

COMMITTEE MEETING

December 5, 2024

9:01 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 December 5, 2024, at 9:01 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 Adam Day. Gary Northouse, Excused. Others present in the County Board room; Annette Lolwing, Robert Keeney, Lucas Finley, Adam Reed, Keith Lane, Brady Bartels, Nate Dreckman, and Rick Post. Zoom: Robert Keeney, Emily Schildgen, Wepking's, Mike Adams, Marnee, CSZD Jim Bergles, and Tonya White.

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 December 5, 2024, Agenda

Motion by Brian Lucey, seconded by Pat Schroeder to approve the agenda. Motion carried.

Approval of the November 7, 2024, Minutes

Motion by Mark Vosberg, seconded by Brian Lucey to approve the November 7, 2024, minutes. Motion carried.

Review & Accept the Bills

Motion by Pat Schroeder, seconded by Mark Vosberg to accept the November bills. Motion carried.

Zoning/Sanitation Report

Keith presented the Zoning/Sanitation report.

Sanitation permits: There were 6 sanitary permits issued in November 2024 compared to 10 sanitary permits issued in November 2023.

Zoning permits: There were 17 zoning permits that were either completed or in process in November 2024, compared to the 21 zoning permits that were completed in November 2023.

No Board of Adjustments scheduled at this time.

Rick Post Permit Issues in Discussion

Keith stated that the CSZD was notified by Mr. Greg that there was a building being constructed with no permits posted. The CSZD staff went to the site to do an investigation and finding out that there were no permits on record. Rick Post was issued a stop work order on Thursday, November 14th. Rick has asked to address his issue to the committee and other outstanding issues. Rick Post was in attendance and is asking the

committee for a special exemption without the variance for WI Statute 60.62. Rick did issue a response letter. In that letter he stated that he did plan to use his lean-to for storage, then realized that he was going to run out of room, so he just expanded the building. He never even thought about getting a permit for the structure. Rick had started the construction when the complaint came in. Adam Reed, zoning technician, measured the setback of the structure to the center of the road which did not meet the required set back provisions. The structure is 7 feet encroaching into the highway easement. Rick paid his \$100.00 permit fee times 5 equaling the \$500.00 permit fee. Lucas Finley, zoning technician, stated that the only wording in the ordinance is approved by the Board of Adjustments and not by the committee. Lucas stepped through the process of applying for a variance. Rick would need to fill out the application and take it to the Town Board for their recommendation of approval or denial. Then submit the application to our office so we can get our Board of Adjustment meeting scheduled and prepare all the documentation for it. The Board of Adjustment would make the final decision of approval or denial of the variance request if it would meet all 3 criteria or not. Keith informed Rick that he would need to file for a variance with the Board of Adjustment.

Public Hearing for Rezones

Chairman Mumm opened the Public Hearing

RZ24-24 Vesperman Doris Family Trust Dated 3/30/2009, South Lancaster Twp., are requesting to change the zoning classification on PIN:056-00785-0000 (pt.) +/- 2.00 ac. from FP to A2 for a new home and overall land use of less than 50% agriculture.

In Favor: South Lancaster Twp. approved on November 13, 2024.

In Opposition: None

In Interest: None

Committee Discussion: Brain Lucey asked about the location of the driveway. Lucas stated that the driveway location is the responsibility of the Township.

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 Adam Day.

Motion carried. See Attachment A Worksheet.

Chairman Mumm opened the Public Hearing

RZ24-25 Lisa A. Womack, Lima Twp., is requesting to change the zoning classification on PIN:030-00450-000 +/- 1.0 ac. from A2 to R3 for the existing home to meet setbacks.

In Favor: Lima Twp. approved on November 13, 2024.

In Opposition: None

In Interest: The current residence is 8 feet from the East Property line which is shown on a recent survey. By rezoning to residential 3 would make it conforming to the side yard setback.

