The chairman: How a plan to develop Wisconsin’s largest pig farm upended a small town’s politics

*A proposal for a $20 million concentrated animal feeding operation sowed distrust in Trade Lake as opponents accused the town’s chairman of backroom dealings to facilitate construction.*

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*Wisconsin Watch*

*This story was originally published by* [*Wisconsin Watch*](https://wisconsinwatch.org/?p=1284365)*.*

*This is the first story in a three-part series called Hogtied, which examines the political, regulatory and economic forces shaping a proposal to build the state’s largest pig farm.*

During a frigid January evening, the businessman pitched his vision for the northwest Wisconsin town. He handed out cards — looking for anyone interested in selling him land.

Only seven people attended the board of Trade Lake’s first monthly meeting of 2019, so few realized the businessman sought to construct a swine farm. As they would later learn, the $20 million project, known as Cumberland LLC, could house up to 26,350 animals — the largest pig breeding operation within the state and, potentially, the Midwest.

Not long after, the town’s chairman, Jim Melin, called the businessman and told him he had property that might serve the company’s purposes.

The exchange and later dealings would mire Melin in legal controversy as Trade Lake residents organized to prevent construction of the livestock farm — also known as a concentrated animal feeding operation, or CAFO.

“There was no whatchamacallit that said I couldn't sell the land to somebody,” Melin would later testify in a sworn deposition. “There is no law that says I can't sell the land — ag land to an ag enterprise.”

The pig farm exists only on paper, but it has occupied the hearts and minds of area residents and property owners for nearly five years.

The farmers, snowbirds and Twin Cities weekenders among Trade Lake’s population of 904 enjoy living in a place where wildlife otherwise sequestered to a zoo can be viewed for free: deer, pheasants, loons, turkey vultures, river otters.

While about 20% of Trade Lake land is agricultural, tourism also forms an economic mainstay. One-third of residences are seasonal and dot the shorelines of several of the town’s 14 named lakes. Nearly 60% of the tax base comes from lakeshore and vacation properties.

CAFO opponents say they are fighting to protect the [natural landscape](https://www.cdc.gov/nceh/ehs/docs/understanding_cafos_nalboh.pdf), their health and property values. Cumberland kicked off a movement to thwart an outsider’s proposal to reshape their town in the name of profit.

But Trade Lake includes CAFO supporters too. They perceive opponents’ efforts as a power grab by “lake people” and seek to protect an agrarian tradition by ushering in farming’s future.

“There are very few people who grew up on the farm,” said retired crop and beef producer Charles Johnson, 82, who preceded Melin as town chair, serving about 30 years. “We’re vastly outnumbered.”

Many Wisconsin communities have considered whether to welcome large livestock farms, particularly as CAFOs have proliferated tenfold in Wisconsin within the past three decades. But few house the political intrigue of Trade Lake, where opponents sued to remove Melin from office, accusing him of backroom dealings to facilitate Cumberland’s construction. During a two-year legal challenge, parties questioned whether the chairman violated state ethics regulations.

The lawsuit surfaced information that raised questions over the company’s ownership — the mercurial businessman’s affiliation with the project was initially unclear and his explanations shifted — leading residents to another question: Who is that man?

The Cumberland saga also highlighted a gap in state oversight of CAFO developers after landowners discovered their fields were designated for manure spreading without their awareness or consent. Those in Trade Lake who call for stronger regulations say the absence of universal verification may lead the Department of Natural Resources to approve large livestock farms that lack a sufficient land base on which to apply manure, leaving the landscape vulnerable to excessive application and pollution.

“If it hadn't been for concerned citizens reviewing all the falsehoods in the application and reviewing the things that we revealed to the DNR,” said Trade Lake resident Judi Clarin, 62, “Cumberland, it's very possible that they would have been allowed to site.”

### **Money from manure**

Jim Melin and the businessman, Jeff Sauer, met again a week or so after the call at Jim’s home, along with Jim’s wife, Patty. Jim’s son Erik Melin eventually stopped by. They talked about what the pig farm would mean for the area.

Sauer — a Thorp, Wisconsin-based farmer, consultant and Cumberland representative — scouted sites throughout Burnett County for the company’s Iowa owners.

With hungry snouts to feed, the new facility would offer the local farmers cooperative an outlet to which to sell grain, ideally reducing shipping costs and increasing the local sale price of corn.

