

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

February 3, 2022

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 February 3, 2022, 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, Lester Jantzen, Gary Northouse, and Pat Schroeder. Others present in the County Board room; Lynda Schweikert, Annette Lolwing, Robert Keeney, Shane Drinkwater, Justin Johnson, Brad Digman, Greg Cerven, Joyce Roling, via Zoom: Lynda Schweikert, Shane Drinkwater, Robert Keeney, Matt Komiskey, Andy Walsh, Tonya White, Toughbook, and Grant County Herald Independent.

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 the website. An agenda was also posted in front of the Ag Service Center Building. 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 Pat Schroeder, seconded by Lester Jantzen to approve the agenda. Motion carried.

Approval of the January 6, 2022, Minutes

Motion by Gary Northouse, seconded by Mike Lieurance to approve the January 6, 2022, minutes with 2 corrections. Under Petition #22-01 it should read Jamestown Township won't take over a ~~public~~ private road unless there are 5 homes on it. Also, at the end of the minutes the meeting was adjourned on February 3, ~~2021~~, 2022. Motion carried.

Review & Accept the Bills

Motion by Mike Lieurance, seconded by Lester Jantzen to accept the January bills. Motion carried.

Public Hearing for Rezones

Chairman Stead opened the Public Hearing

#RZ22-03 – Kruser Construction, LLC, Jamestown Twp., is requesting to change the zoning classification on PIN: 026-00222-0061 of +/- 1.0 ac. from C2 to C1 to allow for a storage unit to meet the 30' rear property line setback for C1 zoning as opposed to 50' setback in C2.

In Favor: Jamestown Twp. approved on January 11, 2022, with 5 in favor and 0 opposed.

Justin reported that this is currently a violation. The zoning permit was pulled for a storage unit to meet the 50' rear property line setback, however it was built within the setback. Rezoning this parcel is just one step of getting into compliance with the zoning ordinance. Options that were proposed in addition to rezoning and obtaining a conditional use permit was to purchase additional property, or apply for a variance, a variance which was not perused. The Conservation, Sanitation & Zoning Department would have recommended denial on a variance based on the self-imposed hardship. The original permit was issued on February 24, 2021, and the setbacks were disclosed to Mr. Kruser before the permit was issued. The zoning department was never contacted for a preconstruction site inspection. During the final construction check on November 1, 2021, Justin used a recorded survey by Delta 3 Engineering for lot 1 on that certified survey map. Justin located the survey pins that Delta 3

had placed on the property. The measurement determined that the storage unit was 9 feet within the setback or 41 feet from the rear property line. If this rezone is approved, it would reduce the setback to 30 feet which the storage unit would meet. Justin reached out to the Jamestown township chairman Steve Freese to disclose the situation.

In Opposition: Porter Wagner stated that we should be able to stop these individuals some way. We do have the right to make them tear it down or purchase the property, correct? Lynda stated that the CSZD has the right to cite them and then they would have the right to have a hearing in front of a judge to determine what our enforcement would be. Porter is in favor of asking for permission rather than asking for forgiveness. Justin asked Porter if he had any suggestions how to stop these people that knowingly build outside the zoning ordinance. Porter stated that the Conservation, Sanitation, and Zoning Committee should make them purchase the property to bring them into compliance. Robert Keeney asked if the zoning department can stop construction? Justin stated that he would work with Corporate Counsel to issue a stop work order, however we would have to see the violation occur and we didn't even know that they had started construction. Justin stated that it would go to County Board with the recommendation to deny and then by making Mr. Kruser rezone the property and apply for a conditional use permit will cost more than issuing a citation.

In Interest: None

Committee Discussion: Mark Stead asked, what would happen if the committee would deny the rezone request. Justin stated it would then go to citation or Mr. Kruser could appeal the Board's decision. Pat Schroder asked what it is going to cost Mr. Kruser to rezone the property and to apply for a conditional use permit. Justin stated that the rezone fee is \$400.00 and the fee for the conditional use permit is \$300, \$700.00 total. There are now 3 buildings on this one acre. The committee also has the option to change or restructure the ordinance. Robert asked if they were only discussing the rezone today, and next month they will bring forth the conditional use permit. Yes. Robert asked what is the conditional use permit? Justin stated that long term or mini storage units are listed as a permitted use under commercial 2. Under commercial 1 they require a conditional use permit. Mike Lieurance asked if the townships send out any mailings informing the landowners if there is any building to make sure to have a zoning permit? Mr. Kruser had a zoning permit, but he violated it. Robert asked if the rezone isn't approved and they apply for a variance, what is the cost for that? Justin replied, \$800.00.

Chairman Stead closed the Public Hearing

Motion by Pat Schroeder, to recommend approval of the rezone to the full County Board, seconded by Gary Northouse. Mark Stead and Porter Wagner opposed. Motion carried.

