

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

January 2, 2018

9:00 a.m.

Grant County Board Room (#264)

Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on January 2, 2018 at 9:00 a.m. by Dwight Nelson, the Conservation, Sanitation, and Zoning Committee Chairman, in the Grant County Board Room #264, 111 S. Jefferson St., Lancaster.

Board members present: Dwight Nelson, Mark Stead, Lester Jantzen, Grant Loy, Dale Hood, Roger Guthrie, and Gabe Loeffelholz. Others present: Lynda Schweikert, Annette Lolwing, Kevin Lange, Justin Johnson, Nathalie Schattner, Joe Schmelz, Erik Heagle, Bob Keeney, Laura Lee, Kris & Greg Wubben, Richard & Charlotte Hockinson, David and Donna Swanson, Darren Katzung, Steve Boe, Ryan Ammerman, Mathew Clark, Joyce Bos, Deb Udelhoven, Wayne Cordts, Don Myers, Larry Jerrett, Josh Bailie, and Pat Mercaitis.

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, Muscoda Progressive, and the Boscobel Dial.

Approval of Agenda

Motion by Dale Hood, seconded by Lester Jantzen to approve the January 2, 2018 agenda. Motion carried.

Approval of the Minutes

Motion by Roger Guthrie, seconded by Grant Loy to approve the December 5, 2017 minutes. Motion carried.

Review & Accept the Bills

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

Public Hearing for Rezones

Chairman Nelson opened the Public Hearing:

#18-01 Richard & Charlotte Hockison, Muscoda Twp., are requesting a rezone on PIN: 042-00436-0030 of +/- 1.26 ac. from A2 to R3. To allow for the expansion of an existing principal structure.

In Favor: Muscoda Twp., approved on December 12, 2017. Applicants registered to speak in favor of the rezone, and Charlotte Hockinson gave a brief description of the project.

In Opposition: None

In Interest: None

Committee Discussion: None

Dwight Nelson closed the Public Hearing:

Motion by Mark Stead, to recommend approval of the rezone to the full County Board, seconded by Lester Jantzen. Motion carried.

Chairman Nelson opened the Public Hearing:

#18-02 Michael Lynch, Platteville Twp., is requesting a rezone on PIN: 050-00022-0010 of +/- 6.95 ac. from FP to M1 to allow for the expansion of an existing excavation business.

In Favor: Platteville Twp., approved on November 13, 2017.

In Opposition: None

In Interest: None

Committee Discussion: None

Dwight Nelson closed the Public Hearing:

Motion by Dale Hood that the items are concurrent with all the conditions on the Farmland Preservation Worksheet and to recommend approval of the rezone to the full County Board, seconded by Gabe Loeffelholz. Motion carried. (See Attachment A Worksheet)

Public Hearing for Conditional Use Permits

Chairman Nelson opened the Public Hearing:

#CUP 18-001 Springdale Farms Inc., Clifton Twp. is requesting a Conditional Use Permit on PIN: 012-00015-0000, 012-00016-0000, 012-00017-0000, 012-00018-0000, 012-00019-0000, and 012-00020-0000 of +/- 160.0 ac. to allow for the use of a +/- 197.7' MET Tower in Farmland Preservation Zoning, Chapter 3.05 E (1) & 3.16 (1) (c) of the Grant County Comprehensive Zoning Ordinance. The town of Clifton did not impose any conditions on this permit.

In Favor: Clifton Twp., approved the request on December 13, 2017. Ryan Ammerman of PRC Wind Energy, registered in favor and he was asked to explain what the tower was going to be used for. The tower is going to be a temporary structure, 2 to 3 years, and will be set up with anemometers to measure wind speed, temperatures, barometric pressure and monitor the wind direction. There was 1 person that registered in favor, and 2 individuals registered for informational purposes only.

In Opposition: None

In Interest: None

Applicant Rebuttal: None

Committee Discussion: Dale Hood asked why the full 160.0 ac. Ryan replied that they are not exactly certain where the tower will be placed and will have the option and ability to move the tower around. Grant Loy asked if this will change the taxes on this property. Lynda explained that Zoning has nothing to do with taxes, it is the land use that affects the taxes. This land is not being taken out of Farmland Preservation.

Chairman Nelson closed the Public Hearing:

Motion by Mark Stead, seconded by Lester Jantzen to approve the Conditional Use Permit to allow for the use of a +/- 197.7' MET Tower in Farmland Preservation Zoning, Chapter 3.05 E (1) & 3.16 (1) (c) of the Grant County Comprehensive Zoning Ordinance. No conditions were placed on #CUP 18-001. Motion carried.

