

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

December 3, 2020

9:00 a.m.

South Room of Youth & Ag Building and Via Zoom Meeting
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on December 3, 2020 at 9:00 a.m. by Mark Stead, the Conservation, Sanitation, and Zoning Committee Chairman in the South Room of the Youth & Ag Building and via Zoom meeting.

Board members present in South room: Mark Stead, Gabe Loeffelholz, Mike Lieurance, and Porter Wagner. Via Zoom Gary Northouse, Lester Jantzen, and Pat Schroeder. Others present: Robert Keeney in the South Room; via Zoom: Lynda Schweikert, Annette Lolwing, Justin Johnson, Joe Schmelz, Emily Schildgen, Greg Cerven, and Scott Haverland.

Certification of Open Meeting Law

Annette Lolwing sent the Amended agenda to Karla Schwantes and Linda Gebhard to post in the Courthouse, in the Administration Building, and on our website. An Amended agenda was also posted in front of the Ag Service Center Building, and was sent to Bob Middendorf, WGLR. Media notices were sent to Karla Schwantes, Linda Gebhard, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times and Bob Middendorf.

Approval of Amended Agenda

Motion by Lester Jantzen, seconded by Gabe Loeffelholz to approve the Amended Agenda. Motion carried.

Approval of the November 5, 2020 Minutes

Motion by Pat Schroeder, seconded by Porter Wagner to approve the November 5, 2020 minutes with a change in the CSZD Administrator Report, that Lynda attended September meetings and should have read October meetings. Motion carried.

Review & Accept the Bills

Motion by Gabe Loeffelholz, seconded by Mike Lieurance to accept the November bills. Motion carried.

Public Hearing for Rezone

Chairman Stead opened the Public Hearing

#20-21 Scott Haverland, Potosi Twp., is requesting to change the zoning classification on PIN: 052-01156-0000 of +/- 10.0 ac. from FP to A-2 to allow for the use of a nonfarm residence & shed.

In Favor: Potosi Twp. approved on October 12, 2020. Scott Haverland.

In Opposition: None

In Interest: Scott reported that he wants to build a shed to store his construction equipment in.

Committee Discussion: None

Mark Stead closed the Public Hearing

Motion by Porter Wagner, 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 Mike Lieurance. Motion carried. See Attachment A

Zoning/Sanitation Report

Lynda reported that there were an additional 23 sanitary permits issued and an additional 49 zoning permits issued in 2020 compared to 2019. Lynda reported that of the 103 citations that were sent out on September 11, 2020; 28 have come into compliance, 20 have requested a hearing, 17 paid their citations, 6 were cancelled, and 32 are remaining non-compliant. There were 270 2nd notice Sanitary maintenance forms sent out on 9/21/2020. Deadline for the 270 maintenance forms was October 31, 2020. Citations will be sent out for those who didn't come into compliance. There are 3 court dates scheduled for the citations: 01/27/2021 & 02/09/2021 for those who are contesting the citation. June 21, 2021 court date is for those who have submitted a sanitary permit and are working towards compliance but can't get the system installed until next Spring.

There is 1 BOA pending for Travis Kieler.

Nonmetallic mining reports have been sent out and are expected back by the middle of January. Also requesting financial renewals for those who have annual financial assurance. Motion by Porter Wagner, seconded by Gary Northouse to accept the Zoning/Sanitation report. Motion carried.

Set Commodity Prices for WDACP – Greg Cerven

Lynda explained that the committee sets the crop prices for the payments that the Wildlife Damage Program participants will receive for the crop damage that is done by deer and/or turkey. Crop prices are approved in the fall, and WDACP participants are paid in the Spring. Greg Cerven provided the current commodity prices for Corn, Soybeans, Alfalfa, and Mix Hay.

In 2019, the price of Corn was \$3.65/bu. Current market price of Corn is \$3.77/bu.

In 2019, the price of Soybeans was \$8.96/bu. Current market price of Soybeans is \$10.50/bu.

In 2019, the price of Alfalfa Hay was \$170/ton. Current market price of Alfalfa Hay is \$170/ton.

In 2019, the price of Mix Hay was \$125/ton. Current market price of Mix Hay is \$107/ton.

Motion by Pat Schroeder, seconded by Gary Northouse to approve the 2020 current market prices for Corn, Soybeans, Alfalfa, and Hay mix. Motion carried.

Set 80% Harvest Date for WDACP – Greg Cerven

Greg Cerven asked the committee when they felt that 80% of the crops have been harvested.

The reason for setting the 80% harvest date is so that if anyone tries to claim damage after that date, it is considered as an over winter storage and is not eligible to claim deer damage on those fields. Gary Northouse made a motion, seconded by Gabe Loeffelholz to set the 80% harvest date as November 10, 2020. Motion carried.

Discussion Regarding Complaints Received on Wildlife Damage & Claims Abatement Program

Lynda gave a brief background on the Wildlife Damage Abatement Claims Program. There are different categories that a landowner can be in. There is an "OPEN" and a "MANAGED" category. If you are in the MANAGED category, the WI DNR sets how many hunters would be acceptable on your property to control the deer herd and damage to the crops. The OPEN category means that the hunter's need to alert the landowner that they are coming to hunt but you don't have control over how many hunters are on your property. There was an individual that requested to hunt the Kirschbaum property which is in the Managed Category. Kirschbaum's stated that they had enough hunters for their property. This same individual contacted Greg Cerven to complain that he got turned away on the Kirschbaum property, so Greg referred them to contact the Waterman's because they are in the OPEN category and typically welcomes hunters on their property. Waterman's told this individual that they had enough hunter's and turned him away. This individual that knows the WDACP showed up to the Waterman's property wanting to scout for deer for the opening weekend of gun hunting deer season and was turned down. The individual had turned in the complaint to WI DNR and was then turned over to the local game warden; (Pearl Worden) in Grant County. This individual also contacted Greg Cerven and felt that Greg was more on the farmer's side and not on the hunter's side. The individual also contacted

Lynda to state that Greg was not supporting the hunters in the program. Waterman's situation will most likely come up in February when there will be a hearing in front of the CSZC. WI DNR also received a second phone call from a completely separate individual stating that Waterman's were going to charge a fee to hunt on the property. In the Wildlife Damage Abatement Claims Program, you are not allowed to charge anything for hunters coming onto your property to hunt. Greg Cerven mentioned that Pearl Worden did go out to visit with the Waterman's and provided a written report stating what was gathered by the complainant. According to the DNR report, neither party were very cordial toward each other. Waterman's did violate the program by not allowing the individual to hunt on their property that day. The second complaint on the Waterman's was from someone completely different. The second complainant stated that they were charged to hunt on the Waterman property. WI DNR removed the Waterman's from the program immediately. They are no longer active in the program for this year, nor are they allowed in the program next year. They do have the right to appeal the decision. Greg explained to the complainant that the reason things are getting very hot amongst farmers and hunters is because there has been enough hunters that have harassed farmers so they have gotten out of the program leaving less land for the hunters to have access too. The 1st complainant called Annette and County.

County Cost Sharing Beginning Balance \$1,963.06/Ending Balance \$1,139.01

Lynda handed out an amended cost sharing sheet. She added Doug White who was approved at the November committee meeting - but left off the previous sheet.

Lynda presented a cancellation request from Gerard Zimmer, Glen Haven Twp., \$562.50 for rye cover crop. Gerard did not plant any rye, he planted barley and red clover Motion by Porter Wagner, seconded by Gabe Loeffelholz to accept Gerard's cancellation request. Motion carried.

Lynda presented a final approval request for county cost sharing on 1st year rye cover crop project for Matt Berning, Jamestown Twp., \$765.00. Motion by Gabe Loeffelholz, seconded by Mike Lieurance to approve payment for Ryan. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a final approval request for county cost sharing on 1st year rye cover crop project for Tim and Patricia Adams, South Lancaster Twp., \$364.80. Motion by Porter Wagner, seconded by Gabe Loeffelholz to approve payment for the Adam's. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a final approval request for county cost sharing on 1st year rye cover crop project for Lonnie and Rochelle Holthaus, Mt. Ida Twp., \$1,000.00. Motion by Mike Lieurance, seconded by Porter Wagner to approve payment for the Holthaus's. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a final approval request for county cost sharing on 2nd year rye cover crop project for Darren Katzung, Wyalusing Twp., \$1,000.00. Motion by Pat Schroeder, seconded by Gary Northouse to approve payment for Darren. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a final approval request for county cost sharing on a stream crossing project for Tyler Wetter, Boscobel Twp., \$5,000.00. Motion by Porter Wagner, seconded by Mike Lieurance to approve payment for Tyler. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a tentative approval request for county cost sharing on a well decommissioning for Caroline Cooley, Mt. Ida Twp., \$288.00. Motion by Gabe Loeffelholz, seconded by Mike Lieurance to approve Caroline's county cost sharing request. Motion carried.

