



POLK COUNTY, WISCONSIN

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MINUTES

Environmental Services Committee

Government Center County Board Room
100 Polk County Plaza Balsam Lake, WI 54810
9:00 A.M. Wednesday, December 11, 2019

Member Attendance

Attendee Name	Title	Status
Kim O'Connell	Chair	Present
Tracy LaBlanc	Supervisor	Present
Doug Route	Supervisor	Present
Brad Olson	Vice Chair	Present
Jim Edgell	Supervisor	Present
Lyle Doolittle	FSA Representative	Present

Also present were: Joleen Wiemann, Deputy County Clerk; Malia Malone, Corporation Counsel; Vince Netherland, County Administrator; Emil Norby, Highway Commissioner; Jason Kjeseth, Zoning Administrator; Tim Anderson, County Planner; Ben Elfelt, Parks and Trails Coordinator; Steve Geiger, Interim Director of Land Information; Brian Kaczmariski, Public Health & Consortium Director; Supervisor Chris Nelson; members of the public; and member of the press.

Meeting called to order by Chair O'Connell at 9:02 a.m.

Approval of Agenda- Chair O'Connell called for a motion to approve the amended agenda.

Motion (LaBlanc/Route) to approve the amended agenda, carried by unanimous voice vote.

Approval of Minutes – Chair O'Connell called for a motion to approve the minutes of the November 20, 2019 meeting. **Motion** (Olson/Edgell) to approve the minutes of the November 20, 2019 meeting as published, carried by unanimous voice vote.

Public Comment – 3 public comments were received by the Committee.

Receipt of Information from Supervisors not seated as Committee Members on Matters

Noticed – Supervisor Chris Nelson discussed updates to the Outdoor Recreation Plan.

Lime Quarry Crushing Bid - Highway Commissioner, Emil Norby provided information on the bid for the Lime Quarry crushing.

Tax Delinquent Properties - Highway Commissioner, Emil Norby provided the committee with an update regarding Tax Delinquent Properties.

Tax Deed Property Online Auction Sale through Wisconsin Surplus - Chair O'Connell recognized Highway Commissioner/Division Head Norby for the purpose of receiving information regarding the online sale of tax deed property located at 440 4th Ave, Clear Lake, WI through Wisconsin Surplus Auction which closed November 27, 2019. Committee received information from Chairman O'Connell that he approved and accepted the high bid amount of \$22,000. Committee received information from Highway Commissioner Norby regarding Eureka tax deed property with IRS issues. Corporation Council is involved with the resolution of said issues.

Woodley Property - Committee received an update regarding the Woodley property from County Surveyor Steve Geiger.

Parks, Recreation, Trails, and Dams

Trails update: Committee received information from Parks and Trails Coordinator Ben Elfelt, regarding the Governor Knowles Trails.

Update regarding Atlas Dam: Committee received an update from Parks and Trails Coordinator, Ben Elfelt, regarding the Atlas Dam.

Update on Trail Consultant and Stower Trail: Committee received an update from Ben Elfelt and County Planner Tim Anderson regarding the Trail Consultant and the Stower Trail analysis.

Discussion and Action Regarding Resolution No. 54-19: Committee received information from County Planner Tim Anderson regarding Resolution No. 54-19: Resolution in Support of Polk County's Application for the 2020-2024 Transportation Alternatives Program Grant.

Motion (Olson/Route) to approve Resolution No. 54-19: Resolution in Support of Polk County's Application for the 2020-2024 Transportation Alternatives Program Grant and recommend to the County Board for passage, carried by unanimous voice vote.

Forestry

Committee received an update from County Surveyor Steve Geiger regarding the Sterling Tower.

Zoning and Land & Water

Committee received a presentation on public health considerations regarding large scale hog farms from Public Health and Consortium Director Brian Kaczmarek. Discussion.

Chair O'Connell called for a recess at 10:33 a.m. Chair O'Connell called the meeting back in session at 10:51 a.m.

Zoning

Chairman O'Connell recognized Zoning Administrator Jason Kjeseth for the purpose of providing information to the committee regarding updates to the Shoreland Zoning Ordinance.

Committee received an update regarding development of the CAFO Ordinance from Jason Kjeseth.

