did a complete new survey of the property.

In Opposition: none

In Interest: none

Mark Stead closed the public hearing.

Lester Jantzen made a motion to recommend approval of the rezone to the full County Board, seconded by Dale Hood. Motion carried.

### **Public Hearing Conditional Use Permits:**

Mark Stead opened the public hearing for the conditional use permit

**CUP#14-16:** Doug & Marla Leibfried for selling a single family dwelling in the Farmland Preservation of 3.45 ac. of Lot 1 CSM 1695 in Harrison Township.

In Favor: Harrison Twn approved on May 14, 2014.

In Opposition: none

In Interest: none

After going through the questions on the worksheet, Mark Stead closed the public hearing.

(See Attachment D)

Lester Jantzen made a motion to approve the Conditional Use Permit, seconded by Dale Hood. Motion carried.

### **Sanitary Permit Summary:**

So far this year the Sanitation office issued 104 replacement permits and 59 new permits with a total 163.

Roger Guthrie made a motion to accept the Sanitary Permit Summary, seconded by Dwight Nelson. Motion carried.

### **Wisconsin Fund Report:**

Pat Schroeder made a motion to accept the replacement orders for the Wisconsin Fund, seconded by Dwight Nelson. Motion carried.

### **Set 80% Harvest Date for WDACP: Greg Cerven**

Greg Cerven asked the committee to set a date as to when they thought the 80% of the crops were harvested. Motion by Lester Jantzen, seconded by Pat Schroeder to approve December 1, 2014 for the deadline date that 80% of the crops were harvested. Motion carried.

### **Set Commodity Prices for WDACP: Greg Cerven**

Greg handed out a sheet listing approved prices for last year, (2013) as well as the current market price for 2014.

In 2013, the price for Corn was \$4.17/bu. Motion by Roger Guthrie, seconded by Lester Jantzen to approve the 2014 current market price of \$3.38/bu.

Soybean price for 2013 was \$11.14/bu. Motion by Pat Schroeder, seconded by Dwight Nelson to approve the 2014 current market price of \$10.02/bu. Motion carried.

Alfalfa Hay price for 2013 was 200/ton. Motion by Roger Guthrie, seconded by Lester Jantzen to approve the hay price at \$150.00/ton. Motion carried.

Mix hay price for 2013 was \$145/ton. Motion by Pat Schroeder, seconded by Roger Guthrie to approve the mixed hay price at \$100.00/ton. Motion carried.

There were no claims for the loss of any nursery trees in 2013. Motion by Pat Schroeder, seconded by Dwight Nelson to approved the 2014 nursery tree price at \$58.00/tree for the loss of the arborvitaes, and \$95.00/tree for the loss of the Scotch Pines. Motion carried.

There were no claims for the loss of any bee hive and/or colony boxes in 2013. Motion by Roger Guthrie, seconded by Dwight Nelson to set the 2014 price for \$85/colony and \$32.75/box.

### **County Cost Sharing Requests**

Lynda presented 2 county cost share cancellation requests for Doug Schauff, Waterloo Twp., on a rip rap project for \$313.00; and Fred Kieler, Paris Twp., on a Grade Stabilization Structure for \$1,455.00. Both projects received greater than 70% EQIP cost sharing, therefore did not need the county cost sharing. Motion by Lester Jantzen, seconded by Dwight Nelson to approve both cancellation requests. Motion carried

Lynda presented final approval request for county cost sharing of \$375.00 on a well decommissioning for Jean Ramaker, Jamestown Twp. Motion by Dale Hood, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$500.00 on a well decommissioning for David Noble, North Lancaster Twp. Motion by Dale Hood, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$1,381.11 on a storage abandonment project for David John Vosberg, Clifton Twp. Motion by Roger Guthrie, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$199.80 on a grade stabilization structure project for Dan Reynolds, North Potosi Twp. Motion by Lester Jantzen, seconded by Dale Hood to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$2,832.94 on a grade stabilization structure for Francis Droeszler, Jamestown Twp. Motion by Dwight Nelson, seconded by Roger Guthrie to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$2,235.45 on a rip rap project for Ken Kunkel, Jamestown Twp. Motion by Pat Schroeder, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for county cost sharing of \$3,500.00; and 2013 DATCP cost sharing of \$7,500.00 on a rip rap project for JoAnne Gibson, Jamestown Twp. Motion by Lester Jantzen, seconded by Dale Hood to approve the county and DATCP cost sharing payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried

Lynda presented tentative approval requests for county cost sharing on 2 well decommissionings for Charles Critchlow, East Bloomington, Twp. \$354.25; and for Jeremiah J. Collins, Fennimore Twp. \$146.25. Motion by Dwight Nelson, seconded by Roger Guthrie to approve both well decommissioning requests. Motion carried.

