

COMMITTEE MEETING

November 7, 2024

9:06 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 November 7, 2024, at 9:06 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, and Gary Northouse. Adam Day on Zoom. Others present in the County Board room; Annette Lolwing, Robert Keeney, Lucas Finley, Adam Reed, Keith Lane, Anna Slaughter, Nate Dreckman, Rick Zemlicka, James P. Marty, and Jasmine Wyant. Zoom: Grant County Board Room, Robert Keeney, Emily Schildgen, Herald, Wepking's, Rosanna Carroll, David, NLange, Tonya White, Klane, Pete Morris, Eric Stader, and 608-723-6277.

Certification of Open Meeting Law

Annette Lolwing sent the agenda to the County Clerk's office to post in the Administration Building, Courthouse, 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 the County Clerk's office, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

Approval of November 7, 2024, Agenda

Motion by Pat Schroeder, seconded by Larry Jerrett to approve the agenda. Motion carried.

Approval of the October 3, 2024, Minutes

Motion by Brian Lucey, seconded by Mark Vosberg to approve the October 3, 2024, minutes with a correction on page 2, 7th line up from the bottom to read Iowa Extension instead of WI Extension. Motion carried.

Review & Accept the Bills

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

Public Hearing for Rezones

Chairman Mumm opened the Public Hearing

RZ24-23 Acts 29 LLC, Harrison Twp., is requesting to change the zoning classification on PIN:020-00001-0010 +/- 27.65 ac. from FP to A2 to make the parcel conforming with the total land use.

In Favor: Harrison Twp. approved on September 17, 2024. Eric Stader.

In Opposition: None

In Interest: None

Committee Discussion: Brian Lucey asked why doesn't this qualify for FP? Lucas stated that the majority of the use is not agricultural use. Brian Lucey asked why that last month's rezone was not disqualified? Lucas stated that the majority of that parcel was over 50% agricultural use.

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

Public Hearing Conditional Use Permits

Chairman Mumm opened the Public Hearing

#CUP24-007 James P. Marty, Jamestown Twp., is requesting a Conditional Use Permit on PIN:026-00912-0000 of +/- 8.33 ac. to allow for an accessory structure before a principal structure is established under 3.07 (2)(a) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Jamestown Twp. approved on October 8, 2024. James P Marty.

In Opposition: None

In Interest: None

Committee Discussion: Brian Lucey asked how this parcel is currently zoned? Lucas stated it is zoned as A2. Gary Northouse asked if James was changing any of the zoning on the parcel? Lucas stated that no he is not. Gary asked why he needed to come to the committee with this? Lucas stated that James is putting up an accessory structure prior to a principal structure. Brian Lucey asked what the use of the structure will be? James replied that it will be used for cold storage.

Chairman Mumm closed the Public Hearing.

Motion by Gary Northouse to recommend approval of the Conditional Use Permit, seconded by Mark Vosberg. Motion carried.

Zoning/Sanitation Report

Annette presented the Zoning/Sanitation report.

Sanitation permits: January 1st, 2023, to October 31st, 2023 – there were 104 sanitary permits issued. January 1st, 2024, to October 31st, 2024, we have issued 114 sanitary permits. Just in the month of October 2023 we had 21 sanitary permits issued, in October 2024, we had 15 sanitary permits issued.

Zoning permits: January 1st, 2023, to October 31st, 2023, there were 277 zoning permits issued. January 1st, 2024, to October 31st, 2024, we have 231 zoning permits issued, In the month of October 2023, we had 30 zoning permits issued, and in October 2024 we had 29 zoning permits issued.

Annette reported that the Zoning and Sanitation report that is handed out every month 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.

