

# GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

July 1, 2021

9:00 a.m.

Room #264, County Board Room, Administration Building and Via Zoom Meeting  
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on July 1, 2021 at 9:00 a.m. by Mark Stead, the Conservation, Sanitation, and Zoning Committee Chairman in Room #264, County Board Room of the Administration Building and via Zoom meeting.

Board members present in the County Board room: Mark Stead, Mike Lieurance, Porter Wagner, Pat Schroeder, Lester Jantzen, Gary Northouse, and Mark Hoehne. Others present in the County Board room; Lynda Schweikert, Annette Lolwing, Justin Johnson, Robert Keeney, and Shane Drinkwater: via Zoom: Susan Keel, Bill Willoughby, Amanda Degenhardt, Tonya White, Dylan Brindley, Dalton Becker, Johanne Rolfes, Janet Keel, Bob & Julie Frey, Rob Erfurth, Bill Melkasen, David Cook, Joe Schmelz, and Emily Schildgen.

## **Certification of Open Meeting Law**

Annette Lolwing sent the agenda to Karla Schwantes and Tonya White to post in the Courthouse, in the Administration Building, and on our website. An 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, Tonya White, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

## **Approval of Agenda**

Motion by Lester Jantzen, seconded by Pat Schroeder to approve the Agenda. Motion carried.

## **Approval of the June 3, 2021 Minutes**

Motion by Gary Northouse, seconded by Porter Wagner to approve the June 3, 2021 minutes. Motion carried.

## **Review & Accept the Bills**

Motion by Mike Lieurance, seconded by Gary Northouse to accept the May bills. Motion carried.

## **Public Hearing for Rezones**

Chairman Stead opened the Public Hearing.

#21-08 L-T-D Cook Farm, Wingville Twp., is requesting to change the zoning classification on PIN: 062-00661-0000 of +/- 3.0 ac. from FP to A2 to allow for the use of a nonfarm residence.

In Favor: Wingville Twp. approved on May 17, 2021. David Cook and Bill Melkasen.

In Opposition: None

In Interest: The septic system easement is not included in the rezone.

Committee Discussion: Mike Lieurance stated that the amount of prime farm ground is pretty insignificant when looking at the full picture.

Mark Stead closed the Public Hearing

Motion by Gary Northouse 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 Pat Schroeder. Motion carried. See Attachment A Worksheet.

Chairman Stead opened the Public Hearing.

#21-09 Bruce & Carla Flesch, Lima Twp., are requesting to change the zoning classification on

PIN: 030-00891-0000 of +/-7.6 ac. from FP to A2 to allow for the use of a nonfarm residence. (a 1-bedroom home addition)

In Favor: Lima Twp. approved on May 12, 2021.

In Opposition: None

In Interest: Home meets all setbacks and meets the septic system requirements

Committee Discussion: None

Mark Stead closed the Public Hearing

Motion by Pat Schroeder, 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 Porter Wagner. Motion carried. See Attachment B Worksheet.

Chairman Stead opened the Public Hearing.

#21-10 James Frey, Boscobel Twp., is requesting to change the zoning classification on PIN: 006-00286-0000 & 006-00299-0000 of +/- 57.5 ac. from A2 to M2 to allow for the use of nonmetallic mining.

In Favor: Boscobel Twp. approved on June 1, 2021. Dylan Brindley, Bob and Julie Frey

In Opposition: Justin did receive a correspondence from the WI Department of Transportation that if this rezone is approved the Frey's would need to obtain a connection permit from the D.O.T. The access to this property is along a State highway. Justin received a comment from a concerned landowner, Janet Keel, that is within the 300-foot distance that we send the rezone notices to. She owns property on the Southwestern portion of the city of Boscobel. She owns 2 apartment complexes. She objects to the zoning request from changing the use of the property from A2 to Heavy Industrial, M2. Janet stated that the predominate land use is agriculture. The property is bordered by single family residences on highway 133. She stated that there is over 15 acres of vacant land adjoining the property for future development. Having a future heavy industrial business and/or mine adjacent to the property will reduce the value of her property. Also concerned with the increase of traffic, dust hazards, and noise.

Applicant Rebuttal: Judy Frey stated that there is a fence line and a railroad that is separating the properties. There will be no traffic going by her property, the entrance to the property will be on Hwy 133.

In Interest: Justin stated that if this rezone was approved today and at the County Board Meeting the sand mining request will still need a Conditional Use Permit, a reclamation plan drawn up by the Southwest Regional Planning Commission, and a storm water permit from the WI DNR.

Committee Discussion: Porter Wagner asked if M2 has the same setbacks as M1? M2 has a 40-foot setback from property lines. There current zoning under A2, could be allowed under a Conditional Use Permit, but the setback would be 400 feet to a property line and 600 feet to an adjacent resident. That is why they are requesting to rezone to M2, for a lesser setback.

