



**LAND CONSERVATION COMMITTEE**  
**Wednesday October 7, 2020, 7:15 P.M.**  
**CALL: 1-312-626-6799**  
**MEETING ID: 886 1740 8858**

Join Zoom Meeting

<https://us02web.zoom.us/j/88617408858?pwd=MUIvQ3JkTmV5d3k3M2d4ZnBONW01QT09>

Meeting ID: 886 1740 8858

Passcode: 130862

One tap mobile

+13126266799,,85648247741#,,,,,0#,,130862# US (Chicago)

+19292056099,,85648247741#,,,,,0#,,130862# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

Meeting ID: 886 1740 8858

Passcode: 130862

Join by Skype for Business

<https://us02web.zoom.us/skype/85648247741>

If you are interested in providing public comments on items on this agenda, you must submit your comments by noon on Monday October 5, 2020. To submit a public comment use the following email: [andrew.baker@co.rock.wi.us](mailto:andrew.baker@co.rock.wi.us)

**Join from a telephone:**

- On your phone, dial the phone number provided above
- Enter the meeting ID number when prompted, using your dial-pad.
- Please note that long-distance charges may apply. This is not a toll-free number.
- Supervisors: Please identify yourself by name
- Please mute your phone when you are not speaking to minimize background noises
- We are new at holding meetings this way, so please be patient

Instructions for the hearing impaired –

<https://support.zoom.us/hc/en-us/articles/207279736-Getting-started-with-closed-captioning>

**LAND CONSERVATION COMMITTEE**  
**Wednesday October 7, 2020, 7:15 P.M.**  
**VIA ZOOM**

**AGENDA**

1. Call Meeting to Order
2. Approval of Agenda
3. Approval of Minutes – September 2, 2020 and joint meeting with P&D Committee on September 14, 2020.
4. Citizen Participation, Communications, and Announcements
5. Review Bills Paid
6. **Action Item.** 2020 Wildlife Damage Abatement and Claims Program crop price approval – David Terrall – USDA Wildlife Services
7. **Action Item.** 2021 Wildlife Damage Abatement and Claims Program budget approval – David Terrall – USDA Wildlife Services
8. **Action Item:** Resolution Recognizing Thomas Sweeney
9. **Action Item.** Construction Site Erosion Control/Stormwater Management Ordinance: The Humane Society of Southern Wisconsin request for 6 month Permit Extension (Permit ECSW-2019-022).
10. **Action Item.** Construction Site Erosion Control/Stormwater Management Ordinance: Request on behalf of Landmark Services Cooperative to waive the Ordinance requirement of doubled permit fees for an after-the-fact permit.
11. **Action Item.** Land and Water Resource Management Program: Approval of Cost Share Agreements
12. **Action Item.** Approval of 2021-2025 Agreement with Yahara WINS to provide staff assistance for the implementation of portions of the Adaptive Management project to meet phosphorus compliance obligations (and authorizing Chair Bostwick to sign on behalf of the County)
13. **Informational Item.** Purchase of Agricultural Conservation Easements
14. Adjourn



## MINUTES

**ROCK COUNTY LAND CONSERVATION COMMITTEE  
WEDNESDAY, 09/02/2020, 7:15 P.M.  
Virtual Meeting - Zoom**

1. **Call to Order:** Chair Bostwick called the meeting to order at 7:15 pm.  
  
**Committee Members Present:** Stephanie Aegerter, Rich Bostwick, Wes Davis, Kaelyb Lokrantz, Mike Mulligan, James Quade, Alan Sweeney and Jeremy Zajac.  
  
