



Livestock Facility Siting Review Board

July 12, 2019 Minutes

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

CALL TO ORDER— Bob Topel, LFSRB Chair

The meeting was called to order by Chairman Bob Topel at 10:05 am. Topel, Raymond Diederich, Lee Engelbrecht, Dr. Jerome Gaska, Scott Godfrey, and Bob Selk were present by telephone. Sand was absent. Also present were Attorney Cheryl Daniels and Chris Clayton of DATCP.

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

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

The June 28, 2019 meeting minutes were presented for approval. Topel made a motion to approve the minutes with minor edits, seconded by Selk, and the motion carried.

ELECTION OF OFFICERS— Bob Topel, LFSRB Chair

The Board conducted the election of officers in the following order:

Diederich nominated Topel as Chair, seconded by Engelbrecht. The LFSRB closed nominations and cast a unanimous ballot for Topel. Motion carried.

Topel nominated Gaska as Vice Chair, seconded by Diederich. The LFSRB closed nominations and cast a unanimous ballot for Gaska. Motion carried.

Topel nominated Sand as Secretary, seconded by Diederich. The LFSRB closed nominations and cast a unanimous ballot for Sand. Motion carried.

LEDGEVIEW FARMS V. TOWN OF LEDGEVIEW, NO. 19-LFRSB-01— Cheryl Daniels, Board Attorney

Daniels led the discussion on the draft decision, and the following changes were made:

1. On page 1, fourth paragraph under Procedural History, the number of e-mails from other aggrieved persons was corrected to 17.
2. On page 2, under G. in the Issues for Decision, the word “the” was inserted immediately after “Was there sufficient evidence in.”
3. On page 8, under 2. in the Findings of Fact, the word “a” was inserted immediately after “...the Applicant had engaged in.”
4. On page 14, under 20. G. ii. in the Findings of Fact, the sentence was amended to read, “The proposed use and location of the storage structure at the Heifer Site is not reasonable and appropriate, given the neighboring residential uses.”
5. On page 15, under 1. in the Conclusions of Law, the word “the” was inserted immediately after “undertaken to verify the conditions of,” and the word “grounds” was made singular.

6. On page 15, under 3. in the Conclusions of Law, the final word was changed to “denied” to properly reflect the Board’s decision on this issue.
7. On page 15, under 5. In the Conclusions of Law, the word “the” was inserted immediately before “understanding that the Applicant’s window for attaining compliance may vary.”

Daniels clarified that the LFSRB’s decisions on the issues means that the Town’s decision to deny the siting permit is upheld based on the lack of credible information contained in the application. The LFSRB stated that the applicant may remedy these issues, but is required to reapply with a new application for a livestock siting permit from the Town.

Engelbrecht made a motion for the LFSRB to approve the decision as modified, seconded by Godfrey, and the motion carried unanimously. Selk was authorized to sign the final written decision on behalf of the Board.

BOARD SCHEDULE AND FUTURE AGENDA ITEMS

Daniels reported that the Secretary’s Office will work on securing Bob Selk’s replacement on the Board.

The LFSRB decided to schedule a meeting at the DATCP building in Madison on September 6th to review the hearing draft ATCP 51 and LFSRB bylaws.

ADJOURN

Selk moved to adjourn the meeting, seconded by Gaska, and the motion passed. The meeting ended at 10:45am.

Respectfully submitted,



Scott Sand, Secretary

Date: _____

10/9/19

Recorder: CC