

**Kewaunee County Land and Water Conservation Regularly Scheduled Committee Meeting  
Kewaunee County Fairgrounds Office November 12, 2019 8:15 AM  
Minutes**

**1). Call to Order:** Meeting called to order at 8:15 AM by Chairman Charles Wagner

**2). Roll Call:** Committee Members present: Charles Wagner, Lee Luft, Gary Paape, Aaron Augustian  
Excused: Clark Riemer

UWEX – Aerica Bjurstrom; NRCS – Joe Johnson; County Board Members: Mimi Dobbins, Tom Cretney & Robert Weidner

**3). Approval/Repair of Agenda:** Motion to approve the November 12<sup>th</sup> agenda was made by Gary Paape and seconded by Aaron Augustian. Committee vote was unanimous in favor of the motion.

**4). Approval/Repair of Meeting Minutes:** Motion to approve the October 8, 2019 meeting minutes was made by Aaron Augustian and seconded by Lee Luft. Committee vote was unanimous in favor of the motion.

**5). Public Comments regarding the regularly scheduled Land and Water Conservation Meeting:**

There were 5 members of the public in attendance.

There were 3 public comments that addressed: (1) requesting an update (formal response) from the Resolution to the DNR to continue water testing on the Ahnapee River and not the turbidity meters that were installed; (2) Door County Parks sent out a handout regarding the Forestville Millpond and the health risk of Blastomycosis; (3) thanked the LWCD for issuing citations – although they should be higher – but the citizens are grateful we are issuing them; (4) asked the LCC to re-evaluate Land Lease Agreements and requiring them like Door County Soil & Water; (5) PFAS and municipal waste spreading and how they should be prohibited; (6) overtime compensation for L&W employees is needed for monitoring manure spills/runoffs; (7) if an innocent resident is impacted by a manure spill/runoff and needs some financial help that the homeowner insurance policy does not pay for, the fines/fees collected should be used for these situations (8) authority to take water samples at manure spills/runoff as sometimes the DNR does not (9) fines/fees simply cannot be held in General Fund when the L&W Dept. can certainly utilize them to maintain their level of efficiency and (10) compaction, saturation and the ability to spread manure on fields.

**6. Department Reports:**

*a. Animal Waste Storage Permits: None*

*b. Farmland Preservation/Standards and Prohibitions Walkovers: Travis (October)*

A total of 10 walkovers = 1,240 acres; 6 Full Compliance; 4 Compliance schedules for tillage setback, gully erosion and waterway issues. Recommendations for roof gutters, barnyard/collection and 1 manure storage.

**\*Note-** Fields are very wet and most have erosion due to heavy rains. Unless erosion left field boundaries, erosion was not written out of compliance. Farms will be notified and through tillage and cover crop, these areas will be remedied.

**Manure Audits:** 5 Manure Hauling Audits were completed; 4 Audits based on complaints of soil saturation. Soils throughout field were not saturated (based off the definition in Nutrient Management 590) and saturated areas were not hauled on. 1 Audit based on known Karst and setbacks not met. Maps updated for future hauling.

9 fields called to be inspected prior to hauling. Hauling audits were not conducted, but visual inspections were conducted during or after hauling.

**Farmer Education Classes will be held January 29, 30 and February 4<sup>th</sup> from 11 am until 2 pm. Sign-up is currently open for up to 20 participants and will be mailed out later this month to those who have expressed interest.**

10 *Conservation Plans for Approval:* None

11 *Notice of Non-Compliance Updates:* Davina gave an update that Buresh Farms has been required to become a Medium size CAFO by DNR – they have filed an application.

12 *Public Health & Groundwater Protection Ordinance:* N/A

13 *Chapter 39 update:* DeJardin farms was issued a citation for their spill which reached waters of the state in October.

14 *Well Testing Update:* 99 wells in County were sampled on October 21<sup>st</sup>. 2% E-coli (2 wells); 20% coliform bacteria (20 wells); 9% nitrates (9 wells) – Total 28 unsafe wells – 28%.

h). *Zoning / Sanitation Report:* October

Soil Inspections: 3

Septic Inspections: 6

Existing Inspection Reports: 11

Permit Applications: 5

House Number: 3

i) *Invasive Species Program Update* – Kate: Moved to December meeting.

## **7). Cooperating Agency Reports:**

a). **USDA Natural Resources Conservation Service (NRCS):** Joe Johnson discussed that despite the weather, some cover crops did go in especially on acres where producers planted a shorter day corn. NRCS is waiting on the final rules from the new Farm Bill to come out and they anticipate a spring EQIP sign-up.

b). **UWEX:** Aerica discussed several upcoming meetings:

1. Save the Bay: Thursday, November 14 @ 10am (Fairgrounds-Expo)

2. February 4<sup>th</sup>, 2020 – Pesticide training

3. A Cafo meeting (January 29<sup>th</sup> – Luxemburg Rendezvous), forage/soil meeting and 2 manure hauler trainings will be available this winter – details are not set, but Aerica will send them out once available.

c). **USDA APHIS (Animal and Plant Health Inspection Service) Wildlife Services:** N/A

d). **Comments from State Legislators:** N/A

e). **Other Agency/Organization Reports:** N/A

## **8). Other Matters to Discuss (if needed)**

a) **Department Natural Resources (DNR) Workgroup Update:** Next meeting date is not determined yet.