**Committee Members Excused:** None  
  
**Others Present:** Andrew Baker and Chris Newberry, LCD
2. **Approval of Agenda:** Supervisor Zajac moved to approve the agenda as written, seconded by Supervisor Lokrantz. **Motion carried unanimously.**
3. **Approval of Minutes – June 17, 2020 and August 10, 2020 LCC meetings and August 18, 2020 Joint Meeting with P&D Committee:** Supervisor Davis offer a couple corrections to the August 10<sup>th</sup> meeting minutes, noted by Staff. Supervisor Lokrantz moved the minutes from the June 17 and August 10, 2020 LCC meetings and the August 18, 2020 Joint Meeting with P&D Committee with the clarifications, seconded by Supervisor Aegerter. **Motion carried unanimously.**
4. **Citizen Participation, Communications, and Announcements:** None
5. **Review Bills Paid:** The Committee reviewed the bills to be paid. There were no questions.
6. **Resolution: AUTHORIZING SUBMITTAL OF GRANT APPLICATION FOR THE 2021 CLEAN SWEEP PROGRAM.** Andrew explained that this is the annual grant application, which is one of the funding sources for the program. Other funding sources in the past have been user fees, contributions from partnering municipalities and, in the last few years, a portion of the ATC Fund Balance. Andrew reminded the Committee that in August 2019 they voted that 2020 would be the last year that the ATC Fund balance would be used as a consistent source of funding for the program, because it is an exhaustible source. At the time, the Committee directed staff to develop MOUs with the participating partners to have a written confirmation of funding, rather than “voluntary” contributions. Doing so would make planning and budgeting much easier. The Committee confirmed they would intend to adhere to the decision made in 2019 regarding the future of funding for the program. Andrew informed the Committee that staff would continue to work on the MOUs. Motion to approve the resolution by Supervisor Davis seconded by Supervisor Zajac. **Motion carried unanimously.**
7. **Construction Site Erosion Control/Stormwater Management Ordinance: Fulton Church request for 6 month Permit Extension (Permit ECSW-2019-018).** Andrew explained that the permit holder is requesting an extension because the project has to been completed in the time frame dictated in the permit (1 yr). There were difficulties find a contractor at a cost they could afford. There are no compliance issues on the property. Motion to approve the six month by Supervisor Davis seconded by Supervisor Mulligan. **Motion carried unanimously.**

8. **Approval of Farmland Preservation Notice of Noncompliance Documents;** Raymond and Shawn Ibeling (Voluntary, 100 acres total does not participate in the program) and Donald Wollinger (Voluntary, 216 acres, does not participate in the program). Motion to approve the notice of noncompliance documents by Supervisor Zajac seconded by Supervisor Quade. **Motion carried unanimously.**
9. **Land and Water Resource Management Program - Approval of Cost Share Agreements:** Andrew reviewed the Cost Share agreement to be considered for approval; a waterway and diversion Dan Husisheere, a rebuild waterway for MacFarlane Pheasant Farm and cover crop installation at the County Farm for Scott Flemming. Supervisor Zajac made a motion to approve the cost share agreements presented for approval, seconded by Supervisor Quade. **Motion carried unanimously.**
10. **Producer Led Watershed Group: Approval of Memorandum of Understanding with “Farmers on the Rock” Producer Led Watershed Group for grant application and program administration.** Andrew and Chris explained that the MOU is a necessary requirement for the Group to apply for grant funding from DATCP. Essentially the LCD will agree to provide staff support for the group and provide a funding/accounting mechanism to manage any funding acquired by the Group. Supervisor Davis made a motion to approve the MOU as presented, seconded by Supervisor Zajac. **Motion carried unanimously.**
11. **Groundwater Workgroup Activities.** Chris provide the LCC with an update regarding the Groundwater Nitrate Workgroup activities, with the previous meeting being held on September 1<sup>st</sup>. Next meet will be held on October 27<sup>th</sup> at 8:00. Chris also informed the LCC regarding his work on the Producer Led Watershed Group and the 9KE planning project status.
12. **Approval of Letter of Support and Intent** to be a Contributing Partner in an application made by the American Farmland Trust for the Natural Resources Conservation Service’s (NRCS) Regional Conservation Partnership Program (RCPP). Andrew explained the effort by the American Farmland Trust to leverage local program dollars into an application for RCPP. The main purpose to so continue to permanently preserve farmland. At this time, what is being requested is a letter of intent, no commitment. Andrew provide Staff a rough estimate of the dollars that the County will put into the PACE program over the next 5 years, which helps the application score by showing there is a local program committed to permanent preservation of ag land. No county funding will be required for match, etc, if the program application is approved. The sources of funding for the RCPP at the federal level are different and separate from the funding for ACEP-ALE (the federal program that compliments the PACE program). Supervisor Quade made a motion to the letter of support and intent, seconded by Supervisor Lokrantz. **Motion carried unanimously.**
13. **Purchase of Agricultural Conservation Easements - Update.** Andrew stated he is working on final documentation for the Barlass Easements. Andrew will also look into concerns relayed from NRCS regarding the reviews of appraisals done in the past by current consultant, indicating some appraisals have been rejected. There is no interest at this time to look for a different appraisal consultant.
14. **Adjourn:** Supervisor Sweeney made motion to adjourn the September 2, 2020 Land Conservation Committee meeting at 7:51 pm, seconded by Supervisor Davis. **Motion Carried.**

Respectfully Submitted,

Andrew Baker  
County Conservationist

**Minutes are not official until adopted by the Land Conservation Committee.**



**JOINT LAND CONSERVATION / PLANNING AND  
DEVELOPMENT COMMITTEES  
Minutes – September 14, 2020**

**Call to Order.** Chair Bostwick called the joint meeting of the Land Conservation / Planning and Development Committees to order at 6:32 P.M. on Monday, September 14, 2020, via teleconference.