Committee Discussion: Pat stated that the property line to the east, looks to be too close to the shed to the north of the residence. According to the current survey the shed does meet the current setbacks. Adam Day has a concern that one or the other residence is going to be nonconforming, as those 2 sheds are very close to one another. Zack Womack will own the property to the east consisting of the residence and the shed. Lucas stated that the survey did show that they are meeting the 5-foot setback. The Womack's lawyer or real estate agent brought this building setback to their attention regarding the nonconformity of setbacks.

Chairman Mumm closed the Public Hearing.

Motion by Adam Day to recommend approval of the rezone request for Lisa A Womack to the full County Board, seconded by Brain Lucey. Motion carried.

Approval of 2024 WDACP Commodity Prices

Greg Cerven presented the 2024 crop prices for the deer damage program. Corn price in 2023 was \$4.56/bu., corn price for 2024 is \$3.85/bu., soybean price in 2023 was \$12.53/bu., soybean price for 2024 is \$9.68/bu., alfalfa hay price in 2023 was \$210/ton, alfalfa hay price in 2024 is \$170/ton, organic corn price in 2023 was \$9.25/bu., organic corn price in 2024 is \$6.31/bu., organic hay in 2023 was \$255/ton, organic hay in 2024 is

\$255/ton. Motion by Pat Schroeder, seconded by Mark Vosberg to approve all the 2024 crop prices for the WDACP. Motion carried.

Approval of the 2024 WDACP 80% Harvest Date

Greg Cerven asked the committee to set the 80%, 2024 crop harvest date. Adam Day made the motion to set November 24, 2024, as the 80% crop harvest date, seconded by Brian Lucey. Motion carried.

Keith mentioned that the Fennimore Butcher Shop has taken in 45 deer for the Deer Donation Program.

Discussion on Rewording the Farmland Preservation Zoning District

Keith mentioned that everyone has had a month to think about the rewording of the Farmland Preservation Zoning District. Keith stated that they talked about having a minimum of 5-acre and greater parcel for a Farmland Preservation Zoning District. This will be added to our ordinance. It was the consensus of the committee to go with the minimum of a 5-acre and greater parcel for FP zoning district.

Discussion on Definition of a Residence

Keith supplied the committee with the page out of the ordinance of the definition of a FARM RESIDENCE. Compared to other Counties and DATCP, this farm residence definition is very comparable. Motion by Pat Schroeder, seconded by Adam Day to leave the definition of a Farm Residence as is with no changes. Motion carried. See attached sheet.

County Cost Sharing: Beginning Balance \$12,067.75/Ending Balance \$8,067.75

Brady presented final approval request for county cost sharing on a well decommissioning for Ben Quick, Wyalusing Twp., \$1,000.00. Motion by Adam Day, seconded by Mark Vosberg to approve the payment request. Roll Call: 6 Yes, 0 No, 1 Excused. Motion carried.

Brady presented final approval request for county cost sharing on a rye cover crop, 1st year, for Matt Berning, Jamestown Twp., \$1000.00. They did not plant rye to 1.5 bushels per acre per the county standard, they planted 1 bushel per acre. Motion by Mark Vosberg, seconded by Pat Schroeder to approve the payment, as the intent of seeding a cover crop with multi species is a good practice. Roll Call: 6 Yes, 0 No, 1 Excused. Motion carried.

Brady presented final approval request for county cost sharing on a rye cover crop, 1st year, for Lazy M Farms, Liberty Twp., \$1,000.00. They did not plant rye to 1.5 bushels per acre per the county standard, they planted 1 bushel per acre. Motion by Pat Schroeder, seconded by Larry Jerrett to approve the payment, as the intent of seeding a cover crop with multi species is a good practice. Roll Call: 6 Yes, 0 No, 1 Excused. Motion Carried.

