

ENVIRONMENT AND LAND USE COMMITTEE
Department of Land Management

REGULAR MEETING MINUTES
April 8th, 2015 9:00 AM
COUNTY BOARD ROOM

Chairman Brandt called the meeting to order at 9:07 AM.

Brandt verified that the Open Meeting Law requirements had been complied with through notifications and posting.

Committee members present: George Brandt, Michael Nelson, Wade Britzius, Curt Skoyen, Kathy Zeglin, Jeff Bawek, Jon Schultz and Rick Geske.

Staff/Advisors present: Kevin Lien, Jake Budish and Virg Gamroth. Mark Kunz – NRCS (Natural Resource Conservation Service), Corporation Counsel Rian Radtke and Carla Doelle were in attendance for a short time.

Others present: Nick Gamroth, GNP Rep.-Tom Markwardt, Kris Schank, Ed Patzner, and Tom Forrer.

Adoption of Agenda - Britzius made a motion to approve the agenda as presented, Nelson seconded. Motion to approve the agenda carried with no opposition.

Adoption of Minutes - Zeglin made a motion to approve the March 11th, 2015 meeting minutes, Nelson seconded. Motion to approve carried with no opposition.

NRCS (Natural Resource Conservation Service) Update

Brandt acknowledged Mark Kunz from NRCS who was in attendance. Kunz started out by saying that Brandt had asked him for some numbers last month, so Kunz has them. Kunz continued saying they are finally getting some approvals on the EQIP (Environmental Quality Incentives Program) projects and can proceed with contracting. Kunz ended up with 86 applications so far this year which is alot. Kunz has 14 approved and he expects to have more. To break those down he has had 3 animal mortality facilities approved as this is for poultry producers and is a small bay to put their carcasses in and basically compost the carcasses. According to Kunz, Gold N' Plump has been real pro-active with this. They've hired a private engineer to develop pre-approved designs for these facilities and NRCS has cost-shared for them. Kunz stated three is a start and he knows there are a lot of poultry producers in the County but it is a start and Kunz is sure he will get more. He had one application approved for a pollinator habitat. A pollinator habitat is one of the new things that USDA is doing as they are starting to target the issue of the loss of the native honey bee species. Instead of putting hives out, USDA is trying to promote the development of pollinator habitat throughout the entire season to give them a good cover source and there are folks out there who are interested in this. Kunz stated they have one big waterway project done, four stream bank projects and one brush management project which targets invasive species in the woodlands. Kunz has one landowner that has been approved for a livestock exclusion fence to keep the cattle out of his woods. Brandt asked Kunz to talk about brush management. Kunz explained that it isn't a timber stand improvement, it is more of a targeted invasive species type practice. Kunz works with the DNR Forester as they write the plan, target the species and we/NRCS/ the federal government provides the cost share to help offset the cost of the actual practice. Kunz added they cut it out, or spray it or whatever is required. Kunz stated they are doing a "wildlife scrape" which involves

