

**WASHINGTON COUNTY  
FARMLAND PRESERVATION PLAN ADVISORY COMMITTEE**

Government Center – Room 1020  
West Bend, WI

January 19, 2011  
6:00 p.m.

Members present: Al Schulteis, Bob Retko, Dan Mueller, Dennis Kay, Don Heesen, Helmut Wagner, Justin Drew, Mark Piotrowicz, Maurice Strupp, Mike Shea, Ray Heidtke, Richard Beine, Sue Yogerst, and Tom Schoofs

Absent: Jim Hovland, Paul Little, Ricky Kratz, Scott Mathie, Shawn Graff, and Terri Kaminski

Excused: Mike Samann

Staff present: Deb Sielski-Deputy Administrator, Joshua Glass-Planner, Paul Sebo-County Conservationist, Rochelle Brien-Planning Intern, Kevin Struck-UW-Extension, Nancy Anderson-Chief Planner (SEWRPC), and Lynda Christl-Program Assistant

Also present: Joe Gonnering and Ellis Kahn

**CALL TO ORDER**

Supervisor Heidtke called the meeting to order at 6:02 p.m. Heidtke introduced Tom Schoofs who is replacing Ellis Kahn on the Committee representing the Town of Kewaskum. Heidtke thanked Kahn for his work on this Committee.

Sue Yogerst arrived at 6:05 p.m.

**REVIEW MINUTES OF DECEMBER 1, 2010 MEETING**

**Motion by Strupp, seconded by Schulteis, to approve December 1, 2010 minutes with no additions or corrections. Motion carried.**

**DISCUSSION OF TOWN OF OSCEOLA LAND CONDEMNATION QUESTION FROM DECEMBER MEETING – JOSHUA GLASS**

Glass spoke with LaVerne Immel (Osceola Town Chairman) and Jerry Leiterman (Forest Coordinator for the Kettle Moraine State Forest – Northern Unit) to find details in response to Shea's questions from the December FPPAC meeting. Glass indicated that the Wisconsin Department of Natural Resources (WDNR) did exercise land condemnation in approximately 1965 in the Town of Osceola. The WDNR has not exercised land condemnation in 35-40 years because it is so controversial with the public. The case in Osceola involved 113 acres on the east side of Long Lake. WDNR acquired it to connect two properties already owned by the State for recreational purposes. Glass mentioned that the law regarding land condemnation and eminent domain can be found in Chapter 32 of the *State Statutes*. Shea expressed concern that it would not be beyond the WDNR's scope to exercise land condemnation again.

**DISCUSSION OF FARMLAND PRESERVATION ZONING QUESTION FROM DECEMBER MEETING – DEB SIELSKI**

Sielski presented Piotrowicz’s question regarding farmland preservation zoning to Keith Foye at the Department of Agriculture, Trade and Consumer Protection (DATCP). The question was, “If a town has two farmland preservation areas, can it decide to designate farmland preservation zoning for only one of the two farmland preservation areas?” A copy of Foye’s emailed response was handed out. Sielski reported that, in summary, yes, a town can have one farmland preservation area that is zoned for farmland preservation and one that is not. Sielski asked that all Committee members go over the guidelines sent by Foye regarding the consistency requirement outlined in the farmland preservation law.

**CONSIDERATION OF DRAFT CHAPTER 3 – EXISTING RECOMMENDATIONS FOR FARMLAND PRESERVATION IN WASHINGTON COUNTY – JOSHUA GLASS**

**Motion by Shea, seconded by Retko, to preliminarily approve draft Chapter 3 with no additions or corrections. Motion carried.**

**CONSIDERATION OF REVISIONS TO DRAFT CHAPTER 4 – INVENTORY OF AGRICULTURAL RESOURCES – JOSHUA GLASS**

Glass highlighted changes made to the chapter since the December meeting. With Sebo’s assistance, a section regarding farms enrolled in the farmland preservation program as of 2010 was added beginning on page 13 along with two tables. The map showing this information was not available at printing time, but will be reviewed at the February meeting.

Wagner mentioned that the last paragraph on page 14 emphasizes the need for protecting smaller niche farms that are often times surrounded by subdivisions. Sielski stated that, although preserving niche farms is important in Washington County, utilizing the Working Lands Initiative isn’t the best means of doing so when dealing with only a few acres. Glass indicated that niche agriculture is addressed in another area of the chapter, and although the WLI may not be the appropriate tool for preserving niche farms, the farmland preservation plan as a whole can emphasize the importance of niche agriculture preservation and identify other preservation tactics.