**Committee Members Present.** Land Conservation Committee: Supervisors Bostwick, Aegerter, Davis, Lokrantz, Sweeney, Mulligan, Zajac and Jim Quade; Planning and Development Committee: Supervisors Sweeney, Davis, Podzilni, and Potter.

**Committee Members Excused:** Wayne Gustina, Planning and Development Committee.

**Staff Members Present.** Josh Smith, County Administrator; Andrew Baker, County Conservationist.

**Others Present:** Supervisor Purviance.

**Approval of Agenda.** Supervisor Davis moved approval of the agenda, second by Supervisor Podzilni. ADOPTED.

**Public Comment.** None.

**Discussion and Possible Action.**

**Organizational and Leadership Structure of Land Conservation and Planning & Development Departments**

Mr. Smith explained the handouts and went over the proposed organizational chart.

Supervisor Mulligan expressed his opinion that we ought to keep the two departments separate with separate department heads.

Supervisor Sweeney felt that the proposal could work if there was someone in the leadership position who had good experience in both areas.

Supervisor Podzilni moved to create one department head position over both departments, as proposed in Option 3 from the memo presented at the prior meeting and consistent with the materials presented and positions outlined in tonight's meeting packet. Second by Sweeney.

Supervisor Aegerter asked for clarification on the Human Resources process that would be used to fill the position. Smith answered that was still under discussion.

Supervisor Davis asked about the various wage ranges for positions in the departments.

Supervisor Davis asked what the towns would think about this change. Mr. Baker and Supervisor Sweeney answered the towns would be interested in competent leadership.

Supervisor Sweeney asked what the pay range for the new director would be. Mr. Smith answered that Human Resources has suggested Range 32 might be appropriate, but that Range 34 would still be considered.

Supervisor Davis asked about whether the Planning & Development Department still conducts comprehensive plans for towns. Mr. Smith and Mr. Baker described the changes in responsibilities for the department over the past decade.

Supervisor Bostwick indicated he would support this change but suggested this be revisited in a year to address any workload concerns.

Supervisor Davis suggested two edits to the materials presented.

PASSED on the following vote: YES – Supervisors Bostwick, Aegerter, Davis, Lokrantz, Sweeney, Zajac, Podzilni and Potter; NO – Supervisor Mulligan; ABSENT – Supervisor Gustina and Mr. Quade

**Adjournment.** Supervisor Zajac moved adjournment at 7:15 P.M., second by Supervisor Potter. ADOPTED.

Respectfully submitted,

Josh Smith  
County Administrator

**NOT OFFICIAL UNTIL APPROVED BY COMMITTEES.**

ROCK COUNTY

**COMMITTEE REVIEW REPORT  
WITH DESCRIPTION  
FOR THE MONTH OF SEPTEMBER 2020**

09/24/2020

Account Number	Account Name	PO#	Check Date	Vendor Name	Description	Inv/Enc Amt
62-6200-0000-63100	Office&Misc Exp	P2000032	09/17/2020	US BANK	STAPLES OFFICE SUPPLIES	158.18
<b>Land Conservation PROG TOTAL</b>						<b>158.18</b>
62-6280-0000-64928	Cost Sharing	P2001802	09/24/2020	DELO INCOME TRUST	LR-040.19 COST SHARE	5,225.50
		P2001811	09/24/2020	MACFARLANE PHEASANTS INC	LR-011.20 COST SHARE	4,130.00
		P2001836	09/24/2020	REBOUT AND SONS FARMS,ROGER	LR-009.20 WELL DECOMMISSIONING	500.00
<b>LWC Plan Implementation Grant PROG TOTAL</b>						<b>9,855.50</b>
62-6300-0000-64918	Marketing	P2001728	09/03/2020	EVANSVILLE REVIEW LTD	CLEAN SWEEP AD JUNE 2020	77.00
<b>Household Clean Sweep PROG TOTAL</b>						<b>77.00</b>
62-6311-0000-64928	Cost Sharing	P2001694	09/03/2020	YOUNG RECOCABLE TRUST,THOMAS C	YAHARA WINS - 07.19	13,320.00
		P2001695	09/03/2020	GEORGE BROTHERS FARMS INC	YAHARA WINS - 01.19	28,515.00
		P2001696	09/03/2020	WELLNITZ,DAVID AND LYNETTE	YAHARA WINS-04.18	14,850.00
		P2001705	09/03/2020	YOUNG RECOCABLE TRUST,THOMAS C	YAHARA WINS 05.18	16,500.00
<b>Yahara WINS PROG TOTAL</b>						<b>73,185.00</b>

**COMMITTEE REVIEW REPORT  
WITH DESCRIPTION  
FOR THE MONTH OF SEPTEMBER 2020**

Account Number	Account Name	PO#	Check Date	Vendor Name	Description	Inv/Enc Amt
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I have reviewed the preceding payments in the total amount of **\$83,275.68**

