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Livestock Facility Siting Review Board

**January 25, 2018 Minutes**

Livestock Facility Siting Review Board Meeting  
Department of Agriculture, Trade and Consumer Protection (DATCP)  
2811 Agriculture Drive, Room 212  
Madison, WI

**CALL TO ORDER— Bob Topel, LFSRB Chair**

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The meeting was called to order by Chairman Bob Topel at 12:03 pm. Topel, Raymond Diederich, Lee Engelbrecht, Dr. Jerome Gaska (joined meeting following the election of officers), Scott Godfrey, Scott Sand, and Bob Selk appeared by telephone. Attorney Cheryl Daniels, Richard Castelnovo, and Chris Clayton, DATCP, were present. Others present were Jennifer Friemoth (appellant), Jim Massey (retired from The Country Today), and Brooke Bechen (The Country Today).

Daniels confirmed that the meeting was publicly noticed as required.

Daniels called roll, confirming that that a quorum was present.

Engelbrecht moved to approve the agenda as presented, Selk seconded, and the motion carried.

The January 5, 2018 meeting minutes were presented for approval. Selk made a motion to approve the minutes as presented, seconded by Godfrey, and the motion passed.

**ELECTION OF OFFICERS— Cheryl Daniels, Board Attorney**

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

Topel was nominated as Chair. Motion by Engelbrecht, seconded by Selk, to close nominations and cast a unanimous ballot for Topel. Motion carried.

Gaska was nominated as Vice Chair. Motion by Godfrey, seconded by Engelbrecht, to close nominations and cast a unanimous ballot for Gaska. Motion carried.

Selk was nominated as Secretary. Motion by Topel, seconded by Diederich, to close nominations and cast a unanimous ballot for Selk. Motion carried.

***GLENNER V. WALWORTH COUNTY AND FRIEMOTH V. WALWORTH COUNTY, NO. 17-L-02—***  
**Cheryl Daniels, Board Attorney**

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The Board discussed the submission by the appellant, Glenner, on the proposed decision of the LFSRB. The Board agreed that the bylaws do not allow submissions of any kind by either party on a proposed decision, and that DATCP staff may reject submissions that do not comply with bylaws. Parties can seek recourse through the law after the Board makes its final decision. Selk motioned, and seconded by Dederich, to reaffirm the bylaw requirement that no submissions are to be received by the Board following its decision on a case, between the meeting on a case and the meeting finalizing the written decision, and allows the LFSRB staff to reject any future submission of this type by a party. Motion carried.

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

1. Correcting the spelling of Cary Glenner's name.
2. Editing Issues For Decision No. 1 to clarify the statutory requirements related to completeness determinations.
3. Rephrasing Conclusions of Law No. 1 relating to the challenge based on amending the siting application following a completeness determination.
4. Rephrasing Conclusions of Law No. 2 relating to the challenge based on findings of fact.
5. Rephrasing Conclusions of Law No. 3 relating to the challenge based on conditioning approval on prior approval of another political subdivision.
6. Rephrasing Conclusions of Law No. 10 relating to the challenge based on more stringent standards.
7. Minor rephrasing of No. 1 in the Order.
8. Correcting the statutory provision referenced in No. 2 of the Order.

Engelbrecht made a motion for the LFSRB to approve the decision as modified, Godfrey seconded the motion. The motion passed unanimously.

Daniels noted that only one member needed to sign the decision, and Selk was authorized to sign on behalf of the Board.

#### **BOARD SCHEDULE AND FUTURE AGENDA ITEMS**

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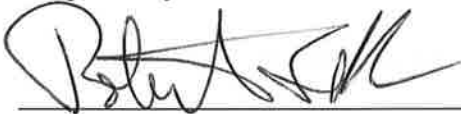
DATCP staff reported no known cases on the horizon. The LFSRB did not set a date for its next meeting.

#### **ADJOURN**

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Selk moved to adjourn the meeting, seconded by Engelbrecht, and the motion passed. The meeting ended at 12:57 p.m.

Respectfully submitted,



Bob Selk, Secretary

6.13.2018

Date

Recorder: CC