



## MINUTES

May 20<sup>th</sup>, 2022 (to be approved)

**Present:** Fred Strand-Chairperson; Marty Milanowski-Vice-chairperson; Larry Fickbohm-Co Board of Supervisor; Charly Ray-Co Board of Supervisor; Matt Bolen-Ag Technician/Wildlife Damage Coordinator; Melissa Kraft-LWCD Asst; Andrew Teal-AIS Coord./Surface Water Cons. Tech; Travis Tulowitzky-Cons. Tech., Mary Dougherty-Bayfield Co Supervisor District 2

**Absent:** Ramona Shackelford-NCWMA Coordinator; Representative of-USFWS; Representative of WDNR, Ben Dufford-Co. Conservationist; Pete Tetzner-Citizen Rep.; Greg Tetzner-FSA Rep;

The meeting was called to order by Fred Strand-Chairperson, at 9:06 a.m.

Introductions round table. Brief introduction of Matt Bolen's position as Agricultural Technician/Wildlife Damage Coordinator for Ashland/Bayfield/Douglas/Iron Co. The position is housed in Ashland County Land & Water Department office. Bayfield Co contracts for a portion of his services.

**ACTION:** Election of Officers: LCC Chair and LCC Vice Chair: Nominations were opened. Marty nominated Fred Strand; Fred Strand nominated Charly Ray. Fred Strand declined the nomination. Marty made motion to close nomination and nominate Charly Ray for Chairman; Larry Fickbohm 2<sup>nd</sup> nomination of Charly. Motion carried. Fred nominated Marty for Vice Chair, Larry Fickbohm 2<sup>nd</sup>, Fred made motion to close nomination and cast unanimous ballot to nominate Marty as Vice Chair, motion carried.

**Charly** asked to move Mary Dougherty item number 11 regarding CAFO discussion to item number 6. Approved.

### Discussion on Approval of Minutes from February 18<sup>th</sup>, 2022, meeting:

**MOTION:** Approval of Minutes (February 18<sup>th</sup>, 2022) – Marty Milanowski/Fred Strand – motion carried.

**Public Comment:** Charly asked if there is anyone who would like to address the committee. None. Charly closed public comment.

**Discussion/Possible Action on CAFO Ordinance Update:** The committee received an update to some proposed changes in the existing CAFO Operations Ordinance. Other counties in southern WI have recently adopted ordinances similar to what Bayfield County passed several years ago, and improvements have been made. The intent is to review and make changes, if necessary, then forward it to Bayfield Co Corp Counsel for review.

Mary stated that the draft ordinance before the committee has been reviewed by the Executive Committee at the last meeting and they moved to forward it to the full County Board. She stated that the main text of the ordinance the county passed in 2015/2016 is still in the proposed ordinance but is just re-ordered. The main difference in the ordinance presented is that the applicant must provide 11 different plans (standards that they must meet and tell us how it would

be accomplished) that are certified by engineers or experts that relate to air quality, road damage, fire, how to populate and de-populate, biosecurity, impacts in community and some water quality plans. Then they present the plan to the LCC for review. The DNR website has a CAFO permitting site, but it only covers water.

Charly asked who has authority. Mary discussed there is a notice of complaint going on now in southern WI-Laketown. The authority is in the ordinance; the operations ordinance before the committee was upheld in two prior cases. More research has come up since our last ordinance was passed and therefore Mary believes that the ordinance before us is more up to date. Brief discussion on damages and who would incur costs.

Mary noted that the text in red print is newly added text and text on the right sidebar column is text that what was deleted from original ordinance. Travis clarified that the Operations Ordinance is housed through the County Clerk's Office and that the County Board would be the one issuing the permits and therefore the Land Conservation Department technically isn't necessarily involved with the Operation Ordinance. Fred agreed that it is the County Board decision, but the Land Conservation would be making recommendations to the County Board. Travis asked if there is room in the ordinance for the county to ask for a third-party review for more information example to get a consultant in. Mary stated that yes, the county board would have authority to have the applicant bear the cost of the county to hire a consultant to obtain more information/research on the applicant's plan.

Charly asked why we would pursue a revision now versus waiting until we see what happens further with the notice of complaint in Laketown. Mary stated she believes it shows support that there is value in the framework, and we believe it is a stronger better ordinance.

Marty discussed possible road damage on town roads if a big CAFO were present.

**MOTION:** Motion to support the decision of the Executive Committee to pass the CAFO Operations Ordinance on to Bayfield County Corp. Counsel for review **Fred Strand, 2<sup>nd</sup> by Marty Milanowski**-Motion carried.

Mary left 9:42 a.m.

### **Agency Staff/Partners Reports:**

- a. NRCS Update: Travis noted they hired a new technician Todd Norwood who was in the zoning dept. Gary Hahn will be retiring end of Sept. Plan on hiring a soil conservationist and therefore there will be two field persons and no longer will have a district head. The office will be Ladysmith.
- b. USFWS Update: Travis noted we are working on a culvert on Jader Creek. 18-mile culvert will be in 2023.
- c. WDNR Update: Eddie Shea submitted his following report via email as he was not able to attend today's meeting:
  - Wildlife openings work on county forest should begin next week. 73 openings to complete in 2022.
  - Two contracted invasive species projects on state-owned land will be completed this spring (follow up treatment on buckthorn). New projects will begin in fall.
  - No confirmed cases of Highly Pathogenic Avian Influenza in Bayfield County. Most positive cases found in southern Wisconsin. The DNR continues to receive calls from the public when dead birds are found and responds to priority cases.
  - Bayfield Co County Deer Advisory Council (CDAC) voted to provide 2022 antlerless quota of 3,000, allocating 8,250 authorizations on private land and 2,850 authorizations on public land.

