

COMMITTEE MEETING

October 3, 2024

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 October 3, 2024, at 9:00 a.m. by Joe Mumm, 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: Joseph Mumm, Brian Lucey, Pat Schroeder, Mark Vosberg, Larry Jerrett, Gary Northouse, and Adam Day. Others present in the County Board room; Annette Lolwing, Robert Keeney, Lucas Finley, Brady Bartels, Adam Reed, Keith Lane, Nate Dreckman, Larry Tranel, Kalyn Tranel, James Heffner, Kenda Tisdale, Anna Slaughter, Nicholas Lange, and Greg Cerven. Zoom: Josh Tranel, Gary Ranum, Mike Adams and Marnee Robinson.

Certification of Open Meeting Law

Annette Lolwing sent the amended agenda II to the County Clerk's office to post in the Administration Building, Courthouse, and on the county website. An amended agenda II was also posted in front of the Ag Service Center Building. An amended agenda II was also sent to Bob Middendorf, WGLR. Media notices were sent to the County Clerk's office, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

Approval of October 3, 2024, Amended Agenda II

Motion by Gary Northouse, seconded by Adam Day to approve the amended agenda II. Motion carried.

Approval of the September 5, 2024, Minutes

Motion by Pat Schroeder, seconded by Mark Vosberg to approve the August 1, 2024, minutes. Motion carried.

Review & Accept the Bills

Motion by Gary Northouse, seconded by Brian Lucey to accept the September bills. Motion carried.

Zoning/Sanitation Report

Keith Lane presented the Zoning/Sanitation report.

Sanitation permits: January 1st to September 30th, 2023 – there were 77 sanitary permits and in 2024-January 1st to September 30th there were 89 sanitary permits.

Zoning permits: January 1st to September 30th, 2023 – there were 247, and in 2024 we had 200 Zoning permits.

Keith reported that the Zoning and Sanitation report that is in the packet is for the committee to see how many permits have been issued and how many 3-year maintenance forms have been turned in. It also shows the income balance for the beginning of 2023 and 2024 to the current date.

No Board of Adjustments scheduled at this time.

Wildlife Damage Abatement Claims Program (WDACP) 2025 Budget

Greg Cerven presented the 2025 budget for the Wildlife Damage Abatement Claims Program. Budget request for 2025 is \$23,802. The budget remains the same as the 2024 budget. Motion by Gary Northouse, seconded by Adam Day to approve the 2025 WDACP budget. Motion carried.

H&C Debeck Family Limited Partnership – Tiling & Filling a Wetland Violation Complaint

On August 27th the Conservation, Sanitation and Zoning Department received a complaint of a landowner who had done some tiling in a wetland/stream. Brady Bartels went out to the site and verified that there was bulldozing done in the area where the stream was located. Brady and the Water Regulation Coordinator from the WI DNR went out to the site and determined that there was a violation and DNR would take action. Brady could not get a hold of the landowner as they are an absentee landowner. Brady did present a document to show that he had permission to go on the property. On number (14) ENTER UPON LANDS. Each land conservation committee may enter upon any lands within the county to examine the land and make surveys or plans for soil and water conservation without being liable for trespass in the reasonable performance of these duties. This authorization applies to the land conservation committee members and their agents.

