

Chippewa County Land Conservation
Committee Meeting
August 20, 2008

The meeting was called to order by the Chair, L. Willkom, at 7:30 a.m. Members present were D. Boettcher, J. Brost, M. Goettl, S. Lane, P. Licht, and L. Willkom.

Members absent were E. Rineck.

Agency staff present at times throughout the meeting were T. Lindsay (NRCS), M. Dahlby, S. Ebel, D. Masterpole, D. Nashold, H. Weiland, R. Yohnk, and J. Schemenauer - Recorder (LCD).

Item #1 – Approve Minutes. Review Summary of Conservation Plans/Contracts/Agreements.

The minutes from the 7/16/08 meeting were presented. Motion to approve the 7/16/08 minutes: Goettl/Brost. Motion carried.

There were no plans, contracts, or agreements presented.

Item #2 – Set Land Conservation Committee Meeting Time and Schedule.

There was general discussion regarding the members' work schedules and availability, for the purpose of establishing a regular committee meeting schedule.

The Chair requested that the Committee members express their preference by a straw poll paper ballot.

The paper ballots were distributed, cast, and tabulated.

Upon review and further discussion, there was Committee consensus that the regularly scheduled LCC meetings will be held at 8:00 a.m. on the 3rd Wednesday of each month.

Item #3 – Review Budget Guidance; Set Date for Special Budget Meeting.

The Committee reviewed correspondence from W.H. Reynolds (Co. Administrator), to Dept. Heads and County Board Supervisors, (8/1/08). The correspondence sets guidelines for the 2009 Chippewa County budget process (mailed to the Committee 8/15/08).

The guidance directs governing committees to:

1. Review fees to determine if there is full cost recovery for services provided.
2. Not expand or implement new services without trade-offs with other budgeted expenditures or revenues.
3. Find alternative revenue streams.
4. Prioritize all department programs and include the priority list with the 2009 budget submittal.

There was general discussion.

There was agreement that a special LCC budget meeting be scheduled for Friday, 8/29/08, at 8:00 a.m.

Item #4 – Review Draft Policy and Procedures to Gain Contract and Permit Compliance Through Stepped Enforcement.

D. Masterpole distributed and the Committee reviewed a handout titled: Draft Policy and Procedures to Gain Contract and Permit Compliance Through Stepped Enforcement, (LCD 8/19/08). The handout outlines a proposed policy to gain voluntary compliance with LCC/LCD administered conservation agreements and ordinances by using a stepped notice and enforcement procedure.

The structure and content summary of the policy is as follows:

1. **Issue**

- A. The Chippewa County LCD has the authority and responsibility to assure compliance and enforcement under various county ordinances, state administrative rules, and contracts and agreements.
- B. The County has, historically, applied an unwritten policy to seek compliance through “stepped enforcement” and voluntary remediation.

This approach has been effective in cases where:

- i. the violation was unintentional, or
- ii. the violation was minor in nature, or
- iii. the violation did not result in a significant environmental impact.

This approach has not been effective in circumstances where:

- i. the violation was intentional and based upon a business decision to pursue economic gain, or
- ii. the violation was structural and resulted in an environmental impact, or
- iii. the violation was not resolved voluntarily, or continues to recur under the same contract or permit.

2. **Purpose**

The purpose of the policy is to:

- A. Formally document the intent of the Chippewa County LCC to assure compliance using a stepped sequence of enforcement.
- B. Define the stepped sequence of actions and penalties that will be applied to gain compliance under county ordinances or state administrative rules.

3. **Stepped Enforcement of Local Ordinances and State and Local Agreements**

As proposed, the enforcement approach will be based upon:

- A. The enforcement procedures which have been previously defined for each rule or contract agreement.
- B. The type and significance of the infraction.
- C. The extent to which it is recurring.