Upper Sugar River Watershed Cooperative Agreement for Calendar Year 2025 – Jasmine Wyant

Jasmine Wyant gave a brief presentation of the what the Upper Sugar River Watershed has done for Grant County in 2024. Upper Sugar River Watershed is a nonprofit organization. Jasmine works on outreach and education of the invasive species in Grant County. Jasmine works in a total of 6 counties in Wisconsin. Jasmine mentioned that each county receives funding to do aquatic invasive species outreach and education. It is usually not a large sum of money, between 8,000 to 10,000 on average per county. With pooling all the grant funding together the counties are able to keep Jasmine on as a full-time employee. Jasmine works a lot with the local bait shops. Jasmine also monitors the actual location of the water bodies, such as the boat landings along the Mississippi. One of the larger portions of her job is the monitoring and recording the invasive species populations. Grant County is looking to add invasive species bio control program (beetle populations) as a part of the cooperating agreement. A program that Upper Sugar River assisted with in 2024 is called a snapshot day. This is a statewide program that occurs in different localities throughout the state. It is one Saturday in August, is a day of learning and exploring with volunteers that show up for the one event. In 2024, they went out to the Mississippi River near Cassville where they teach the volunteers how to identify the species of concern. There were 3 species that they did not have on record being present down by Cassville: Fresh Water Golden Clam, The Curly Leaf Pond Weed was also found, and the Mystery Snails. They did see some Native Mussels, The Giant Water Bug, and a Large Leach. The exotic pet surrender is a grant funded program that allows people to surrender an exotic pet with no questions asked. In 2025, they would like to focus on the water foul hunters.

They also can spread invasive species. Pat Schroeder approved the signing of the Upper Sugar River Watershed Cooperative Agreement for Calendar Year 2025, seconded by Mark Vosberg. Motion carried.

Approval of the NACD Dues

Keith mentioned that last year the CSZD paid \$100.00 for the NACD Dues. The \$100.00 are in the 2025 budget and will be paid.

Discussion on Rewording the Farmland Preservation Zoning District

Keith was asked to research how other counties in our area and of the state are doing qualifications for farmland preservation zoning districts. Ours is 50% or greater of the property is used for ag use which as we found out the definition is fairly vague. In 2017, we went away from the 35-acre minimum that was in our ordinance. Basically, if you met the 35 acres there were no other questions asked. The reason that they went below the 35 acres in the surrounding counties is that a lot of the acreage is that by meats and bounds. So, it was like 38 acres instead of a full 40-acre parcel. For 35 acres regardless, if there were any buildings on it, it was considered Ag use. If the acreage was any less than 35 acres they would have to go through proof of use. A suggestion that was brought forth was basically if you were under the 35-acre threshold, you will then be put out to the committee for approval to stay in farmland preservation or for the committee to move to an A2 or residential. Keith is open for ideas. We do need to think of the Amish that utilize smaller acreage for their living. The options that were handed out are options of what we would like changed and suggestions from the group as to what direction to pursue. Keith will be working with corporation council on this issue. Keith asked: do we want to improve our change that we have? do we want to set a minimum? are we looking to do a change in venue? as a committee, what are your thoughts? Once you are taken out of farmland preservation it is very difficult to reenroll back into farmland preservation. Really don't want to go through someone's personal income to see if they can financially make it. Bob Keeney mentioned that there should be more research done. Committee should not be selective in their decision making. Keith will be doing more research.

Set Up a Step Citation Fee System

Keith spoke with Tina at the Grant County Clerk of Court's office. At this time there are 3 tiers in place. We don't have anything past 3 citations. The things that a court system will look at is how many times has he been cited and how many times has an individual been in court and the results of that. Looking at ways that the CSZD can have a little bit more money involved, instead of \$220.00. Keith would like to see that after we get past the 3rd citation that there are more stronger fines. Keith will talk to Tina and Ben Wood to see what citation steps and costs can be established.

