

# GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

August 4, 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 August 4, 2022, at 9:00 a.m. by Gary Northouse, the Conservation, Sanitation, 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: Porter Wagner, Gary Northouse, Brian Lucey, and Joe Mumm. Adam Day and Pat Schroeder Excused. Others present in the County Board room; Erik Heagle, Annette Lolwing, Robert Keeney, Shane Drinkwater, Justin Johnson, Tim Schmitz, Tom Weigel, Valerie Martin, Carol Ann Hood, Lester Jantzen, Kathleen Faull, Chris Faull, Jeff Kindrai, Dena Kurt, Richard Jinkins, and Kent Hillery via Zoom: Erik Heagle, Shane Drinkwater, Robert Keeney, Kschwantes, Ivannatta, and Grant County Board Room.

## **Certification of Open Meeting Law**

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

## **Approval of August 4, 2022, Agenda**

Motion by Joe Mumm, seconded by Porter Wagner to approve the agenda. Motion carried.

## **Approval of the July 7, 2022, Minutes**

Motion by Porter Wagner, seconded by Joe Mumm to approve the July 7, 2022, minutes. Motion carried.

## **Review & Accept the Bills**

Motion by Porter Wagner, seconded by Brian Lucey to accept the July bills. Motion carried.

## **Public Hearing for Rezones**

Chairman Northouse opened the Public Hearing

#RZ22-19 – Kathleen Faull, Lima Twp., is requesting to change the zoning classification on PIN: 030-00645-0000 of +/- 3.03 ac. from FP to A-2 to allow for the use of a nonfarm residence.

In Favor: Lima Twp. approved on June 8, 2022. Kathleen Faull & Chris Faull

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman Northouse 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 Joe Mumm. Motion carried. See Attachment A Worksheet

Chairman Northouse opened the Public Hearing

#RZ22-20 – Andrew & Allyssa Pluemer, Mt. Ida Twp., are requesting to change the zoning classification on PIN: 040-00695-0000 of +/- 7.7 ac. from R3 to A-2 to allow for the use of livestock being housed.

In Favor: Mt. Ida Twp. approved on May 23, 2022.

In Opposition: Justin spoke with a Michael Skaife on July 25, 2022. He had concerns that there was going to be a CAFO established. Justin stated that this is not a CAFO. Justin spoke with a Stephen Napp on July 20, 2022. Justin disclosed the case details. Erik spoke with Jamie Horsfall, Town chairman. Jamie called in with some concerns.

In Interest: The building to house livestock is approximately 70 feet to the closest property line. Any building that houses livestock must be at least 100' from the closest property line and 200' from a neighboring residence.

Committee Discussion: Brian Lucey asked if this rezone gets passed by the CSZD committee, then the County Board approves it, they can then apply for a variance. Yes, they can. The CSZD will recommend denial to the variance request, but the Board of Adjustments makes the final decision. Robert Keeney asked when did the structure become preexisting nonconforming? Erik stated when there was a complaint turned in. Robert also asked about the setbacks for A-2. Erik stated that like any other structure that houses livestock it is 100' to the nearest property line and 200' from the neighboring residence.

Chairman Northouse closed the Public Hearing

Motion by Joe Mumm to recommend approval of the rezone request for Andrew and Allyssa Pluemer to the full County Board, seconded by Brian Lucey. Motion carried.

### **Zoning/Sanitation Report**

Erik reported that this time last year we had 1584 3-year maintenance fees turned in, compared to 1155 3-year maintenance fees turned in so far this year, a difference of 429 less than last year. There were approximately 2,500 3-year maintenance forms that were mailed out this year. For 2022, there are 107 current active sanitation permits, 55 permits for 2022, 38 permits for 2021 and 14 active permits for 2020. Citations in 2020, there were 34 Failing Systems and 11 Failure to Complete Maintenance. In 2021, there were 36 Failing Systems, 19 Failure to Complete Maintenance, and 6 Holding Tank Maintenance Citations. Citations in 2022, 34 Maintenance Forms and 18 Miscellaneous issues. Last year at this time we had 64 Sanitary permits, this year we have 86.