Zoning/Sanitation Report

Brad Digman presented the Sanitation Report. Brad reported that there was an increase of 10 maintenance and late fees and an increase of 10 sanitary permits from this time last year. Brad will be working on the DSPS office audit the week of February 7th. The listing of the 2021 Sanitary Failing Citations consists of 50 landowners, 14 in compliance, 10 had hearing dates, and 26 out of compliance. The 2020 Sanitary Failing Citations consist of 49 individuals, 8 in compliance, 19 had rescheduled hearing dates into June/July to allow systems to get installed, 5 paid their citation, and 17 are still out of compliance. The list of 2021 failure to complete septic system maintenance citations shows that we are getting many landowners in compliance: 47 in compliance, 3 hearings, and 25 out of compliance. The listing for 2021 failure to complete holding tank maintenance citations: 12 out of compliance and 3 in compliance.

Lynda reported that there were 14 zoning citations, around 50% have been resolved. Justin is issuing citations for those who have received Orders for Correction in late December, early January.

Motion by Gary Northouse, seconded by Lester Jantzen to accept the Zoning/Sanitation report. Motion carried.

SW WI Airborne Electromagnetic Survey – Matthew Komiskey, USGS

Matthew is a surface water hydrologist. Works with small watersheds around the great lakes. He gave a brief presentation about a project that will be coming in to the Southwest and Southeastern part of WI. They will be using an electromagnetic survey to identify some of the sub-surface aquifer properties. The Airborne Electromagnetic project will consist of a low flying helicopter and a hoop hanging below about 100 feet off the

ground. It will be sending an electromagnetic pulse into the ground, which is mapped in 3D of what the aquifer and the sub-surface look like. Data is collected every 5 miles, which is taking a virtual bore hole of the sub-surface every 100 feet along the flight line. The hoop is capable of taking the depth to bedrock at 5 feet as well as measuring the sub-surface properties up to 900 feet below ground. They plan to start the project in Monroe. They will work from the Eastern portion to the Western portion the week of February 20th. They will be putting out a website, and on the website will be a flight tracker to see the direction of where the next flight would potentially be.

WDACP Deer Damage Claims – Greg Cerven

Greg handed out a list of 4 landowners that claimed crop damage through the Wildlife Damage Abatement Claims Program. Those landowners were Clem Dressler claiming \$4,564.13, Dan Hershberger claiming \$5,757.25, Mary Kirschbaum claiming \$6,760.91, and Lynn Kirschbaum claiming \$10,000.00. There is one landowner that is no longer in the program, Dennis Haas, he refused a hunter to come on his property. There was a written complaint. He was then banned from the program from receiving a claim this year, and next year. Motion by Pat Schroeder, seconded by Porter Wagner to approve the 4 claims. Motion carried.

Lynda reported that Grant County participates in the Deer Donation Program. This is where the hunters can donate their deer that they harvest to one of two butcher shops in Grant County. We have received complaints on Hidden View Butcher Shop year after year for the cleanliness of meat packages. There have been state inspectors called in to inspect the facility & Greg Cerven has also been at the facility to inspect. When Greg was there everything looked fine. Greg stated that the complaint that has come back many times. The packages are 2-pound plastic wrapped ground venison that were dirty and have holes in the plastic wrap. There was around 130 pounds of meat that the Fennimore Food Pantry had picked up and decided that they would not accept the meat. The packages were bloody and 3 of the packages were broke open. Greg contacted another food pantry to see if they were willing to clean up the packaging & the packages that were broke open were destroyed because of fear of contamination. This year we had a complaint of meat being bloody and holes in the packages. As of now, there is 750 pounds of meat in that freezer. There are no food pantries in Grant County that will accept the meat. We reached out to a surrounding county to see if they were in need of any ground venison. Richland County food pantry was contacted, and they were willing to take the 750 pounds of meat. It was suggested that we stop using Hidden View Butcher Shop. Greg checked with the director, Brad Koehle, of the deer damage program and stated that he would back us up on the decision to not use the Hidden View Butcher Shop. This committee makes the decision if we don't wish to use Hidden View Butcher Shop anymore in the future. The alternative option would be to discontinue the Deer Donation Program entirely, which we wouldn't have any butcher shops to do the Deer Donation Program. Greg's recommendation is that this issue get brought back to the March meeting for the committee to make their decision whether to allow Hidden View Butcher Shop to participate in the Deer Donation Program in 2022.

County Cost Sharing: Beginning Balance \$34,163.95 Ending Balance \$34,769.72.

Lynda presented a final approval request for county cost sharing on a well decommissioning for Dick & Darlene Hood, Ellenboro Twp., \$593.44. Motion by Lester Jantzen, seconded by Gary Northouse to approve the payment. Roll Call: 6 Ayes, 0 Negative, 1 Vacant. Motion carried.