Date:

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_



*Item #6*

**SECTION IV: COUNTY BUDGET/ FINANCIAL PLAN - REQUIRED BY ALL PARTIES  
 ROCK COUNTY (COOPERATOR)  
 2021**

<b>COST ELEMENT</b>	<b>Price charged to Cooperator (Payable to APHIS WS</b>	<b>Additional WDNR Funding Requested by Cooperator (county Reimbursed</b>	<b>COST SHARED BY WS</b>	<b>FULL COST</b>
Salaries (includes venison donation admin)	\$4,000.29		\$878.11	\$4,878.40
Abatement Materials	\$629.35			\$629.35
Mileage/Travel	\$575.70			\$575.70
<b>Subtotal Direct Costs</b>	<b>\$5,205.34</b>		<b>\$878.11</b>	<b>\$6,083.45</b>
Pooled Job Costs	\$572.59			\$572.59
Deer Donation Processing		\$0.00		\$0.00
County Administration		\$3,000.00		\$3,000.00
Indirect Costs (Administrative Overhead)	\$840.66			\$840.66
Permanent Fence		\$0.00		\$0.00
<b>Agreement Total</b>	<b>\$6,618.59</b>	<b>\$3,000.00</b>	<b>\$878.11</b>	<b>\$10,496.70</b>
The distribution of the budget (with the exception of the mandatory percentage line items) from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed:	<b>\$9,618.59</b>			<b>\$10,496.70</b>

We expect to assist 5-10 growers with damage that may result in wildlife damage requests equaling or exceeding \$10,000 worth of claims.

Signatures of Intention:

COUNTY: \_\_\_\_\_ Date: \_\_\_\_\_

WDNR: \_\_\_\_\_ Date: \_\_\_\_\_

USDA-APHIS-WS: \_\_\_\_\_ Date: \_\_\_\_\_

Item # 6

**ROCK COUNTY (COOPERATOR)  
2021**

<b>COST ELEMENT</b>	<b>County Request</b>	<b>*County Administration included in County Salary request</b>	<b>USDA-WS FUNDING APPROVED</b>	<b>TOTAL FUNDING APPROVED</b>
Salaries (includes County Admin.)	\$7,000.29	\$3,000.00	\$878.11	\$7,878.40
Abatement Materials	\$629.35			\$629.35
Mileage/Travel	\$1,148.29			\$1,148.29
Office Overhead	\$840.66			\$840.66
Venison Admin	\$0.00			\$0.00
Venison Processing	\$0.00			\$0.00
				\$0.00
Permanent Fence	\$0.00			\$0.00
<b>Agreement Total</b>	<b>\$9,618.59</b>		<b>\$878.11</b>	
<b>WDNR FUNDING APPROVED:</b> The distribution of the budget (with the exception of the mandatory percentage line items) from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed:	<b>\$9,618.59</b>			<b>\$10,496.70</b>

We expect to assist 5-10 growers with damage that may result in wildlife damage requests equaling or exceeding \$10,000 worth of claims.

Signatures of Intention:

COUNTY: \_\_\_\_\_

Date: \_\_\_\_\_

WDNR: \_\_\_\_\_

Date: \_\_\_\_\_

USDA-APHIS-WS: \_\_\_\_\_

Date: \_\_\_\_\_

Item # 7

Prepared by: USDA-APHIS-Wildlife Services

9/29/20

2020 CROP PRICE PROPOSAL

\_\_\_\_\_ COUNTY

CROP	PRICE PROPOSED	If different than price proposed PRICE APPROVED
<b>HAY:</b>		
Alfalfa	\$233.87 / Ton	\$ _____
Alfalfa/Grass- mix	\$142.79 / Ton	\$ _____
Grass	\$134.66 / Ton	\$ _____
Straw	\$ 37.50 /bale	\$ _____
<b>GRAINS:</b>		
Corn, Field	\$ 3.33/ Bushel	\$ _____
Oats	\$ 2.64 / Bushel	\$ _____
Soybeans	\$ 8.55 / Bushel	\$ _____
Wheat	\$ 4.85 / Bushel	\$ _____

Approved By \_\_\_\_\_ County: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_