- Shea noticed CWD is a discussion point on the agenda and would like to extend his thanks to the committee for their continued effort to provide financial and logistical support for carcass dumpsters. It is a service that area hunters appreciate.

**Discussion/Possible Action: Wildlife Damage – 2021 Crop Damage Claim Price:** The committee heard from the wildlife damage coordinator, Matt Bolen, about the 2021 wildlife damage claim. In August 2021, a farmer in Bayfield County had bear damage to his corn crop. This resulted in the loss of 187.19 bu. Matt recommends that the Bayfield County LCC set a price of \$5.15/bu, based on an average from 4 sources listed in his handout he provided to the committee members. The damage total amounts to \$963.95, and after the \$500 deductible the claim would be for \$463.95. The committee was given the opportunity to ask questions and decide whether to approve and/or modify the claims.

**MOTION:** *To approve the recommended price of \$5.15/bu totaling \$963.95 less the \$500 deductible bringing the amount to \$463.95 for the corn crop damage. – Marty Milanowski/Fred Strand – motion carried.*

**Discussion/Possible Action on 2022 Equipment and Labor Rates:** Travis noted that we typically follow along with Ashland County fees/prices and asks that the committee review the new suggested rate changes and additions to our Equipment and Labor Rates.

**MOTION:** *To approve the new equipment and labor rates presented – Marty Milanowski/Larry Fickbohm – motion carried.*

**Discussion/Possible Action on 2022 WCA Resolution-Conduct Additional Research on CWD (Chronic Wasting Disease) to Improve Testing, Treatment, and Management Options:** CWD cases are increasing throughout the state, and slowly creeping north. The LCC heard from Fred about the proposed Resolution recommending that the Wisconsin Counties Association urge/encourage the State Legislature to fund and direct state agencies to conduct research and attempt to better manage/prevent CWD.

**MOTION:** *To approve the Resolution as presented, and forward to the County Board of Supervisors for the County Board meeting – Marty Milanowski /Larry Fickbohm – motion carried.*

**Discussion/Possible Action on 2022 WCA Resolution-Enact Stronger Regulations to Limit the Spread of CWD (Chronic Wasting Disease):** The committee heard from Fred about the proposed Resolution recommending that the Wisconsin Counties Association urge the State Legislature to make the changes to State Statutes and supporting Administrative Rules as set forth in the proposed Resolution that the committee was provided for their review.

**MOTION:** *To approve the Resolution as presented, and to forward to the County Board of Supervisors for the County Board meeting – Marty Milanowski/Larry Fickbohm – motion carried.*

**LWCD Staff Reports: Discussed and on file.**

Andy: Report on file. Couple of highlights as follows: Iron River Pike Chain Lakes Association will be running payroll for the staff for the CBCW-Iron River grant of \$20,000. Bayfield Co will continue to administer the other grant duties. Andy noted that he and Nan have discussed the possibility of Iron River Pike Chain of Lakes Association applying directly to the grant in the future and will update in the future if they for sure intend to apply on their own.

Andy noted that Travis has been instrumental in teaching/training him on CAD. He discussed some of the projects he is currently working on and, also, discussed some drone work Land Records was involved with.

Ramona: Unavailable for meeting. Hand pulling garlic mustard in Superior today.

Matt Bolen, Wildlife Damage: Report on file and discussed in detail. Noted he has received issues regarding elk in Ashland. Eight of the nine collared are doing the damage. The group has traveled as far north as to the Ashland airport.

Matt has also been visiting farms delivering soil sample kits so that the farms can submit them. Also, he has been renting out the no-till drill quite a bit and, has done a lot of work himself to repair the drill that was needed. Various crops have been planted with it and it was noted there is a minimum of 50 hp needed. Also, he now requires proof of liability insurance for drill rental which is new this year.

Travis noted that we are very lucky to have Matt Bolen in the position he is in with his knowledge and dedication to the various programs. Travis gave an overview of how the position came about.

Melissa: Report on file. Noted that she participated in garlic mustard pull in Mellen, WI along the Bad River floodplain. Also, she helped plant trees in Delta near S. Fork of White River in areas where the DNR have been working to combat invasive buckthorn.

Travis: Report on file. Travis discussed in detail. He also added that there will be pre-construction meeting in June for the Delta Landfill project so that it can began in June. Travis noted that this is a unique project and huge benefit we can do this in-house with the Highway Dept. crew. Travis and Stacy Dehn-DATCP Engineer, will be there regularly.

Also, Travis discussed photo of Forest Service Project on the Marengo River in the Town of Lincoln. He would like to do more of this type of work.

Ben: Unavailable for meeting.

***Next meeting date: August 26<sup>th</sup>, 2022, at 9:00 AM.***

***Meeting adjourned at 11:07 am***

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