Committee Calendar & Identification of Subject Matters for Upcoming Meetings

JANUARY 8, 2020 AT 9:00 A.M. AGENDA ITEMS:

Tax delinquent properties: Update and Possible Action Woodley property, Updates on other tax delinquent properties/sales

Parks, Recreation, Trails and Dams: Trails updates, Update regarding Atlas Dam

Forestry: Sterling Tower update

Zoning & Land Information: CAFO Moratorium Development Work Updates, permit software demo from Land Information Office

Outdoor Recreation Plan: discussion

Divisional Form of Government: update

Lime Quarry: Review fee Schedule in January

AGENDA ITEMS TO INCLUDE ON EACH AGENDA:

Tax delinquent properties: Update and Possible Action Woodley property, Updates on other tax delinquent properties/sales

Parks, Recreation, Trails and Dams: Trails updates, Update regarding Atlas Dam

Forestry: Sterling Tower update

Zoning & Land Information: CAFO Moratorium Development Work Updates

Outdoor Recreation Plan: discussion

Divisional Form of Government: update

Chairman O'Connell called for a motion to adjourn. **Motion** (Edgell/Olson) to adjourn. **Motion** carried by unanimous voice vote. Chair O'Connell declared meeting adjourned at 12:07 p.m.

Respectfully submitted,

Joleen Wiemann
Deputy County Clerk



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AGENDA AND NOTICE OF MEETING

ENVIRONMENTAL SERVICES COMMITTEE

Government Center, 100 Polk County Plaza, Balsam Lake, WI 54810

County Board Room

Wednesday, December 11, 2019 at 9:00 a.m.

A quorum of the County Board may be present

1. Call to Order – Chairperson Kim O’Connell
2. Approval of Agenda
3. Approval of minutes for November 20, 2019
4. Public Comments – 3 minutes per person – not to exceed 30 minutes total
5. Receipt of Information on Matters Noticed from Supervisors not Seated as Committee Members
6. Tax Delinquent Properties
 - a. Update Regarding Tax Delinquent Properties
 - b. Woodley Property Update
 - c. Tax Deed Property Online Auction Sale through Wisconsin Surplus
7. Parks, Recreation and Trails, and Dams
 - a. Trails update – Governor Knowles
 - b. Update Regarding Atlas Dam
 - c. Update on Trail Consultant and Stower Trail
 - d. Discussion and Possible Action Regarding Resolution No. 54-19: Resolution in Support of Polk County’s Application for the 2020-2024 Transportation Alternatives Program Grant
8. Forestry
 - a. Sterling Tower Update
9. Zoning
 - a. Review and Discussion Regarding Updates to Shoreland Zoning Ordinance
10. Zoning and Land & Water
 - a. Updates Regarding Development of CAFO Ordinance
 - b. Presentation on public health considerations regarding large scale hog farms, Brian Kaczmarek, Polk County Public Health Dept.
11. Committee Calendar and Identification of Subject Matters for Upcoming Meetings
12. Adjourn

Items on the agenda not necessarily presented in the order listed. This meeting is open to the public according to Wisconsin State Statute 19.83. Persons with disabilities wishing to attend and/or participate are asked to notify the County Clerk’s office (715-485-9226) at least 24 hours in advance of the scheduled meeting time so all reasonable accommodations can be made. Requests are confidential.

Polk
County
Health
Department

**Concentrated Animal
Feeding Operations
(CAFO's)**

Brian Kaczmarek – Director/Health Officer



Why the concern about Hogs?

- The pig: a model for human infectious diseases
 - 'Domestic pigs (*Sus scrofa domesticus*) are closely related to humans in terms of anatomy, genetics and physiology, and represent an excellent animal model to study various microbial infectious diseases.'
 - Virus (disease) can 'jump' from hogs to humans because of similar genetic make-up (H5N1 – Swine Flu)

What is a CAFO?