### **SWRM Cost Sharing Requests**

Lynda presented final approval request for 2013 DATCP cost sharing of \$2,051.00 on a grade stabilization structure project for Ronald Sturdevant, Hickory Grove Twp. Motion by Lester Jantzen, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for 2013 DATCP cost sharing of \$3,452.25 on a grade stabilization structure, cattle lane, and fencing projects for Bode Brothers, Paris Twp. Motion by Roger Guthrie, seconded by Dale Hood to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for 2014 DATCP cost sharing of \$1,837.54 on a rip rap project for Doug Schauff, Waterloo Twp. Motion by Pat Schroeder, seconded by Lester Jantzen to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented final approval request for 2014 DATCP cost sharing of \$2,567.37 on a rip rap project for Ken Kunkel, Jamestown Twp. Motion by Lester Jantzen, seconded by Dwight Nelson to approve payment. Roll Call: 6 Yes, 0 No, 1 Absent. Motion carried.

Lynda presented tentative approval requests for 2014 DATCP cost sharing on 2 spring developments for Sue Funk, Waterloo Twp., \$9,088.20; and a grade stabilization structure for Joe Zenz, Liberty Twp., \$8,400.00. Motion by Pat Schroeder, seconded by Dwight Nelson to approve Sue and Joe's request. Motion carried.

#### **Animal Waste Storage Ordinance Permit Approval**

Lynda reported that during an FPP spot check it was found on the Mike Williams farm located in Stitzer, Liberty Twp., that he had abandoned 2 under building concrete storage pits on his own. Mike needs to hire an engineer to come back to the farm to confirm that they were abandoned properly. Mike has now applied for his permit and has paid his \$50.00 permit fee. Motion by Pat Schroeder, seconded by Roger Guthrie to approve his storage abandonment permit. Motion carried.

#### **2014 SWRM Cost Share Extension Request**

Lynda reported that there are 8 people that have SWRM funding that have not installed their practices. These 8 people are requesting a 1 year extension, to the end of 2015 to install their practices. Lynda is requesting an extension of \$63,095.09 from the State. Motion by Lester Jantzen, seconded by Dale Hood to approve Lynda to submit the extension to the state. Motion carried.

#### **2014 NMFE Grant Extension Request**

Lynda reported that the \$8,350 is allocated for the Nutrient Management Farmer Education Grant training. The training that Lynda offers starts in September and ends in January, so Lynda is asking for an extension to January 2015. The class will be completed by then and the funds will be allocated at this time. There are 12 students in the NMFE class. Motion by Lester Jantzen, seconded by Dwight Nelson to approve the grant extension. Motion carried.

#### **CSZD Administrator Report**

Lynda reported that RC&D has asked for a letter of support to hire an Invasive Species Coordinator. Three years ago there was an Invasive Species Coordinator hired and had surveyed the 9 counties. That grant has expired and now they are looking to extend that position. Lynda did send in a letter of support for that position.

Lynda reported that the 2002 Ford F150 needed some major repair. It needed an ignition coil and it also needed the exhaust manifold replaced. Cost to repair the truck was \$1,387.04.

#### **FPP Report: Kevin Lange**

Kevin reported that the 2015 Tree Order Forms are ready. He handed out a tree order form to each committee member.

#### **NRCS Report: Joe Schmelz**

- ❖ Joe reported that they have been working on the annual CSP payments. There are 73 people in the county that have CSP contracts. There are 43 old Conservation Security Program contracts that are up for their last year of payment. Around 30 people are in the new Conservation Stewardship Program. They approximately started out with around 67 old contracts and over the past 10 years they have lost approximately 34 contracts. Will probably be announcing another CSP signup in the next 2 to 3 months to start taking applications for 2015. These contracts will be for a 5 year contract.

There will be an announcement on the radio, in the local newspapers to advertise the CSP sign up, and will also be a public informational meeting. For the CSP you must retain your level of conservation, and will need to at least select one enhancement.