90% of the crops have been harvested in \_\_\_\_\_ County – as of: \_\_\_\_\_

Item # 8

RESOLUTION NO. \_\_\_\_\_

AGENDA NO. \_\_\_\_\_

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



RICHARD BOSTWICK, CHAIR  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

SEPTEMBER 11, 2020  
DATE DRAFTED

**Recognizing Thomas Sweeney**

- 1 **WHEREAS**, Thomas (Tom) Sweeney began his career path in December 1984 after graduating from
- 2 UW-Green Bay with a Bachelor's Degree in Environmental Science and a Math Minor; and,
- 3
- 4 **WHEREAS**, Tom gained experience at the McHenry County, IL, Soil and Water District from
- 5 January 1985 to August 1985, the Catawba County, N.C., Soil and Water Conservation Department
- 6 from August 1985 to August 1986 (Conservation Technician) and subsequently the Door County Soil
- 7 and Water Conservation Department (starting as a Conservation Technician and moved up to Unit
- 8 Leader – Conservation Planning Division) before resigning to come to Rock County; and,
- 9
- 10 **WHEREAS**, Lake Michigan Area Representative on the Board of Directors the Wisconsin
- 11 Association of Land Conservation Employees (WALCE) from 1996 to 1999; and,
- 12
- 13 **WHEREAS**, Tom began his employment with Rock County as County Conservationist on May 10,
- 14 1999; and,
- 15
- 16 **WHEREAS**, Tom served as the Professional Improvement Conference chair for the WALCE Annual
- 17 Conference; and,
- 18
- 19 **WHEREAS**, Tom was awarded the County Conservationist of the Year in 2003 by WALCE; and,
- 20
- 21 **WHEREAS**, Tom served as Treasurer of WALCE from 2004 until 2005; over that time developing the
- 22 policies and book-keeping methods to fiscally stabilize the organization that were lacking for so many
- 23 years prior; and,
- 24
- 25 **WHEREAS**, Tom played a key role in the successful three-day Farm Progress Days event that was held
- 26 at Venable Farms in September 2001, which was especially challenging due to mother nature; and,
- 27
- 28 **WHEREAS**, Tom served as a subject matter expert for multiple state agencies for the development and
- 29 revisions of conservation related State Administrative Codes and Statutes; and,
- 30
- 31 **WHEREAS**, Tom oversaw four updates to the County Land and Water Resource Management Plan,
- 32 which serves as a long-term strategic conservation plan for the LCD and county residents. The plan
- 33 provides guidance to the LCD for collaborating efforts with state and federal agencies on natural
- 34 resource conservation issues and provides guidance for annual work plans for the LCD; and,
- 35
- 36 **WHEREAS**, Tom was a leader in the initiation of new County Ordinances to protect surface and ground
- 37 water resources, particularly the Construction Site Erosion Control, Storm Water Management and
- 38 Animal Waste Storage Ordinances; and,
- 39
- 40 **WHEREAS**, Tom oversaw the implementation of the Household Hazardous Waste (Clean Sweep)
- 41 collection program beginning in 2005 and making it an annual event; and,
- 42
- 43 **WHEREAS**, Tom played a key role in development of the County Purchase of Agricultural
- 44 Conservation Easements (PACE) program, one of the only few County programs in the state, which
- 45 required a successful collaboration of many public and private sector entities; and,
- 46

1 **WHEREAS**, Tom took a lead role in the development and formation of the Ground Water Nitrate Study  
2 Work Group, focusing on planning and research to help reduce nitrate levels in the County; and,  
3  
4 **WHEREAS**, Tom retired from public service on September 5, 2020.  
5  
6 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly  
7 assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2020, does hereby recognize Thomas Sweeny for his  
8 thirty-four years and eight months in the land conservation field, with over twenty-one years of service to  
9 Rock County, and recommend that a sincere expression of appreciation be given to Tom along with best  
10 wishes for the future.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

COUNTY BOARD STAFF COMMITTEE

\_\_\_\_\_  
Richard Bostwick, Chair

\_\_\_\_\_  
Kara Purviance, Chair

\_\_\_\_\_  
Alan Sweeney, Vice Chair

\_\_\_\_\_  
Richard Bostwick, Vice Chair

\_\_\_\_\_  
Stephanie Aegerter

\_\_\_\_\_  
Tom Brien

\_\_\_\_\_  
Wes Davis

\_\_\_\_\_  
Kevin Leavy

\_\_\_\_\_  
Kaelyb Lokrantz

\_\_\_\_\_  
Louis Peer

\_\_\_\_\_  
Mike Mulligan

\_\_\_\_\_  
J. Russell Podzilni

\_\_\_\_\_  
James Quade, USDA-FSA Rep.

\_\_\_\_\_  
Alan Sweeney

\_\_\_\_\_  
Jeremy Zajac

\_\_\_\_\_  
Bob Yeomans

\_\_\_\_\_  
Jeremy Zajac

**ANDREW BAKER**

---

**From:** Christopher Murphy  
**Sent:** Friday, September 25, 2020 6:30 AM  
**To:** ANDREW BAKER  
**Subject:** FW: Rock Cty Permit ECSW-2019-22

*Agenda Item # 9*

Andrew,

Please present the following to the LCC at their next meeting on October 7, 2020:

Request a 6 month extension for Rock County Permit ECSW-2019-22, The Human Society of Southern Wisconsin.

