

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

September 6, 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 September 6, 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, Lester Jantzen, Gabe Loeffelholz, Mike Lieurance, and Gary Northouse. Others present: Lynda Schweikert, Kevin Lange, Annette Lolwing, Justin Johnson, Brad Digman, Bob Keeney, Joe Schmelz, Nathalie Schattner, Porter Wagner, Peggy Wilson, John Kruser, Maida Swenson-Fortune, Russ Fortune, Donna Swanson, Brian Cooke, Jeff Braudt, Ben Schroeder, and Shane Drinkwater.

Certification of Open Meeting Law

Annette Lolwing sent the agenda to Karla Schwantes and Linda Gebhard to post in the Courthouse and in the Administration Building, an agenda was sent to Bob Middendorf, WGLR, and agenda was also posted in 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 Lester Jantzen, seconded by Gary Northouse to approve the September 6, 2018 agenda. Motion carried.

Approval of the Amended July Minutes

Motion by Gary Northouse, seconded by Mike Lieurance to approve the Amended July 5, 2018 minutes. Motion carried.

Approval of the August Minutes

Motion by Gary Northouse, seconded by Lester Jantzen to approve the August 2, 2018 minutes. Motion carried.

Review & Accept the Bills

Motion by Lester Jantzen, seconded by Gary Northouse to accept the bills. Motion carried.

Public Hearing for Rezones

Chairman Nelson opened the Public Hearing

#18-10 Jeffrey Braudt, Boscobel Twp. is requesting to change the zoning classification on PIN:

006-00322-0000, 006-00324-0000, 006-00369-0000 and 006-00369-0010 of +/- 29.19 ac. from C2 to A2 to allow for the use of a nonfarm residence.

In Favor: Boscobel Twp. approved on August 7, 2018. Jeff Braudt spoke in favor.

In Opposition: None

In Interest: None

Committee Discussion: Gary asked if the driveway is a shared driveway. Jeff stated that he owns the driveway and the bowling alley has an easement to Jeff's driveway. Bob asked how long has this parcel been C2?

Reviewing the records, the original zoning maps, the map from the Comprehensive Plan for the Township, and the GIS map, all the indications show that it has always been C2. The reason behind the rezone is the setback

created by the nonmetallic mine M2 Zoning adjacent to C2 district. Since the site is being used as A2 as opposed to C2 it makes more sense to rezone the property thus alleviating the 200' C2/M2 setback.

Chairman Nelson closed the Public Hearing

Motion by Gary Northouse, seconded by Gabe Loeffelholz to recommend approval of the rezone to the full County Board. Motion carried.

Chairman Nelson opened the Public Hearing

#18-11 Kenneth Kunkel, Jamestown Twp. is requesting to change the zoning classification on PIN:

026-00677-0000 and 026-00657-0000 of +/- 72.76 ac. from A2 to M2 to allow for the use of nonmetallic mining.

In Favor: Jamestown Twp. approved on August 7, 2018. Ben Schroeder registered in favor. Porter Wagner registered to speak in favor. Porter Wagner brought up a concern from the neighbors regarding the blasting of the quarry. Ben stated that they do not do their own blasting, they hire it out. Ben stated that the owner of that property will be on the call list and will be notified when they will be blasting.

In Opposition: None

In Interest: There is floodplain and shoreland zones where this is purposed. Applicant would have to be in compliance with those standards. There would need to be a hydraulic and hydrologic analysis completed. John Kruser was in attendance for informational purposes only.

Committee Discussion: Lynda asked Ben if Chapter 30 permit in proximity to the river covers the crossing of the river? Ben is working with Delta 3 engineering regarding the stream crossing.

Chairman Nelson closed the Public Hearing

Motion by Mike Lieurance, seconded by Gabe Loeffelholz to recommend approval of the rezone to the full County Board. Motion carried.

Chairman Nelson opened the Public Hearing

#18-12 Lancaster Parks & Storage, South Lancaster Twp. is requesting to change the zoning classification on PIN: 056-00088-0000 of +/- 1.81 ac. from R3 to C1 to allow for the use of a long-term storage.

