

MANITOWOC COUNTY
LAND CONSERVATION COMMITTEE
Meeting Minutes

May 21, 2025

Manitowoc County Office Complex, Rm 300

LCC Chairman, Ryan Phipps called the meeting to order at 5:00 p.m.

Roll Call: Ryan Phipps, Lee Engelbrecht, Larry Bonde, Scott Schiesl, Michael Slattery and Ted Hoffman were present. Tim Jadowski was excused.

Also, in attendance: David Wetenkamp, (SWCD).

Agenda: Motion to approve agenda by Lee Engelbrecht was seconded by Scott Schiesl. **Motion carried unanimously.**

Minutes: Minutes from the April 17, 2025 & May 15, 2025 LCC meeting were reviewed. **Motion** to approve minutes by Larry Bonde was seconded by Lee Engelbrecht. **Motion carried unanimously.**

SWCD Budget: Soil & Water Director shared the current status of the SWCD account balances. Michael Slattery asked for clarification on status of the NOD Grant reimbursement date and process, which was explained. SWCD Director ensured LCC the SWCD budget for the past 3 years has been in line and not overbudget. Chairman Phipps asked if there are any foreseeable budgetary issues or needs in the department at this time, of which the director shared no problems or requests at this time, except for new grants and resolutions being presented which bring funds into the county.

Public Comment: None.

2026 TRM Grant: SWCD Director shared application documents in the meeting packet and on screen showing a drainage and large gully problem a landowner has been working on for years to help find solutions. Working with the DATCP Engineer, WDNR Non-Point Coordinator and landowner a solution for funding the project was pursued through the WDNR Targeted Runoff Management (TRM) Grant Program. The grant if received will operate like all other cost-share programs and the landowner will agree to pay for 30% of the project costs, the remaining 70% of costs will be covered by the grant if awarded and accepted by the county board. Project cost is estimated to be 100k. **Motion** to approve grant process and project if awarded by Scott Schiesl was seconded by Michael Slattery. **Motion carried unanimously.**

2026-2035 LWRMP & LAC Update: Drafts of Chapters 1-3 of the Land & Water Plan were shared with the committee to review and make comments on at the next scheduled meeting. LCC members commented and appreciated all the work that has been done by staff to get to this point. Chapter 4 & 5 will be done soon to review. Schedule for final approval by the end of 2025 was discussed.

SWCD Cost Share Contracts/Amendments/Agreements: 3 contracts for inter-seeding totaling \$12,000 and 4 contracts for grass waterways totaling \$50,553.28 were reviewed for approval. Michael Slattery and Ryan Phipps requested additional information on quantities to be included in future contract summary documents. **Motion** by Larry Bonde to approve contracts was seconded by Scott Schiesl. **Motion carried unanimously.**

Livestock Facility Licensing & AWO Reviews & Permits: Soil & Water Director shared a list of current projects being reviewed under Chapter 26 & 28 Ordinances. Since the April 17, 2025 LCC meeting, the department has reviewed 4 livestock facility license applications and approved 2. The department has reviewed 7 animal waste ordinance permits and has approved 5.

Livestock Facility Licensing, Chapter 28 & 5-Year Manure Agreements: In previous meetings, Supervisor Behnke attended and shared concerns from a concerned citizen regarding the policy of requiring signed 5-year manure agreements with ATCP 51 application documents for large farm expansions. This requirement has been an operational policy since Chapter 28, Livestock Facility Licensing was adopted by Manitowoc County in 2007. Department director shared current ordinance, application and language in ATCP 51 that allows regulatory authorities to request documents to substantiate and monitor land base, waste management and nutrient management with local standards and interests. This process ensures the farm has adequate land available for waste utilization and all landowners are contacted and made aware of the expansion needs of the farm, which is vital for a sustainable farm operation. The director shared that just one large farm can produce the equivalent waste of a city like Manitowoc or larger and posed, would its citizens approve of a new municipal waste system based on a one- or two-year operating agreement?