The proposed enforcement approach for the state and local agreements is as follows:

<u>Type of Violation</u>	<i>Physical Land Alterations or Structural BMP Alteration</i>	Engineering Evaluation Fee	Prescribed Enforcement and Sanction Per County Land & Water Standards	Public Funds Cost-Share Pay Back	Public Funds Cost-Share Pay Back
	<i>BMP Maintenance Violation</i>	Written Notice	Monitoring Follow-up Fee	Prescribed Enforcement Per County Land & Water Standards	Public Funds Cost-Share Pay Back
	<i>Land Management Violation</i>	Written Notice	Monitoring Follow-up Fee	Prescribed Enforcement per County Land & Water Standards	Public Funds Cost-Share Pay Back
	<i>Recordkeeping Violation</i>	Written Notice	Monitoring Follow-up Fee	Prescribed Enforcement per County Land & Water Standards	
	<i>Process Violation</i>	Written Notice	Late Processing Fee		

Progressive Sequence of Action for Recurring Infractions

The proposed enforcement approach for local ordinances is as follows:

<u>Type of Violation</u>	<i>Physical Land Alterations or Structural BMP Alteration</i>	Engineering Evaluation Fee	Citation	Citation	Injunction
	<i>BMP Maintenance Violation</i>	Written Notice	Monitoring Follow-up Fee	Citation	Injunction
	<i>Land Management Violation</i>	Written Notice	Monitoring Follow-up Fee	Citation	Injunction
	<i>Recordkeeping Violation</i>	Written Notice	Monitoring Follow-up Fee	Citation	Injunction
	<i>Process Violation</i>	Written Notice	Late Processing Fee		Injunction

Progressive Sequence of Action for Recurring Infractions

There was general discussion. Discussion focused on:

1. The types of violations that occur and the need for consistency in follow-up.
2. The manner in which violations are reported, either through public complaint or through formal notification by other agencies.
3. Procedures for communication with public agencies when other local, state, or federal jurisdictions apply.

Staff will review the draft policy and procedure with the County Administrator, Corporation Counsel, and the Planning & Zoning Administrator to gain their input.

Based upon this input, the draft policy will be refined and resubmitted to the LCC for further consideration.

Item #5 – Review Study Design to Evaluate Efficiencies of Household Recycling Programs and County Role Toward Support of Municipal Recycling Facilities (MRF’S) in Chippewa County.

R. Yohnk presented a PowerPoint report (on file).

The report outlines a study design that has been proposed to:

1. Evaluate efficiencies of the current household recycling program.
2. Evaluate the County’s interest and role in supporting municipal Material Recovery Facilities (MRF’s) in Chippewa County.
3. Provide the County with information for future changes or additions to the recycling program.

There was general discussion.

Staff will proceed by further refining the study design and by including it as a planned activity in the LCC’s 2009 budget proposal.

Item #6 – Report on Private Sector Efforts to Improve Recycling at Public Places and the Status of Public Recreational Area Recycling Efforts.

R. Yohnk presented a PowerPoint report (on file). The report:

1. Provides an overview and summary of convenience store assessments conducted in Chippewa County from June, 2001 – present (LCD pilot project). Based on the assessments, the Department has concluded that:
 - A. The bins work well and are durable.
 - B. The public is separating recyclables and garage correctly.
 - C. The store staff supports program.
 - D. Recyclables are not going to the landfill.
2. Lists County ordinance requirements for recycling at public parks, waysides, ballfields, and recreational areas in Chippewa County.
3. Provides an overview and summary of park/ballfield assessments in Chippewa County from June, 2001 – present (LCD pilot project). Based on the assessments, the Department has concluded that:
 - A. Ballfields have very few bins and service for recyclables.
 - B. Most municipal and city parks have no bins or service.
 - C. County parks have some bins but no service for recyclables.
 - D. Recyclables are being landfilled.

There was general discussion. Discussion focused on the lack of recycling at municipal parks and campgrounds, and measures that should be taken to comply with the Chippewa County Recycling Ordinance.

S. Lane left the meeting at 9:00 a.m.

Item #7 – Virtual Tour of Current Livestock Facility Expansions and Land Conservation Department Engineering Projects.

D. Nashold and S. Ebel presented a PowerPoint report (on file). The report highlights:

1. Each of the engineering construction projects (including livestock facility expansions and parks improvements) that have been planned and are being implemented with LCD engineering support in 2008.
2. Each of the new non-metallic mine reclamation sites that have been planned and permitted in 2008.
3. Each of the storm water control projects that have been reviewed and are being inspected by the LCD in 2008.

There was general discussion.

Discussion focused on the number and type of livestock expansions now occurring in the County.

Item #8 – Committee Communication.

There was no correspondence or communication with other committees.

Item #9 – Public Wishing to be Heard.

There was no public wishing to be heard.

The next regularly scheduled LCC meeting is set for 9/17/08 at 8:00 a.m.

Motion to adjourn: Goettl/Licht. Motion carried..

The meeting was adjourned at approximately at 10:11 a.m.