They also chatted about the manure’s value, something Sauer had already discussed with Erik the previous year as he searched for eligible properties. Erik, 38, who has farmed his entire life and was taking over his father’s business, Lucky Oats Farm, raises beef cattle and grows corn and soybeans across roughly 2,000 acres.

“We just wanted the manure, the nutrients,” Jim Melin later told attorneys. “Because it's cheaper than commercial fertilizer and safer than commercial fertilizer.”

By Melin’s estimate, he would save roughly $42,000 by acquiring manure from the swine CAFO.

At some point, Sauer asked him to name a price for a roughly 37-acre field where the operation would be sited alongside a 2-acre parcel Cumberland already owned.

Melin said his banker recommended $130,000, which Cumberland’s owners offered in late February 2019.

Sauer later stated a farm credit cooperative evaluated the price. He called it a “lie” that it was inflated. Yet that year in Burnett County, where Trade Lake is located, farmland sold for an average of $2,045 per acre, according to U.S. Department of Agriculture figures. Melin was to receive $3,530 per acre — “a little higher than market value,” he told attorneys.

### **Gossip mill turns as pig proposal nears**

Word of Cumberland spread. Perhaps someone caught wind that Sauer filed a preliminary application with the state on March 15, 2019, which included an aerial map of Melin’s fields. Maybe somebody saw that Sauer posted an obscure reference to the project on social media four days later.

Or residents might have noticed workers subsequently digging at the site, located down the highway from a lumber yard where public notices are posted and locals congregate.

Whatever the reason, the gossip mill turned.

The swine farm would house gestating sows and, eventually, their litters of piglets. The young would be weaned, then trucked to a finishing facility where they would grow until their slaughter.

Sauer previously suggested finishing would occur in western Iowa or south-central Minnesota. However, locals and the state’s CAFO permit coordinator believe that if Cumberland is constructed, local facilities will follow. Although Sauer denied that assertion, he has expressed interest in constructing additional breeding operations in the region.

“I visited with a lot of farms, but none of the puzzles came together as perfect as they did with the Melins,” Sauer said in a deposition.

Lifelong Burnett County resident Ramona Moody said she first heard about the project while working the polls during the April 2 election. She can’t recall who mentioned it.

Moody, a real estate agent, lives with her husband, Dean, a quarter-mile north of the proposed CAFO. She contacted the town board secretary to add a discussion of the hog farm to the agenda of Trade Lake’s annual meeting, held on April 18.

A local journalist also learned of the CAFO and contacted Erik Melin, who confirmed the land sale and told the newspaper that Cumberland represents a “big change” that could eventually “prove to be a good thing,” despite initial concerns.

More than 120 people flocked to Trade Lake Town Hall, a building so packed that some stood outside its white clapboard walls.

### **On the agenda: Jeff Sauer**

Jim Melin has farmed since his late teens. Some residents consider him a veritable institution because of a Trade Lake family lineage that stretches back generations and his roughly two decades chairing the town board.

Now 69, he describes himself on social media as a “trying-to-retire” farmer who enjoys his grandkids and God’s gifts. In a photo posted to his profile, steam rises from a corn dryer on a chilly November night. Peeking through the wispy cloud is a glowing cross. Melin noted in a caption that “it is what helps guide us through life.”

He arrived at the annual meeting already with a purchase offer. He never told one of the two other board members about the deal and informed the second just days before.

The public likewise seemed caught off guard.

“I don't trust the whole situation,” exclaimed one attendee who worried about harm to her property value, air and water. “I don't like the way this was brought about in secret. We found out about it by accident.”

“Well, you may have,” Sauer said. “We announced it to the township.”

“They didn’t tell us,” she insisted. “They kept it a secret.”

To ascertain that the January meeting included a presentation about a potential hog CAFO, a reader would have had to decipher an agenda item that stated “Jeff Sauer-Clear View Solutions Grp-Ag Growth,” possibly explaining why only seven people attended.

Sauer characterized his January and April presentations as a courtesy, emphasizing that he was not required to disclose anything about the project, but chose to do so anyway.

“Because,” he said, “I believe in transparency.”

### **Refuse to recuse**

Sitting at the wooden board table, Melin presided over the annual meeting. At the start, an attendee asked him to recuse himself. Melin balked.