Nick Lange/Josh Tranel Zoning Permit Complaint

Keith Lane stated that this all started around 3 weeks ago when Nick put in a complaint of a zoning permit that was going to be issued to Joshua Tranel for a development or house on 1.5 acres that is currently zoned as farmland preservation. Josh would like to keep the 1.5 acres in farmland preservation. Nick is contesting that the size of the parcel is not adequate enough for income purposes to meet the farmland preservation ordinance. After many conversations between Corporate Council, DATCP, Nick, and Josh; Keith would like for the committee to give direction if we should accept the parcel size as is? Or is the department going to force a rezone and ask Josh to go to A-2 or a different zoning outside of farmland preservation. Nick Lange's concern is as a zoning board you are going to create parcels in farmland preservation that are small. Parcels don't really meet the farm residence who can claim it as agricultural use. Nick wants to know what is going to happen when it is sold. He stated that is already non-conforming, if sold and a new owner comes in and doesn't use it the same way as the current owner, what is going to happen? Keith did mention that this is the smallest parcel that he is aware of that is zoned as farmland preservation. Nick feels that this parcel should be zoned differently because of the size of the parcel. Nick feels that the county ordinance leaves many options of interpretation and should be fixed. Keith stated the trust deeded 1.5 acres to the son and is in his own name and wants to keep that 1.5 acres in farmland preservation. Josh is also managing the remaining land that is in the trust. Adam Day asked if this were zoned differently this would be a mute point? Nick stated that yes, it would be. Keith mentioned that originally Josh came in and was permitted under farmland preservation. The CSZD was in the process of reviewing the zoning permit. Josh's sanitation permit has already been approved and the septic is on a separate easement on the apparent trust parcel and is not included in the 1.5-acre parcel. Josh was waiting for the zoning permit to go ahead and start building. We have since stopped the zoning permit process until we have a determination from the committee. Keith asked the committee if we want to go this small or not? Joe Mumm asked if Josh was not instructed at this time that he needed to be rezoned. No, he was not instructed to rezone. Gary Northouse asked if Josh was instructed at that time would he have done the rezone. Keith stated that Yes, Josh would have gone through with the rezone. This rezone issue is pressing his timeline to build the house. Josh stated that the home that he is building would be the farmhouse for this piece of property and if he was rezoned as A-2 he would eventually come back to add that additional acreage from the 1.5-acre parcel back to farmland preservation. Larry Tranel stated that the USDA interprets that if you have more than \$1,000 worth of income on a parcel of land it is classified as a farm. The Iowa Extension office has been promoting these small parcels of land to raise animals and to raise their own food. Keith stated that when DATCP moved out of the acreage requirements we were put in "for use" or "by use" descriptions. We have one from the office of Planning and Development in Dodgeville. Keith quotes "we look at certified farmland preservation zoning districts as being eligible for a residence regardless of who lives in it, simply because it is impossible to monitor the occupants and who occupies it once it is built. This statute is well intended but inpractable to implement with intent". Keith is asking for the recommendation of the committee to move forward with Josh Tranel's

farmland preservation zoning permit or should we recommend him to rezone into an A-2 zoning district? Adam Day asked if Josh meets the farmland preservation requirements right now? Keith stated Yes, according to the Corporation Council for Grant County, Josh meets all the farmland preservation requirements. Keith has had multiple conversations with DATCP, and they are not an enforcement agency, and they have their own opinion of how they put this out. DATCP's question to Grant County Zoning is comfortable with zoning 1.5-acre parcel for this particular use? DATCP is not happy that the trend is moving on to smaller parcels, but they are not willing to stand up and change their own state ordinance to mirror that and force us into an acreage for money stop. Adam Day stated that the laws and the changes may not seem right, but they are not here to change the ordinance today. Adam Day mentioned that if the ordinance states that Josh can stay in farmland preservation, he is not sure how the committee can go away from that. Pat Schroeder stated that the committee should take the Corporation Council's recommendation. Nick asked if that 1.5-acre parcel will produce \$1,000.00 income or meet the livelihood of Josh Tranel? Kalyn Tranel stated that they are full time farmers, they have dairy, beef, chickens, produce, and will be getting sheep. They don't just sit in the office all day. Josh and Kalyn do run the rest of the farm. Gary Northouse mentioned that there are many family members that come back to the farm and build a house, and they are still in farmland preservation. Nick feels that those that are buying the 1.5 acres of property don't know what zoning district they will be in., Lucas Finley stated Yes, they do know because they come in and go over what their intent of using the parcel is. Josh Tranel stated that he has an email from early 2023 from Justin Johnson that it would be perfectly fine to keep this in farmland preservation. Nick asked who made that determination? Adam and Josh both stated that this is the statute and ordinance and stated that Josh isn't doing anything wrong. Adam Day stated again that we are not changing the ordinance today. Adam also stated that if it doesn't violate the law or ordinance, he doesn't know how Nick can say No. Adam stated that the ordinance just can't be changed today. If they were to change anything, the changes need to be voted on, published, and taken before Corp Council. Josh mentioned that it is not fair to change the rules in the middle of the game. Josh stated that this is going to be a farm residence and will be farming the additional acreage, pastures, and gardens. Brian Lucey asked if Josh were to build a shed or outbuilding would that make a difference in zoning? Keith stated that it depends on what Josh is going to be using it for. Lucas Finley also stated that it all depends on the use of the shed. In farmland preservation they can claim it as incidental that it is related to the agriculture use would also qualify for the square footage. Lucas stated that the farmland preservation zoning district states that the majority of the use must be in agriculture for the district. Brian Lucey doesn't want to see the parcel rezone in the future and then be nonconforming or coming back to ask for a variance. If Josh were to build anything he would be required to meet all the setbacks. He would not be able to build unless he had a zoning permit issued from the CSZD. Bob Keeney stated that he understands the situation, and he feels that the consensus is that it is conforming today. If Josh and his wife end up with the whole parcel, we would then need them to rezone from A-2 back to farmland preservation. Adam Day mentioned that at what point do we take the size of the parcel into consideration, and what size should it be? This should be looked at by the CSZD committee and staff. Pat Schroeder made the motion to approve the zoning permit that has been applied for by Josh Tranel. Seconded by Mark Vosberg. The vote "Yes" means for the ordinance to stay the way it is, and the permit will be granted. Roll Call vote: 6 Yes, 0 No, 1 not eligible to vote, 0 Absent. Motion carried.