- Concentrated Animal Feeding Operations (CAFOs) are *agricultural meat, dairy, or egg* facilities where animals are kept and raised in *confined situations*. *Feed is brought to the animals* rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangelands.
- CAFOs concentrate animals, feed, waste (manure and urine), and production operations on a small area of land. In 2012, the U.S. Environmental Protection Agency (US EPA) reported that CAFOs make up approximately 15 percent of total animal feeding operations in the United States
 - Wisconsin DHS - <https://www.dhs.wisconsin.gov/environmental/cafo.htm>

Possible Impacts

- changes in air quality;
- increased odor and noise complaints;
- changes in land use;
- groundwater and surface water quality changes;
- damage to local roads from increased heavy truck traffic; and
- impacts on quantity and quality of nearby drinking water wells



Airborne

- *ammonia, hydrogen sulfide*, carbon dioxide, malodorous vapors, and particles contaminated with a wide range of microorganisms.
 - Research over the last decades has shown that microbial exposures, especially *endotoxin* exposure, are related to deleterious respiratory health effects, of which cross-shift lung function decline and accelerated decline over time are the most pronounced effects
- *Environ Health Perspect.* 2007 Feb;115(2):298-302. Epub 2006 Nov 14. (Nat'l Institute of Health)



Recent Research

- 2018 North Carolina Study:
 - Life expectancy in southeastern North Carolina communities located in an area with multiple concentrated animal feeding operations (CAFOs) after adjusting for socioeconomic factors remains low
 - Study Conclusion: North Carolina communities located near hog CAFOs had higher all-cause and infant mortality, mortality due to anemia, kidney disease, tuberculosis, septicemia, and higher hospital admissions/ED visits of LBW infants
 - N C Med J. 2018 Sep-Oct;79(5):278-288. doi: 10.18043/ncm.79.5.278



More Research...

- About one-third of the antibiotics used in the United States each year is routinely added to animal feed to increase growth (Mellon et al. 2001). This practice is promoting increased antibiotic resistance among the microbial populations present and, potentially, increased resistance of naturally occurring pathogens in surface waters that receive a portion of the wastes.
 - Note: No longer legal under Veterinarian Feed Directive (2017)
- ...generally accepted livestock waste management practices do not adequately or effectively protect water resources from contamination with excessive nutrients, microbial pathogens, and pharmaceuticals present in the waste.
- Environ Health Perspect. 2007 Feb; 115(2): 308–312. Published online 2006 Nov.14. doi: 10.1289/ehp.8839



Duke University, 2017

- Geographical Comparison of people in close proximity to CAFO's vs. Control Group:
 - Statistically Significant (Odds Ratio of 1 or Above and 95% level of Significance):
 - Causal links to increased rates of Anemia, Low Birth Weight, and Asthma
 - Higher rates of Maternal Mortality
- 2017 Environmental Health Scholars Fall Forum



Wisconsin Public Radio, November 22, 2019 (APHA)

- National Group Questions CAFOs' Impact On Public Health As More Wisconsin Counties Halt Expansion
- American Public Health Association Supports Moratorium On Large Livestock Farms, Further Study Of Impact To Environment, Human Health

As growing body of evidence shows how CAFOs are directly associated with respiratory and community health issues, as well as the social and economic health of rural communities.



Health Impact Assessments

- Completed in the following counties:
 - Rock
 - Green
 - Pepin
 - Kewaunee
- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1817701/>
- <https://www.dhs.wisconsin.gov/environmental/cafo.htm>
- https://water.usgs.gov/owq/AFO/proceedings/afo/OFR/OFR_00-204.pdf
- <https://www.naccho.org/uploads/downloadable-resources/18-06-Concentrated-Animal-Feeding-Operations.pdf>
- https://midwestadvocates.org/assets/resources/MEA_CAF0_Toolkit.pdf



Pepin County Moratorium, 2018

Refer to Pages 28-32

NACCHO Position Statement (2018);
<https://www.naccho.org/uploads/downloadable-resources/18-06-Concentrated-Animal-Feeding-Operations.pdf>



Kewaunee County Recommendations (2018)

1. Further evaluation and review of existing enforcement processes. Specific considerations include changes to action taken at CAFOs for second offenses and changes to actions taken by Kewaunee County for noncompliance with county regulated programs. (DNR, County, EPA)
2. Develop guidance that defines and explains "substantial compliance" requirements for CAFO permit reissuance. Could include inspection checklist updates, staff training, template reporting resources, and clearer permit conditions. (DNR, EPA)
3. Resources/Technology for agricultural compliance staff use and efficiency (internal/non-public) - database of information electronically accessible for multiple compliance agencies. (EPA, DNR, County)
4. Staffing - Add compliance staff position(s) (DNR Agricultural Runoff/Nonpoint Specialists) to conduct improved compliance oversight of existing regulations regarding agriculture in sensitive areas. Fill vacancies in a timely manner. (DNR) In the text of this recommendation, the workgroup recommended joint-agency training be provided to DNR inspectors by EPA, DNR, NRCS, DATCP and Kewaunee County.



