

Town Board Meeting
Town of Rock Elm
Pierce County Wisconsin
Thursday March 20, 2025
Rock Elm Town Hall

Tim Bates called the meeting to order at 8:07 PM

Motion to approve the agenda was made by Matt Holcomb and seconded by Chris Thibado, motion carried. The main objective of this meeting was to have the Town Board and the CAFO Operations Ordinance Committee go through the PROPOSED Operations Ordinance in detail and listen to presentations by the Town of Eureka's attorney and the DNR CAFO Program Coordinator.

Public Input

Non-resident—Thanked the Board and Ordinance Committee for their efforts

Presentation by Andy Marshall and Lisa Doer via Zoom

Andy has been an attorney for 38 years, owns a farm near Detroit Lakes.

Stated that Ms. Brewer is no longer involved. Statute 93.9 regulates siting, operations is a separate issue.

Towns can enact ordinances, there is nothing in WI that says they can not. Statute 66.0 towns may license regulate by ordinance.

Manure is qualified as a pollutant.

Statute 93.9 ordinance must follow statute guidelines

The Trade Lake website has 74 page document from CAFO study committee.

State does not regulate air pollution.

WMC likes to bring claims up.

Town of Eureka case was dismissed in circuit court (1 claim) now going to appeals court.

In Trade Lake they uncovered lies on what land manure was spread on. Farms that spread should have leases with land owners.

Leave in Quisi judicial language due to the facts in the application and it provides some official immunities

Presentation from Victoria Ziegler and Chris Clayton, supervisor from DNR CAFO Programs Coordinator via Zoom

Ag runoff—cafo permits

NR243 defines Cafo as 1000 animal units

WP DES permits every five years, nutrient management plan, 180 day manure storage

DNR does not regulate siting, air quality or animal welfare.

DNR requirements

- Discharge limits

- Engineering of storage facilities

- All information on site

- If existing facilities owner can call for evaluation of structures

- Nutrient management plan every five years with annual updates

- Manure management can not run off the property and many other conditions

- Soil and manure sampling is required

NR 243 DNR compliance monitoring

- Done twice during permit term

- Full production area inspections every fourth year

- Have spill response and non-compliance rules

DNR Enforcement

1. Telephone farmer
2. Send letter
3. Send in environmental expert
4. Notify Dept of Justice if necessary, can take multiple years

DNR-CAFO inspection team

currently has 15 people which is considered fully staffed
in the last 6 month has 6 new regional specialists

Town Board and CAFO Operations Ordinance Committee go through PROPOSED Ordinance and Attorney Loberg's Suggestions

#1 clarification on numbering system used

#2 short form ordinance could be used—easier to post

#3 Mr. Loberg did not feel a public hearing was required but the Board feels it is important

#4 Mr. Loberg thought this should be better defined, committee not sure of what exactly may be needed

#5 fees might need clarification

#6 “quasi judicial” Mr Loberg thought this was incorrect but Mr. Marshall, the attorney for Eureka, said to leave this term in place

#7 If manure is from Cafo outside township but spread or hauled through township is the ordinance binding, Mr Loberg felt it was

#8 Surety Bond requirements, Mr Loberg felt that it should be required if the CAFO is either in or out of the Town

#9 fines for non-compliance should be much higher

Public Input

Non-resident—works with 590 Plans and CAFOs and their reporting. Their goal is both safe ground and surface water.

Non-resident—Thanked the Town for all their work on this issue and said it's Towns vs corporations

Non-resident—Stated she was not against farming but against contamination

Non-resident—The federal, state, county and DNR do not have much power on this issue, its up to local governments

Non-resident—Venture Dairies makes threats and has had court cases thrown out

Resident—An LLC can just walk away if business goes “belly up”

Manure haulers do not pay any road tax

Manure is supposed to be spread away from “navigatable water” and that is any water at any time in the year

Ordinance needs more detail and should state to use proper driveways only

Haulers should contact the Town before hauling for routes that cause the least amount of damage to roadways

Should reference the Road Damage Ordinance in the Operations Ordinance

Non-resident—Stated he works with CAFOs and that there were regulations for them

In 2024 two of the worst manure spills came from small farms, not CAFOs

Self reporting is not the same as self enforcement

Non-resident—livestock siting needs to be first, needs clarification

Town Chairman—wondering where to go from here, move forward or table decision?

Board member—stated he was not against the Ordinance but wanted to be very sure of decision

Had a concern for EMS and Fire Dept personal, thought all pits should have posting on depth of pit

Commercial trucks can not run off road fuel

Board member—The Sheriff's Dept has farm contact numbers and problems can be reported to them

He felt that we need more discussion on these issues

CAFO Committee—wondering about timeline to continue

Chris Thibado made a motion to ask the public for concerns in writing and have them due by April 11, Matt Holcomb seconded, motion carried. Matt Holcomb made a motion to table the public hearing for now, Chris Thibado seconded, motion carried.

Motion to adjourn by Matt Holcomb, seconded by Chris Thibado, motion carried and meeting adjourned at 10:15 PM

Attendance;

Tim Bates	Matt Holcomb	Monica Robey	Chris Thibado	Adam Carson	Teresa Davis
Troy Klecker	Jerry Stein	Brent Fetzer	Mark Serier	Larry Brenner	Daniel Hove
Mike Graham	Roger Claflin	Erin Tomasik	Paul Churchill	Dawn Churchill	Judy Krohn
Gib Krohn	Mike Davis	Kin Bremmer	Mary Brand	Steve Brand	Samantha Bowen
Ty Fisher	Natalia Lastiri	Tim Colbenson	Cheryl Mutchler	Ted Miner	
John Eager	Jane Eager	Tim Baumgartner	John Gereats	Bernie Larson	Danny Atkenson
_____	Mike Hollstadt	Ann Hollstadt	Walter Hollstadt	Kay Kastrian	

Several in attendance were from surrounding townships.