

LAND CONSERVATION DEPARTMENT BILLS & REVENUE

(BILLS)

OfficeMax - Office Supplies =	\$ 6.66
Joe's Auto Service - Replace Plugs/Wires on 1999 Ford Ranger =	\$ 275.06
Three Landowners - Land & Water Cost Share Payments =	\$ 8,141.35
Joe's Auto Service - Replace Fuel Injectors on 1999 Ford Ranger =	\$ 538.84
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TOTAL =	\$ 8,961.91

(REVENUE)

DATCP - Land & Water Cost-Share Reimbursements =	\$ 8,141.35
One Landowner - Manure Storage Ordinance Permit Fee =	\$ 750.00
One Landowner - Manure Storage Ordinance Tech. Assist. Earnest Fee =	\$ 1,000.00
Sixteen (16) FPP Program Participants - 2015 Service Fee Payments =	\$ 400.00
Farmland Preservation Program - Late Penalty Fee Payments =	\$ 225.00
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TOTAL =	\$ 10,516.35

Overview of Chapter 92 Soil and Water Conservation and Animal Waste Management

Legislative Intent

The legislature finds that the soil resources of the state are being depleted by erosion, and the waters of the state are being polluted by nonpoint sources of pollution. The legislature further finds that these are statewide problems endangering the health and welfare of the state's citizens, its recreational resources, agricultural productivity, and industrial base.

The legislature declares it to be the policy of this state to halt and reverse the depletion of the state's soil resources and pollution of its waters.

The legislature's intent is to implement this policy by enacting this soil and water conservation law (i.e. Chapter 92) to:

- Establish goals and standards for conservation of soil and water resources
 - Provide for cost sharing, technical assistance, educational programs, and other programs to conserve soil and water resources
 - Encourage coordinated soil and water conservation planning and program implementation
 - Enable the regulation of harmful land use and land management practices by county ordinance where necessary to achieve the purposes of this chapter
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A review of “mandates” vs. “allowances” given to county Land Conservation Committees:

Mandates to Land Conservation Committee (i.e. a land conservation committee shall)

1. Each county **shall** create a land conservation committee (LCC).
2. Each county **shall** appoint to the LCC at least 2 persons who are members of the UWEX Education Committee.
3. Each county **shall** appoint to the LCC a person who is the chairperson of the county farm services agency committee, or their designee.
4. Each LCC member **shall** serve for a term of 2 years, or until a successor is appointed.
5. Each member of the LCC **shall** be reimbursed for necessary expenses and paid meeting per diems.
6. Each county **shall** designate a representative from the county's zoning/land use, forestry, parks and solid waste committees to advise the LCC
7. Each LCC **shall** actively solicit public participation in the planning and evaluation of soil and water conservation programs.
8. Each LCC **shall** cooperate with the department of transportation as requested.
9. Each LCC **shall** jointly develop and administer a land & water resource management planning program with the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), and with the Wisconsin Land & Water Conservation Board (LWCB).

10. Each LCC **shall** prepare a land and water resource management plan, that does a variety of things, including assessing water quality and soil erosion conditions of the county; setting water quality objectives for each water basin, watershed, and lake; identifying conservation practices to achieve objectives; identifying performance standards and prohibitions to control nonpoint source pollution; preparing a multi-year plan of work to achieve goals and objectives; monitoring progress of the activities outlined in the multi-year work plan; performing various information and education activities; coordinating planned work activities with other local, state or federal agencies; serving notice to landowners and land users of determinations related to soil erosion and nonpoint source pollution; holding one or more public hearings on the proposed land and water resource management plan, and submitting the proposed plan to the DATCP and LWCB (for review and approval).
11. Each LCC **shall** present any ordinance proposed for enactment in the county to the county board, with a report on the need for the ordinance, and its expected economic and environmental benefit.
12. At least one year before an LCC may initiate any action for enforcement of an ordinance created by the LCC under Chapter 92.11, reasonable effort **shall** be made to contact and offer technical assistance, financial assistance, and an explanation to landowners and land users as to how they have been found to be in violation of a particular ordinance.
13. Each LCC **shall** prepare annually a grant request to the DATCP for necessary staff and support costs.
14. Each LCC that proposes to enact an ordinance under Chapter 92.17 **shall** submit a draft of the ordinance to the DATCP.

Allowances to Land Conservation Committees (i.e. a land conservation committee may)

1. A county board **may** appoint to the LCC any number of members who are also members of the county board.
2. A county board **may** appoint to the LCC up to 2 members who are not members of the county board.
3. An LCC **may** invite any state, federal or local agency with which the committee has a memorandum of understanding to designate a representative to advise the LCC.
4. An LCC **may** carry out the powers delegated to the committee subject to the approval of the county board.
5. An LCC **may** develop and adopt standards and specifications for management practices to control erosion.
6. An LCC **may** distribute and allocate federal, state and county funds for cost-sharing programs or other incentive programs.
7. An LCC **may** encourage research and educational, informational and public service programs, advise the UW System on educational needs, and assist the UW System.
8. An LCC **may** carry out preventive and control measures and works of improvement for flood prevention, and for conservation, development, utilization and control of water quality in the county. - (An example listing of these control measures and works of improvement follows)

9. An LCC **may** cooperate with, enter into agreements with, or furnish financial, technical, planning or other assistance to any agency, governmental or otherwise, or any landowner or land user within the incorporated or unincorporated parts of the county, in carrying out resource conservation operations.....
10. An LCC **may** obtain / acquire any property rights or interests in property or in water. A LCC may maintain, administer and improve any properties acquired. A LCC may receive income from these properties, may expend this income to carry out the purposes of this chapter, and may sell or lease or dispose of the property or interests in these properties to further carry out the purposes of this chapter.
11. An LCC **may** make available to landowners and land users agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, etc. for the conservation of soil resources, for the prevention and control of soil erosion, for flood prevention, for the conservation, development and utilization of water or for the prevention of nonpoint source water pollution.
12. An LCC **may** construct, improve, operate and maintain structures necessary or convenient for the performance of any of the operations or activities under this chapter.
13. An LCC **may** administer any soil conservation, flood prevention, water management or nonpoint source water pollution abatement project or combination of projects, and participate in programs concerns with the conservation of natural resources.....
14. An LCC **may** act as an agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the operation or administration of any resource conservation program within the county.
15. An LCC, on behalf of the county, **may** accept donations, gifts and contributions of money, services, materials..... in carrying on its operations.
16. An LCC, in the name of the county, **may** make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
17. An LCC **may** require contributions in money, services, materials or otherwise to any operations conferring the benefits..... and **may** require landowners and land users to enter into and perform agreements or covenants respecting the use of land as will lead to conservation of soil and water resources.
18. An LCC **may** enter upon any lands within the county to examine the land and make surveys or plans for soil and water conservation without being liable for trespass in the reasonable performance of these duties. This applies to the LCC members and their agents.
19. An LCC **may** administer and enforce those provisions of an ordinance enacted under 101.65(1)(a) related to construction site erosion, a zoning ordinance enacted under 59.693, or an ordinance enacted under authority granted under 101.1206.
20. An LCC **may** employ county soil and water conservation staff..... Staff **may** exercise the powers granted to the LCC.
21. An LCC **may** enact ordinances for the regulation of land use, land management and pollutant management practices under Chapter 92.11.
22. An LCC **may** enter and perform work on publicly owned lands.

23. An LCC **may** use grant funds allocated by the DATCP for land and water resource management planning and for any of purpose consistent with an approved (county) land and water resource management plan.
 24. An LCC **may** enact an ordinance requiring manure storage facilities to meet technical standards of the county.
 25. An LCC **may** enact a shoreland management ordinance under Chapter 92.17, but only if a draft of the ordinance is submitted to and approve by the DATCP.
(Note #1: An LCC may not enforce a shoreland management ordinance unless the county uses funds provided under Chapter 92.14(3) for grants for the purposes under Chapter 92.14 (3) (b))
(Note #2: The DATCP may not require an LCC to enact a shoreland management ordinance as a condition of any other program administered by the DATCP)
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LAND & WATER RESOURCE MANAGEMENT COST SHARE PROGRAM REPORT

August 25, 2015 - September 28, 2015

Cost Share Agreements Signed

<u>(Name)</u>	<u>(Cons. Practice)</u>	<u>(\$ Committed to Agreements)</u>
Total		

Cost Share Payments to Landowners

<u>(Name)</u>	<u>(Cons. Practice)</u>	<u>(\$ Expended)</u>
Dale Macheel	Critical Area Stabilization	\$1,307.25
Peter Bonack	Diversion & Grass Waterway	\$6,649.30
Nehls Bros. Farms LTD	Well Decommissioning	\$184.80
Total		\$8,141.35

SEPTEMBER 2015 COUNTY CONSERVATIONIST REPORT

SIGNIFICANT WORK ACTIVITIES AND MEETINGS:

- Worked with Traci Guse to prepare and mail out Farmland Preservation Program 2nd notice / reminder post cards regarding 2015 conservation compliance certification – started receiving and recording late certification reports
- Reviewed development plans and prepared report to Land Resources and Parks Department regarding Vanderloop Equipment development project in Town of Trenton
- Discussed Livestock Siting Law (ATCP 51) issues with staff from Land Resources and Parks Department and Dodge County Corporation Counsel's office
- Provided an update to the Dodge County Executive Committee on September 8, 2015 regarding issues related to the request for a county-wide conservation buffer ordinance
- Prepared and signed CREP agreement for Drummy Family Trust, Town of Chester
- Worked with Tara Bast from Johnson Block and Company Inc. to carry out single audit of the 2014 Soil & Water Resource Management Grant – Ms. Bast verbally reported positive findings regarding our grant management and documentation activities

**DODGE COUNTY
LAND CONSERVATION COMMITTEE MEETING
127 EAST OAK STREET
JUNEAU, WI 53039
AUGUST 19, 2015**

The Dodge County Land Conservation Committee (LCC) met on August 19, 2015 beginning at 7:00 PM in Rooms 1H and 1I of the Dodge County Administration Building.

Call to Order: The meeting was called to order by Chair Ed Nelson at 7:00 PM with the following members present: Ed Nelson, Dale Macheel, Bill Muche, Howard Kriewald, Larry Bischoff, and Bill Foley – Gerald Adelmeyer absent.

Dodge County Land Conservation Department Staff Present: Marc Bethke, County Conservationist.

Others Present: (See Attachment).

APPROVAL OF MINUTES: Motion by Kriewald to approve the minutes of July 22, 2015 as sent by mail; seconded by Muche. Motion carried.

CONSIDERATION OF A CONSERVATION BUFFER ORDINANCE FOR DODGE COUNTY:

Chair Ed Nelson opened the discussion on the subject of a county-wide conservation buffer ordinance by asking Marc Bethke to share his thoughts and recommendations on the issue. Following Marc's comments, all members of the committee shared various thoughts and comments, and asked various questions. Following all discussion, motion by Foley to have Marc Bethke draft a conservation buffer ordinance for consideration by the committee; seconded by Muche. A roll call vote of all members present was as follows: Bischoff – No; Foley – Yes; Kriewald – Yes; Macheel – No; Muche – Yes; Nelson – No. With a 3-3 tie, the motion failed. Motion by Nelson to continue meetings of the citizen's task force that was formed in July to discuss the conservation buffer ordinance, with the charge to the task force that, 1) they select a chairperson; 2) they ask for assistance from Marc Bethke and Jeff Hoffman as needed; 3) they keep the LCC informed of their progress at meetings; 4) they devise a workable plan to address the issue of nonpoint source pollution; 5) they have no specific deadline date to complete their work; and 6) they work with the Dodge County Drainage Board; motion was seconded by Bischoff. A roll call vote of all members was as follows: Bischoff – Yes; Foley – Yes; Kriewald – Yes; Macheel – Yes; Muche – Yes; Nelson – Yes. Motion carried.

ADJOURNMENT: There being no further business to come before this committee, motion by Foley to adjourn at 8:30 PM, seconded by Kriewald. Motion carried.

Ed Nelson, Chair

Marc Bethke, Acting Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.

**DODGE COUNTY
LAND CONSERVATION COMMITTEE MEETING
127 EAST OAK STREET
JUNEAU, WI 53039
AUGUST 24, 2015**

The Dodge County Land Conservation Committee (LCC) met on August 24, 2015 beginning at 8:30 AM in Room 3A of the Dodge County Administration Building.

Call to Order: The meeting was called to order by Chair Ed Nelson at 8:30 AM with the following members present: Ed Nelson, Dale Macheel, Gerald Adelmeyer, Bill Muche, Larry Bischoff, and Bill Foley. Howard Kriewald was absent.

Other Dodge County Board Members, Dodge County Staff and Agency Advisors Present: Marc Bethke, Dodge County Land Conservation Department (LCD); John Bohonek, Conservation Engineering Technician; and Jim Mielke, Dodge County Administrator.

Others Present: Ruth Johnson; Lake Sinissippi Improvement District.

APPROVAL OF AGENDA AND PERMIT CHAIR TO DEVIATE FROM AGENDA TO EFFICIENTLY CONDUCT MEETING: Motion by Muche to approve the agenda and to permit the Chair to deviate from the agenda to efficiently conduct the meeting, seconded by Bischoff. Motion carried.

APPROVAL OF MINUTES: Motion by Nelson to approve the minutes of July 27, 2015 as sent by mail; seconded by Bischoff. Motion carried.

PUBLIC APPEARANCES/COMMENTS: Ruth Johnson thanked the committee for their efforts in considering her request that Dodge County enact a county-wide conservation buffer ordinance, and also expressed her desire that a citizens task force continue discussing ways in which nonpoint source pollution to county waterways would be minimized in the future.

AGENCY ADVISOR REPORTS: There were no agency advisor reports.

REVIEW OF BILLS AND REVENUE: The committee reviewed bills and revenues as shown on the attached listing.

CONSIDERATION OF NEW AND REVISED CONSERVATION PLANS: There were no conservation plans presented for consideration by the committee.

CONSIDERATION OF LAND CONSERVATION DEPARTMENT BUDGET – STATUS OF 2015 BUDGET / PROPOSED 2016 BUDGET: Marc Bethke reported that he does not anticipate any business units will exceed the amount of county levy allocated under the 2015 Land Conservation Department Budget. Looking ahead to 2016, and due to personnel changes within the department, it is anticipated that \$25,000 less levy will be needed for the 2016 Land Conservation Department Budget.

CONSIDER FARMLAND PRESERVATION PROGRAM ISSUES: Marc Bethke reported that there are still 40 Farmland Preservation Program participants that have not yet certified conservation compliance for 2015. Reminder post cards will be mailed to each of these participants by the first week of September, asking that certification be completed, that the \$25.00 service fee be paid, and that an additional \$50.00 late reporting penalty fee also be paid. Two voluntary notices of noncompliance under the program were also reviewed. Motion by Muche to authorize the chair to sign voluntary notices of noncompliance for Roger Fink, Town of Theresa; and for Adrian & Jane Powers, Town of Elba; seconded by Foley. Motion carried.

CONSIDER 2015 SOIL EROSION TRANSECT SURVEY RESULTS: Marc Bethke shared a summary of results from the 2015 Dodge County Soil Erosion Transect Survey. The overall erosion rate in Dodge County has decreased from 2.3 ton/acre/year in 2014, to 2.2 ton/acre/year in 2015. The reason for this is because a higher percentage of cropland was planted by no-till and strip-till planting methods in 2015.

LAND & WATER RESOURCE MANAGEMENT COST SHARE PROGRAM – MONTHLY REPORT: Marc Bethke distributed copies of the August report of cost-share activities under the Land & Water Resource Management Program (see attached report).

COUNTY CONSERVATIONIST MONTHLY REPORT: SIGNIFICANT WORK ACTIVITIES, MEETINGS AND OTHER ISSUES: Marc Bethke presented the monthly County Conservationist's Report (see attached report).

COMMITTEE MEMBER REPORTS: Bill Foley reported that the Beaver Dam Lake Improvement Association held their annual meeting on August 22, 2015 where the lake management plan was presented and discussed. Dale Macheel reported that the Fox Lake Inland Lake Protection and Rehabilitation District held its annual meeting on August 1, 2015. Based on decisions at the annual meeting, a special budget meeting was subsequently held on August 13th. Bill Muche and Bill Foley reported on sites seen during the Southern Area Land & Water Conservation Association's summer tour that was held in Richland County on August 6, 2015.

CORRESPONDENCE: Correspondence shared with the committee included copies of a letter from Marc Bethke to members of the Dodge County Drainage Board providing guidance on areas of authority granted to a county drainage board under ATCP 48. Also, copies of a news release regarding recent actions taken by the Wood County Board of Supervisors to further address manure and nutrient management issues were also distributed.

PER DIEMS: Motion by Muche, seconded by Bischoff to approve the regular per diems, plus the following: Bill Muche – Lake Sinissippi Improvement District Meeting on August 8, 2015 – per diem and 15 miles. Dale Macheel – Fox Lake Inland Lake District Meeting on August 1, 2015 – per diem and 22 miles. Bill Foley, Howard Kriewald, Bill Muche – Southern Area Land & Water Conservation Association Summer Tour in Richland County – Per Diem for each; 230 miles for Muche; regular miles to Juneau for Kriewald and Foley. Ed Nelson, Dale Macheel, Howard Kriewald, Bill Muche, Larry Bischoff, Bill Foley – Special Land Conservation Committee Meeting on August 19, 2015 to discuss a conservation buffer ordinance – per diem for each and mileage to Juneau for each. Motion carried.

NEXT MEETING: The next regular meeting will be held on Monday, September 28, 2015 beginning at 8:30 AM in Room 3A of the Dodge County Administration Building, 127 East Oak Street, Juneau, Wisconsin.

ADJOURNMENT: There being no further business to come before this committee, motion by Bischoff to adjourn at 10:00 AM, seconded by Foley. Motion carried.

Ed Nelson, Chair

Gerald Adelmeyer, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.

LAND CONSERVATION DEPARTMENT BILLS & REVENUE

(BILLS)

No Operating Costs / Bills to Report

(REVENUE)

Twenty seven (27) Farmland Preservation Program Participants – 2015 Service		
	Fee Payments	= \$ 675.00
DNR – 1 st and 2 nd Quarters 2015 Wildlife Crop Damage Program Expense		
	Reimbursement	\$11,624.57
	TOTAL	= \$12,299.57

LAND & WATER RESOURCE MANAGEMENT COST SHARE PROGRAM REPORT

July 28, 2015 - August 24, 2015

Cost Share Agreements Signed

<u>(Name)</u>	<u>(Cons. Practice)</u>	<u>(\$ Committed to Agreements)</u>
Nehls Brothers Farms LTD	Well Decommissioning	\$500.00
LeMar LLC	Barnyard Runoff Control	\$15,576.05
Total		16,076
Uncommitted Balance for 2015 =		\$762.70

Cost Share Payments to Landowners

<u>(Name)</u>	<u>(Cons. Practice)</u>	<u>(\$ Expended)</u>
Total		

AUGUST 2015 COUNTY CONSERVATIONIST REPORT

SIGNIFICANT WORK ACTIVITIES AND MEETINGS:

- Spent considerable time researching relevant information regarding the effectiveness of grass buffers – prepared a “thoughts and recommendations” document for committee consideration.
- Continue to receive/process Farmland Preservation Program annual conservation certification reports
- Prepared the 2015 SWRM Grant Reimbursement Request to DATCP and submitted the request through County Administrator Jim Mielke
- Finalized and mailed Farmland Preservation Program Certificates of Compliance to participants in the Town of Trenton
- Worked on preparing the proposed 2016 Land Conservation Department budget
- Worked with Traci Guse on start-up of her new duties as the ½ time Administrative Secretary III for the Land Conservation Department