Susan Keel, manager of the Sun Vista Apartments, asked if there is going to be any blasting. Julie Frey stated that there will be no blasting involved. Janet Keel expressed that she thought a CUP with the A2 zoning made more sense because they would have had a much larger setback area to avoid nuisances with the neighbors. Robert Keeney asked what the life expectancy is of the sand pit, the depth of the excavation, and how much water may end up in the sand pit? Julie Frey responded that the sand pit life expectancy is 50+ years depending on the sales, the depth will be 40 feet, and 35 feet of water. Dylan Brindley reported that the banks will all be sloped off to a 45° angle, and the 3:1 slope will be seeded down to the water level.

Mark Stead closed the Public Hearing.

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

### **Zoning/Sanitation Report**

Lynda reported on the comparisons of the Zoning and Sanitation report from last year to this year. In 2021 there were an additional 222 maintenance forms turned in compared to 2020. There were 30 less Zoning Permits issued and 27 less Sanitary Permits issued in 2021. The Sanitary Maintenance and the Sanitary Failing Citation tracking sheets had been handed out. Of the 103 failing citations that were sent out; 40 are now in compliance, 6 are waiting court dates and 57 still have issues remaining. There is a court date

scheduled for August 8, 2021 for 2 individuals, Beach/Smyth. A court date of August 20, 2021 is scheduled for 1 individual, White. There are 3 individuals scheduled for September 14, 2021, they are Steiger/Campbell/Orth. There were 82 failure to complete maintenance citations were sent out on January 28, 2021. There are 42 that are now in compliance, 1 court date on August 2, 2021 for Brian Coulthard, and 39 issues remaining.

There is one court date for Zoning on July 12, 2021 for Levi Fischer. Greg Griswold is now in compliance.

There is no Board of Adjustment scheduled at this time.

Motion by Porter Wagner, seconded by Gary Northouse to accept the Zoning/Sanitation Report. Motion carried.

#### **Discussion and Possible Action Regarding Copy Machine Lease**

Lynda submitted a bid from Gordon Flesch and from Access at the June 3<sup>rd</sup> CSZC meeting for the replacement of the copy machine. Rob with Gordon Flesch reported that their bid came in higher than Access. Gordon Flesch had the opportunity to rebid the copy machine contract based off of the State of Wisconsin prices for municipalities. The copy machine bids were public record so both Gordon Flesch and Access were able to see the bids. Gordon Flesch did resubmit a bid after viewing the bid from Access. Dalton, with Access, along with Johanne, the sales representative, from the Dubuque office stated that they also use the State of Wisconsin prices for municipalities as well. Johanne stated that there are a variety of different contracts available for municipalities. Access tries to get the best price that they can for the customer right from the start. Motion by Pat Schroeder, seconded by Lester Jantzen to allow both Gordon Flesch and Access to present their final bid at the August 5, 2021 CSZC meeting. Motion carried.

#### **Discussion on Regarding Holiday Policy**

Lynda reported that the Conservation, Sanitation, and Zoning Office has had a policy to follow the Federal Holiday schedule. The County has their own holiday schedule as well as the Sheriff's Department has their own holiday schedule. Lynda received notice that the Executive Committee will discuss the holiday policy for the county. She asked what our recommendation would be opposed to remaining the same. Options that were given were to: 1. Remain the same. 2. Remain status quo as of January 1, 2021, no additional holidays including Juneteenth. 3. CSZD go on the County schedule. 4. All County go on the Federal schedule. Lynda did ask the staff what the overall consensus was: 1. Remain the same or remain status quo as of January 2021 with no additional holidays including Juneteenth. Lynda's recommendation would be for the whole County to go on the Federal Holiday schedule. Mike Lieurance made a motion to present the Federal Holiday schedule to the Executive committee for the holidays starting January 2022 to include Juneteenth, seconded by Gary Northouse. The voice vote was too close to determine, so Pat Schroeder asked that a Roll Call vote be taken for the record. There were 4 in favor: Gary Northouse, Porter Wagner, Lester Jantzen, and Mike Lieurance, and 2 were not in favor: Mark Hoehne and Pat Schroeder, Mark Stead did not vote due to the majority achieved prior to his vote. Motion carried.

**County Cost Sharing:** Beginning Balance \$3,448.44. Ending Balance \$3,506.41.

Lynda presented final approval request for county cost sharing on a well decommissioning project for Bernard Brookens, Smelser Twp., \$519.59. Motion by Gary Northouse, 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 project for Larry Austin, Ellenboro Twp., \$1,000.00. Motion by Lester Jantzen, seconded by Mike Lieurance 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 project for Dan Hershberger, Fennimore Twp., \$1,000.00. Motion by Pat Schroeder, seconded by Gary Northouse 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 project for Tim & Pat Adams, South Lancaster Twp., \$382.44. Motion by Porter Wagner, seconded by Mike Lieurance to approve payment. Motion carried.

### **SWRM Cost Sharing:**

**2020 DATCP Cost Sharing:** Beginning Balance \$17,539.05/Ending Balance \$17,539.05  
None to Report.

**2021 DATCP Cost Sharing:** Beginning Balance \$55,400.00/Ending Balance \$49,863.00

Lynda presented final approval request for 2021 DATCP cost sharing on a grade stabilization structure for Reynolds Roost LLC, Cassville Twp., \$5,537.00. Motion by Porter Wagner, seconded by Mike Lieurance to approve payment. Motion carried.

**2021 MDV Cost Sharing:** Beginning Balance \$36,000.93/Ending Balance \$27,250.93.

Lynda presented tentative approval request for MDV cost sharing on a grade stabilization structure for Duane & Sheila Haas, Cassville Twp., \$8,750.00. Motion by Porter Wagner, seconded by Mike Lieurance to approve the Haas's cost share request. Motion carried.

### **Storage Permit Approval**

None to report

### **CSZD Administrator Report**

Lynda gave an update on the state budget. It was taken to the legislature, was voted on and approved to provide an additional \$4.3 million over the biennium to support county conservation staff. They did not raise the base funding and it is not fully funding conservation staff.

Lynda mentioned that the Local Workgroup Meeting for NRCS will be July 14<sup>th</sup> from 10:00 a.m. to 12:00 p.m. on the webinar. The call-in phone number and the website is on the handout that was provided to the CSZC members. The NRCS workgroup along with the local participants help set the priorities for federal funding of conservation projects, through the EQIP program.

Lynda will be on vacation from July 19 – 23.

### **Continuous Improvement Update**

Lynda reported that Annette has been working with Mike Adams on digitizing our Farmland Preservation Certificates of Compliance. Will aid in amending Certificates of Compliance.

### **NRCS Report** – Joe Schmelz

Joe reported that EQIP will have a 3<sup>rd</sup> round of applications. It is only for 1 specific fund pool called The Climate Smart Agriculture and Forestry. This sign up is mostly soil health, such as cover crops, field borders, and no-till. Application period will be from July 9<sup>th</sup> with the contracts obligated by August 27<sup>th</sup>. The Local Workgroup will be on July 14<sup>th</sup>. They are starting to issue contracts for CRP. NRCS has received approximately 20 CRP applications from FSA.

Joe reported that Amberly Barry's last day will be tomorrow, July 2<sup>nd</sup>. Allan Braun, soil conservation technician has taken a new position and is now the state forester. The job posting for a conservation technician is waiting to be posted to USA Jobs. Josh Bushee, Soil Conservationist,

since 2015 was selected for the Area Programs Specialist and will be leaving our office to go to the Area office in Richland Center. They also have a direct hire for a Soil Conservationist for Grant County.

### **FSA Report**

Emily reported that they received information around June 11<sup>th</sup> that the CRP sign up did reopen on June 14<sup>th</sup>. They have until July 23<sup>rd</sup> to complete those General Signups, and they have until August 6<sup>th</sup> to complete the Continuous CRP Signup offers. Those CRP applicants in the General signup can put in an offer based on a point system based on the cover, soil types, and what they have going on, on the land. Everything is batched together at the National Office and are then placed in a pool depending on your points if your offer is accepted or not. There is no guarantee that you will get into the CRP program.

With the Continuous CRP, it is looking at the highly erodible land. If the erodibility of the land that is being offered is 20 or greater you would be eligible to put that in CRP. FSA has around 150 people on the CRP inquiry list that was started last winter.

Emily reported that producers have until July 15<sup>th</sup> to certify their crops. FSA is only allowing 1 producer in the office at a time.

Emily reported that they have a COC elections going on. Gabe Loeffelholz has served his maximum 9 years on the committee. Looking for someone in the Southeast part of the county. The county committee oversees the office. They are technically Emily's supervisor. The committee meets once a month for around 2 hours. Nominations must be received by August 2<sup>nd</sup>.

Motion by Gary Northouse, seconded by Mike Lieurance to adjourn to Thursday, August 5, 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: 7/1/21 Landowner: L-T-D Cook Farm

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: Development would occur on prime farm ground soil; however, the current land use is woods, development would meet driveway reqs from the Township, would be outside of Shoreland Zone, + Slope decreases going north

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 on 5/17/21

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

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

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: See #1

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

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 7/11/21 Landowner: Bruce Flesch

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: Proposed development is on non prime farmground 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 on 5/12/21

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 No prime farmground soil + ag land use present where development is.

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 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 No farmland present

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No  N/A Not a Platted Subdivision or Sanitary district

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: No prime farmground soil present in development area.

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

(Circle one)