going in and basically doing a low, shallow excavation of the ground and allowing it to fill up with water for waterfowl species mainly to use. They don't want it to be any deeper than 2-4 feet over the majority of the pond. These aren't trout ponds, they are shallow excavations for trout or for ducks to use basically and can be done anywhere in the County provided there are the certain soils required. Kunz added we are looking at groundwater recharge not at overland flow going in and filling this up. Kunz stated they have one barnyard practice. They have one barnyard where they are going back in and doing a couple of additional practices such as some rain gutters on a barn. They have one grazing system where they have a young couple that has a whole bunch of land in CRP that expired and they are looking to, instead of tearing it up, going to rotational grazing on it. NRCS is going in and fencing it, breaking it up into paddocks, providing watering systems to paddocks and reseeded. Fourteen is a start, but Kunz expected they will probably get ten to fifteen more. Upon Brandt asking what NRCS's cost share rate was, Kunz responded it is a flat rate payment, so theoretically 70% might be a reasonable number, it depends on the practice, but it is all flat rate payments based on the number of units be it feet, gallons, or whatever, just exactly what they are going to be paid right up front. Kunz added they are in the middle of a "pollinator" sign up and a "cover crop" sign up, so if people are interested, they are still taking applications until June for those two specific practices. Kunz explained they are also one of ten targeted watersheds which basically covers the entire County under the Driftless Area Land Conservation Initiative. They are taking applications through that program until May 15th. Carla Doelle and Kunz have talked about that a little. Brandt inquired if that was for all conservation practices. Kunz responded it is a short list but it covers a lot of different things and it is for those counties in the driftless area along the Mississippi River. Kunz added they are getting some interest in that. Kunz elaborated that it is kind of a new program and it has been around the last couple of years. It is another fund in which NRCS can provide funding to landowners to implement cost-shared practices. Kunz stated the targeted area for this particular watershed covers Buffalo County and Trempealeau County so they are basically spread out along the river corridor in the State. It is just another way of getting funding out in targeted areas in the State. Upon Brandt commenting there are at least a half dozen different watersheds, Kunz replied it pretty much covers Trempealeau County except for that small section of the Black River, so it is the entire Trempealeau River Watershed and only people within that watershed are eligible to sign up. Britzius questioned if this was some type of federal recognition of the uniqueness of the driftless area. Kunz responded yes, correct and the potential for water quality issues and erosion issues. Kunz announced they have a field day today out at the Jim Halama farm out on Highway 121 west when heading towards Gilmanton. There will be soil health demonstrations. The morning session will be replicated again in the afternoon. Doelle mentioned it will start at 1:00 PM so it is a good opportunity to pick up some interesting information on soil health and cover crops. Kunz still hasn't heard about a general CRP sign up but they are taking applications right now under the continuous CRP program which would be filter strips, grassed waterways, contour buffer strips and then what they call the HELC (Highly Erodible Land Conservation) option. If your land is considered highly erodible (it is pretty hard to get on a farm anywhere in the County without some highly erodible land) you can sign up specific fields to put into the CRP program right now. They have about 120 contracts that will be expiring this year and NRCS will try to see if they are interested in going back in because they are in sensitive areas. Kunz thought the average rate was somewhere around \$140 per acre which is competitive with rental rates. Geske commented it is very competitive right now. Kunz hoped they would see some interest. Typically, Trempealeau County is in the top three counties for CRP participation in the State, so it is a big work load. Bawek asked if the CRP ground that was coming out would qualify for the pollinator habitat. Kunz responded they would have had to take an area of the farm as they couldn't graze the pollinator habitat during that nesting and feeding period because you want the forbes left undamaged during the time when the bees would be using them. Bawek asked about other CRP that is coming out and if any of that would qualify for the pollinator habitat. Kunz responded it would. Bawek asked if that was without any improvement to it. Kunz responded one would have to change the cover and establish that specific pollinator habitat – that cover that NRCS determines to be applicable in this area. Bawek

asked what that would be. Kunz responded he thought it was a five grass and ten forbe species mixture. Bawek inquired about flowers and Kunz replied flowers that bloom at different time periods during that season. Lien commented that “Hardworking Pollinators” was the theme of the Conservation Poster/Speaking Contest this year, so perhaps NRCS could recruit some area youth to help out with this project. Kunz explained NRCS had someone come from the Xerces Society which is a society that is the protectors of native honey bees as they study and try to protect and promote honey bees. Kunz thought it was very interesting and the person explained that we have lost a lot of our native species of honey bees.

Public Hearing – Conditional Use Permit – Livestock Facility Siting Permit – Nicholas J. and Rachael A. Gamroth, Landowner/Petitioner – Town of Burnside