Griswold Complaint Discussion

Keith stated that last month there were packets handed out regarding the Griswold situation. This month we were going to discuss what the committee would like to address with Mr. Griswold for compliance issues. Keith asked if there was anything we should target or how much is the county willing to spend to address the problems within the past 4 years that we have been dealing with and getting very little compliance activity out of him. Keith mentioned that some of the outstanding issues should be addressed. Gary asked what are the steps to get him into compliance? Keith stated, First, we would contact Ben Wood, Corp Council, to let him know that Mr. Griswold is out of compliance in these areas, then we would put a court case together, then Ben would put it into court. The courts make the final decision as to what Mr. Griswold's punishment is. Anna Slaughter mentioned that they have gone to corporation council expressing junk. Then they went to Gary Ranum, Justin Johnson, Erik Heagle, Lynda Schweikert, there has been nothing done. Mr. Griswold has been forgiven and

motioned to dismiss on several cases. Nobody would help or pursue it. Anna stated that according to court documents there was an offer of settlement that he is not to be living on the property. Anna stated that he sure is living on the property, they see him every day. Lucas Finley is the individual that received the offer of settlement agreement from Mr. Griswold on the last case. Grant County's corporation council, Ben Wood, has told Anna to just leave him alone. The neighbors have called the Health Department and they have done nothing to help. Mr. Griswold admitted to Keith Lane that he is running a boat repair business which he doesn't have a license to operate, isn't following any junk ordinances, and living in the residence with no sanitation. He was given the option back when Lynda Schweikert was here, that she issued the option to let him pull the mobile home in which is now dilapidated. Now he has a second mobile home in there that he wants to connect the 2 together. He will no way get either one of the mobile homes to conform with the building codes. Adam Day stated that we have ordinances, and nuisance laws. Keith stated that the CSZD will start writing him tickets for sanitation, and then we get the health department involved, and the Sheriff's department. Anna mentioned that she has spoke with her township, Ron Sturdevant, to have the fence that is in the road right of way moved back so they don't have to look at that too. Joe Mumm asked if this were next to a county road and he puts a fence in the road right of way, who is going to enforce that? Nate Dreckman stated that it would probably be the township. This individual has a history of tying things up in court. Adam Day mentioned that these people as taxpayers and don't deserve to be neglected. Pat Schroeder asked how much money the county is going to allow to be used for corporate council fees to go after Mr. Griswold. Adam Day feels that 3 departments: health, sanitation and zoning and sheriff 's department should team together to find an approach to go after Mr. Griswold. Gary Northouse asked about getting the township involved as well. Keith now has direction to spend an unlimited amount of money to be used for the Griswold case. Brian Lucey would also like to get the township involved with this situation. Gary Ranum stated that the town of Muscoda has no ordinances. The town of Muscoda relies entirely on County zoning. They don't even have a comprehensive plan because of the fact that they were satisfied with county zoning and have always relied on the county zoning for enforcement.

Farmland Preservation Program

Brady reported that he has 1 Notice of Noncompliance. Moneypenny Farms LLC, Wingville Twp., have voluntarily opted out of the Farmland Preservation Program. They did not want to do the Nutrient management Plan and have decided not to participate in the program. Motion by Pat Schroeder, seconded by Adam Day to accept that Moneypenny Farms LLC have voluntary opted out of the farmland preservation program. Motion carried.

County Cost Sharing: Beginning Balance \$20,853.10/Ending Balance \$15,046.00

Brady presented final approval request for county cost sharing on a manure storage closure for Dallas & Dena Dietzel, Paris Twp., \$4,807.10. Motion by Adam Day, seconded by Gary Northouse to approve the payment request. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Brady presented tentative approval request for county cost sharing on a well decommissioning for Ryan & Rachel Collins, Watterstown Twp., \$1,000.00. Motion by Pat Schroeder, seconded by Mark Vosberg to approve the Collins's cost share request. Motion carried.