In Favor: South Lancaster approved on August 8, 2018. Maida Swenson-Fortune and Russ Fortune both registered in favor and wished to speak. Maida was asking for some assurance from the committee that once the rezone is approved that the CUP would also be approved. Lynda stated that they cannot give assurance but, if the rezone is approved they can place conditions on the CUP allowing time to remove the trailers prior to the storage facilities.

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman Nelson closed the Public Hearing

Motion by Mike Lieurance, seconded by Gary Northouse to recommend approval of the rezone to the full County Board. Motion carried.

Chairman Nelson opened the Public Hearing

#18-13 Gary Henry, Harrison Twp. is requesting to change the zoning classification on PIN: 020-00501-0000 of 1.0 ac. from FP to A2 to allow for the use of a nonfarm residence.

In Favor: Harrison Twp. approved on August 13, 2018. Peggy Wilson registered in favor but did not wish to speak.

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman Nelson closed the Public Hearing

Motion by Lester Jantzen, 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 Permit

Chairman Nelson opened the Public Hearing

CUP #18-016 Wisconsin Power & Light, Jamestown Twp. is requesting a Conditional Use Permit on PIN: 026-01279-0000 +/- 2.98 ac. To allow for the use of +/- 260' telecommunications tower, under Chapter 3.16 (1) (b) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Jamestown Twp. approved on August 7, 2018. Brian Cooke registered to speak in favor of the request. Porter Wagner stated that there have been no concerns with anyone in the area.

In Opposition: None

In Interest: Replacing the existing 245' tower with a 260' tower. Additional 15' is to provide coverage for the 2-way radio system and for automated meter reading.

Committee Discussion: Dwight asked what is the purpose for the tower? The purpose is to get additional height for better coverage with the 2-way radio system, as well as for the automated meter reading.

Dwight Nelson closed the Public Hearing

Motion by Gary Northouse, seconded by Lester Jantzen to approve the Conditional Use Permit to allow for the use of a 260' telecommunications tower, under Chapter 3.16 (1) (b) of the Grant County Comprehensive Zoning Ordinance. Motion carried.

Public Hearing for Chapter 315 Amendment

Lynda Schweikert opened the Public Hearing for Amendment of Chapter 315 of the Grant County Code of Ordinances.

On November 27, 2017 Wisconsin Act 67 was passed by the State Legislature. Act 67 basically stated that any conditional uses listed in your zoning ordinances cannot be denied if the applicant can meet the actual conditions listed in such ordinance. In the past, conditions were set on a site by site basis and not listed specifically in the ordinance. So therefore, we could not deny any conditional use permits and we couldn't add any conditions to each permit. This amendment adds language in Chapter 315 Comprehensive Zoning Ordinance which will allow us to add conditions to such applications in furthering the purpose of the ordinance. Ben Wood, Corporation Counsel, drew up this amendment to our ordinance basically stating conditions that could be put on our Conditional Use Applicant petition. Act 67 eliminated local control by allowing us site by site to utilize these conditions. The only other option was to remove all the Conditional Uses out of our Ordinance.

In Favor: None

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman Nelson closed the Public Hearing

Motion by Mike Lieurance, seconded by Gary Northouse to approve the Chapter 315 Amendment and to recommend approval of the full County Board. Motion carried.

Approval of Increased 3 Year Maintenance Fee

Lynda reported that she checked with 5 area counties to see what they were charging for their 3-year maintenance program. It ranged from \$15.00 to \$36.00. Lynda is requesting a \$10.00 increase to \$25.00 for the 3-year maintenance fee. It would be a \$24,000 increase in revenue. It would bring the net cost to the county for the sanitary program to \$10,251. Motion by Gary Northouse, seconded by Lester Jantzen to approve a \$10.00 increase to \$25.00. Motion carried.

Zoning and Sanitation Report

Brad Digman presented a Sanitation report for the last 4 years showing how many 1st Notices were sent out, how many 2nd Notices were sent out, how many citations were issued, and how many are in Non-Compliance. There were 2,668 3-year maintenances that were mailed out for 2018. There are still 281 (11)% that will be sent a 2nd notice with a \$100.00 late fee. Lynda showed a chart to show that we are up 20% on new installations of septic systems. There are 642 more maintenance fees turned in this year than this time as last

year. There are 7 remaining violations from the 2017 maintenance cycle. Motion by Lester Jantzen, seconded by Mike Lieurance. Motion carried.

