

# Lafayette County Conservation and Zoning Office



1900 Ervin Johnson Drive  
Darlington, WI 53530-9271  
Phone: (608) 776-3836

\* These minutes are subject to the approval of the Land Conservation Committee on 6/7/2016 \*

## MINUTES MEETING OF THE LAND CONSERVATION COMMITTEE USDA AG CENTER CONFERENCE ROOM (moved to Town Bank Meeting Room) Tuesday, May 3, 2016 at 9:30 a.m.

The meeting was called to order at 9:35 a.m. by Chairman Leon Wolfe. Others present: Bahr, Bartels, James, Marion, Sauer, Wang, Bartz, Lange, Loeffelholz, and N. Larson Others present listed on attached sign-in sheet.

Excused: Hammer

Larson stated that the agenda and amended agenda were posted in the USDA Service Center, by the County Clerk's Office, the Darlington Municipal Building, the Darlington Post Office, on the Lafayette County Webpage; and was sent to the press, WEKZ, the DNR, and DATCP. Changes: Item # 5 should read election of LCC Secretary-Discussion and possible action. (The LCC chair has already been appointed.) Move items #17 and 18 up to item #6. Chairman Wolfe stated that the agendas were properly posted. Motion by James and second by Bartels to approve the agenda as modified. Motion carried.

Wolfe made a note of clarification to the group. The Livestock Licensing Ordinance was acted on at the last meeting and was sent to the County Board for the first reading.

Motion made by James and second by Bartels to approve the minutes of the 4/5/16 as printed, and to approve the 4/18/16 LCC Meetings as amended to remove the County Board Chair from the list of attendees. Motion carried.

**Election of LCC Secretary:** Ed James is the current Secretary. Motion by Marion and second by Bahr to elect Ed James Secretary. Motion carried.

**Livestock Licensing Ordinance:** Wolfe began with an apology for letting the April meeting get out of order in regard to personal attacks. He also asked for introductions. He also stated that the Livestock Licensing Ordinance was developed from a DATCP template. On page 4, Section 4 the May 1, 2006 date will be changed to the effective date; probably following the May County Board meeting. The ordinance will affect a current system that is substantially altered (increased > than 20%). An animal unit (a.u.) is 1,000 lbs. This is an average beef, a Holstein = approx. 1.4 a.u. The Ordinance affects only operations of over 750 animal units. Any operation over 1,000 a.u. is regulated by the State.

- Ruppert asked if this is county-wide. It is, and it does not have to be passed by the Townships. If a township adopts 500 a.u., they would need to regulate that. The State does not allow regulation below 500 a.u., and if the ordinance passes, the County would regulate between 750 to 1,000. Above 1,000 au. is regulated by the State.
- This ordinance does not regulate pre-existing operation, unless there is a 20%+ increase in size.
- Approvals are done by the Zoning Manager. The fee is a one-time \$750.

# Lafayette County Conservation and Zoning Office



1900 Ervin Johnson Drive  
Darlington, WI 53530-9271  
Phone: (608) 776-3836

- Setbacks were based on the model ordinance.

## **Property Lines:**

**Livestock structures**, excluding waste storage, must be a minimum of 100 ft. from the property line if under 1,000 au.; and 200 ft. if more than 1,000 au. ( These setbacks do not include the use or expansion of a structure existing prior to the date of the ordinance, except that it may not be expanded closer to the property line.)

**Public Road right-of-way**, excluding waste storage structures, livestock structures must be located a minimum of 100 ft. from public road right-of-way if < 1,000 au, and 150 ft. if >1,000 au. . (These setbacks do not include the use or expansion of a structure existing prior to the date of the ordinance, except that it may not be expanded closer to the road right-of-way.)

**Waste Storage structures** must be a minimum of 350' from a property line and a minimum of 350' from the nearest point of any public road right-of-way. A single new waste storage structure may be constructed closer to the Property line or public road if a new structure is:

Located on the same tax parcel as a waste storage structure in existence before enactment of the Ordinance.

No larger than the existing structure.

No further than 50 ft. from the existing structure.

No closer to the road or property line than the existing structure.

The setback requirement does not apply to existing waste storage structures, except that an existing structure with 350 ft. of a property line or road may not expand toward that property line or road.

Wedig – Would prefer it not be referred to as waste. It is waste to the animal only. Use possibly by-product or co-product. Loeffelholz said he would pass that on to DATCP.

**Permit fee** will be a one-time \$750.

**Related Livestock Facilities:** Owned, operated, and shared are the same land, not separate. See Page 2 definition O of the Ordinance. Kamps asked about a purchased facility. If you buy, but don't expand it is not an expansion.

Conservation will not just be counting cows. The general rule is activity. If there is a complaint, we would have discussion before coming on the property.

**License Fee:** The facility is licensed, not the farmer.

Wedig asked if this is the first step to control hauling. Loeffelholz stated that the Manure Storage Ordinance has the times and regulations for that. They are 2 separate ordinances. Wolfe stated that the committee has no further plans for that. It was recommended that they get community input if they do so.

It was commented that Unzoned townships are a foot in the door for large facilities. Loeffelholz commented that the Licensing Ordinance is county-wide. Wolfe added that if we have no regulations and no rules what will come in; and how will it affect our water quality and soils. Carpenter stated that the large facilities are regulated as CAFO's. The ordinance will only be medium-sized facilities.