Wind & Solar Ordinance Discussion

Keith mentioned that we do have a Wind Ordinance in place. Keith has submitted solar & wind ordinances from different counties to the committee. If the County is looking to base anything off of the stormwater and erosion control ordinance it would basically lay out any construction based off of the state, of more than an acre you would get a stormwater permit through the state. They would also be required to get a permit for the county. By enforcing the permits, it would put a burden on the CSZD staff. For instance, if there was a farm lot going up and it has ground disturbance of over an acre they would come through and get a permit through the CSZD, making sure that they had met the state standards or erosion control necessary for meeting any of the state, DNR and the stormwater requirements. It would give our department access to the property if there were problems during the construction. If they weren't meeting their state requirements this also gives the department a venue to pull the local permit to have them meet conformity with the permits. It would give the department a little more say during construction. The permit would only be active during the construction. This ordinance would cover the whole county. Robert Keeney suggests that we should be educating the public. Keith stated that the Wind Ordinance is in place. If we were going to develop a stormwater ordinance, we would look at what level of enforcement we want. Keith should have more information to present at the December 5th meeting. Pat Schroeder doesn't want any of it presented unless the CSZD has the manpower in place to enforce the ordinances. Keith asked if he should still look at the stand-alone Solar Ordinance? Keith will continue to move

forward to get a Solar Ordinance in place to have it ready sitting on a shelf and to only work with what staff he has. Pete Morris suggested that Keith should revisit the Wind Ordinance since the last one was written in 2018.

Farmland Preservation Program

Keith has some Farmland Preservation updates. Steve has completed all of his Farmland Preservation Spot Checks. As of now we have 239 participants in farmland preservation. We have 92 with current NMP's, there is 92 that do not have current NMP's in place. For a total of 331 participants in farmland preservation program. Steve and Keith are asking for the NMP's to be completed prior to August.

County Cost Sharing: Beginning Balance \$15,046.00/Ending Balance \$10,067.75

Annette presented tentative approval request for county cost sharing on 4 well decommissionings; Joe Jewison, Platteville Twp., \$1,000.00 for well #1 and \$240.00 for well #2, Patrick Yelinek, Clifton Twp., \$640.00, and Kalleen Shaw, Mt. Ida Twp., \$132.00. Motion by Pat Schroeder, seconded by Mark Vosberg to approve all 4 well decommissioning cost share requests. Motion carried.

Annette presented final approval request for county cost sharing on a well decommissioning for Mike Nodolf, Lima Twp., \$516.25. Motion by Gary Northouse, seconded by Mark Vosberg to approve the payment request. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Annette presented final approval request for county cost sharing on a rye cover crop for Mark & Emilie Mumm, Bloomington Twp., \$450.00. Motion by Gary Northouse, seconded by Pat Schroeder to approve the payment request. Roll Call: 7 Yes, 0 No, 0 Absent. Motion carried.

Lazy M Farms, Liberty Twp. and Matt Berning, Jamestown Twp. rye cover crop payment requests have been tabled until the December meeting pending more information needed on how much rye was planted along with the multi species that they both had planted.

Possible Changes to the County Cover Crop Requirements

The committee will also review the County Cover Crop requirements at the December meeting.

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

None to Report

Storage Permit Approval

Keith reported last month that Lydell Wenger was granted an extension of his ag waste storage permit. Brady and Keith had asked the engineer for As-Built plans. Final As-Built plans were not submitted to our department. Landowner wanted to start using the facility prior to the final As-Built plans were submitted. Brady went out to the site and the facility was in use without the final As-Built plans being provided to the CSZD. Keith & Brady will be meeting on site Wednesday, November 13th to discuss when it was put into use. Our state engineer, Taylor will be on site, along with the MSA engineer. Keith will be in contact with Ben Wood, regarding what penalties we can place on the landowner. The MSA engineer was told by Erik Heagle, Keith Lane, and Brady Bartels that the CSZD needed the final As-Built plans in hand prior to using the facility.

CSZD Administrator Report

Keith gave an update regarding the landowner that was sited in Grant County for the damming of a stream, filling in a wetland, confining a stream through a pipe and changing of a stream course. Producer ran the tile at the spring head and ran the tile down through the stream body. The WI DNR Water Management Specialist issued them a notice of noncompliance and gave them 2 weeks to come up with a restoration plan for that. This will need to be an engineered plan. The producer will need to reestablish where the waterbody is supposed to be and to reestablish bed and banks, the material that was brought in will need to be removed. They will also need to reestablish the vegetation; this will not be a cheap process. The state will not be providing any engineering or

funding for the repairs. The CSZD will not be providing any funding or technical services for the reestablishment of this project. Grant County may oversee that the work is getting done to the approved designs and documenting the work being done.

