

# GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

June 1, 2023

9:00 a.m.

Room #264, Grant County Board Room, Administration Building  
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on June 1, 2023, at 9:00 a.m. by Gary Northouse, the Conservation, Sanitation, Zoning Committee Chairman in Room #264, County Board Room of the Administration Building.

Board members present in the County Board room #264: Porter Wagner, Gary Northouse, Joe Mumm, Pat Schroeder, Brian Lucey, and Adam Day Excused. Others present in the County Board room; Erik Heagle, Annette Lolwing, Robert Keeney, Justin Johnson, Jerry Allen, Brady Bartels, and Shane Drinkwater. Those on Zoom: eheagle, Grant County Board Room, Robert Keeney, Shane Drinkwater, Tonya White, Zach Theisen, Wepking's, April Vaassen, and Brandon Reese.

## **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 county website. An agenda was also posted in front of the Ag Service Center Building. An agenda was also sent to Bob Middendorf, WGLR. Media notices were sent to Tonya White, Karla Schwantes, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

## **Approval of June 1, 2023, Agenda**

Motion by Porter Wagner, seconded by Pat Schroeder to approve the agenda. Motion carried.

## **Approval of the May 4, 2023, Minutes**

Motion by Joe Mumm, seconded by Brian Lucey to approve the May 4, 2023, minutes. Motion carried.

## **Review & Accept the Bills**

Motion by Porter Wagner, seconded by Joe Mumm to accept the May bills. Motion carried.

## **Public Hearing for Rezones**

Chairman Northouse opened the Public Hearing

#RZ23-10 Brandon Reese, Jamestown Twp. is requesting to change the zoning classification on PIN: 026-01187-0030 of +/- .598 ac. from A-2 to C-1 to allow for the proposed use of a landscaping business.

In Favor: Jamestown Twp. approved on May 2, 2023. Brandon Reese.

In Opposition: None

In Interest: Justin reported that the proposed shed is 30' X 48' for storage of his landscaping business.

Committee Discussion: Porter Wagner asked – what is being considered as the side lot setbacks? It is to the east towards the Maryville Construction office. The setback had to be at least 8' from that property line, Brandon's shed is 9' from that property line.

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner to recommend approval of the rezone request for Brandon Reese to the full County Board, seconded by Brian Lucey. Motion carried.

Chairman Northouse opened the Public Hearing

#RZ23-11 John & Kelly Jansen, Jamestown Twp. are requesting to change the zoning classification on PIN:026-00533-0000 of +/- .5 ac. from FP to A-2 to allow for the proposed use of a nonfarm residence.

In Favor: Jamestown Twp. approved on May 2, 2023. April Vaassen.

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman 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

#RZ23-12 Jerry Allen, Liberty Twp. is requesting to change the zoning classification on PIN: 028-00201-0010 of +/- 1.33 ac. from C-2 to C-1 to allow for the proposed use of long-term storage units.

In Favor: Liberty Twp. approved on April 18, 2023. Jerry Allen.

In Opposition: None

In Interest: If the rezone is approved, it will then need an additional Condition Use Permit.

Committee Discussion: Porter asked Justin how did the Township vote. Justin stated that they voted in favor of the project.

Motion by Pat Schroeder to recommend approval of the rezone request for Jerry Allen to the full County Board, seconded by Porter Wagner. Motion carried.

Chairman Northouse opened the Public Hearing

#RZ23-13 Pelky's Midway LLC, Potosi Twp. is requesting to change the zoning classification on PIN: 052-00483-0000 of +/- 1.28 ac. from FP to C-2 to allow for the continued use of a bar. The applicant is required to obtain a zoning permit for the fence and patio that were constructed in 2022.

In Favor: Potosi Twp. approved on April 10, 2023.

In Opposition: None

In Interest: Justin stated that if this rezone is approved, it will be followed up with a Conditional Use Permit and variance.

Committee Discussion: Joe Mumm asked if this was a rezone that got missed on the 2017 blanket rezone of a small FP parcel? Yes, it did get missed to get rezoned. Sarah Pelky was not charged the rezone fee. Joe asked what brought on the need for the permit for the fence and patio since it was built in 2022. How are we just now finding out about the fence and patio? This was turned in as a violation and was under an order for correction.

Motion by Joe Mumm, 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.

Erik introduced Brady Bartels as our new Soil Conservationist. Brady just graduated from Fox Valley Tech. He started with us on Monday, May 22, 2023. Brady will be working on Nutrient Management Plans, Farmland Preservation, and spot checks.