In the first paragraph on page 20 regarding number of cows, Piotrowicz suggested citing actual milk volume production levels. Glass will conduct further research and add such information to the paragraph and also Table IV-17.

Also on page 20, a list of key agricultural infrastructure is being created and will be added. Glass will be working with Sebo and Alan Linnebur of UW-Extension to develop this section.

Glass highlighted the final paragraph on page 26 which emphasizes the role niche agriculture plays in the overall agriculture economy in Washington County.

Heidtke indicated the Committee will wait to see an additional draft of this chapter before considering it for preliminary approval.

**REVIEW OF DRAFT CHAPTER 5 – TRENDS, PLANS OR NEEDS THAT MAY AFFECT FARMLAND PRESERVATION – JOSHUA GLASS**

Glass reviewed draft Chapter 5 and several changes made to it since the packet was mailed to the Committee. The section regarding the Regional Water Supply Plan on page 8 was updated as being adopted in 2010 and a footnote will be added. Shea initiated discussion regarding the Regional Water Quality Management Plan in

connection with MMSD plans and how FPA designation could be affected. Anderson will look into several items Shea brought up.

### **DISCUSSION OF FARMLAND PRESERVATION AREA DELINEATION – DEB SIELSKI**

Sielski presented a draft process of establishing farmland preservation areas which contains seven steps. Sielski passed out a change to step 5 that was made since the meeting packet was mailed.

Piotrowicz suggested looking beyond land divisions and also analyzing condo plats. Sielski will consider doing so.

Step 5 discusses current local government zoning and Sielski indicated how varied they are. Schulteis asked about local governments waiting to make zoning changes until after the County designates FPAs. Sielski stated that now is the time to start thinking about each municipality's future in relation to farmland preservation. Sielski will request the Committee's approval of the FPA delineation process at the March meeting so staff can begin meeting with all rural local governments to discuss the process and maps. Retko asked to see maps for all municipalities. Sielski will have them at the next meeting. Discussion followed regarding options offered in step 7 and the rationale for the options needing to be done countywide. **Motion by Retko, seconded by Schulteis, to approve steps 1 through 6 of the farmland preservation area delineation process. Motion carried.**

Sebo suggested getting maps with steps 1-6 to local governments as soon as possible so they can review them and comment on step 7 with emphasis on keeping existing participants eligible to participate in the program. Sebo commented that some will be excluded because they are within sewer districts or other reasons. **Motion by Retko, seconded by Schoofs, to have staff prepare maps for all local governments using each of the three options in step 7. Motion carried.**

Kahn questioned how the situation would be handled if a farm is located in more than one township. Sielski explained that it would depend on each zoning entity's decision to participate in the program. Sielski will be asking DATCP if a farmland preservation area boundary has to stop at a municipal boundary. Sielski will report back to the Committee with an answer.

### **DISCUSSION OF SWOT ANALYSIS ADDITIONS – KEVIN STRUCK**

Struck informed the Committee that he did not get any further additions to the SWOT analysis.

### **DISCUSSION OF VISION STATEMENT – KEVIN STRUCK**

Struck noted the changes he made since the last meeting and discussion ensued. **Motion by Wagner, seconded by Kay, to approve the second vision statement being displayed as written. Motion carried.**

### **RESULTS OF COUNTYWIDE FARMLAND OWNER SURVEY – KEVIN STRUCK**

Struck distributed copies of a draft countywide survey report and reviewed some key findings. Results will also be broken down by municipality.

### **DETERMINE FUTURE MEETING DATES AND AGENDA ITEMS**

Future meeting dates include:

- February 23, 2011 – PAC, Room #1113 A & B, 6:00 p.m.
- March 16, 23, or 30 2011 – PAC, Room #1113 A & B
- April 6 or 13, 2011 – PAC, Room #1113 A & B

Future agenda items include:

- Review changes to Chapters 4 and 5
- Review Chapter 6
- Discuss options for Farmland Preservation Area designation
- Focus group results
- Review any additional comments regarding the landowner survey

**PUBLIC COMMENT**

Sielski stated that staff may reconvene the agri-business cluster council from 2003 to conduct a brainstorming session. Sielski announced that anyone that would like a copy of the FPA presentation should let her or Glass know, and a copy will be sent as soon as possible.

**ADJOURNMENT**

**Motion by Shea, seconded by Schulteis, to adjourn the meeting at 8:49 p.m. Motion carried.**

Debora Sielski  
Deputy Planning and Parks Administrator

Approved by \_\_\_\_\_  
Raymond Heidtke, Chairperson

Date \_\_\_\_\_