Chairman Nelson opened the Public Hearing:

#CUP 18-002 James & Debra Udelhoven., Wingville Twp. is requesting a Conditional Use Permit on PIN: 062-00605-0000, 062-00606-0000, 062-00607-0000, 062-00608-0000, 062-00609-0000, 062-00610-0000, 062-00611-0000, 062-00612-0000, 062-00622-0000, 062-00623-0000 & 062-00626-0000 of +/- 260.0 ac. to allow for the use of a +/- 197.7' MET Tower in Farmland Preservation Zoning, Chapter 3.05 E (1) & 3.16 (1) (c) of the Grant County Comprehensive Zoning Ordinance. The town of Wingville did not impose any conditions on this permit.

In Favor: Wingville Twp., approved the request on December 11, 2017. Ryan Ammerman of PRC Wind Energy, registered in favor and reported that this will be an identical tower, just a different location. There were 2 individuals that registered for informational purposes only.

In Opposition: None

In Interest: None

Applicant Rebuttal: None

Committee Discussion: Roger asked approximately how far apart will the 2 towers be. Ryan replied approximately 4.5 miles cross country.

Chairman Nelson closed the Public Hearing:

Motion by Lester Jantzen, seconded by Gabe Loeffelholz to approve the Conditional Use Permit to allow for the use of a +/- 197.7' MET Tower in Farmland Preservation Zoning. Chapter 3.05 E (1) & 3.16 (1) (c) of the Grant County Comprehensive Zoning Ordinance. No conditions were placed on #CUP18-002. Motion carried.

Zoning and Sanitation Report

Lynda presented the year end Zoning and Sanitation report. The 2017 Sanitary Permits, 134, were similar to the 126 in 2016. The zoning permits had increased from 112 in 2016 to 147 in 2017, an increase of 35. There are no Board of Adjustments scheduled.

Lynda reported that the 2nd notice maintenance letters generated 106 citations. Of those 106 citations, 69 have been cancelled as they have since come into compliance. January 2, 2018 is the last court date, presenting approximately 35 citations.

Motion by Roger Guthrie, seconded by Dale Hood to accept the Zoning/Sanitation Report. Motion carried.

Discussion and Possible Action on Establishing a Moratorium on CAFO'S

Lynda researched and consulted with Ben Wood, Corporation Counsel, to see what it would take to establish a moratorium on a CAFO farm, a facility with more than 1,000 animal units. Chapter 59 Statues refers to county authority refers to Chapter 66.1002 for municipalities as to what would be required for a moratorium. These are items that need to be addressed.

- Must set a deadline, not to exceed 12 months.
- Must be in regards to something we currently regulate
 - Animal Waste Storage Facility Permitting
 - Zoning permits
- Does not stop DNR from their permitting process
- Does not stop us for issuing permits for facilities housing 999 animal units.
 - These sites would not have to meet the additional requirements of CAFO's such as zero discharge from outside lots and intensive reporting of Nutrient Management Plans

Groundwater Protection from Livestock Operation Ordinance

- Recommend waiting for data on if and where there is a problem and develop laws to address actual issues

Groundwater Study

- DNR does not do studies
- Need to contact with a 3rd party researchers
- Cost of the study would be the county's responsibility
- May be some funding available through USGS and/or DNR
- Lynda contacted Mark Borchardt, USDA ARS, he works in conjunction with US Geological survey.
 - Mark is willing to come talk to the CSZC meeting in February.
 - Kewaunee County Survey cost \$200,000.
 - Mark recommends a much smaller approach to see if and where there is an issue ranging from \$10,000-\$30,000. Lynda mentioned that the cost of the survey is not in the budget, therefore she would need to take this request to the Executive Committee along with the full County Board for approval.

Motion by Dale Hood, seconded by Roger Guthrie to postpone the decision of the moratorium until the February 6th CSZC meeting. Motion carried.

Discussion and Possible Action on Developing an Ordinance re: Ground Water Protection from Livestock Operations

Motion by Dale Hood, seconded by Lester Jantzen to postpone the decision on Developing an Ordinance re: Ground Water Protection from Livestock Operations until the February 6, 2018 CSZC meeting. Motion carried.

County Cost Sharing

Carryover balance is \$1,945.40 + \$20,000.00 C/S for 2018 = \$21,945.40.