By July 1<sup>st</sup> there were 119 zoning permits issued in 2021 compared to 171 zoning permits issued in 2022. There are 26 active orders for corrections, including citations that have not been corrected. Court Dates pending; 10 intakes scheduled for August 29<sup>th</sup>, and 1 case reopened for August 29<sup>th</sup> (Fischer). There is 1 trial scheduled for September 7, 2022 (continued from April 20, June 15, and July 13). Individual pled not guilty to apply for a variance, no variance application has been submitted. There are 2 court intakes set for Sept. 12<sup>th</sup>.

Erik reported that there was a Board of Adjustments meeting held on July 18<sup>th</sup>. Department recommended approval on both. The BOA approved both cases.

### **Zoning Discussion with Platteville and Harrison Townships**

Tom Weigel, Platteville Township Chairman, reported that they are having issues with the getting the fire numbers in a timely matter. After 1 year later an individual still doesn't have a fire number. Tom Weigel stated that the Township should be the one to start with for the initial request for a fire number. They want the local control of the fire numbers not the Zoning Department. Tom also mentioned that in 2017 Lynda and Justin came out to the townships along with attending meetings at the Youth & Ag Building for updating the Farmland Preservation maps. Every piece of property in Platteville Township that was 10 acres or less with a house was labeled as A-2 zoning. Tom stated that they have a landowner that wants to build on to their commercial building and the zoning technician told him that he needed to rezone from FP to Commercial-2. DATCP is the one who changes and/or updates the FP zoning maps. Each township will be receiving the zoning maps in late August due to the Farmland Preservation Plan update. Justin stated that we had the County GIS specialist print out a parcel map for each township. The townships then went through and identified the smaller parcels and generated a list of potential candidates for the blanket rezone. Then based on those updated maps from the townships they were taken to the County Board for approval in June 2017. Because the Platteville Township made a motion to change the smaller parcels to A-2, the commercial building would need to have been rezoned anyway to commercial use. Tom stated that the parcel was already zoned as commercial. Justin showed Tom the Platteville township minutes where they voted that any FP parcel that was 10 acres or less would be changed to A-2. That parcel was marked as an A-2 zoning district which constitutes a rezone to a commercial zoning district. Lester Jantzen, Township

Chairman for Harrison, reiterated that most of the zoning ordinances are coming from DATCP. DATCP looks at their zoning ordinance as black and white, they don't look to see if makes any common sense. Lester also agreed that getting a fire number is ridiculous. Robert Keeney read from the ordinance that it is the duty of the Grant County Sheriff's Office or their designee to assign the addresses. Robert stated that the request for a fire number starts in the zoning office when the landowner creates a parcel of property, that is why it starts with the zoning department.

### **Extending 3 Year Maintenance Timelines**

Erik reported that the deadline date to have the 2022, 3-year maintenance forms turned into our office is August 31<sup>st</sup>. Erik asked the committee for approval to push the deadline date back permanently for one month to September 30<sup>th</sup>, and to have the late fee date to November 30<sup>th</sup>. Tim Schmitz mentioned that they take the sludge to the treatment plants, and they are operating just under the guidelines of the DNR. Tim commented that the 3-year maintenance forms are sent out in March, but the roads have weight limits posted and they are not allowed on them with their trucks. Tim would also like to see the 3-year maintenance deadline of August 31<sup>st</sup> extended to September 30<sup>th</sup>, allowing the pumpers and plumbers to accumulate a list of individuals to turn in to the sanitation office to allow an additional month, grace period, for them to get to all the clients with a deadline date of October 30<sup>th</sup> and have the late fee extended to November 30<sup>th</sup>. Erik is proposing today to table Tim's last request with establishing a list of clients and to extend the deadline date to October 30<sup>th</sup>. Motion by Gary Northouse to move the deadline date starting this year for the 3-year maintenance forms to September 30, 2022, with a late fee date of **October 30**, 2022, seconded by Porter Wagner. Motion carried.