Please see the email below for the reason for the extension.

Thanks

Murph

**From:** Jim McMullen [mailto:jmcmullen@petsgohome.org]  
**Sent:** Thursday, September 24, 2020 1:37 PM  
**To:** Christopher Murphy <Christopher.Murphy@co.rock.wi.us>  
**Cc:** 'Adam Griffin' <agriffin@combssurvey.com>  
**Subject:** RE: Rock Cty Permit ECSW-2019-22

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Chris,

My apologies for my delayed response. I'm trying to stay on top of things during my first two weeks!

Our primary reason for a delay regarding this matter is the Coronavirus. Covid has really brought everything to a standstill. Although this is the primary reason, we've also had leadership changes taking place over the past few months. This includes both board leadership and agency leadership.

In fact, our operations are still not back to 100% due to Covid. We are only open via appointments and with all the necessary protocols, way less volunteers, etc.

Please see what you can do to get the extension and we appreciate your efforts in this regard.

Thanks,

**jim mcmullen**  
executive director



**humane society**

## ANDREW BAKER

---

**From:** Christopher Murphy  
**Sent:** Monday, September 21, 2020 6:55 AM  
**To:** ANDREW BAKER  
**Cc:** Mary Kubiak  
**Subject:** FW: Landmark Services - Erosion Control and Storm Water Management Permit

Agenda Item  
#10

Andrew,

Please review the email below and forward the request to the Rock County Land Conservation Committee at their next meeting.

When presenting this request, please inform the Committee this is similar to Silha's request to waive the double fee which the LCC voted in favor of. I mention this in the interest of the Department being consistent and fair.

Thanks for your consideration.

Chris Murphy  
Conservation Specialist  
Rock County LCD

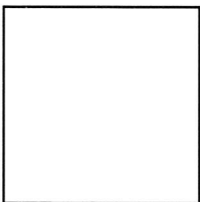
**From:** Becky Guenther [mailto:Becky.Guenther@ISGInc.com]  
**Sent:** Friday, September 18, 2020 4:00 PM  
**To:** Christopher Murphy <Christopher.Murphy@co.rock.wi.us>  
**Subject:** Landmark Services - Erosion Control and Storm Water Management Permit

**CAUTION:** This email originated from outside the Rock County (Rock-IT) network. Do not click links or attachments unless you recognize the sender and know the content is safe. If you feel this email is a potential phishing attempt, please forward to [PhishingAlerts@co.rock.wi.us](mailto:PhishingAlerts@co.rock.wi.us) for review.

Hi Chris,

Thanks for the call this afternoon regarding the Landmark Services project. As suggested, I would ask you to present this case to the Land Conservation Committee to appeal the double fee due to not having the permit approved prior to starting construction. As we discussed, we did have the DNR permit and had coordinated with Lima Township prior to the start of construction, however were not aware of the need for this permit.

Thanks and have a great weekend,  
Becky



**Becky Guenther**  
Graduate Engineer  
*Employee Owner*

P 952.426.0699  
C 952.564.8250  
E [Becky.Guenther@ISGInc.com](mailto:Becky.Guenther@ISGInc.com)  
A 7900 International Drive + Suite 550 + Minneapolis, MN 55425  
W [ISGInc.com](http://ISGInc.com)

Agenda Item # 10

# ROCK COUNTY EROSION CONTROL AND STORM WATER MANAGEMENT PERMIT APPLICATION

Permit #: \_\_\_\_\_

Date: 09-17-2020

**Project Name:** Landmark Services Coop - Grain Pile Addition

Township: Lima Section: 13 ¼: 4 ¼: 14 Parcel #: 6-11-98A

Landowner: LM Holdings Burlington Consumer Cooperative

Applicant: Landmark Services Coop

Landowner Address: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

1401 Landmark Dr

1401 Landmark Dr

Cottage Grove, WI 53527

Cottage Grove, WI 53527

Landowner Phone: \_\_\_\_\_

Applicant Phone: 262-206-0585

FAX: \_\_\_\_\_

FAX: \_\_\_\_\_

**Person and/or Company Responsible for Installation and Maintenance of Erosion Control Best Management Practices**

Name: Ayre Excavating Contact Person: Nick Phone: 262-296-1826

**Person and/or Company Responsible for Design and as-built Certification of Storm Water Best Management Practices**

Name: ISG Contact Person: Becky Guenther Phone: 952-426-0699

Type of Permit (check 1):  Erosion Control and Storm Water Management  
 Storm Water Management Only  Erosion Control Only