Brady presented tentative approval for county cost sharing on a well decommissioning for Casey and Carrie Kersteins, Ellenboro Twp., \$1,000.00. Motion by Adam Day, seconded by Larry Jerrett to approve Kerstein'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 for Steve & Karen Wiencek, Millville Twp., \$13,500.00 for streambank protection. Motion by Pat Schroeder, seconded by Adam Day to approve the Wiencek's cost share request. Motion carried.

Brady presented tentative approval request for 2024 DATCP cost sharing for Vosberg Irrevocable Trust, Jamestown Twp., \$7,811.73 for stream crossing and fencing. Motion by Adam Day, seconded by Mark Vosberg to approve the Vosberg's cost share request. Motion carried.

Brady presented tentative approval request for 2024 DATCP cost sharing for Karen Yelinek, Clifton Twp., \$9,500.00 for grassed waterways. Motion by Pat Schroeder, seconded by Adam Day to approve the Yelinek's cost share request. Motion carried.

Brady presented tentative approval request for 2024 DATCP cost sharing for Tim Adams, Beetown & South Lancaster, Twp., \$6,565.02 for grassed waterways. Motion by Mark Vosberg, seconded by Larry Jerrett to approve the Adam's cost share request. Motion carried.

Possible Changes to the County Cover Crop Requirements

Brady brought up the possibility of making some changes to the county cover crop requirements. He would like to see it follow more of the NRCS standards by only planting 1 bushel of rye per acre. Keith stated that if NRCS would change their cover crop standards we would also change our cover crop requirements. Brady asked if we should leave the cost share payment at 50% up to \$1,000.00 or should we adjust the cost share payment? NRCS pays a per acre rate. Keith mentioned that CSZD will mirror NRCS standards but will wait on the cost share rates. The cost share rate and the deadline date to sign up for the program will be tabled to another meeting. Adam Day made a motion to follow the NRCS Standards for the 1 bushel of rye only per acre and table the discussion for the deadline date to sign up for the program and payment reimbursement, seconded by Brian Lucey. Motion carried.

Storage Permit Approval

Brady gave an update on the Lyell Wenger ag waste storage facility permit. They had an onsite visit with the landowner, engineer, Brady, and Keith. They used this visit as a learning session for all involved. Temporary fencing is in place. Safety signs have also been installed. Everything else has been installed and approved. Just waiting to get the permanent fencing done. Also waiting on the 70% of ground disturbance. MSA supplied the CSZD a copy of all the inspection reports for our records.

CSZD Administrator Report

Meetings

- November 8th, 15th, & 29th, 2024 – Keith has completed his Farmer Written Nutrient Management Plan Course at Southwest Tech. He wrote the NMP for his farm. Steve and Brady will be assisting with the class at Southwest Tech.
- November 15th, 2024 – Brady attended the Karst Geology in Southwest WI Training Session

Information

None to Report

Continuous Improvement

- Catalis – Continuing to work on this. Possibly bringing in for production in January/February.

NRCS Report: Mike Adams

Mike Adams reported on NRCS updates.

- EQUIP
 - NRCS has approximately 95 to 100 EQUIP applications, this is up 30-40 applications from last year.
 - Bill Kletecka is acting as an ARC at the area office for the next 100 days.
 - County cost share thoughts that Mike mentioned that grazing and conservation crop rotations – adding small grains to a rotation. These are 2 practices the NRCS offers.

FSA Report: Emily Schildgen

Emily reported that the (ODMAP) Organic Dairy Market Assistance Program was to officially close on November 29th. They have now extended the deadline to sign up to December 13th.

Emily reported that the cover crop is technically an FSA program. The Wisconsin Department of Agriculture Trade and Consumer Protection (DATCP) just announce this week that they are doing their cover crop program again for 2024/2025. This is around the 4th year that DATCP has offered this. This is funding on a first come first served basis for a \$5.00 credit to their crop insurance for next year. FSA comes into play because producers need a copy of their 578-crop report summary. Producers are still able to stop in to certify their cover crops. DATCP's press release is only for those producers that have not received funding through the federal or state cost share funding. EQIP people would not be eligible for that funding. DATCP will be taking applications until the money is exhausted or until January 31st.

