

**MINUTES**

**Clark County Land Conservation Committee**

**Tuesday, June 25<sup>th</sup>, 2019, 9:30 am**

**Clark County Courthouse, Auditorium**

Committee Members Present: Don Koerner, Martin Nigon – FSA, Chairman Fritz Garbisch, Bryce Luchterhand, Dan Clough (arrived at 10:35 a.m.) A quorum of the Committee was present.

Committee Members Absent: None

Others Present: Jake Brunette, Corporate Counsel, Jim Arch – County Conservationist, Sheri Denowski - Conservation Engineer, Amanda Kasparek - Conservation Agronomist, Fred Subke - LCD Intern, Shirley Iwanski - Program Assistant.

Fritz G. called the meeting to order at 9:30 a.m.

Review of the minutes of previous LCC meetings.

- a. Don K. made the motion to approve the minutes of the May 7<sup>th</sup>, 2019 meeting as presented. Seconded by Marty N. All Ayes. Motion carried.

Review of vouchers.

- a) Committee reviewed the vouchers for May 2019. Bryce L. made the motion to approve the May vouchers as presented. Seconded by Don K. All ayes. Motion carried.

**1. USDA Agency Reports**

- a. **FSA** - Marty N. provided a written FSA report to the committee.
  - i. The Dairy Margin Coverage Program enrollment began on June 17.
  - ii. Marty reported approximately 80% winter kill on alfalfa and mixed forage.
  - iii. Due to historical flooding, the US will most likely have an unprecedented amount of prevented planting under Federal Crop Insurance.
- b. **NRCS** - Jane Reigel has retired. No report from NRCS.

**2. Animal Manure Management Ordinance (AMMO)**

- a. Fritz felt the new ordinance is not farmer friendly.
- b. Jake mentioned it would not be a good idea to try to include statutes in the ordinance due to the fact that each time a statute is changed, the AMMO would need to be changed as well. In addition, including the statutes would add 180+ pages to the AMMO. Amanda said that on the LCD website she can create links to the statutes referenced in the AMMO to allow those reading the AMMO

to go directly to the statute. Sheri said we can also give people a printed copy if they request one in the LCD office.

- c. Bryce felt the new ordinance is more inclusive and comprehensive. Such as, it now covers leachate storage, transfer systems, etc.
- d. Sheri mentioned setbacks have changed in the new ordinance.
- e. Jake said if the committee accepts the ordinance the committee must make a motion to approve the ordinance, then publish a class two notice and hold a public hearing. The hearing can be prior to the county board meeting. The county board must then have two readings before they can then approve the ordinance.
- f. Jake stated this ordinance would be a new chapter, chapter 13 and the AMMO portion of chapter 12 will need to be rescinded.
- g. Bryce L. made a motion to approve the new ordinance as printed, seconded by Don K., All Ayes. Motion carried.
- h. Jake said the notice of public hearing must be published 30 days prior to the hearing. He suggested the hearing be just before the August County Board meeting.
- i. Jake mentioned the fee schedule will not be part of the new ordinance in order for fees to be changed, if necessary, without updating the ordinance. Sheri looked at hours spent on permits to determine fees. Sheri asked, “What is the interest rate for the NMP late fee?” Jake said typically 12% annually. Jake advised that the committee/department must be willing to follow through with late fees, even if it means going to court or the Department of Revenue in order to collect.
- j. Bryce L. felt if public hearings are going to be published, they should be published in all the county papers. Bryce made a motion to advertise in all county papers, seconded by Marty N. All Ayes. Motion carried.
- k. Bryce L. made a motion to adopt fee schedule #1 which includes a per animal unit fee, along with late fees and accruing interest, seconded by Marty N. All Ayes. Motion carried.

### **3. LWRM Plan**

- a. Committee reviewed the LWRM plan draft.
- b. On page 13, Bryce L. felt that the sentence “Clark County so far hasn’t quite experienced the damaging rain ~~~ etc.” is speculative. He would replace that sentence with “Increased frequency of flash rain events is anticipated for Clark County in future years.”
- c. Page 55, Bryce suggested to remove the sentence beginning with “Visitors may drive five hours one way ~~” etc.

- d. Page 60, Bryce would like to see the sentence beginning with “Landowners need to be aware that you may not only be polluting~~”etc. and change to “Landowners need to be aware of possible pollution of ground water and resulting health and legal consequences.”
- e. Page 78. Bryce suggested to remove the sentence beginning with “While not at the pace that it was occurring ~~” etc.
- f. Page 92. Bryce recommended the Acronyms define TDML, which is mentioned on page 8.
- g. Jim said that the Technical Advisory Committee (TAC) and the Citizen Advisory Committee (CAC) will be reviewing the LWRM plan draft in July. Then the LCC can look at it again at the July LCC meeting after getting the TAC and CAC feedback. It would then need to go to a public hearing, possibly immediately prior to the August County Board meeting. Sheri will check with Jake if it is permissible to hold two public hearings at the same time.