### **DATCP Farmland Preservation Plan – Update Grant Approval**

Erik reported that they are working on the Farmland Preservation mapping and plan update for DATCP. Lynda Schweikert applied for a 2-year extension to the end of 2023. Troy Maggied from Southwest WI Regional Planning Commission gave us the estimated cost to assist with the Farmland Preservation Plan of \$8,000 to \$10,000. Troy came back with an estimated total of no more than \$15,000. Erik spoke to DATCP as they have a grant available and will approve up to half of the associated cost. Erik worked up a projected budget with costs associated with Justin and Traci's staff time, printing, postage, and fuel costs, plan development and support costs, and SWWRPC costs. Erik came up with an estimated cost of \$18,938.20 and is asking DATCP for 50%, \$9,469.10. Pat Schroeder gave Erik permission to apply for the DATCP grant. Erik needs to have the CSZC committee approve the DATCP grant request. Once approved by the CSZC it then goes to the full County Board for approval on August 16<sup>th</sup>. Motion by Porter Wagner, seconded by Joe Mumm to allow Erik to apply for the DATCP grant money. Motion carried.

### **Farmland Preservation Update**

Erik stated that there have been parcels that are not zoned as Farmland Preservation collecting FP tax credits. In order to collect FP tax credits, the parcel must be zoned as FP. These parcels will be addressed at the Farmland Preservation update. Looking to change and update maps with the FP Plan update. DATCP sent out a letter with information on wind and solar renewable energy production relating to FP tax credits. DATCP considers wind and solar energy as non-agricultural use. As the law states right now, if less than 50% of their owned acres are in Farmland Preservation, they are allowed to collect FP tax credits on all of their farmland. For example: landowner owns 100 acres, and 80 acres are going to solar, and farming the remaining 20 acres, you can now only collect tax credit on those 20 acres and the 80 acres are exempt. If your acreage is below 50% in energy production, you can still collect tax credit on all of your acres. If over 50% of the acres are in energy production, you can only take the tax credit on those ag acres. They still have to follow all of the FP and DATCP requirements to collect the FP tax credits.

### **County Cost Sharing:** Beginning Balance \$25,019.94/Ending Balance \$20,637.18

Erik presented a cancellation request from Lisa Womack, Lima Twp., \$500.00 for her Well Decommissioning project #2. Motion by Porter Wagner, seconded by Joe Mumm to approve the cancellation request. Motion carried.

Erik presented final approval request for county cost sharing on a Well Decommissioning project #1 for Lisa Womack, Lima Twp., \$903.34. Motion by Brian Lucey, seconded by Joe Mumm to approve payment. Roll Call: 4 Yes, 0 No, 2 Excused. Motion carried.

Erik presented final approval request for county cost sharing on a Well Decommissioning project #1 for Roger & Jeanie Vogt, West Glen Haven Twp., \$521.44. Motion by Porter Wagner, seconded by Brian Lucy to approve payment. Roll Call: 4 Yes, 0 No, 2 Excused. Motion carried.

Erik presented final approval request for county cost sharing on a Well Decommissioning project #2 for Roger & Jeanie Vogt, West Glen Haven Twp., \$876.70. Motion by Joe Mumm, seconded by Brian Lucy to approve payment. Roll Call: 4 Yes, 0 No, 2 Excused. Motion carried.

Erik presented final approval request for county cost sharing on a Well Decommissioning project for Scott & Deb Kramer, Platteville, Twp., \$519.58. Motion by Porter Wagner, seconded by Joe Mumm to approve payment. Roll Call: 4 Yes, 0 No, 2 Excused. Motion carried.

Erik presented tentative approval request for county cost sharing on a Well Decommissioning project for Noble Farms Inc., Lima Twp., \$480.00. Motion by Brian Lucey, seconded by Porter Wagner to approve Noble Farms Inc. cost sharing request. Motion carried.

Erik presented tentative approval request for county cost sharing on a Well Decommissioning project for Danny & Patricia Wellsandt, Lima Twp., \$960.00. Motion by Joe Mumm, seconded by Brian Lucey to approve the Wellsandt's cost sharing request. Motion carried.

Erik presented tentative approval request for county cost sharing on a 1<sup>st</sup> year Rye Cover Crop project for Gary & Jeanne Snyder, Hazel Green Twp. \$300.00. Motion by Porter Wagner, seconded by Joe Mumm to approve the Snyder's cost sharing request. Motion carried.