Meetings

- October 1 - 2, 2024 – Keith attended Certified Soil Tester training in Prairie du Sac
- October 17 - 18, 2024 – Keith attended County Con Conference in Stevens Point
- October 23, 2024 – Brady met with DNR in the field for Wetland Complaint
- October 22, 2024 – Upper Sugar River Watershed Cooperative Meeting with Jasmine Wyant via Zoom.
- October 24, 2024 – Jim Bergles attended the WCCA Fall Conference. (WI County Code Association)
- October 28, 2024 – Keith, Brady, Steve, and Annette attended the SAA meeting in Madison
- October 30, 2024 – Keith attended a meeting for New County Conservationists in Madison

Information

- Keith received his federal linc pass
- FPP Plan update- approved
- FFP zoning data mapping layer approved
- Setting up an online tree sale to be active at this time next year.
- DNR review of floodplain and shoreland ordinances will force CSZ to update our policy which hasn't been updated since 2016. We have already started by working with LID on updating our floodplain and shoreland data layers.
- Short term overtime for Sanitation

Continuous Improvement

- Keith is taking the Nutrient Management Planning course at SW Tech
- Steve will be helping with the Nutrient Management Plan in conjunction with SW Tech

NRCS Report: Joe Mumm gave the report for Mike Adams

Joe reported that NRCS staff is out at Clark View Farms and Hullerman Farms for the annual "In Field Soil Health Assessment" review (done every spring and fall at these sites to log the Dynamic soil properties – Dynamic soil properties are the soil properties we CAN change with good or bad management).

Programs

- EQIP
 - o 22 cover crop payments made this fall – 1 more to make
 - 6,322.5 acres of cover crops applied through NRCS cost share in Grant County
 - Up over 2000 acres from 2023
 - o Over 90 EQIP applications for this sign up – deadline was November 1st.
 - Grazing, Cover crops, Forestry, Dams, etc.
- CSP & CRP
 - o CSP Payments – Grant/Iowa work unit - only work unit in the state with all CSP payments certified in Protracts.
 - o Not much else going on, main focus is EQIP
- HR / Personnel
 - o Bill Kletecka, Soil Conservationist is taking a 120-day detail to be "Acting Area Resource Conservationist" to fill in for Brian Hillers while he is on detail. Bill will spend some days in Richland Center, Dodgeville, Lancaster, and working remote. This detail starts November 17th.

Mike states that they are very busy but ready to tackle the workload in front of us.

FSA Report: Emily Schildgen

Emily reported that the fall crop reporting deadline is November 15th. This is for any seeded small grains, mostly wheat or rye that will be taken for forage or grain. They are asking producers to get their cover crops reported now to save some time in the spring when they are busy doing everything else. If something gets planted after November 15th producers are reminded that they have 15 days to get that reported after planting. Otherwise, it would be a late filing fee of \$46.00 spot check charge.

The other program that is going on right now is called the (ODMAP) Organic Dairy Market Assistance Program. There was a program in 2023 and have opened it up again for 2024. The deadline is for November 29th and is for organic dairy farmers to help offset the marketing and hirer feed costs that they have being organic. If producers that are certified organic, they would need their 2023 production as well as their organic certification for 2024. It pays up to 9 million pounds of milk based on 2023's numbers.

Reminder that the office will be closed on November 11th for Veterans Day.

Most other programs are on hold until we have a Farm Bill.

The next meeting is scheduled for December 5, 2024, at 9:00 a.m. in the County Board room.

Motion by Gary Northouse, seconded by Pat Schroeder to adjourn the meeting. Motion carried.

Respectfully Submitted by Annette Lolwing for Mark Vosberg

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 11/6/24 Landowner: Acts 29 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: 5.8 ac in prime farmland

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: This +/- 27.65 ac is planned to be used for residential/ < 50% ag use.

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

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

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

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

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

- 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: 5.8 ac in the rezone listed as prime.

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