Fee Calculation	
Erosion Control - Total Disturbed Area:	<u>265716</u> sq. ft. X <u>\$0.005</u> (\$ / sq. ft) = \$ <u>1328.58</u>
Storm Water Management – New Impervious Area:	<u>71003</u> sq. ft. X <u>\$0.005</u> (\$ / sq. ft) = \$ <u>355.01</u>
Storm Water Management – Redeveloped Impervious Area:	<u>127019</u> sq. ft. X <u>\$0.0025</u> (\$ / sq. ft) = \$ <u>317.55</u>
Note: Graveled areas are considered impervious areas for the purpose of this permit	
<b>Plus Base Fee:</b>	
Erosion Control Only (\$200), Storm Water Management Only (\$200), Combined Erosion Control and Storm Water Management (\$300)	= \$ <u>300</u>
<b>Total Permit Fee</b> (Disturbed area plus base fee. Please make your check payable to Rock County LCD)	= \$ <u>2301.14</u>
<i>As per sections 4.809 and 4.1109 of County Ordinance, all fees shall be doubled if work is started before a permit is issued</i>	

- normal permit fee has been paid

- All requirements on this application correspond to the requirements set forth in Erosion Control Ordinance, Section 4.11 of the Rock County Code of Ordinances, and Storm Water Management Ordinance, Section 4.08 of the Rock County Code of Ordinances.
- By submitting this application, the applicant and landowner certify that all land disturbing construction activity shall be conducted in accordance with the provisions of an approved or amended permit.
- Submitting this application authorizes Department Staff to enter the property to obtain information, conduct inspections or make curative action.

Landowner or Applicant Signature: [Signature] Date: 9-17-20  
*(If applicant is not the landowner, attach a notarized statement authorizing applicant to act as landowner's agent)*

Permit Issued by: \_\_\_\_\_ Date: \_\_\_\_\_



## SERVICE AGREEMENT

This Service Agreement (the "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2020, by and between the Yahara Watershed Improvement Network ("Yahara WINS") and Rock County, Wisconsin (the "County")."

### RECITALS:

- A. Yahara WINS consists of municipalities who have enacted the Intergovernmental Agreement for an Adaptive Management Plan in the Yahara Watershed (IGA) to jointly participate in an Adaptive Management Plan to fulfill their Yahara Watershed phosphorus compliance obligations under their Wisconsin Pollution Discharge Elimination System (WPDES) permit and the Rock River Total Maximum Daily Load (TMDL);
- B. Yahara WINS desires to obtain assistance from the County to implement portions of the Adaptive Management project.
- C. The County provides planning and technical assistance to agricultural landowners, producers and other individuals or entities for the implementation of conservation practices that reduce sediment and nutrients (including phosphorous) from entering waters as well as provides other conservation benefits.

### AGREEMENT:

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other consideration, the receipt and sufficiency of which is hereby acknowledged, Yahara WINS and the County agree as follows:

1. **Scope of Work.** County shall perform the services and provide the deliverables noted below:
  - a) Work with landowners in the County's portion of the Yahara River Watershed to identify locations where conservation practices or engineered solutions can be implemented to achieve phosphorus reductions.
  - b) Provide implementation assistance to landowners interested in installing conservation practices or engineered solutions that result in phosphorus reductions. Internally drained areas of the watershed shall not qualify unless they are currently tile-drained and adding phosphorus to the Yahara River basin.

- c) Calculate modeled phosphorus reductions for installed practices based on SNAP Plus or other agreed upon models.
  - d) Verify the status of installed conservation practices or engineered solutions that result in phosphorus reductions by conducting annual visits with landowners.
  - e) Provide administrative and recordkeeping activities associated with disbursement of funds received from Yahara WINS.
  - f) Attend at least two Yahara WINS meetings each year and provide participants updates on phosphorus reduction activities being conducted in the County's portion of the Yahara Watershed.
  - g) Provide an annual report to Yahara WINS by March 31 of each year of this agreement that summarizing activities conducted in the previous year, including the locations of installed phosphorus reducing practices, the type of practices installed, and other relevant information.
2. **Term of Agreement.** This Agreement covers a five (5) year period beginning January 1, 2021 and ending December 31, 2025. The County shall commence the Work on January 1, 2021 and shall perform and complete the Work.
3. **Modification or Termination of the Agreement.** The terms of this Agreement may be modified by the written agreement of the County and Yahara WINS. The County or Yahara WINS may terminate the agreement at any time, with or without cause. In the event that either party desires to terminate the agreement, this can be completed with written 90-day notice. In the event of termination the County will be compensated for services rendered and expenses incurred prior to the date of the termination notice in accordance with the terms set forth in this Agreement.
4. **Compensation for Projects, Staff Support and Related Expenses.** Yahara WINS shall reimburse the County for staff support costs and related expenses associated with this scope of work using the following process: Rock County shall provide a request in the current year for the anticipated following year funds for planned installation of phosphorus reducing practices, associated staff support and related expenses to Yahara WINS by August 15th of the current year. Yahara WINS shall provide notice the amount of funds available to Rock County for the following year for phosphorus reducing practices, staff support and related expenses by November 1<sup>st</sup> of the current year.