Chairman Brandt called the public hearing to order at 9:15 AM. Nelson read the public hearing notice aloud. Brandt explained the public hearing process for the benefit of public present. DLM staff member Carla Doelle stated she received an application from Gamroth. Doelle explained this was somewhat of a long process and Kunz had touched on it briefly this morning when he talked about the carcass compost facilities. Gamroth and Doelle had talked about that because of the fact that Gamroth was going to put up a composting facility on his farm. Gamroth and Doelle were trying to determine the proper location and setbacks, etc. for that and it went from that subject to a second poultry barn. Doelle elaborated that one barn is 52,000 birds and the conversion factor on an animal unit is .005 so one barn is 260 animal units. The way the Livestock Siting works in Trempealeau County is that over 300 animal units, one needs a Livestock Facility Siting Permit. By Gamroth adding that second barn to his farm, that will put him at 520 animal units for the two poultry barns, so that is what brings Gamroth here today. Doelle stated this is a standard Livestock Facility Siting permit application in which Doelle has all the worksheets dealing with his animal units, odor management and odor score. Gamroth did an odor score just to “lock in” a number because once a landowner determines their odor score number they are locked in, so if he would expand in the future, that number is still locked in. If someone builds a home next to Gamroth that odor score is protecting the landowner. Taken into account for the odor score are the prevailing winds, closest neighbor, bedding type, etc. This livestock permit is much different than others that we have dealt with in the past because everything is 100 percent confined here, so it is a little different than an open lot for odors, scraping or how the manure is handled. Doelle added that some things didn’t apply to Gamroth’s permit. There isn’t a waste storage permit and there are no open feedlots so those worksheets were just signed and noted as not applicable. In his nutrient management plan, Gamroth was required to show in his nutrient management plan that he could meet the acres for the expanded part of the farm even though he hasn’t built yet so that he is able to show that he has enough acres to support both barns. The maps that are required show where the new barn is going to be located, the proposed compost facilities and the existing livestock structures all as required as part of the siting permit. Doelle stated that Gamroth completed the permit application. Doelle reviewed it and determined that it was complete and then she moved it forward to public hearing. Gamroth referred the Committee to the site map and noted that the proposed new facility is going to be south of the existing one with the composts sheds to the west of each barn. Gamroth introduced Tom Markwardt from Gold N’ Plump Company who was present to answer any questions the Committee may have. Geske inquired as to where the well was located. Gamroth responded if one looks at the existing facility it is just to the south of the service road and between the two buildings. Gamroth added that the driveway system that is being designed will be a “loop” driveway where one will come into the existing facility, turn left and then go along the new barn and the “loop” back around. In regard to the two proposed compost facilities, Lien asked if, with two close buildings like this, it wouldn’t be more feasible to have one compost building that supports both buildings. Gamroth replied when he first came to Doelle to apply for a compost facility permit with Doelle and NRCS, NRCS had a design. Gamroth and Mark Kunz spoke with Gold N’ Plump. Gold N’ Plump then hired an engineer to design a compost facility, therefore Gamroth had to stick with that plan as that is what the funding was available for. When

Gamroth got a call last year asking if he wanted to build another broiler barn, Gamroth asked the engineer who had designed the compost facility, if that structure would be able to handle the compost from two barns and Gamroth was told no, so then he went and applied for a second compost facility permit. Markwardt stated those compost facilities were designed by an engineer and if one wants to go with something other than that, than any new design has to be approved which is a process and costs money, etc. Markwardt added that Gold N' Plump has these compost sheds built for a particular barn, not saying that he couldn't put them together as there is a timber frame one and a concrete one, and one might be able to share a common wall to reduce the cost a little, but it is up to Gamroth. Geske commented that he just looked at the compost facility plans, as he found out he needs to build another one and Geske thought they look very similar to the one he built 20 years ago and questioned if there was any difference. Markwardt responded that he didn't think there is and that they took a lot of what we were doing and sort of improved it. Markwardt thought a lot of the sheds in the past were timber and now there are concrete ones too and one would have to weigh the pros and the cons. Gamroth commented that some of the growers modified the plan with the engineer to accommodate a bigger bucket on a tractor. The plans that Gamroth has with NRCS are just a little bit different than what Gold N' Plump requires because Gamroth did all concrete (walls and floor) and they are requiring a four foot frost wall on the NRCS one. Brandt called three times for any public testimony. Doelle stated she had a letter from the Town of Burnside dated January 14th, 2015 which stated the town unanimously supports Gamroth's request for a second chicken coop on his property located on Garlick Road. Doelle stated on March 30th, 2015, Jim Senty of Graul Farm called and said he supports the Gamroth Livestock Facility Siting CUP for the addition of a second broiler barn. Doelle noted that on Saturday, April 4th, 2015, she received from Bob & Kathy Kampa/Kampa Family Trust which stated they were writing in response to the letter regarding the CUP request by Nicholas and Rachael Gamroth. Kampa's would not be in attendance at the hearing on April 8th, but as adjoining landowners they have no issue or concern with their plans to construct an additional poultry barn. Brandt closed the public hearing at 9:31 AM. Upon Brandt asking about where the cutoff point was, as far as animal units, as to when the Committee can apply conditions, Doelle responded the Committee could not apply conditions at any animal unit number. Lien reminded the Committee that Doelle goes through the application to make sure it is complete and meets the requirements. Anyone aggrieved by the Committees' decision can appeal to the State Livestock Review Board. This Committee can either approve or deny based on the application received but can no longer place conditions on livestock facilities. Brandt questioned if there wasn't a range of animal units in which our previous ordinance applied and the State Livestock Ordinance took over at a different level. Lien responded he thought Doelle had stated ours is 300. Doelle voiced her agreement. Brandt clarified that anything above 300 the Committee couldn't place any conditions and Doelle stated Gamroth would be at 520. Geske stated the application says 545 animal units and asked if Gamroth had any other livestock. Gamroth responded he and his wife eventually want to raise some other livestock so that is why he raised the amount. Geske just wanted that clarified. Doelle noted they are allowed a 20% expansion over their applied numbers so even if Gamroth stayed at the 520 number, he has a 20% increase before he would have to do any modifications to his existing permit. Brandt stated a concern, of course is with the nutrient management plan and that enough land is available for the spreading of the manure. Doelle responded yes to that statement. Bawek asked if the odor request is for 20% increase in the 545 and if that was how that was set? Doelle responded it is for what Gamroth is applying for today and once that number is set, Gamroth is locked in. If he does any expansion, whether it is 20% or 50%, he still goes off that existing odor score that we developed. Bawek asked if Gamroth wouldn't want to have a hire odor score right now. Doelle responded it shouldn't matter because he will be locked in. Brandt clarified that if, i.e. Gamroth were to put in another barn, which potentially could increase the amount of odor, that in terms of the permit, the odor score would not increase 50% but stay at what he is at with two barns. Doelle responded that was correct. Even though we know the odor will increase, as far as Gamroth's permit, this number is a locked in number, so it is to Gamroth's advantage to lock in this number now. Bawek questioned why he