There is no BOA scheduled at this time.

County Cost Sharing – Starting Balance is \$7,535.25/Ending Balance \$5,002.96.
There were no Cancellation or Extension requests.

Lynda presented a final approval request for county cost sharing on a well decommissioning for Waterloo Twp., \$284.29. Motion by Lester Jantzen, seconded by Gary Northouse to approve payment. Roll Call: 5 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented tentative approval request for county cost sharing on 3 well decommissionings for Robert VanNatta Estate, Farmstead Well, Potosi Twp., \$600.00; Robert VanNatta Estate, Field Well, Potosi Twp., \$400.00; and Jim Udelhoven, Wingville Twp., \$160.00. Motion by Lester Jantzen, seconded by Gary Northouse to approve the 3 well decommissioning requests. Motion carried.

Lynda presented tentative approval request for county cost sharing on a waste facility closure for Goodyear Farm LLC, Cassville Twp., \$2,100.00. Motion by Gabe Loeffelholz, seconded by Gary Northouse to approve the request. Motion carried.

SWRM Cost Sharing

2017 DATCP Cost Sharing – Beginning/Ending Balance \$9,137.95
Carl Abing's grade stabilization structure is the last project to be installed.

2018 DATCP Cost Sharing – Beginning \$0.00/Ending Balance is \$3,000.

Lynda presented a 2018 DATCP cost sharing cancellation request for Dan Pustina, streambank protection, Castle Rock Twp., \$10,000.00. Motion by Mike Lieurance, seconded by Gary Northouse to approve the cancellation request. Motion carried.

Lynda presented a 2018 DATCP cost sharing amendment request for Richard Keene Jr. Potosi Twp., on a grassed waterway, \$3,000. Lynda is requesting to amend Richard's contract from \$10,000 to \$7,000, with the \$3,000 that we can allocate to another project before the end of the year. Motion by Lester Jantzen, seconded by Mike Lieurance to approve the change order. Motion carried.

Lynda presented tentative approval request for 2018 DATCP cost sharing on a streambank protection project for Darwin & Roxanne Anderson, Beetown Twp., \$10,000. Motion by Mike Lieurance, seconded by Lester Jantzen to approve Darwin & Roxanne's request. Motion carried.

Storage Permit Approval

Lynda reported that permit #217 for Goodyear Farm LLC, Cassville Twp., is applying for a manure storage closure permit. Design was completed by our office and will be doing the oversight of the closure. Motion by Mike Lieurance, seconded by Gary Northouse to approve the permit. Motion carried.

SW WI Groundwater Study Update

Lynda thanked the committee and County Board for giving her the go ahead to pursue the groundwater study. Lynda has met with Iowa and Lafayette County to start getting the contracting ready and will be meeting with the researchers to finalize the contract and start objective #1 which is looking for the landowners to do the water testing with. Hoping to have a fact sheet ready to be sent out for publication with the newspapers, and the Townships. UW Extension from Iowa County is developing a website to post the publication to all 3 counties. Lynda will be working with Brad on identifying properties with septic. Hoping to get the first round of testing done by November.

Approval of 2019 CSZD Budget

Lynda presented the preliminary budget for 2019. She was asked to identify and do a priority worksheet for each of her 3 departments: Conservation, Sanitation, and Zoning. In her worksheet she gave a comprehensive overview of each of the 2 programs in Sanitation, 7 programs in Zoning, and the 16 programs in Conservation. Lynda presented her budget contingent on increasing the 3-year maintenance fees. The budget reflects increases in the committee per diems, health insurance, rent, high speed internet, and wages. Currently her budget shows a 10.8% increase over the 2017 budget. If cuts to the budget were to be made the Executive Committee will be utilizing the worksheets to determine what programs to cut. It was approved to utilize the \$51,000 this year for the groundwater study. The 23,350 that has been earned in 2018, Lynda would like it to be earmarked in the budget to be used in 2019 for the groundwater study. Motion by Mike Lieurance, seconded by Gary Northouse to approve the budget as presented.

CSZD Administrator Report

Lynda reported that the LWRM Plan was approved by the DATCP Land&Water Conservation Board in August. By getting the LWRM Plan approved, it gives us eligibility to move forward with our DATCP program.