SWRM Cost Sharing:

2019 DATCP Cost Sharing: Beginning Balance/Ending Balance \$19,589.25

Lynda presented a final approval request for 2019 DATCP cost sharing on a stream crossing project for Tom Oyen, Lima Twp., \$2,793.35. Motion by Gabe Loeffelholz, seconded by Porter Wagner to approve payment for Tom. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lynda presented a final approval request for 2019 DATCP cost sharing on streambank protection projects for Jeff Kaiser, Millville Twp., \$10,000.00 maximum cost share plus the \$6,795.90 from the slippage of the previous projects for a total of \$16,795.90. Motion by Porter Wagner, seconded by Mike Lieurance to approve both payments for Jeff. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

2020 DATCP Cost Sharing: Beginning Balance/Ending Balance \$0.00

Lynda presented a cancellation request from Joanne & Don Gibson, Jamestown Twp., \$9,100.00 for streambank protection. This was a streambank protection repair, but new standards are making it difficult to repair. Motion by Porter Wagner, seconded by Gabe Loeffelholz to accept the cancellation request from the Gibson's. Motion carried.

Lynda presented tentative approval request for 2020 DATCP cost sharing on a streambank protection project for MD&T Ranch, Castle Rock Twp., \$9,100.00. Motion by Pat Schroeder, seconded by Gary Northouse to approve MD&T's Ranch 2020 DATCP cost sharing request. Motion carried.

Storage Permit Approval

None to Report

SWRM Staff and Support Reimbursement

Lynda reported that we submit this SWRM Staff and Support request once a year to DATCP to get reimbursed for the work that is done on the Land and Water Resource Management Plan approved projects. Statutorily we are to be reimbursed 100% for the first position, 70% for the second position, and 50% for any subsequent positions. If DATCP reimbursed the county for full funding for staff and support, we would be asking for \$179,940.98. DATCP has allocated Grant County \$104,160.00 for staff and support reimbursement. Motion by Porter Wagner, seconded by Mike Lieurance to approve Lynda's request for the full amount of \$179,940.98. Motion carried.

SWRM Cost Sharing Extension Request

Lynda is requesting an extension for contracts that were signed up for 2020 SWRM; Hampton Revocable Trust for \$10,000.00 for streambank protection, Christy & Barbara Neises for \$4,780.00 for streambank protection, Zenz Farms LLC for \$3,500.00 for manure storage abandonment, Mark Hudson for \$2,637.82 for stream crossing, and MD&T Ranch for \$9,100.00 for streambank protection, for a total of \$30,017.82. These projects were unable to get installed in 2020 due to contractor availability and weather conditions. Motion by Mike Lieurance, seconded by Gabe Loeffelholz to approve Lynda's 1-year extension request for these 5 projects in the amount of \$30,017.82. Motion carried.

CSZD Administrator Report

Lynda reported that she had 3 meetings scheduled in November, and 1 meeting scheduled in December.

- The Farm Leasing Meeting was held on Nov. 9th, 11th, and 16th. Had 25 attendees.
- Grazing Webinar on 11/10/2020
- Carbon Farming Meeting 11/13/2020
- County Con Meetings on December 4th, 11th, and 18th.

Continuous Improvement Update

Lynda showed some of the staff how to set up Zoom meetings in her absence.

NRCS Report – Joe Schmelz

Joe reported that the application deadline for EQIP was on November 20th. They received 47 applications. January 8th is the screening deadline, and January 29th is the ranking process. The obligation deadline is March 26th.

NRCS is processing the CSP renewals. Rankings are due on December 4th. For the new FY21 CSP sign up doesn't have an application deadline.

Joe reported that they have been working on a few CREP contracts. FSA has announced a general CRP sign up.

Joe mentioned that they have a preliminary offer for a 1st year pathway student. NRCS is supposed to get a second pathway student, at least a 2nd year student for 2021.

FSA Report

Emily Schildgen reported that a general CRP sign up has been announced, it will run from January 4th – February 12th.

The county committee elections are going on. Gary Northouse's position is up for election. Gary will not be running for a position this year. Mark Loy is on the ballot. Ballots need to be returned by December 7th.

There are 2 deadlines coming up on December 11th; the dairy margin coverage program and the Corona Virus Food Assistance Program II.

Producers will start receiving phone calls on the ARCP (Ag Risk Coverage Program) and the PLCP (Price Loss Coverage Program). This is the crop subsidiary program. Producers have until March 15th to sign up for the program.

Motion by Mike Lieurance, seconded Lester Jantzen to adjourn to Thursday, January 7, 2021 at 9:00 a.m. The meeting is scheduled for Room#264, County Board Room for Committee Members, and the Public participation will be by Zoom only. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 11/18/2020 Landowner: Scott Haverland + Dawn Pollock

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:

Shed is proposed on prime farmground soil, but it's near existing development within 100' of non PF soil.

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 dated 10/12/2020

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

Shed is proposed near existing development

- 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

no established farm operations or environmentally sensitive areas near Shed

- 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

The remaining property with no development will be zoned Farmland Pres.

- 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-related development being proposed

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 the shed is proposed on prime farmground soil, it's near the existing development + is w/in 100' of non P.F. soil

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

Porter 14 Mike