# Lafayette County Conservation and Zoning Office



1900 Ervin Johnson Drive  
Darlington, WI 53530-9271  
Phone: (608) 776-3836

Kamps said that the County Board meeting is May 17, and she would like to have some input. Sauer stated that the rule is that you may speak on any issue, but you must contact your District Supervisor at least 24 hours ahead (This may be by phone, or in writing.) It must be your County Supervisor, and they need to contact the County Board Chair to place you on at Public Comment, or as an item. ("As an item" is preferred.)

Carpenter asked who had drafted the Ordinance. Loeffelholz typed it using the DATCP template and the numbers decided by the LCC. It was also reviewed by Corporate Counsel.

Marion commented on the Manure Storage Ordinance. She wants to protect the waters we have here. She would like to have a discussion with the group regarding managing water issues through the Manure Storage Ordinance. Large dairies often lease spreading acres, and she would like to discuss seeing the leases. She is open to ideas. The ordinance is now for facilities over 5,000 cubic ft. of storage. Wolfe stated we are looking for input from farmers. Bartels said he understands that farmers have concerns. He would invite them to comment and to attend the meetings.

**Public Comment:** No other.

## **Field Staff & Department Head Report:**

Loeffelholz reported for Brandt who is on field visits. He is working on a Stilwell Crossing, Wilson Pond, and Montgomery Storage. We had 300 extra trees, 5 different species.

Lange referenced his Tech report. He had helped with Soils Judging for 138 students from 10 different schools. The contest was held just East of the Mound. The pits were dug with a backhoe on DNR land. Winners were: Team-River Ridge. Individuals-first & second from River Ridge, 3<sup>rd</sup> from Cuba City.

NMFE Grant is for 5 farmers for Nutrient Management plans and grant for soil samples.

CREP – 6 new contracts, 2 were sent back for ownership issues.

Lange also spoke with Mark Kieler. He would like a statement in the minutes regarding his water test. The Committee would like to see a copy of the results.

**USDA Programs:** Bartz reported that approximately 200 5<sup>th</sup> Graders from Lafayette County attended Earth Day at Woodford Park. They have received thank you letters from Cuba City. There are 12 stations presented by the Sportsman's clubs, DNR, Forestry, LCD, and NRCS.

They are also working on:

19 EQIP Contracts funded

Training sessions

SW Area Review is next week.

40 CSP applications – Tied for the most in the State.

New phones – They still have the same number. The system has been out once already. We can't transfer calls interoffice.

**Other Agency Reports:** None

**Voluntary Notice of Non-Compliance:** None

# Lafayette County Conservation and Zoning Office



1900 Ervin Johnson Drive  
Darlington, WI 53530-9271  
Phone: (608) 776-3836

**Pre-Approval letter for phone bills:** Motion by Bartels and second by Wang to sign the pre-approval letter for phone bills, and to send it on to Finance. Motion carried.

**LCD Phone System Discussion:** We are still on the old phone system, but our new phones are on order. They will come back to put it in. The USDA phones that we have will have to be returned to them.

**Conservation Award Nominees for Dairy Breakfast:** We had previously discussed some nominees. Wolfe asked about Russell's Grain Farm. Loeffelholz stated that they had declined in December. Also recommended Dan Shelliam, Jeff & Mary Moore, Bumble Bee Dairy-Busch, Mark & Steve Rygh, Steve Carpenter. or Gayle and Steve Monson. Marion asked if there were any Amish, but they will not accept recognition. Staff will review the nominations. The Dairy Breakfast will be Saturday, June 11 at the Gaylord Schultz farm. Awards are given out at 9:00 a.m.

**LCC Representative to the Southern Area Association:** David Hammer is the current President. Larson is the appointed Secretary/Treasurer. Motion to name Hammer as the SAA Representative, with Wolfe as the Alternate. The next meeting will have training for new LCC members. Marion will be attending, but driving on her own. Bahr will let us know.

**WI Land & Water Conference Report:** James said he learned a lot in the Cover Crops session. Wolfe stated there were many good sessions. Some were very technical. The conference was held at Elk Hart Lake in March.

**SAA Training for LCC Members:** This will be held at the SAA Spring meeting on May 4, 2016 in Fitchburg.

**Plastics Update:** Delta has 1400 additional, iron collection bins available. If you know someone with interest, please have them call UWEX. One comment, they need bigger units.

**In Correspondence:** The SAA Tour will be held in Iowa County on Wednesday, June 22. Registration needs to be paid by June 1. Those attending: Wolfe, Bartels, Bahr, Marion, Wang, Loeffelholz, Brandt, and Larson. We will leave at 8:00 a.m.

**Approval of Vouchers:** The Committee reviewed the vouchers. Motion by Bartels and second by James to approve the vouchers. Motion carried.

**Future Agenda Items:** Animal Waste Storage

The next meeting of the LCC will be June 7, 2016 at 9:30 a.m.

Motion by James and second by Bartels to adjourn the meeting at 11:50 a.m. Motion carried.

**Lafayette County Conservation and Zoning Office**



1900 Ervin Johnson Drive  
Darlington, WI 53530-9271  
Phone: (608) 776-3836

Recorded By

Nikki Larson  
For Leon Wolfe  
LCC Secretary

APPROVAL OF MEETING MINUTES

---

---

---

---

---

---

---

---

---

---

---

---