### **Zoning/Sanitation Report**

Sanitation - Erik reported that there are approximately 97 active citations for sanitation compared to 100 last month and 48 active Order for Corrections compared to 49 last month. The 3-year maintenance fees to date are 459 this year compared to 480 last year at this time. There were 56 permits for sanitation this year compared to 53 last year. Jim is scheduled to take his POWTS test and Soils in July.

Zoning - Erik reported that we have had 104 permits through May 31<sup>st</sup>, 2022, compared to 108 zoning permits as of May 31, this year. In 2022, there were 16 public hearings compared to 19 public hearings this year.

Court matters: The Griswold case: State court of appeals affirmed the circuit court decision of guilty. They denied his appeal.

There was a trial held on May 26<sup>th</sup> for a shoreland zoning issue. Found guilty by default and will be getting another citation. Did not show up for court.

There is also a Leffler fencing case: haven't received notice from circuit court on status. Still open.

There are 30 citations including orders for corrections that have not been corrected. Will be working on issuing citations for a date in July.

There has been a lot of preconstruction and final construction appointments with zoning permit applicants.

### **Farmland Preservation Program**

Erik reported that he has started to work with Brady on spot checks and reviews along with Snapplus training. Brady is already going out for spot checks on his own. He is catching on fast.

**County Cost Sharing:** Beginning Balance \$44,160.17/Ending Balance \$41,822.27

Erik stated that James and Clarissa Busch were approved for \$10,500.00 for 2023 DATCP cost sharing. Erik asked the committee for an additional \$2,337.90 county cost share funding to come up to 70% cost sharing total.

Erik presented final approval request for county cost sharing on 2 waste facility closures for James and Clarissa Busch, Smelser, Twp., \$2,337.90 and \$10,500.00 of 2023 DATCP cost sharing. Motion by Pat Schroeder, seconded by Porter Wagner to approve payment. Roll Call: 5 Yes, 0 No, 1 Excused. Motion carried.

### **SWRM Cost Sharing**

**2022 DATCP Cost Sharing:** Beginning Balance \$4,931.12/Ending Balance \$4,931.12

**2023 DATCP Cost Sharing:** Beginning Balance \$70,000.00/Ending Balance \$59,500.00

**2021 MDV Cost Sharing:** Beginning Balance \$0.00/Ending Balance \$0.00

### **Storage Permit Approval**

None

### **CSZD Administrator Report**

#### **Meetings**

- Southern Area Association meeting on May 11<sup>th</sup>.
- Department Head meeting on May 11<sup>th</sup>
- Met with Steve Braun on May 11<sup>th</sup> to discuss flooding along the Mississippi River. To this date, no reported structure damage turned in to our department. Erik has been in contact with DNR on this as well.
- State of Iowa County Zoning Officials presentation/discussion on May 18<sup>th</sup>. Erik sat on a panel with 2 other representatives from renewable energy companies. Discussed the Wisconsin's regulations, processes, and what has been seen across the river.
- Retention Committee meeting was on May 25<sup>th</sup>. Thanks to the fair board for the passes!
- Renewable Energy company informational meetings on May 30<sup>th</sup>. (Upland Winds) & on May 31<sup>st</sup> (Liberty Power)
- There is an upcoming BOA on June 21<sup>st</sup>.

#### **Information**

- The FP Plan was approved by DATCP, still needs a 30-day public comment/review period. Erik is planning to bring this to the CSZD committee and County Board in August for approval.
- The Whitetail Wind project CUP will be coming to committee in July.
- Brady Bartels started on May 22<sup>nd</sup> as a Soil Conservationist.
- Erik had sent out letter to the town chairmen of the townships letting them know that as of July 1<sup>st</sup>, we will be sending our correspondence (permits, etc.) via email to the town clerks emails listed with the county.
- On May 19<sup>th</sup> Erik received an email from the WI Land + Water. The Land & Water were lobbying for

around \$18 million within the state budget for staff and support grant funding. The current funding levels right now, the state approved \$11.3 million to be dispersed to the counties. On May 18<sup>th</sup> the joint finance committee voted 11 to 4 to vote along party lines to approve under \$11 million for county staff funding in 2024, and \$11.2 million in 2025, which is less than what we are receiving right now. WI Land + Water has contacted their lobbyist to discuss and find out what is going on. Right now, they have approved less funding than what the counties are receiving right now for the next 2 years. The committee's intention was not to approve a funding decrease but rather to maintain current funding at the current level of \$11.28 million for both years; 2024 and 2025.

### **Continuous Improvement**

Erik got spot checked on May 1<sup>st</sup> by DATCP. Every 3 years, anyone that has engineering approval gets audited by DATCP. Erik was hoping to get more job approval for pit closures and for streambank projects, Erik's job approval was increased.