Emily also mentioned that FSA is collocated with the Farm Loan in the same office in Lancaster. We have a Farm Loan team here in Lancaster and they just posted a position for a loan analyst. Tammy Reynolds is the supervisor for the Farm Loan. This position closes on December 19th.

The next meeting is scheduled for January 2, 2025, at 9:00 a.m. in the County Board room.

Motion by Adam Day, seconded by Mark Vosberg 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: 12/4/24 Landowner: Vesperman Doris Family Trust Dated: 3/30/2009

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: 0 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 ± 2.00 ac is planned to be used for a new home.

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: 0 ac in the rezone listed as prime

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

- (8) **FARMLAND PRESERVATION AGREEMENT:** Any of the following agreements between an owner of land and the DATCP under which the owner agrees to restrict the use of land in return for tax credits:
- (a) A farmland preservation agreement, or transition area agreement entered into under s. 91.13, 2007, or s. 91.14, 2007 Wis. Stats.
 - (b) An agreement entered into under s. 91.60(1), Wis. Stats.
- (9) **FARMLAND PRESERVATION AREA:** An area that is planned primarily for agricultural use, or agriculture-related use, or both, and that is one of the following:
- (a) Identified as an agricultural preservation area, or transition area in a farmland preservation plan described in s. 91.12(1), Wis. Stats.
 - (b) Identified under s. 91.10(1) (d) in a farmland preservation plan described in s. 91.12(2), Wis. Stats.
- (10) **FARMLAND PRESERVATION PLAN:** A plan for the preservation of farmland in a county, including an agricultural preservation plan under sub ch. IV of ch. 91, 2007 Wis. Stats.
- (11) **FARM RESIDENCE:** Any of the following structures located on a farm:
- (a) A single-family residence that is the only residential structure on the farm.
 - (b) A single-family residence that is occupied by any of the following:
 - 1 - An owner, or operator of the farm
 - 2 - A parent, or child of an owner, or operator of the farm
 - 3 - An individual who earns > 50 percent of his, or her gross income from the farm
 - (c) A migrant labor camp that is certified under s. 103.92 Wis. Stats.
- (12) **GROSS FARM REVENUE:** Gross receipts from agricultural uses, less the cost, or other basis of livestock, or other agricultural items purchased for resale which are sold, or otherwise disposed of during the taxable year.
- (a) Gross farm revenue includes receipts accruing to a renter, but does not include rent paid to the land owner.
- (13) **LIVESTOCK:** Includes the following: bovine animals, equine animals, goats, poultry, sheep, swine, farm-raised deer, farm-raised game birds, camelids, ratites and farm-raised fish.
- (14) **NONFARM RESIDENCE:** A single family, or multi family residence other than a farm residence.
- (15) **NONFARM RESIDENTIAL ACREAGE:** The total number of acres, of all parcels on which nonfarm residences are located.
- (16) **OWNER:** A person who has an ownership interest in land.
- (17) **OPEN SPACE PARCEL:** A parcel on which no buildings, other than hunting blinds, or small sheds, have been constructed, or approved for construction.
- (18) **PERSON:** An individual, corporation, partnership, limited liability company (LLC), trust, estate, or other legal entity.
- (19) **PERMITTED USE:** A use that is allowed without a conditional use permit, special exception, or other special zoning permission.
- (20) **PRIME FARMLAND:** Includes all of the following:
- (a) An area with a class I, or class II land capability classification as identified by the Natural Resources Conservation Service of the United States Department of Agriculture.
 - (b) Land, other than land described in par (a), which is identified as prime farmland in the county's certified Farmland Preservation Plan.
- (21) **PRIOR NONCONFORMING USE:** A land use that does not comply with the Farmland Preservation Zoning Ordinance, but which lawfully existed prior to the application of this Ordinance.