wouldn't lock in a higher number. Doelle explained it was optional. Gamroth didn't have to do this part because Gamroth was under a certain threshold. A discussion started on the odor number. Doelle stated the whole Livestock Siting Ordinance is a protection for agriculture growth and by showing that this number is established, one can get as big as they want and people can't complain about the odor because the landowner has already shown that it is not a problem. Discussion continued on the odor number. Upon Bawek asking if a letter was sent to property owners within 2,500 feet, Doelle stated she did send a letter to the adjoining property owners because that is a requirement, but there isn't anything as far as a set number of feet or miles. Bawek stated Doelle had mentioned 2500 feet and inquired what that was about. Doelle responded that was part of the odor requirement. The requirements state, "all livestock structures will be at least 2,500 feet from the nearest affected neighbor" and that refers to going through the test when doing the odor score. Britzius questioned if there was a home with these existing buildings. Gamroth responded yes as his home is just to the south of the existing barn and his is the only home on that road. Brandt gave a brief history of the Livestock Siting Facility Ordinance and its' pre-emption by the State. Geske commented that Gold N' Plump is very proactive and if any issue comes up they are on top of it. They are a good company to work with. Zeglin asked the dimensions of the compost sheds. Doelle responded they are 16 feet by 16 feet and the NRCS 313 Standards & Specifications are followed for the construction of the waste storage facilities so that we are sure that they meet separation distance from bedrock and groundwater along with any other applicable setbacks from wells, streams, etc. Upon Zeglin asking if we are good with the setback from the creek, Doelle responded yes. Gamroth commented he is going with an all concrete structure which should help alleviate any kind of groundwater contamination. Skoyen clarified that these were the chickens that expired during the growing period and asked if Gamroth put on any chemicals on the composting chickens or if everything was natural. Gamroth responded no chemicals are used. Geske commented after the chickens are in the compost facility it takes approximately a year before the chickens are composted down and can be spread. Gamroth commented that is why he went with a three bay compost facility to allow for that length of time. There is a longer bay in the back of the compost facility where one can just keep composting as you go. Bawek made a motion to approve the CUP, Skoyen seconded, motion carried unopposed.