No Extension or Cancellation Requests.

Lynda presented final approval request for county cost sharing on a well decommissioning for Les Johns, Harrison Twp., \$350.98. Motion by Mark Stead, seconded by Lester Jantzen to approve payment. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented final approval request for county cost sharing on a well decommissioning for Leslie Wagner, Lima Twp., \$543.33. Motion by Mark Stead, seconded by Grant Loy to approve payment. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented final approval request for county cost sharing on a closure of waste impoundment for Patrick Bausch, Cassville Twp., \$1,815.00. Motion by Mark Stead, seconded by Dale Hood to approve payment. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented tentative approval request for county cost sharing on a closure of waste impoundment for Robert Steiger, Bloomington Twp., \$3,000.00. Motion by Roger Guthrie, seconded by Lester Jantzen to approve Robert's request. Motion carried.

Ending Balance: \$19,786.09

SWRM Cost Sharing

2017 DATCP Cost Sharing – Beginning balance is \$9,718.45

Lynda has requested an extension for \$9,718.45 through DATCP.

This balance is allocated for a grade stabilization structure for Carl & Beth Abing, and a well decommissioning for Ron & Deb Bomkamp.

2018 DATCP Cost Sharing – Starting Balance: \$51,000.00 from DATCP

Survey to Set Biennium Cost Share Priorities

Lynda asked the committee members to review the Cost Sharing Policy to see if the practices and priorities need to be amended. Items to discuss are county cost share rates, and cost share rates paid to the producer. The committee sets the limit on DATCP funding, 70% maximum cost share is what DATCP sets. Practices are listed under the high, medium, and low priority level. The committee is to complete the survey and to review each category and rank the practices according to their priority within that High, Medium, or Low priority list.

WI Land+Water Dues

Lynda reported that the 2018 Land+Water Conservation Association membership dues are \$1,458.00. This is the amount that is in the budget. Motion by Dale Hood, seconded by Gabe Loeffelholz to approve payment of the \$1,458.00 membership dues. Motion carried.

WI Land+Water Conference Approval

Lynda reported that the WI Land+Water Conference will be in Lake Geneva on March 14-16th. She, Erik, Annette, and Kevin wish to attend the conference. Motion by Mark Stead, seconded by Lester Jantzen to approve the request of staff members to attend the conference. Motion carried.

Storage Permit Approval

Lynda reported that Andy Buttles, South Lancaster Twp., is planning a manure storage closure on an 8' x 8' stacking pad for dairy cows. Application and construction plans were received in October, 2017. Plans and application were approved by DNR. Andy has paid his abandonment permit fee of \$50.00. Motion by Mark Stead, seconded by Grant Loy to approve the permit. Motion carried.

Lynda reported that Andy Buttles, South Lancaster, Twp., is planning an alteration of an existing earthen facility that receives the parlor water from his dairy operation. He is installing a concrete liner to that existing structure. Our office has received the construction plan and NMP, and has been approved by the WI DNR. Andy has paid his \$200.00 construction alteration permit fee. Motion by Dale Hood, seconded by Roger Guthrie to approve the permit. Motion carried.

Lynda reported that Andy Buttles, South Lancaster, Twp., is planning a construction alteration for a transfer from the new barn to the existing barn with a storage facility. A transfer falls under the animal waste storage ordinance. This is for a dairy facility. A construction plan, and a NMP have been received by our office, and have been approved by the WI DNR. Motion by Lester Jantzen, seconded by Grant Loy to approve the permit. Motion carried.

Lynda reported that Robert Steiger, Bloomington Twp., has a concrete storage facility closure. He has paid his \$50.00 permit closure fee. Construction plan has been developed and approved by our office. Motion by Mark Stead, seconded by Roger Guthrie to approve the storage abandonment permit. Motion carried.

CSZD Administrator Report

Lynda reported on the 2018 DATCP Allocation. Our staff and support allocation in 2017 was \$100,014, it has been decreased by \$1,747 to \$98,267 for 2018. Our cost sharing allocation in 2017 was \$62,800, it has been decreased by \$11,800 to \$51,000 for 2018.

Lynda reported that she has submitted the 2017 to 2018 SWRM extension request of \$9,718.45.