“I don’t have to. I’m part of this discussion,” he said. “Only if you’re gonna vote on something do I have to really get out of here.”

Other residents urged Melin to stay and listen to what constituents had to say.

One asked: What is the CAFO’s benefit to Trade Lake? “I see none. It’s gonna hurt.”

“And, pardon, Jim,” the resident said, “I only see one person in this room to benefit from the hog farm.” Then, addressing Sauer, the man continued, “Maybe two, including you.”

Melin told the audience that the town board, much less residents, possessed no power to forestall Cumberland.

Later, as is customary at annual town meetings, an attendee introduced a motion — instructing the town to oppose the livestock farm’s construction.

“You know there is a CAFO already in the county?” Melin asked before a vote was taken. “And have they wrecked any wells?”

By a show of hands, the measure passed.

Further into the meeting, Melin indicated that a moratorium or similar directive was futile.

“Okay, so we’re going to shut the gate on the cow after it’s gone?” he said after one was proposed.

Residents requested an environmental impact study, to be paid for by the CAFO’s owners.

“There will already be one done by the DNR,” Melin said. “And that’s not good enough?”

“You are not the person I want to hear that answer” from, someone responded.

That motion, too, passed.

### **CAFO risks and rewards**

Large farming operations like Cumberland can lower production costs, increase efficiency, financially support multiple business partners and satisfy consumer demand for safe, low-cost agricultural products.

But they also present risks.

Hog excrement must be disposed of — generally by spreading it across farm fields. As planned, Cumberland could generate more than 10 Olympic swimming pools’ worth of manure and wastewater annually.

Manure overapplication and runoff can contaminate surface and groundwater with harmful [bacteria](https://wisconsinwatch.org/2016/05/bacteria-in-states-drinking-water-is-public-health-crisis/) and [nitrates](https://wisconsinwatch.org/2015/11/nitrate-in-water-widespread-current-rules-no-match-for-it/#:~:text=In%20addition%20to,state%20groundwater%20council). Trade Lake also contains lakes, ponds and wetlands that are vulnerable to contamination, some of which contain wild rice beds and critical habitat. The state already considers a few surface waters impaired.

Meanwhile, groundwater depth in some locations is just 3 feet. Generally, the water quality is good, but opponents say, at those depths, the contamination risk of the area’s single aquifer, which is tapped by about 300 private and six public wells, is too great.

“There’s so much to lose by putting it here,” said Deb Ryun, executive director of the nonprofit Wild Rivers Conservancy.

Any nutrient runoff would drain into the St. Croix River, which makes its way down the Mississippi and into the Gulf of Mexico, feeding an oxygen-starved aquatic region called the [Dead Zone](https://thelensnola.org/2023/08/03/dead-zone-smaller-than-average-but-still-almost-as-big-as-yellowstone-park/).

Residents also fear potential [air emissions](https://wisconsinwatch.org/2023/04/epa-still-lacks-method-for-measuring-cafo-air-pollution/) and stenches. A University of Illinois at Urbana-Champaign researcher predicted manure odor from the farm would be detectable as far as 15 ½ miles from Cumberland at least half the time in a given week.

Wisconsin’s CAFO permitting program lacks authority to regulate issues other than water quality but requires that farmers submit nutrient management plans, intended to maximize crop yields and prevent excessive application. The state also generally prohibits manure spreading on snow-covered or frozen ground, on shallow soils or when precipitation is forecast. Cumberland opponents, however, doubt the [staff-limited](https://docs.legis.wisconsin.gov/misc/lfb/budget/2019_21_biennial_budget/102_budget_papers/529_natural_resources_concentrated_animal_feeding_operation_fees_and_regulatory_positions.pdf) program’s ability to monitor and enforce such regulations.

**Sources of expertise**

The campaign against Cumberland illustrated differing views about credibility. CAFO opponents cited peer-reviewed studies from academic institutions like Johns Hopkins University and agencies such as the U.S. Centers for Disease Control and Prevention to justify regulation of large livestock farms — in part, because Wisconsin law requires scientific findings of fact.

In an interview, the Melins deferred to pragmatism, logic and a lifetime of experience. People have to eat. Farming requires good soil. So why would they support a project that could destroy their livelihood and that of their progeny? They wouldn’t.

Patty Melin, 68, grew up farming pigs in southwest Iowa. She remembers cleaning the farrowing house and scraping feeding floors.