Public Hearing – Conditional Use Permit –Nonmetallic Mining-Construction Aggregate Pit – Kris E. Schank & Neal E. Schank –Property Owners/Applicants and Kris E. Schank & Neal E. Schank, Operators – Town of Burnside

Chairman Brandt called the public hearing to order at 9:50 AM. Nelson read the public hearing notice aloud. Budish stated that currently the site has been a sand borrow pit for a long time. Budish explained that Schank's desire now is to take material from there and be able to sell it which requires a CUP. Budish noted that the zoning, Exclusive Ag 2, is correct for the area so that is not a problem. Budish stated Schank wishes to extract the sand and utilizing the material he has on his property. Brandt asked if it was totally coincidental that it was north of the site of the previous hearing today. Budish responded it was. Brandt stated he had thought that Schank was going to sell Gamroth some sand for his project. Lien commented that might actually happen. Upon Brandt asking if Schank had any projects in mind, Kris Schank responded they plan on using it for fill on their other farms. The other part of it is that they own other land which is not titled the same and therefore they can't use it there without getting a CUP. Schank reference the light colored area on the top of the hill on the map and stated the site has been open for 50-60 years. Brandt called for any public testimony. Budish read a letter from the Town of Burnside dated March 11th, 2015 which stated the Town of Burnside Board does not object to a construction aggregate sand pit for private use on the Schank property located on Garlick Road. Budish also received a call from Jim Senty/Graul Farms on March 30th, 2015 and said that he supports the Schank CUP for nonmetallic mining. Budish received a letter from Bob and Kathy Kampa which stated they could not be in attendance at the April 8th meeting. As adjoining landowners they have no issue with the proposed plan of operation and reclamation. Brandt closed the public hearing at 9:55

AM. Nelson made a motion to approve the CUP request, Geske seconded. Budish stated he did have two conditions. Budish determined there were no preliminary conditions. Budish did do a cultural resource review on this site and it came back with no hits so that is fine. The first condition Budish suggested was that there be no blasting since it is so close to the chicken coop. Budish noted there was no intention of blasting, but Budish wanted it in the record. The second condition Budish suggested was that if the disturbed footprint of the Schank pit exceeds more than one acre, that financial assurance be submitted by the owner/operator which is a standard condition. Brandt stated there is a motion and a second to approve the CUP with the standard conditions highlighted. Motion carried with no opposition. Bawek stated he had additional questions. Bawek stated the site is described as a five acre site and yet the description that the Committee received states a forty acre site. Budish responded Schank filed the permit for five acres in the event he had to stockpile material and within the County's fee schedule it states 0-5 acres so Schank permitted it for up to five acres with one acre intended to be open at a time, so within that five acres he can go and just move material to wherever he wants within that five acres as long as it doesn't exceed the total footprint of one acre. Brandt commented we aren't rezoning but it sounds what the description called for is the forty that the five acres is on. Lien thought Bawek might be looking at the tax parcel information but it is only a five acre mining site. A brief discussion took place about taxation on open acres. Bawek asked if there was any distance to groundwater that needed to be addressed. Budish replied he isn't going very far, he is just basically taking of an existing knob. Bawek asked if that wasn't required when permitting a site. Lien commented that is a standard condition and all of the standard conditions in the Ordinance apply to every site including this one, so there this a standard separation of depth to groundwater of 10 feet. Lien added that is why Budish does the annual monitoring to make sure that those things are kept. Lien stated if one goes out to the site it is on a very shallow, sharp little knob and five acres will encompass all of that area. Bawek clarified that all of the reclamation requirements and everything that is in Chapter 13 will have to be adhered to. Lien responded yes and also Chapter 20. Lien noted that if the applicant never exceeds an acre open then no bond will be required. It is only when one exceeds an open acre of area that a bond is required. Britzius asked if Schank had any time line as far as how long this site would be open. Lien stated on the application Schank has an estimated life of the mine as 100 years. Schank noted they would like to get a lot of the site reclaimed this fall in order to replant crops. Bawek stated Schank had talked about having 1-2 inches of topsoil and asked if that was all there is on the site and if Schank was going to have enough material to reclaim and make it farmable again. Schank responded the material is "domed up" right now so if they bring it down and level it off there should be more than enough material. Bawek questioned if they were going to try to reclaim what is open now also. Schank responded yes and that probably just a little face (less than an acre) would be open long term for different farm uses. Bawek stated the township talked about only private use and that is what they gave permission for. Bawek asked Schank if that is what the fill was going to be for. Schank responded that is the main purpose. Schank added there are other people that are interested in getting sand and fill out of there. Bawek asked if the township knew that. Schank responded yes. In addressing the 100 year life of the mine, Bawek questioned if the County doesn't typically goes with a 5 year permit with a two year extension. Brandt commented that is for the industrial sand permits and almost all of the aggregate permits are indefinite. Budish stated that within the condition it says that the duration of the CUP shall be five years. That has just been a standard too so if he intends to keep the site open for 100 years and there are no issues, then five years from the date of issuance an automatic extension would be granted just like any other site. Budish stated as long as there are no issues, there is no reason to revoke the CUP. Upon Bawek asking if they just come back in and have it renewed, Budish responded yes and it would be taken care of "in house". At this point Brandt stated the permit has been approved and in light of the additional questions/discussion, asked if any of the Committee had any opposition to the permit being issued. There being none, Brandt thanked the applicant for coming in.