To receive funding, the County will submit an invoice to Yahara WINS which identifies projects, staff support costs and related expenses. Reimbursement will be made by Yahara WINS within 60 days of receipt and approval of the invoice. Yahara WINS shall make available up to a maximum of \$150,000.00 annually for aforesaid costs to support these initiatives from January 1, 2021 through December 31, 2025 under this service agreement. Yahara WINS shall reimburse support staff costs and related expenses based in the rate of 18% of project (e.g. construction) costs incurred within the term of the Agreement. This means on an annual basis a maximum of \$127,000 will be reimbursed

for project cost (e.g. construction) and \$23,000 will be reimbursed for staff support costs and related expenses.

If during the current year costs are expected to exceed the maximum annual funding under this service agreement, the County always has the ability to request additional funding from Yahara WINS before projects are completed. Any requests for funding of cost over the amount of funds available through the service agreement would need to be approved prior to the work being completed.

5. **Phosphorus Reduction Goal.** The goal of the agreement is to install conservation practices and/or engineered solutions in the Yahara River Watershed that result in phosphorus reduction per year as calculated using SNAP Plus or other models agreed to by Yahara WINS and the County. Yahara WINS modeling shows that 550 pounds of phosphorus reduction per year will be the goal for the County's portion of the Yahara Watershed.

The minimum number of new pounds each year should be 25% of the annual phosphorus reduction needed per year, with the annual goals as follows:

Year	New pounds annual goal (subset of total pounds annual goal)	Total pounds annual goal
2021	113	450
2022	125	500
2023	138	550
2024	138	550
2025	138	550

The running average total cost per pound of total phosphorus reduction shall not exceed \$50.00 per pound. If the annual phosphorus reduction goals for new pounds is not met for a given year, Rock County will include a section in the annual report to Yahara WINS identifying contributing factors and the need (if any) for new or revised approaches in the following years. It is recognized by both parties there will be no reduction of funds if the new pounds annual goal is not reached

6. **Performance.** Unless otherwise agreed to in writing, the County shall furnish all services, supplies, tools, and equipment to accomplish the Work in a professional manner.
7. **Responsibility for Acts, Errors and Omissions.** Each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, boards, commissions, agencies, officers, and representatives and shall be responsible for any losses, claims, and liabilities which are attributable to such acts, errors, or omissions

including providing its own defense. In situations of joint liability, each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives. It is not the intent of the parties to impose liability beyond that imposed by state statutes.

8. **Relationship of Parties.** The County is an independent consultant. Yahara WINS has direction and control only as to the result to be accomplished, and the County has direction and control over the means and method of accomplishing that end result.

The County shall not subcontract or assign all or any portion of the Work without prior written approval of Yahara WINS. Notwithstanding the previous sentence, Yahara WINS acknowledges and agrees that the County intends to contract with agricultural producers, other government agencies, for the implementation of conservation practices.

9. **Permits, Laws, Regulations, and Public Ordinances.** The County shall comply with all federal, state, and local statutes, rules, regulations, and ordinances related to the County's performance of the Work.

10. **Governing Law and Interpretation.** This Agreement shall be governed by laws of the State of Wisconsin. If any provision of this Agreement is held unenforceable, the remainder of these provisions shall be given effect to the maximum extent possible. The parties agree to reform this Agreement to replace any such invalid or unenforceable provisions that come as close as possible to the intention of the stricken provision.

11. **Use of Documents.** Documents and plans provided by the County pursuant to this Agreement are for the benefit and use of Yahara WINS. Except for documents and plans subject to confidentiality requirements of federal funding programs, County shall provide to Yahara WINS complete copies of all final documents and plans, in paper and electronic form as requested by Yahara WINS.

12. **Giving Notice.** Whenever any provision of this Agreement requires the giving of written notice, it shall be deemed to have been validly given if delivered in person to or if delivered at or sent by registered or certified mail postage prepaid to:

For Yahara WINS: Yahara WINS Executive Committee President, Madison Metropolitan Sewerage District, 1610 Moorland Road, Madison, Wisconsin 53713.

For Rock County: Land Conservation Committee Chair, Rock County Courthouse, 51 South Main Street, Janesville, WI 53545.

13. **Miscellaneous.** This Agreement has been executed by an authorized representative of both parties.

**YAHARA WATERSHED IMPROVEMENT  
NETWORK**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ROCK COUNTY, WISCONSIN**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_