Michael Slattery stated that farm expansions require a lot of capital investment and should be backed with a long-term plan and have the obligation and resources to ensure this is obtained. SWCD director shared manure storage ordinances from 2 other counties that have incorporated manure agreement language into their ordinances. Several towns in the state have or are in the process of adopting ordinances that require 5-year manure agreements with farm expansions, showing other authorities are incorporating agreements.

Supervisor Phipps was asked to relay the perspective that the current requirement makes renters and landowners reluctant to agree to long-term manure agreements preventing the farms from expanding. The perspective shared was to either reduce agreements to 1-3 years, remove the requirement and/or pass policy to more strictly enforce and monitor farms not keeping an adequate land base or nmp plan with penalties of strict forfeitures. Most members agreed this method may work but, would be very difficult to administer with current staff and lead to possible issues.

Ted Hoffman shared his perspective from an agronomy standpoint in conjunction with WPDES permit requirement knowledge and that 5-year agreements may be hard to obtain. Ted stated he is in favor of agreements only on land not in existing rental contracts and for less time. He recommends a policy should be developed to ensure the applicants clearly understand the requirements and so staff administering Chapter 28 can manage it effectively.

Larry Bonde explained that he worked with the previous administration who developed this application process and believes it has been working well. Larry Bonde and Ted Hoffman shared discussion on 2-year agreements and differences between rental agreements and manure agreements. The SWCD Director explained the current signed 5-year agreement worksheets are not legal contracts, but could be depending on how the farm and renters negotiate. The signed agreement is an in-person discussion and process with each landowner on land not owned by the farm about the long-term relationship needed for the farms management of waste.

Scott Schiesl asked, what are the main purposes of the agreements? The director shared that they can be used to monitor adequate land base and use in the county, are applicable to a typical crop rotation, substantiates the WPDES Permit 5-Year nutrient management plan and follows Appendix B of ATCP 51 requirements, ensures all renters and landowners are informed of the long-term needs for farm vitality, is allowed under ACTP 51 & 93 statutes, is reasonable and scientifically needed to protect soil and water resources, instills confidence in the process for community interests and has been administered by the department and complied with in license applications since 2007.

Lee Engelbrecht discussed his past experience with working with nutrient management on his land and the need to have good plans to follow for all seasons, including winter for long term management.

After much discussion, Chairman Phipps called for a decision. Ted Hoffman shared the need for policy and less time on the agreement requirement.

Michael Slattery agreed the need for a policy, but more information and expertise would be advised if changing language or ordinances at this time while stressing the need for environmental oversight.

Chairman Phipps encouraged the LCC to adopt a statement or agreement of policy rather than change conditions that may affect what past applicants have complied with in submittals. Director presented maps and numbers of the current 25 CAFO's and 29 Livestock Facility Licenses in the County including current and future projections on the mass-balance of land, crops and manure production in the county.

After lengthy discussion, a motion by Scott Schiesl was made to keep with current precedent. Chairman Phipps clarified the need to clean up the motion to a policy statement to add language and was discussed to read, **Motion** by Scott Schiesl, "to keep with current precedent requiring 5-year manure agreements to monitor and

substantiate land base with nutrient management for balancing the growth and viability of agriculture in conjunction with protecting groundwater, natural resources and community interests.” Motion was seconded by Lee Engelbrecht. **Motion carried unanimously.**

Resolution Authorizing WDNR NE TMDL Pilot Grant: In 2024 the LCC reviewed and approved the process to pursue and apply for a pilot project grant developed with WDNR and EPA for conservation practices in 2 sub-basin watersheds in the county. The grant was applied for and \$135,510 was awarded for this project. The draft resolution being reviewed by Corporation Council and Administration was presented to the LCC for review and comment. **Motion** to approve by Ted Hoffman, “to accept the draft resolution and forward to county board for consideration,” was seconded by Larry Bonde. **Motion carried unanimously.**

Next Meeting Date(s) & Time: July 17, 2025 at 4:45p.m.

Adjournment: **Motion** to adjourn by Lee Engelbrecht was seconded by Scott Schiesl at 6:45 p.m. **Motion carried unanimously.**

Respectfully submitted,
David Wetenkamp
Department Director

Minutes recorded: David Wetenkamp