Lynda reported that RC&D requested a letter of support, and in kind support for their Aquatic Invasive Species Grant. We offer \$1,000 of in kind support. Support was through the information and education, newspaper articles, fair display, and we also advertise their events

Lean Update

Lynda reported that she will be working with the staff on the Continuity of services and Process Mapping project in the office. Documenting the individual responsibilities of staff members as to what they do on a day to day basis. We can utilize this document in case of an emergency.

FPP Report

Kevin reported that he has 18 Notices of Noncompliance with Farmland Preservation. These 18 had been spot checked in 2016 and do not have a DATCP approved NMP by the end of the year. These individuals received a letter in April of 2017 reminding them to do their NMP. A second letter was sent out in September/October to remind them to have their soil samples pulled before the ground freezes. Everyone is given a year to get into compliance. Those out of compliance are: Jerome Anthony, Paris Twp., Donald & Ruth Bahl, South Lancaster Twp., Kendle & Marland Bode, Paris Twp., Larry Brandemuehl, Liberty Twp., Micheal Busch, Jamestown Twp., Cory Henneman, Hickory Grove & Watterstown Twp., Mark Ketter, Wingville Twp., James & Julie Klinger, Platteville Twp., Leonard & Janice Link, Paris Twp., David McMahan, South Lancaster Twp., Mark & Andrea McMahan, South Lancaster Twp., Gerald & Julia Reuter, Paris Twp., Rocky Skemp, Jamestown Twp., Gary & Chris Stelpflug, Paris, Harrison, Potosi, and South Lancaster Twp., John & Darlene Vogt, Mount Ida Twp., Melissa Winkers, Wingville Twp., Karen Yelinek, Liberty and Clifton Twp., Andrew & Janis Yoose, South Lancaster, Twp. Motion by Mark Stead, seconded by Grant Loy to approve the 18 Notices of Noncompliance. Motion carried.

Kevin reported that on January 8, 9, & 10th he, Erik, Brad, and Justin will be attending a training in Rothschild for continuing education to maintain their POWTS and Soil Examiner certification.

Kevin reported that tree orders are starting to come in.

NRCS Report – Joe Schmelz

Joe reported that the EQIP is starting to allocate some contracts from the sign up this past fall. Currently it is the state wide pools of funding that are being allocated. By allocating the state wide pools of funding first, this will save more local dollars for other applications. Rankings for the local applications are due January 12, 2018. Lots of interest coming in for EQIP practices. Joe sent out a press release to promote EQIP and County cost share funding.

- Joe reported that the state has exhausted the Trout Unlimited funds, RCPP funding that they had available for this area.
- Joe reported that they have no word on an application period for CSP in fiscal year 2018. Completed all the payments for those landowners that wanted their payment in 2017. Need to finish up on those wanting their payment issued in 2018.
- Joe reported that they should be getting their list of annual compliance reviews from the FSA national office. Usually have 50 to 60 reviews per year.
- NRCS will be getting an Ultima Office Automation Clerk. She will be starting January 8th. She will be working in our office. She will be employed by a contractor.
- NRCS has an unofficial offer for a summer pathway student. This position will start in May.

FSA Report

Nathalie Schattner reported that the ARC sign up will start January 16th. Postcards will be mailed out to all producers for appointment times.

- The ROCC election just ended and Gary Northouse was re-elected to that committee.
- The 2017 new imagery statewide is available to FSA. Will be working on map updating.
- They still have facility loans available to producers who want to put up grain storage.
- The MAL Loans are also still available for those who wish to store their grain and sell at a later time.

Forestry Report – Chrissy Shaw

No report.

RC&D & WI Land+Water Report – Dale Hood

Dale reported that RC&D met on December 21st in Spring Green. Waiting for some Grants to come in yet this year.

- Dale reported that there is 1 vacant seat in Vernon County.
- Dale reported that they have been discussing having a show and tell day or an appreciation day.

Motion by Mark Stead, seconded by Lester Jantzen to adjourn to February 6, 2018 at 9:00 a.m. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen.

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 12/18/17 Landowner: Michael Lynch

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: Prime farmland present; however, the excavation business is present. No cropland present where addition will be built

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: Town Board stated that this is consistent w/their comp plan on 11/13/17 via Township Participation Form

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

Prime farmland soil present in development area; however, the structure is already there

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

Non-farm development proposed on a lawn area according to plot plan

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

Only rezoning 6.95 acres out of 80 acres that the landowner has.

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

Not a platted subdivision

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

No ag-development planned right now.

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: Even though there is prime farmland soils present, the excavation business is already present and the area that the addition will be placed is being used as a lawn

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

Date/late