2024 DATCP Cost Sharing Requests: Beginning Balance \$50,876.75/Ending Balance \$50,876.75

Brady presented tentative approval request for 2024 DATCP cost sharing on a grade stabilization structure and waterways for Brooke & Jocelyn Grinde, Potosi Twp., \$13,500.00. Motion by Adam Day, seconded by Larry Jerrett to approve the cost share request for the Grinde's. Motion carried.

Storage Permit Approval

Brady stated that we had 1 permit approved back in April, which had expired on 9/25/2024. Erik Heagle had sent an email correspondence to Andy Score regarding Lydell Wegner's manure storage project. Erik had mentioned that the as-built plans were requested to be turned into our office and approved by our office prior to the initial use of the manure storage system. Brady received a message from Brady Vassen stating that as-builts

could not be submitted to us before the manure storage was in use. Brady Bartels was told that the manure storage facility was going to be in use immediately. The CSZD requires that the as-built plans be approved prior to use. MSA told Brady Bartels that the as-built plans would not be sent to him prior to use because the manure storage is gravity fed to the pit. In our ordinance it states that the counties manure storage waste ordinance 90.16 PERMIT CONDITIONS 4.) reads: Within 30 days after the completion of the construction of the Animal Waste Storage Facility and prior to the entrance of any animal waste into the facility, the plan developer, shall certify in writing “to the best of my professional knowledge judgement and belief, the installed practice meets NRCS standards (list standard numbers and titles”. Entrance of animal waste into the Animal Waste Storage structure prior to developer certification shall be a violation of the permit & of this ordinance. Adam Day mentioned that the ordinance states the word AND so there is no option they need to supply both supplying the as-builts 30 days after completion AND prior to the entrance of any animal waste into the facility. Brady Vassen stated that he can just send an email stating that everything meets standards and that is good enough. Our concerns are that if the as-builts come back and there are issues with it, that if it is not built to the NRCS standards there could be a cause of contamination which could be cause for pumping the whole thing out and making the landowner redo the whole project and would be a much larger cost to the landowner. Keith stated that the permit has been approved and is under construction currently. The CSZD wants the as-builts to be supplied post construction prior to use. Brady Bartels has spoke with the DATCP engineer who reviews these plans and approves the as-builts and she is not comfortable with approving the as-built plans after the facility has been used. Erik Heagle told MSA via an email correspondence back on April 18, 2024, that they have to submit as-built and they were completely OK with it. This is for information only to the CSZ committee.

CSZD Administrator Report

Meetings

- September 6, 2024 – Keith and Steve attended Value of grain crop rotation training at Lancaster Experimental Farm.
- September 9, 2024 – Keith went to La Crosse to get fingerprints and picture for his linc pass
- September 11, 2024 – Keith and Annette attended the Rock County Southern Area Tour in Janesville
- September 12, 2024 – Keith attended the Land Info meeting.
- September 24, 2024 – Keith, Steve & Brady met with DATCP in office to go over FPP
- September 25, 2024 – Brady attended a rock grading course in Dodgeville
- September 25, 2024 – Keith, Adam and Lucas reviewed the reclamation plan process at the Henry Quarry
- October 1-2-2024 – Keith attended Certified Soil Tester training in Prairie du Sac.

Information

- New county decals have been installed on 3 of the county vehicles.
- Zoning and Parcel map layers have been completed and are ready to submit to DATCP
- Allocate Existing Funds for Cell Phone Purchase – Phones have been purchased and received last week.

Continuous Improvement

- Steve has received his Federal Computer ID card
- Keith is moving forward to getting set up with the Federal Computer as well. He has submitted all his background check information.

NRCS Report: Mike Adams

Mike reported that they just had their fiscal year roll over.

November 1st is the EQIP Application deadline, they have been making phone calls and making site visits for those landowners that are interested in applying for a practice.

CSP renewals: October 18th is the ranking.

CRP: Ann with the Waterfowl Association has been doing the CRP spot checks for fiscal year 2025. She has them about done.

NRCS had done some outreach in October. They conducted the rainfall simulator down in the Sinsinawa Mound for a project for an outreach day. They had several different soil samples: a wooded setting, conventional tillage, no-till, alfalfa, forest, and a prairie setting. The convention till had the most water runoff and the water was dirty. The rainfall simulator is a little demonstration to get you to think about soil coverage like no-till and cover crops.

On Friday September 27th there was a grazing school at the Ag Research Station. There were 20-25 farmers there from all over the state.

FSA Report: Emily Schildgen

No Report

The next meeting is scheduled for November 7, 2024, at 9:00 a.m. in the County Board room.

Motion by Adam Day, seconded by Gary Northouse to adjourn the meeting. Motion carried.

Respectfully Submitted by Annette Lolwing for Mark Vosberg