- ❖ The EQIP sign up has closed on October 3, 2014. Extended the ranking deadline to January. We are getting fewer applications, but the allocated dollar amounts have increased. Have 50 contracts with the allocating of \$1.3 million. There used to be funds just for Grant County, now they are for Grant, Iowa, and Lafayette County because of the new workgroup.
- ❖ There is a Honey Bee (Pollinator Habitat) EQIP sign up going on, deadline to take applications is December 19, 2014. Only practice that EQIP cost shares on is the cover crop to make sure that there is something in bloom for a long period of time. Have 4 applications in at this time.
- ❖ There is also a Driftless Area sign up. This money should be allocated first.
- ❖ Joe mentioned that for the next meeting he wants to present a power point presentation to present to the committee to show and explain how these programs work and how the dollars get allocated to the projects and practices.
- ❖ There were 10 contracts for cover crop covering approximately 8,000 acres.

Motion by Dwight Nelson, seconded by Lester Jantzen to adjourn until January 9, 2015 at 9:00 a.m. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen

Attachment A  
Review of Standards for Rezoning Land out of Farmland Preservation

Date: 12/2/14 Landowner: Clifford & Sandy Stock

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

Yes or No Explain: can't farm woods

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

Yes or No or N/A  
Explain: Elected voted that it is consistent w/ this Comprehensive Plan

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. Yes No

5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. Yes No

5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. Yes No

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No N/A

5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. Yes No N/A

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

6.4 Located in a Farmland preservation zoning district

6.5 Covered by a Farmland Preservation Agreement

6.6 Covered by an agricultural conservation easement

6.7 Otherwise legally protected from nonagricultural development

Yes or No

Explain:

- 7 The CSZC recommends / does not recommend approval to the Grant County Board of Supervisors

(Circle one)

lister / Roger approved

Attachment B

## Review of Standards for Rezoning Land out of Farmland Preservation

Date: 12/2/14 Landowner: George Lazarus

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

Yes or No Explain: Munk Stead visited site  
SE drops to steep erosion control  
Dale Abstained

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

Yes or No or N/A

Explain:

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. Yes No

5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. Yes No

5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. Yes No  
No farm operation there doesn't block access

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No adjacent to

5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. Yes No N/A

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

6.4 Located in a Farmland preservation zoning district

6.5 Covered by a Farmland Preservation Agreement

6.6 Covered by an agricultural conservation easement

6.7 Otherwise legally protected from nonagricultural development

Yes or No

Explain: Does not impair access

- 7 The CSZC recommends / does not recommend approval to the Grant County Board of Supervisors  
(Circle one)

Motion by pot / Roger

Dale Abstained all questions

yes No Abstained  
4  
Mark called for Roll Call OK  
Dwight yes  
Lester No  
Roger yes  
DAT yes  
FSA Rep Abstained  
Mark y



Attachment C

## Review of Standards for Rezoning Land out of Farmland Preservation

Date: 12/2/14 Landowner: Stader

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

Yes

or

No

Explain:

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

Yes

or

No

or

N/A

Explain:

Elleboror

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. Yes No

5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. Yes No

5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. Yes No

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No N/A

5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. Yes No N/A

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

6.4 Located in a Farmland preservation zoning district

6.5 Covered by a Farmland Preservation Agreement

6.6 Covered by an agricultural conservation easement

6.7 Otherwise legally protected from nonagricultural development

Yes

or

No

Explain:

- 7 The CSZC recommends / does not recommend approval to the Grant County Board of Supervisors

(Circle one)

Not mentioned / Lester

Attachment D

Conditional Use Permit in Farmland Preservation

Date: 12/2/14

Landowner: Doug Leibfried

The Grant County Zoning and Sanitation Committee may issue a conditional use permit for a proposed land use as they determine in writing that the proposed use meets applicable conditions under this section. The CSZC may issue the permit subject to any additional conditions which the CSZC deems necessary to carry out the purpose of this ordinance.

1. Non-farm residences:

a. If the nonfarm residence will be located in a base farm tract:

- i. The ratio of nonfarm residential acreage to farm acreage in the base farm tract will not exceed 1:20

Ratio:

- ii. There will be no more than 4 dwelling units in nonfarm residences, nor more than 5 dwelling units in residences of any kind, in the base farm tract.

# of dwellings? 1

b. Neither the nonfarm residence, nor the parcel on which the nonfarm residence is located, will do any of the following:

- i. Convert prime farmland, or cropland other than a woodlot, from agricultural use if there is a reasonable alternative available to the permit applicant.

Yes or No

- ii. Significantly impair or limit the current or future agricultural use of any other protected farmland.

Yes or No

The CSZC recommends Circle one does not recommend approval of the Conditional Use Permit.

Lester Dale approved