Lynda reported that the Farmer Written Nutrient Management Plan education training starts on Thursday, September 13th. Will be starting with the Soil Sampling Seminar at the Ag Research Station.

Lynda reported that she will be attending the Farm Bureau Annual meeting on Tuesday, September 25th in Lancaster.

Lynda reported that we had our fair display set up at the Grant County Fair. We shared the booth with Jeff Jackson, RC&D, to display Invasive Species in Grant County.

Lynda reported that Erik Heagle backed into a carport at Les Mack. No damage to the carport but did cause \$3,171.35 worth of damage to his truck. We do have insurance with a \$500 deductible which came out of our account. It has been repaired.

Lean Update

Lynda reported that she met with the County Owned Property team and they are working towards categorizing what properties the county owns, why the county is buying the property and what the future plans are for the property. There are some properties that are not able to go back on to the tax roll; properties that are bought out by FEMA. FEMA properties must go back to a government entity or a conservation nonprofit organization.

Lynda reported on the Computerized Maintenance Lean Team, Facility Dude, that the county purchased. Trying to find out ways for the county to utilize the program.

FPP Report

Kevin reported that he has been working on CREP reenrollment contracts, and also starting some new CREP contracts.

Kevin reported that he will be doing spot checks on the CREP Perpetual Easement sites that their 15-year contracts have expired. They are not under a 15-year contract, but they are still required to maintain the contracted cover.

Kevin reported that he only has a couple of FPP spot checks to finish.

NRCS Report – Joe Schmelz

Joe reported that the EQIP FY 2019 funding application deadline will be on October 19th.

- Trying to get the EQIP Projects installed.

- Need to have all the CSP annual enhancements certified by the end of the month. Had approximately 41 contracts to certify, down to 3 or 4 people. Also, working on the CSP renewals which are due the 1st part of December.
- NRCS FY18 ends September 30th. October 1st will begin FY19.
- Joe reported that NRCS is to review the operational agreement between NRCS and Grant County. The operational agreement went into effect November 18th, 2013 and is up for renewal. The state office will be coming out with a draft for the new operational agreement.
- Joe reviewed the Civil Rights and Ethics Agreement. There are 11 different items of the Civil Rights are required to be posted publicly.

FSA Report – Nathalie Schattner

Nathalie reported that they have received information on the new Market Facilitation Program. This is the program that is part of the trade war that is going on right now. USDA brought out a 3-tier program. The commodity prices include; Cotton, \$0.06/lb, Corn, \$0.01/bu., Dairy (milk), \$0.12cwt., Pork (hogs), \$8.00/head, Soybeans, \$1.65/bu., Sorghum, \$0.86/bu., and Wheat, \$0.14/bu. Producers must be milking cows as of June 1st, 2018, raising hogs as of August 1st, 2018, and must be an active grower of the commodities. You do not need to be an FSA customer to get a direct payment. It is for 50% of the production and payments can be made on one or more of these commodities as soon as you are done harvesting. Dairy, Hogs and Wheat payments can be made now. FSA will need production, and yield history. National office has sent out postcards to have people come in to the office. There is a \$125,000 payment limit on livestock and commodity crops. The sign-up period is from September 4th through January 15th.

Nathalie reported that the fall crop reporting deadline is November 15th.

Nathalie reported that they have not received any information on the Margin Protection Program (MPP) for the fall.

Nathalie reported that they will be hiring and will start the interview process on September 11th.

Nathalie reported that CRP and ARC payments will be starting the week of October 9th.

Forestry Report – None

RC&D – None

Motion by Gary Northouse, seconded by Lester Jantzen to adjourn to October 4, 2018 at 9:00 a.m. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen.

Attachment A Worksheet

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 8/21/18

Landowner: Gary Henry

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:

Non-farm resident already present. Was split off from farm

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: Per Township Participation Form completed on 8/13/18

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

New development proposed on non-prime farmland soils

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

Site is 1.0 acres w/ no established farm operations present

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

See above comment (5.2)

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

No ag-related development proposed at this time

5 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: Site is 1.0 acres - minimum lot size for A2

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

(Circle one)

Lester/labe