“If our hogs would have had the type of facility that this is, they would have thought they’d have died and gone to heaven,” Patty said, adding that she and Jim were conservationists before the term came into fashion.

As farmers, they adopted practices like no-till farming and cover crop seeding, installed erosion control structures, conducted nitrogen soil testing and added fertilizer to fields in variable amounts to avoid overapplication. Patty believes Cumberland’s manure would improve soil quality in ways commercial fertilizer cannot.

The Melins also can rattle off anecdotes that impart a lesson for every circumstance: the absurd ostracism Patty’s brother faced when he sought to construct a hog barn (people told him the stink would ruin the local airport fly-in breakfast); the friend who worked at a pork processing plant who praised its quality and cleanliness under Smithfield Foods’ ownership; and the time their neighbors browsed the internet to learn how to cut beef, and instead, stumbled across a site dedicated to human cannibalism.

The power of the web makes it easy to locate whatever facts you need to back your beliefs, the Melins said, making it easy for opponents to spout CAFO horror stories.

### **Opposition organizes: ‘Pig farms smell’**

The summer after Cumberland’s proposal, the nonprofit KnowCAFOs formed. Its members conducted fundraising, research and public messaging campaigns.

In an August letter to the editor, Ramona Moody lambasted the efforts of the “industrial farm lobby” to persuade local farmers that the CAFO is a positive development — akin to a Walmart or Menards convincing local hardware shop owners that a big box store’s arrival would benefit small businesses.

“And for those of you who say, ‘Don’t control what I do on or with my property,’ I agree!” she wrote. “But it's not what people are doing with their own property that’s the problem. It’s that commercial operations directly affect what neighbors can do with their own property.”

Trade Lake resident Howard Pahl, 71, grew up in rural Iowa, where from eighth grade through college, he worked for a pig farmer a few miles outside town. The man raised several hundred swine.

Pahl shoveled manure, laid bedding and chased hogs.

“It smelled like pigs,” he said. “Pig farms smell.”

Pahl and his wife, Joanne Pahl, 69, are retired: he as a carpenter and she as Burnett County’s treasurer. During KnowCAFOs weekly meetings, they sit at their kitchen table, which doubles as Joanne’s office. Fighting CAFOs is a full-time job, said Howard Pahl, who is now the group’s president.

He believes CAFO developers often target areas that lack money to mount a defense. By and large, local governments operate on budgets too small to absorb costly legal fees if they seek to regulate farming and are sued.

But Burnett County’s median household income of $55,890 and 12% poverty rate are deceptive.

“What they failed to calculate is that every fourth house going around the lake is a retired attorney,” Pahl said.

### **Trade Lake residents sue chairman**

In June 2019, 11 Trade Lake residents and property owners, including Pahl, sued Melin, requesting a judge remove the chairman from office.

The plaintiffs alleged Melin violated state ethics rules and breached his fiduciary duty by failing to disclose to the public Cumberland’s efforts to establish the farm — an operation locals “overwhelmingly oppose” — and striking deals to sell property and purchase manure at a discounted rate.

“I couldn’t believe it,” Melin recalled thinking.

State ethics law forbids public officials from using their position for their or their family’s benefit or from taking action that affects matters in which they or their family have a financial interest. Officials also may not use their influence, actions or votes upon the consideration or on condition that another entity provide or refrain from providing something.

Speaking generally, attorney and local government law educator Bill Oemichen, with the University of Wisconsin-Division of ­Extension, said public officials are entrusted to represent constituents to the best of their ability and with impartiality.

“And ‘impartial’ goes to not having a personal interest in an issue and then acting on that personal interest,” he said.

Trade Lake property owner and trial lawyer Andy Marshall, 63, who represented the 11 plaintiffs, deposed Melin.

“I didn't feel as though I had to tell the people,” Melin told the attorney. “We had an open meeting in January.”

The plaintiffs noted there was no mention of the swine farm during the February or March 2019 town meetings, which enabled Sauer to file his application with the state before the community could study the issue. Sauer previously asserted that filing exempted him from any moratoriums.

Marshall claimed Melin had a financial incentive to keep quiet because the purchase agreement on his land enabled Cumberland to terminate the sale if the project attracted public opposition.

Four years after the fact, Melin expressed exasperation over what he perceives as a double standard. Why must he divulge a property sale when others don’t?