#### **4. Large Scale TRM grant**

- a. Jim provided a map of the demo farm to the committee. He stated corn was planted on June 4<sup>th</sup>. Interseeding will be done in the next week or two. Jim mentioned the plan was to interseed rye on the second plot, drilled rye on the third plot and broadcast rye on the fourth. Next year the plan is to plant soybeans, with the cover crop killed in different ways on each plot. The third year Jim would like to see wheat planted, but the farmer will most likely want to plant corn silage again.
- b. Jim and Fred put the new sign up at the demo farm.
- c. A cover crop field day was held on June 19<sup>th</sup> at the demo farm, which was well attended. Jim would like another field day in August and again in late September or early October. The grant mandates at least three field days per year.

#### **5. Sportsman Lake**

- a. Pier repair
  - i. Jim provided a picture of the damaged pier at Sportsman Lake. He said one section of pier is mounted on poles and the other section is floating. Jim asked for opinions on how to fix the pier.
  - ii. Dan C. mentioned that in many cases, there is a steel plate attached to one section, which bridges the gap between two sections. The other option would be to have everything floating or everything fixed. Jim thought the best choice would be to make the entire pier floating. Fritz suggested Jim look into both the floating and fixed options and Jim should decide which would be the best way to proceed.

## **6. Land Conservation Department Reports/Updates**

- a. Department trucks
  - i. Jim reported the new truck for Sheri should be in within the next week or two. The old 2003 Chevy has 127,000+ miles, is a manual and is rusted. Jim asked the committee if we should ask \$2,000 for the old truck. Bryce suggested Jim look at the blue book value.
  - ii. Jim reported the 2011 Dodge has rusted rocker panels and when he checked last year, it would cost approximately \$2,400 to replace the rocker panels. The truck has 68,000 miles on it. Fritz said if it can be repaired for \$2,500 or less, go ahead and make repairs.
  - iii. Jim said he has purchased cards from the car wash in order to keep the trucks clean.
  
- b. Farmland Preservation Plan (FPP)
  - i. Amanda reported she will begin doing FPP inspections soon.
  - ii. Amanda has submitted to DATCP to amend the FPP to include Reseburg and Mead townships. She received about 30 signature of those interested in joining the FPP.
  
- c. WLWCA
  - i. The West Central WLWCA area summer tour was held on June 12<sup>th</sup>. Jim, Don, Marty, Sheri and Amanda attended.
  - ii. The county conservation meeting is July 18<sup>th</sup> and 19<sup>th</sup> in Stevens Point. Bryce, Jim and Amanda will be going.
  
- d. Engineers Report
  - i. Sheri D. provided a written Engineer report to the committee.
    - 1. Year to date 2019, there has been three wells decommissioned, one waste storage closed, seven grassed waterways constructed, one diversion and two rock crossings constructed.
    - 2. Clark County LCD did receive approximately \$13,000 additional bond funds from Lincoln County in exchange for \$14,736 in SEG funds. Sheri stated she should have no problem using the additional \$13,000.
    - 3. Marty N. asked if a permit can expire in the middle of a project. Sheri will check into that.

e. Animal Manure Management Ordinance

i. Violation

1. Jim received a violation report of cattle in a river. This has been a reoccurring problem. Landowner has property on both sides of the river. The cattle are causing stream bank erosion. The landowner has put up an electric wire fence to keep the cattle out of the river.
2. Jim stated there was a pit overflow violation last March and Jim, Sheri and the DNR met with the landowner along with their attorney to go over what happened and how the cleanup progressed. The dairy has since moved the cows out. The landowner stated the waste haulers were responsible for watching the pits and checking levels before overflow.
3. Sheri reported a violation in the town of Colby. He constructed three waste storage facilities without a permit – two earthen facilities and one sand separation system. LCD has issued a notice of violation and given him two months to either close the systems or provide documentation that they meet the required standards. He has hired MSA Professionals to create the engineering plan.

f. No Till Drill

- i. Jim stated there are parts wearing down on the department's no-till drill. He checked with Chili Implement who said the parts should be replaced beginning at approximately 1,000 acres of use. The drill currently has about 1,800 acres of use. Parts would cost about \$900, Jim can do the labor. Fritz suggested to go ahead with the repairs – as it is just normal wear and tear.

7. Public Comments – No public comment.

8. Next Meeting Date

- a. Next committee meeting is scheduled for Tuesday, July 30<sup>th</sup> at 9:30 a.m. in the auditorium.

9. Adjourn

- a. Marty N. made the motion to adjourn the meeting at 11:25 a.m. Seconded by Don K. All Ayes. Motion carried.

Minutes prepared and submitted to the committee by Shirley Iwanski.