### **NRCS Report: Mike Adams**

- Erik Heagle presented the NRCS report.
- Matt Miller has started as the new District Conservationist for Iowa and Grant County. Andy Walsh took a position at the Area Office in Richland Center.
- NRCS is currently working on CRP status reviews and establishment reviews.
- HEL reenroll CRP contracts have started coming over from FSA. NRCS is working on putting together the reenrollment conservation plans and getting the landowner signatures.
- EQIP/RCPP
- There are 9 new applications for spring. 4 of them fall within the NWQI Sinsinawa Watershed.
- Ranking deadline is June 16<sup>th</sup>, they should know about funding preapprovals in late June/Early July
- CSP: No Update
- Mike Adams will be off for a few weeks taking Paternity Leave/

### **FSA Report: Emily Schildgen**

Erik Heagle presented the FSA report.

A new program opened up on May 24, 2023, and runs through July 26, 2023, for organic dairy producers. The Organic Dairy Marketing Assistance Program (ODMAP) is geared toward assisting certified organic dairy producers with offsetting the additional costs they have seen in recent years due to the pandemic. It is a one-time cost-share program based on marketing costs and the producer's 2022 calendar organic milk production. Producers who are still commercially marketing organic milk from cows, sheep, or goats at the time they sign up will have to certify to their 2022 organic pounds and provide a copy of their current organic certification. Producers who are new to organic, transition to organic, or had an increase of 15% or more since 2022 can sign up as well, but have additional sign up requirements. National office has determined the payment rate to be \$1.10 per cwt. Producers will receive 75% of that once their application is approved. If at the end of signup, there is still money left, the additional 25% may be released. Producers should certify to their actual organic pounds but will not get paid on anything more than 5 million pounds.

We have had beautiful spring weather for planting and crop reporting is in full swing! We appreciate so many producers getting into the office right after planting, but just a reminder to please call the office if you are going to be heading through town and stopping in to ensure we have someone to help you. The deadline to have everything reported and SIGNED crop reports back to the office is July 15<sup>th</sup>. We are currently still short 3 people which is why the office especially appreciates the head's up whenever possible. Which leads to.....

I have a vacancy out there again! I am trying to hire 3 people who would be a good fit for the technical office work that we do. These positions are eligible for a 15% recruitment incentive. The vacancy closes on June 2<sup>nd</sup> and any interested applicants must apply online at USAJobs to be considered. I do have a student intern from UW-Platteville starting with us on June 5<sup>th</sup>. We look forward to having her join our team for

the summer and potentially fall semester to see what FSA is all about.

The PARP program and ERP Phase2 disaster program, deadline for those has been extended to July 14<sup>th</sup>.

If any producers received a letter recently, like in the last couple of days. This letter was sent out by National Office with no head's up. This letter is only geared towards the socially disadvantaged or specialty crops people. Most likely this letter has nothing to do with you. FSA will be receiving several phone calls regarding this letter because National Office decided to send this letter out to all producers, most likely doesn't pertain to them.

The next meeting is scheduled for July 6, 2023, at 9:00 a.m. in the County Board room.

Motion by Pat Schroeder, seconded by Joe Mumm 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: 6/1/23 Landowner: John + Kelly Jansen

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 not occur on prime farmland 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 Town Participation Form on 5/2/23

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

3.1: 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 farmland soil present in development area

3.2 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 would be outside of farm operations, floodplain, & shoreland area

3.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels.  Yes  No

5 ac would be rezoned if approved - Remainder of property is

3.4 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 already A

3.5 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 is proposed

4 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

- 4.1 Located in a Farmland preservation zoning district
- 4.2 Covered by a Farmland Preservation Agreement
- 4.3 Covered by an agricultural conservation easement
- 4.4 Otherwise legally protected from nonagricultural development

Yes or  No

Explain: No prime farmland present on the 5 ac parcel per Web Soil Survey

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

(Circle one) parts / Joe

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 6/1/23 Landowner: Pelky's Midway LLC

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 Form on 4/10/23

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

3.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. Yes No

Development occurred on non prime farmland soil

3.2 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 farm operations existing on property

3.3 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

3.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No N/A

Not a subdivision or sanitary district

3.5 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 occurred

4. The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

- 4.1 Located in a Farmland preservation zoning district
4.2 Covered by a Farmland Preservation Agreement
4.3 Covered by an agricultural conservation easement
4.4 Otherwise legally protected from nonagricultural development

Yes or No

Explain: Development did not occur on prime farmland.

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

Yes / No