“Do they tell me when they buy that lot on the Trade Lake where I used to go fishing on the shore and they’re going to put a dock there and I can’t fish there anymore?” he asked.

Just as perplexing to the former chairman: Whom should he have told?

The plaintiffs also alleged Melin used his authority to quash discussion over Trade Lake’s options to halt Cumberland’s developers. They pointed to his presiding over the town board’s monthly May meeting where the hog farm was on the agenda, despite what they called his “clear conflict of interests.”

According to the lawsuit, at the meeting’s start Melin told residents that people who spoke out of order would be asked to leave. If they refused, he said, the sheriff would be contacted and arrest them. Melin later recused himself and left the building.

Afterward, residents and the remaining board members discussed the proposed CAFO moratorium and regulation of large commercial businesses in Trade Lake. The board agreed to review both ordinances with the town’s attorney and Marshall.

Weeks later, the town board met, and according to court documents, Melin started the meeting by stating there would be no public discussion. Without explanation, the board voted to hire an attorney but refused to disclose the purpose for doing so, the attorney’s scope of representation or his qualifications.

When residents asked whether the attorney would follow up on the community’s April votes to oppose the CAFO and pursue an environmental impact study, Melin called those motions “illegal.”

### **Chairman denies conflicts**

Melin, who denied conflicts of interest and any attempts to stifle discussion, told Marshall he could not recollect making comments about lacking the power to block the project.

“I was talking about town of Trade Lake rules — we had no rules to stop them,” Melin explained to Wisconsin Watch.

To attorneys, he insisted he recused himself from most CAFO conversations following the April meeting and took no official action in deliberations in which he might have financial interests.

Experts from the Local Government Center at the University of Wisconsin-Division of ­Extension say abstention, in practice, goes beyond voting. Officeholders mustn’t act in any official capacity, provide information, discuss the issue or sit at the board table.

Even if they don’t break the law, shearing the community’s trust can be just as damning.

“Once you've lost that, you really lose a lot of credibility with the citizens of your community,” Oemichen said. “That is a precious commodity that you don't want to give up.”

**Soured relationships**

Patty Melin gets tongue-tied trying to explain how she and her husband could have communicated to residents differently. Still, she said, people wouldn’t have listened anyhow.

“If we have a problem with somebody, we go talk to them directly,” she observed. “This other jazz of getting divisive and rounding up your troops, I’ve never seen it work — church, family, anything else.”

An August 2019 dispute between the Melins’ attorney and Marshall epitomized that concept, the couple said.

Marshall wrote to the presiding judge to express his clients’ concern over Jim Melin’s “continuing influence over and interference with” the town board. They believed delaying a scheduled hearing to accommodate Melin’s attorney’s schedule would enable the chairman to interfere or vote in matters pertaining to Cumberland.

The parties later agreed to delay the hearing until January 2020 on the condition that Melin would not attend any Trade Lake board meetings or contact the other two town supervisors, clerk or treasurer. Melin also agreed to clarify he was not speaking in his capacity as Trade Lake’s chairman when he interacted with Polk and Burnett County officials.

“It was a way to shut Jim up,” precluding civil conversation, Patty Melin said.

The lawsuit was rendered moot when Melin’s term ended in April 2021 and he decided not to run for office. Moody was elected town board chair.

Retelling the saga angers Pahl.

“I didn't realize that people lied that much,” he said. “You think that's not something that happens in your small town.”

Although the lawsuit ended, Cumberland has not left Trade Lake. Even after the state rejected his application twice, Sauer, who said he is now the project’s sole owner, reapplied for a CAFO permit in May. The project’s latest iteration is pending review.

The plan is still to construct on Melin’s fields.

“I wish they would have gone through with the trial. That was my biggest disappointment,” Melin said, earnestly.

“I want to know if I’m guilty or not.”

*This story is a product of the* [*Mississippi River Basin Ag & Water Desk*](https://agwaterdesk.org/)*, an editorially independent reporting network based at the University of Missouri School of Journalism in partnership with Report For America and funded by the Walton Family Foundation.* [*Wisconsin Watch*](http://www.wisconsinwatch.org/) *is a member of the network*. *Sign up for our* [*newsletter*](https://www.wisconsinwatch.org/subscribe) *to get our news straight to your inbox.*