Public Health Recommendations for Mitigating

- Surveillance programs: Programs should be instituted to assess private well water quality in high-risk areas. Biomonitoring programs should be designed and implemented to assess actual dose from environmental exposures. *(Air monitoring too!)*
- Wastewater and drinking water treatment: Processes for water treatment must be monitored to ensure adequate removal or inactivation of emerging contaminants.
- Pollution prevention: Best management practices should be implemented to prevent or minimize release of contaminants into the environment.
- Education: Educational materials should be continued to be developed and distributed to agricultural producers.



The End



CAFO provisions of Polk County Comprehensive Land Use Ordinance

Text=Proposed

~~Text=Remove~~

Section 10.2-Article 2 Definitions

"ANIMAL LOT" means a feedlot, barnyard or other outdoor facility where livestock are concentrated for feeding or other purposes. "Animal lot" does not include a pasture or winter grazing area.

"ANIMAL UNIT" means a unit of measure used to determine the total number of single animal types or combination of animal types, as specified in s. NR 243.11 and NR 243.05, that are at an animal feeding operation.

"SWINE CONCENTRATED ANIMAL FEEDING OPERATION (CAFO)" means a swine feeding operation with 750 animal units or more.

Section 10.4.6 AGRICULTURAL 20 DISTRICT (A-2)

C) CONDITIONAL USES

- 1) All Conditional Uses in A-1
- 2) Swine Concentrated Animal Feeding Operation provided they comply with the following criteria:
 - a. Must have a Nutrient Management Plan for all lands in total farming operation
 - b. Farm entrance must be at least 100 feet from a nonfarm residential driveway
 - c. Operation must comply with all other state and federal regulations pertaining to livestock siting/facilities.
 - d. Must obtain approval from Town prior to hauling of any overweight loads during spring break up period. (road ban period)
 - e. Shall have no discharge from animal lots, high moisture feed storage, or waste storage areas into navigable waters
 - f. All waste storage structures, including manure storage, shall be at least 300 feet from the nearest property line.
 - g. All livestock on premise shall be counted towards total animal units.

- h. The perimeter of any facility, including all buildings and feed storage, with less than 1000 animal units shall have a minimum setback of 75 feet to the nearest property line.
- i. The perimeter of any facility, including all buildings and feed storage, with 1000 animal units or more, shall have a minimum setback of 150 feet from the nearest property line.
- j. Must provide 24 hour contact number for DNR and owner/operator in case of a spill.
- k. Must Provide a mortality management plan for any deceased animals onsite
- l. Polk County Land Information Department-Division of Zoning shall receive a copy of all current DNR and DATCP permits and/or violations.
- m. Must comply with Polk County Manure and Water Quality Management Ordinance.

Proposed Amendments to Polk County Shoreland Protection Zoning Ordinance

Article 4: Definitions

"ANIMAL LOT" means a feedlot, barnyard or other outdoor facility where livestock are concentrated for feeding or other purposes. "Animal lot" does not include a pasture or winter grazing area.

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Article 8.E.

CONDITIONAL USES_-The following uses are authorized upon the issuance of a conditional use permit according to the procedure set forth in Article 18. Unless a greater distance is specified, any structure shall be at least 100 feet from a residence other than that of the owner of the lot, his/her agent, or employee; 75 feet from a residential property line; or 25 feet from a lot line. Erosion control plans and storm water management plans shall be required.

10. Swine Concentrated Animal Feeding Operation provided they comply with the following criteria:

- a. Must have a Nutrient Management Plan for all lands in total farming operation
- b. Farm entrance must be at least 100 feet from a nonfarm residential driveway
- c. Operation must comply with all other state and federal regulations pertaining to livestock siting/facilities.
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- i. The perimeter of any facility, including all buildings and feed storage, with 1000 animal units or more, shall have a minimum setback of 150 feet from the nearest property line.
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