County Cost-Share Program – Ranking and Implementation of Projects

Chairman Brandt stated that some months ago the County Board approved a \$47,000 County Conservation Cost Share Program. Lien and his staff were asked to basically create it and come back with some guidelines. Lien stated an ad had been put in the newspaper and it turned out to be smaller than what was envisioned so we didn't get a lot of inquiries but the word is spreading so we are getting some requests. Lien wanted this on the agenda to discuss, because of the timeliness of things, (i.e. putting a waterway in during the spring one has to get working on it before planting season) whether or not the Committee wanted staff to bring these projects to the Committee for prioritization or is the Committee alright with staff doing that. Lien thought Keith VerKuilen, the Ag Engineering Technician, Carla Doelle who signs people up, etc. and Lien could rank and decide who would receive funding. The landowners who didn't make it this time around would be first priority next year. Lien wanted this in the record for clarification as to whether the Committee is alright with staff doing it or what the Committee's wishes are. Geske voiced the staff should do it as he didn't feel it would be done in time if the Committee would do it. Zeglin suggested that perhaps in future years when there is more time involved we can look it over with staff. Upon Nelson asking if this included the Elk Creek Watershed, Lien responded no that was a separate issue. Landowners may be able to apply for some things that didn't qualify through that watershed but Lien thought almost everything applies. Lien reminded the Committee that these County Cost Share projects are lower cost-high impact practices; stream riprap, minor grade stabilization, and waterways. Lien stated DLM has been trying to work with landowners because he feels there is a great need for waterways. Britzius asked that Lien keep the Committee informed on what is going on. Lien responded he would and that the Committee would see the payment requests each month as projects get completed. Bawek inquired how Lien was going to set priority for the applications. Lien responded that DLM didn't want to spend all of the money in one spot. One thing the staff is really looking at right now (because it is really visible and then we could put a sign up) is between Whitehall and the Health Care Center (off to the south side of the road) there is a pretty big gully in that field and it has been there for a number of years. Carla Doelle has been working with them to try to get them on board. Lien felt that would be a great project for this County Cost Share money because it is very visible. Lien added that for this year staff is trying to promote highly visible projects in order to get the word out and again somewhat low cost/high impact practices with focus being on the waterways. Brandt stated he is hearing a lot of confidence in staff's ability. Brandt stated the Committee has heard a lot of strategizing for prioritizing and asked if there was anything anyone wanted to add to that. There being no further discussion, Brandt moved on to the next agenda item.

Resolution to Restore State Aid - Lien explained that Wade Britzius had actually gone to a hearing on this subject and spoke on behalf of our County. Brandt noted that Britzius has shared his comments in written form with the Committee. Lien stated the Governor's budget has proposed cuts that are going to affect all county's related to funding. Lien thought the majority of his counterparts are having their committees' adopt similar resolutions to try and reinstate some of that aid. Lien stated the resolution before the Committee is basically a "cookie cutter" one which was modified for our County specifically. Lien gave the Committee members a few minutes to read through the resolution. Schultz suggested the Committee sign this resolution. Lien noted it is a reduction in aid of about \$1.3 million. Britzius commented that at the hearing he waited to speak for five hours and he thought he was the only one who brought up conservation. Britzius mentioned there was a person who talked about the Wisconsin Fund (septic) program. Lien informed the Committee that there are proposed cuts to that program also. Lien reminded the Committee that the Wisconsin Fund is a statewide program that allows low income families to replace failed septic systems. First, it has to be deemed a failure, then one has to be under an income threshold which is pretty low. The property owner then has to replace the septic system first and submit the bills and then depending upon what the number of statewide applicants that is how the money is divided up. It works as a reimbursement program. One is never guaranteed as to how much a landowner will get, but usually a landowner gets something. Lien stated that program ensures safe