Erik presented tentative approval request for county cost sharing on a 1<sup>st</sup> year Rye Cover Crop project for Terry and Helen Adams, Watterstown Twp., \$801.70. Motion by Brian Lucey, seconded by Joe Mumm to approve the Adam's cost sharing request. Motion carried.

#### **SWRM Cost Sharing:**

**2021 DATCP Cost Sharing:** Beginning Balance/Ending Balance \$18,585.33

None to report.

**2022 DATCP Cost Sharing:** Beginning Balance \$4,509.33/Ending Balance \$4,509.33

**2021 MDV Cost Sharing:** Beginning Balance \$44,024.09/Ending Balance \$44,024.09

#### **Storage Permit Approval**

Erik reported that there are 2 permits in the works.

#### **CSZD Administrator Report**

- \* Erik had a Board of Adjustment meeting on June 18<sup>th</sup>. Both Proposals were approved. There may be 1 more meeting this year.
- \* Erik met with UW Extension & Veolia at the fairgrounds to go over the Clean Sweep Logistics on July 29<sup>th</sup>
- \* NRCS Tech Committee meeting was on July 21<sup>st</sup>.
- \* NWQI Area tour with NRCS State Office Staff on July 11<sup>th</sup>.
- \* SWIGG & Clean Sweep meeting on July 8<sup>th</sup>, 20<sup>th</sup>, and August 3<sup>rd</sup>.
- \* On August 18, 2022, the Tech and Pic meeting will be in Stevens Point to plan upcoming WL+W Conference.

\* Erica Sauer, Lafayette County, will be hosting the SAA Tour on August 31<sup>st</sup>.

Other Information:

- Erik is looking to review the County Storage Ordinance, Cooperator Cost Share Rates, Cost Share Priorities, adding 2 new rates for zoning and sanitation (in-house at grade plan approval and navigability determination fees)
- The final NWQI Draft was sent to NRCS on July 25, 2022. The first sign up deadline will be May 2023 through EQIP. The next 2 sign ups for 2024 and 2025 will follow the same EQIP timelines. Plan writing reimbursement should be to us this week.
- SWIGG Study – continuing talks on what is coming next. There is low interest from outside sources. Grant, Lafayette, and Iowa county are hearing little to no feedback on the SWIGG study.
- Matt Wallrath, invasive species, program manager of the Upper Sugar River Watershed Alliance will be Presenting at the September 1<sup>st</sup>, committee meeting. They are putting together their 2023 work plan.

Providing us a report of the work that has been done since his last meeting. Funding for this is coming through the DNR, and we need to have the agreement signed by November 15, 2022.

- The Clean Sweep is set for September 23<sup>rd</sup> and 24<sup>th</sup> (Friday and Saturday) at the Grant County Fairgrounds. Times to bring items in are from 2:00-6:00 p.m. on Friday, and 8:00 a.m. to 12:00 noon on Saturday. Troy Moris and the Health Department are willing to help on Friday. Conservation, Sanitation, Zoning staff are willing to assist on Saturday morning.

**Continuous Improvement Update**

- \* Working on continuing education credits.
- \* Working on getting Bailey engineering certification for projects.
- \* Budget time – hopefully we can replace the van.
- \* When things start slowing down, looking at setting up weekly meetings with staff.

**NRCS Report:**

Erik presented the NRCS Report for Andy Walsh. They have a new Support Staff Specialist that started, her name is Melinda Straka.

NRCS's 2023 EQIP and RCPP sign up application deadline is November 4<sup>th</sup>.

**FSA Report**

Erik presented the FSA report for Emily Schildgen.

They are catching up right now. They just got done with crop reporting.

The next meeting is scheduled for September 1, 2022, at 9:00 a.m.

Motion by Joe Mumm, seconded by Brian Lucey to adjourn the meeting. Motion carried.

Respectfully Submitted by Annette Lolwing for Porter Wagner

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 8/4/22 Landowner: Kathleen Faull

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:

No prime farmland soil present per web soil survey

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 6/8/22

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

Proposed area for home doesn't have prime farmland soil.

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 in area proposed for home

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

3.03 ac out of the 81.65 acres would be rezoned if approved

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

Ag development not proposed in this case

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 farmland soil present

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