Lynda presented a final approval request for county cost sharing on a well decommissioning for Gerald Weiss, South Lancaster Twp., \$626.41. Motion by Mike Lieurance, seconded by Porter Wagner to approve the payment. Roll Call: 6 Ayes, 0 Negative, 1 Vacant. Motion carried.

Lynda presented a final approval request for county cost sharing on a well decommissioning for Kevin Mezera, North Wyalusing Twp., \$1,000.00. Motion by Porter Wagner, seconded by Lester Jantzen to approve the payment. Roll Call: 6 Ayes, 0 Negative, 1 Vacant. Motion carried.

Lynda presented a final approval request for county cost sharing on a well decommissioning for Lucila Hechanova, Platteville Twp., \$504.38. Motion by Gary Northouse, seconded by Porter Wagner to approve the payment. Roll Call: 6 Ayes, 0 Negative, 1 Vacant. Motion carried.

SWRM Cost Sharing:

2021 DATCP Cost Sharing: Beginning Balance \$18,585.33/Ending Balance \$18,585.33
None to report.

2022 DATCP Cost Sharing: Beginning Balance \$64,500.00/Ending Balance \$60,707.76

Lynda presented tentative approval request for 2022 DATCP cost sharing on a streambank protection project for Kieler Farms, Paris Twp., \$3,792.24. Motion by Mike Lieurance, seconded by Lester Jantzen to approve the Kieler Farms request. Motion carried.

2021 MDV Cost Sharing: Beginning Balance \$67,917.32/Ending Balance \$67,917.32.

Vote for Land & Water Conservation Board Candidates

Lynda reported that Russell Rindsig, Barron County LCC, Yogesh Chawla, Dane County, and Monte Osterman were the 3 vote winners for the Land & Water Conservation Board Candidates. Motion by Porter Wagner, seconded by Mike Lieurance to vote for Russell Rindsig, Yogesh Chawla, and Monte Osterman. Motion carried.

Storage Permit Approval

None to report.

CSZD Administrator Report

Lynda reported that she had 10 meetings/activities scheduled in January & February

- January 10, 2022 – NWQI Sinsinawa
- January 13, 2022 – Land Info
- January 19, 2022 – Snap Plus Update
 - ATCP 50 Stakeholders meeting
- January 26, 2022 – SWIGG Update
 - GIS Interviews
- January 28, 2022 – Regional Outreach Meeting
- February 2, 2022 – Enforcement Conference with Ben Wood – Re: Zoning Citations going to court.
- February 7, 2022 – SWIGG Release Discussion
- February 8, 2022 – NWQI Sinsinawa
- February 10, 2022– Deadline for Administrator Applications
- February 11, 2022 – Going away social at Copper Dome @ 5:00 p.m.

Lynda reported that on the roll call today, the FSA person is considered vacant. There has been some controversy statewide with FSA reps. They did not want the FSA reps speaking on behalf of FSA at the conservation meetings. FSA has issued policy restricting what the FSA reps could say in our meetings and no one has chosen to participate in the Conservation, Sanitation, Zoning Committee meetings. It is State Statute that an FSA rep is required to be on our committee, therefore we can not downsize our committee to 6. Our committee still stays at 7 with the FSA rep as vacant. We need 4 committee members to have a quorum to host a meeting. A requirement back in the 90's is that an FSA rep had to be an active farmer in the county, it was a guarantee that a farmer would be on an LCD committee.

Lynda asked the committee to stay after the meeting to take a photo for the Annual Report.

Continuous Improvement Update

Lynda has been working on ground truthing the process maps that she has established over the past several years in her Continuity of Work binder as she hands over the tasks to field staff to handle in her absence.

NRCS Report: Andy Walsh

Andy Walsh introduced himself. He will be the acting District Conservationist for Joe Schmelz. He is the current District Conservationist in Dodgeville, Iowa County. He plans on being in the Lancaster office 3 days a week. Andy reported that his staff has been reduced to 25% in the office, hopefully in the next few weeks they can be back to full staff.

Andy reported that they are currently ranking the EQIP applications and should know the funding results by the end of this month.

FSA Report

No report.

Motion by Porter Wagner, seconded by Pat Schroeder to adjourn to Tuesday, March 8, 2022, at 1:00 p.m.

Mark Stead has been given approval by the County Board Chairman to act as the official spokesperson for the County. On behalf of himself, the Conservation, Sanitation and Zoning Committee and the County Board of Supervisors, he would like to take this opportunity to thank the Conservation, Sanitation and Zoning Administrator, Lynda Schweikert, for her 24 years of dedicated service to the citizens and landowners of the County of Grant and to wish her the best as she embarks on her new chapter in her life as the director of Land Conservation and Forest Management in Chippewa County.

Motion to adjourn to Tuesday, March 8, 2022, at 1:00 p.m. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen