



# Dane County

## Minutes - Final Unless Amended by Committee

### Land Conservation Committee

---

Thursday, December 8, 2016

7:00 PM

Lyman Anderson Agriculture Center  
5201 Fen Oak Drive - Room A/B  
Madison WI 53718

---

5201 Fen Oak Drive - Room A/B

#### A. Call to Order

**Present:** 5 - PATRICK DOWNING, CARL CHENOWETH, RAY RIPP, TIM KIEFER and  
RICHARD KILMER

**Absent:** 1 - SHELIA STUBBS

*Supervisor Stubbs was not present at the beginning of the meeting but was present as noted below.*

*Staff Present: Amy Callis, Steve Ottelien, Shawn Esser*

*Others Present: David Terrall (Wildlife Specialist with USDA/APHIS/Wildlife Services),  
Jim Vandenbrook (Wisconsin Land & Water Conservation Association), Jeff Ballweg  
(Town of Roxbury Ag Producer), Josh Ballweg (Town of Roxbury Ag Producer)*

*Meeting called to order at 7 pm by Chair CHENOWETH.*

#### B. Consideration of Minutes

[2016](#) 2016 MIN-329\_10-13-16 LCC MINUTES  
[MIN-329](#)

**Attachments:** [2016 MIN-329 10-13-16 LCC Minutes](#)

A motion was made by RIPP, seconded by KILMER, that the minutes of October 13, 2016 be approved. The motion carried by the following vote: 4/0

**Ayes:** 5 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER and  
Supervisor KILMER

**Absent:** 1 - Supervisor STUBBS

*STUBBS arrived at 7:02 pm.*

**Present:** 6 - PATRICK DOWNING, CARL CHENOWETH, RAY RIPP, TIM KIEFER, RICHARD KILMER and SHELIA STUBBS

### **C. Fund Transfers- None**

### **D. Referrals (Resolutions & Ordinance Amendments)**

*None*

### **E. Items Requiring Committee Action**

#### **1. Farmland Preservation Appeal**

*Callis explained office procedure for completing status reviews of livestock operations for compliance with the Farmland Preservation Program Requirements. As part of staff review, the Ballweg Farm was determined to not be in compliance with the Farmland Preservation Program due to direct discharge of animal waste to waters of the state. The determination was based upon the discharge of animal waste flowing directly into a wetland (as classified by the Wisconsin Department of Natural Resources).*

*Jeff Ballweg (landowner) presented his appeal of the staff's determination of direct discharge of animal waste to a wetland as he does not consider area to be a wetland. Jeff Ballweg stated the area in question is part of his crop field and is only wet in spring and he typically is able to plant corn in the area. Jeff Ballweg stated the area is wet because the Town of Roxbury and Highway Department will not install adequate drainage to provide an outlet for water to flow.*

*Josh Ballweg stated that according to the National Weather Service, Dane County has received 44 inches of total precipitation in 2016 verses a typical year in which the county receives an average 33 inches of precipitation. Thus, Josh stated, area in field is wetter than normal this year.*

**Downing moved, Stubbs seconded, to deem the Ballweg operation in compliance with the manure management prohibitions for direct runoff from a feedlot based on the information presented. Kiefer requested a roll call vote. The motion carried by the following vote: 4/2 (Chenoweth & Kiefer noes)**

**Ayes:** 4 - Supervisor DOWNING, RIPP, Supervisor KILMER and Supervisor STUBBS

**Noes:** 2 - Supervisor CHENOWETH and Supervisor KIEFER

*DOWNING stepped out of the room at 7:40 pm.*

**Present:** 5 - CARL CHENOWETH, RAY RIPP, TIM KIEFER, RICHARD KILMER and SHELIA STUBBS

**Excused:** 1 - PATRICK DOWNING

2. [2016 ACT-405](#) 2016 ACT-405\_CROP PRICE APPROVALS 2016 & COMPLETION DATE

**Attachments:** [2016 ACT-405 Crop Price Approvals 2016 & Completion Date](#)

*Terrall presented the 2016 Crop Price Approvals to be used to reimburse landowners with wildlife damage claims and setting a date at which 90% of crop harvest being complete within the county.*

**A motion was made by RIPP, seconded by KILMER, that the 2016 Crop Prices be approved as presented and to set December 8, 2016 at which 90% of crop harvest completed in the county. The motion carried by the following vote: 5/0**

**Ayes:** 5 - Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

**Excused:** 1 - Supervisor DOWNING

3. [2016 ACT-425](#) APPROVAL OF COST SHARE AGREEMENTS

**Attachments:** [2016 ACT-425 Cost Share Agreements 12-8-16](#)

**A motion was made by STUBBS, seconded by RIPP, that this Action Item be approved. The motion carried by the following vote: 5/0**

**Ayes:** 5 - Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

**Excused:** 1 - Supervisor DOWNING

4. [2016 ACT-426](#) APPROVAL OF COST SHARE PAYMENTS

**Attachments:** [2016 ACT-426 Cost Share Payments 12-8-16](#)

*CHENOWETH requested Contract WINs #7 (2015) be voted on separately.*

**A motion was made by KIEFER, seconded by KILMER, that these cost share payments be approved excluding contract WINs #7 (2015). The motion carried by the following vote: 5/0**

**Ayes:** 5 - Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

**Excused:** 1 - Supervisor DOWNING

**A motion was made by KILMER, seconded by STUBBS, that cost share payment for WINs #7 (2015) be approved. The motion carried by the following vote: 4/0/1 (Chenoweth Abstained)**

**Ayes:** 4 - RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

**Excused:** 1 - Supervisor DOWNING

**Abstain:** 1 - Supervisor CHENOWETH

*DOWNING returned to the meeting at 7:50 pm.*

**Present:** 6 - PATRICK DOWNING, CARL CHENOWETH, RAY RIPP, TIM KIEFER, RICHARD KILMER and SHELIA STUBBS

5. [2016 ACT-466](#) APPROVAL OF COST SHARE EXTENSIONS

**Attachments:** [2016 ACT-466 SWRM Extension Request](#)  
[2016 ACT-466 Yahara WINs Contract Extension Requests](#)

**A motion was made by STUBBS, seconded by RIPP, that the SWRM extension requests be approved. The motion carried by the following vote: 6/0**

**Ayes:** 6 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

**A motion was made by RIPP, seconded by KILMER, that Yahara Clean (WINs) contract extension be approved. The motion carried by the following vote: 6/0**

**Ayes:** 6 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

6. [2016 ACT-423](#) FPP CERTIFICATES OF COMPLIANCE

**Attachments:** [2016 ACT-423 FPP Approvals 12 8 16](#)

**A motion was made by DOWNING, seconded by RIPP, that this Action Item be approved. The motion carried by the following vote: 6/0**

**Ayes:** 6 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

7. [2016 ACT-424](#) DISCONTINUANCE OF PADLEY ROAD, TOWN OF ROXBURY

**Attachments:** [2016 ACT-424 Discontinuance of Padley Road, Twn of Roxbury](#)

**A motion was made by RIPP, seconded by KILMER, that this Action Item be approved. The motion carried by the following vote: 6/0**

**Ayes:** 6 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

## F. Presentations

### Wisconsin Land & Water Conservation Association Overview - Jim Vandenbrook

*Jim Vandenbrook, Executive Director of the Wisconsin Land & Water Conservation Association, presented an overview of the Wisconsin Land & Water Conservation Association's roles and accomplishments.*

**G. Reports to Committee- None****H. Announcements**

*None*

**I. Future Meeting Items and Dates**

*The next meeting will be Thursday, January 19, 2017 at 7 pm. The meeting will be joint with the Park Commission, Lakes & Watershed Commission, UW-Extension Committee and Environmental, Agricultural and Natural Resources Committee invited. A presentation on the Evaluation of Manure Storage Capital Projects in the Yahara River Watershed report will be made by Dr. Rebecca Larson.*

*CHENOWETH handed out a proposed meeting schedule for 2017. CHENOWETH also requested at next meeting committee members assign topics of presentations or discussion for future meetings.*

**J. Public Comment on Items not on the Agenda**

*none*

**K. Such Other Business as Allowed by Law**

*none*

**L. Adjourn**

**A motion was made by DOWNING, seconded by KIEFER, that this meeting be adjourned. The motion carried by the following vote: 6/0**

**Ayes:** 6 - Supervisor DOWNING, Supervisor CHENOWETH, RIPP, Supervisor KIEFER, Supervisor KILMER and Supervisor STUBBS

*Meeting adjourned at 9 pm.*

*Respectfully submitted by Steven Ottelien. Minutes subject to committee approval.*