



Livestock Facility Siting Review Board

September 7, 2018 Minutes

Livestock Facility Siting Review Board Meeting
Department of Agriculture, Trade and Consumer Protection (DATCP)
2811 Agriculture Drive, Room 231
Madison, WI

CALL TO ORDER— Bob Topel, LFSRB Chair

The meeting was called to order by Chairman Bob Topel at 10:01 am. Topel, Raymond Diederich, Lee Engelbrecht, Dr. Jerome Gaska, Scott Sand, and Bob Selk were present. Also present were Attorney Cheryl Daniels, Richard Castelnuovo, and Chris Clayton of DATCP.

Daniels confirmed that the meeting was publicly noticed as required. Daniels called roll, confirming that a quorum was present.

Engelbrecht moved to approve the agenda as presented, seconded by Diederich, and the motion carried unanimously.

The August 10, 2018 meeting minutes were presented for approval. Gaska made a motion to approve the minutes as presented, seconded by Engelbrecht, and the motion carried with Godfrey abstaining.

LEDGEVIEW FARMS V. TOWN OF LEDGEVIEW, NO. 18-LFRSB-02— Cheryl Daniels, Board Attorney

Daniels presented the board's schedule for hearing this case, which takes into account the extensive record and complexity of issues presented on appeal. Daniels stated that she will send a privileged memo to the board before the next meeting providing guidance on issues identified by the board members including the page numbers of documents in the record relevant to their decision.

DATCP staff handed out the following documents to the board members for reference during the meeting: a DATCP staff memo presenting issues for consideration by the board, the Applicant's request for review, Town of Ledgeview position statement, Ledgeview Farms position statement, Amicus Brief from the Wisconsin Towns Association and the League of Wisconsin Municipalities.

The board systematically discussed each issue presented for consideration in the DATCP memo, resulting in revisions that are reflected in the attached memo. While the revised memo reflects the board's best assessment of the issues, they held open the possibility of making other changes at the next meeting.

To help the board members make decisions on certain issues, they asked staff to provide the following information in preparation for the next meeting:

- To review Issue B, the board requested a timeline of application submissions to the town, including amendments to the original application, completeness determination, the committee meeting, the hearing on the application, and the decision meeting.
- To review Issue E, the board requested a log of past violations of law, noncompliance issues, and runoff issues and Daniels mentioned she will include it in the privileged memo.

The October 24, 2018 meeting will be held at the Dane County UW-Extension office, starting at 8:30 a.m. If a second decision meeting is needed, the meeting will be held on November 7, 2018. The board decided to schedule an in-person meeting to finalize the decision on November 30, 2018. Daniels advised the board that it need not extend the deadline for a final decision at this time.

ADJOURN

Gaska moved to adjourn the meeting, seconded by Godfrey, and the motion passed. The meeting ended at 11:40a.m.

Respectfully submitted,

_____ Date: _____
Robert Selk, Secretary

Recorder: CC

DRAFT