Sub-group is meeting and working on finalizing the factsheets for Composting, Soil Health, ect.

b) **Northeast Total Maximum Daily Load (TMDL) update:** Chuck Wagner will call DNR and ask for an update on our resolution asking for 2 additional years of testing on the Ahnapee River. We do know DNR installed turbidity meters.

c) Brown County Digester Update: Lee Luft sent an article out a week ago and updated the committee on the PSC's decision to re-evaluate the Digester project because of significant new promises and changes to the original proposals.

d) Tile Lines: Davina passed around a field map of the County's latest flight which shows tile lines. Staff are using these air photos to draw in tile lines into ArcGis. Aaron Augustian said he would touch base with some tile installers to get more information on how they are locating new lines and providing that data to the farms.

**9). Scheduling of Future Committee Meetings:** Tuesday - December 10, 2019 @ 8:15am; Thursday - January 16, 2020 @ 8:15am

**10). Chairman's Wrap-Up Comments:** Chairman Wagner asked the question if the LCC should discuss the erosion on Lake Michigan bluffs next month (LCC agreed). He thanked everyone for their comments and the LCC will continue to work on these issues.

**11). Adjournment:** A motion to adjourn the meeting at 10:04 am was made by Lee Luft and seconded by Gary Paape. Motion carried unanimously.

**OLD AND OUTSTANDING SEPTICS (PRIOR TO 2017):**

9 septic systems that are still non-compliant.

\*\*Jeff is handling these.

**2017 SEPTIC SYSTEM ENFORCEMENTS:**

Originally 52 enforcement letters were mailed out. 6 are still non-compliant. Breakdown is as follows:

1 - Permits have been issued, waiting to install.

1 - Is hooking to Village sewer.

1 - The state plan approvals have now come back so sanitary permits will hopefully be issued soon.

3 - Soil tests are now completed.

\*\*Jeff is handling these.

**2018 SEPTIC SYSTEM ENFORCEMENTS:**

Originally 110 enforcement letters were mailed March 2018 with a 1 year deadline to prove soil compliance. Breakdown is as follows:

8 - Permit has been issued, waiting to install.

79 - Systems have passed inspection/or new systems have been installed.

3 - Systems are no longer in use.

16 - Soil tests are completed plus 2 that have soil borings scheduled and we confirmed with the soil testers.

1 - Failed inspection, working with soil tester.

\*\*Jeff mailed reminder letters in March to ones that haven't done anything and to ones that have completed soil tests.

**2019 SEPTIC SYSTEM ENFORCEMENTS:**

146 Enforcement letters were mailed March 2019 with a 1 year deadline to prove soil compliance.

4 - Permit has been issued, waiting to install.

57 - Systems have passed inspection/or new systems have been installed.

19 - Soil tests are completed.

1 - System no longer in use.

1 - Tank failed inspection, drainfield passed. Looking for an installer for new tank.

November 12, 2019

Attn: Chuck Wagner, Chairman, Kew. Co. L&WCC

Hi Chuck:

The highly agricultural nature of Kewaunee County, the 97,000+ "bovines" issuing manure at unprecedented amounts, the non-cooperating wet and icy weather, and almost certain additional manure spills/runoffs to contend with has put our Land&Water Conservation Dept. working at its highest possible level of efficiency. It must be afforded every means available to do its job. If overtime compensation for L&W employees is needed for monitoring manure spills/runoffs, if an innocent resident is impacted by a manure spill/runoff and needs some financial help that the homeowner insurance policy does not pay for, the fines/fees collected should be used for these situations.

Also, at the last meeting, Davina, L&W director, asked for authority to take water samples at manure spills/runoff as sometimes the DNR does not. The department needs every means available to do its job. The fines/fees collected could offset the expense. The motion to take water samples should be reintroduced and approved.

These fines/fees simply cannot be held in General Fund when the L&W Dept. can certainly utilize them to maintain their level of efficiency. Do not defer, deflect, or detour anymore.

One final sobering thought was a comment by our Ag.Agent, Aerica, in a recent news report regarding the wet weather. She states that it could take a decade to recover because of the ruts left behind by large machinery leaving farm fields struggling to filter water properly and more likely to flood low spots. After that statement, my question would be how will this affect the ability of fields to accept large amounts of liquid manure responsibly?

Thank you, Sue Weisser

Cc: Davina, Lee Luft, Aaron Augustine, Clark Riemer, Gary Paape