drinking water and surface water for all of us. Lien was saddened that they were cutting that program because it benefited low income families that probably couldn't afford to do it on their own. Discussion took place on the state budget. Brandt suggested a small change to the wording of the resolution. At the first "whereas" where it talks about "lakes protection" Brandt and the Committee suggested it read "lakes, surface water and groundwater protection" as it would be more appropriate in as much as we have no natural lakes in the County. Zeglin made a motion to send the resolution onto County Board, Britzius seconded, motion carried unopposed.

Update to Trempealeau County Farmland Preservation Plan-Opportunity for public comment

Lien stated he, Peter Fletcher and Meghan Wessel (who has a planning background) are working on the FLP update. Lien though Wessel has a good grasp on not only FLP but planning in general. Lien mentioned the three will be going to the Towns' Association meeting on April 28th in Pigeon to speak on this subject. Lien stated they are also looking at making some corrections and amendments to our Smart Growth Plan this summer. They will also be taking a look at the zoning and land use layers.

Upon Brandt inquiring if that will require action on the part of this Committee or the County, Lien responded eventually yes, when those plans get amended they will require Committee and County Board action because it is amending not only the zoning and land use map but also the County plan. Britzius asked if there was a plan to visit with each of the townships individually. Lien responded yes and that is part of what will be discussed at the April 28th meeting. Lien didn't have a complete schedule of how that was going to be done but it will be an aggressive plan to get things done. Lien added they don't want to make any major changes but they want to revisit some things and there are some "loopholes" in the system that need to be amended. Lien explained the Zoning layer map is a picture of how things are zoned and the Land Use layer should be a guiding tool for this Committee and the towns'. One of the things that Lien realized that happened in the townships was that the maps (land use plan and zoning) were the same as far as having transitional zoning area around a city. The idea of transitional zoning is it goes from city activities to typically agricultural or residential activities so it is ok if something is "zoned" transitional but it should never be "land use" transitional. In the "land use" there should be a plan for that area. We have several land use plans around the cities that stayed in "transitional" by accident, so we need to bring those towns in and have them really look at the plan as to what makes sense. Discussion took place on this issue with Lien using examples from the Town of Ettrick, Town of Lincoln and the City of Whitehall. Britzius stated this Committee has talked about the possibility of an overlay district for industrial sand mining and mentioned this would be an opportunity to talk to the towns' and get their input on that idea. Lien responded that is on his agenda of discussion points with the towns.

LWRM (Land & Water Resource Management) and TRM (Target Runoff Management) Requests and Payment Approval No payments were presented.

Surveying Update and Payment Approval

Brandt referred the Committee to the County Surveyors report and payment request as prepared by Joe Nelsen which was for continued monument maintenance in the Town of Ettrick and Town of Gale. Nelson made a motion to approve the report and payment as presented, Schultz seconded, motion carried unopposed. At this point the Committee took a short recess to wait for Corporation Counsel to arrive.

Chairman Brandt reconvened the meeting. At 10:59 AM, Nelson made a motion to CONVENE TO CLOSED SESSION per Wis. Stats. 19.85(1) (g) to confer with legal counsel for the County concerning strategy to be adopted with respect to litigation in which the County is or is likely to become involved, Schultz seconded the motion, motion carried with no opposition.

At 12:00 Noon, Geske made a motion to RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION, Skoyen seconded the motion, motion carried with no opposition.

Confirm Next Regular Meeting Date

The next special meeting date of the E & LU Committee was set for Thursday April 16th, 2015 at 6:00 PM. The meeting will run from approximately 6-10:00 PM. The next regular meeting date was set for Wednesday, May 13th, 2015.

At 12:07 PM, Britzius made a motion to adjourn the meeting, Schultz seconded, motion carried unopposed.

Respectfully submitted,
Virginette Gamroth, Recording Secretary

Michael Nelson, Secretary