

**WASHINGTON COUNTY
FARMLAND PRESERVATION PLAN ADVISORY COMMITTEE**

Public Agency Center – Room 1113 A & B
West Bend, WI

March 9, 2011
6:00 p.m.

Members present: Mike Shea, Maurice Strupp, Helmut Wagner, Mike Samann, Bob Retko, Ray Heidtke, Mark Piotrowicz, Shawn Graff, Al Schulteis, Dan Mueller, Tom Schoofs, Ricky Kratz, and Scott Mathie

Absent: Jim Hovland and Terri Kaminski

Excused: Dennis Kay, Don Heesen, Justin Drew, Paul Little, Richard Beine, and Sue Yogerst

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

Also present: Joe Gonnering (as an alternate for Dennis Kay), Ellis Kahn and Don Core (Wayne resident)

CALL TO ORDER

Supervisor Heidtke called the meeting to order at 6:01 p.m.

REVIEW MINUTES OF JANUARY 19, 2011 MEETING

Motion by Shea, seconded by Strupp, to approve January 19, 2011 minutes with no additions or corrections. Motion carried.

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

Glass indicated that only pages that were changed since the last draft was reviewed were distributed to the Committee. Glass highlighted changes made to the chapter since the January meeting.

Discussion ensued regarding Table IV-19 (agricultural infrastructure). The general consensus of the Committee was to restructure the table and reference web links for more information. Instead of listing specific businesses, a note will be added indicating an approximate number of businesses that exist for a given category. Kahn inquired as to the purpose of this list. Sielski explained that it is required by law. Committee members will contact staff if they would like to see additional categories listed.

Wagner requested that the word “increased” be struck from the paragraph on page 19. There were no objections.

Motion by Graff, seconded by Retko, to preliminarily approve draft Chapter 4 pending the requested revisions. Motion carried.

Ricky Kratz arrived at 6:16 p.m.

CONSIDERATION OF REVISIONS TO DRAFT CHAPTER 5 – TRENDS, PLANS OR NEEDS THAT MAY AFFECT FARMLAND PRESERVATION – JOSHUA GLASS

Again, only pages that were changed since the last draft was reviewed were distributed to the Committee. Glass highlighted changes made to the chapter since the January meeting.

Piotrowicz stated that he thought there were some pending requirement changes to NR 151. Glass reiterated that changes can be made to the chapter after preliminary approval but before the plan is adopted.

Scott Mathie arrived at 6:29 p.m.

Wagner requested that language regarding groundwater recharge areas on Page V-9 be unstruck and listed as it previously was. The Committee concurred.

Shea asked for more information regarding stormwater discharge permits as mentioned on Pages V-9 and 10. Discussion ensued with Sebo explaining how the permits are required through NR 216.

Motion by Graff, seconded by Shea, to preliminarily approve draft Chapter 5 pending the requested revisions. Motion carried with Kahn opposing.

REVIEW OF DRAFT CHAPTER 6 – PRESERVING AND SUPPORTING FARMLAND PRESERVATION – JOSHUA GLASS

Glass presented draft Chapter 6 and highlighted key parts. Sielski stated that there is a proposal in the Senate bill and also the budget bill to eliminate rezoning conversion fees and the PACE program. Discussion ensued. Glass explained that this chapter was created according to how the law is currently written. Changes can be made to the chapter prior to plan adoption if the program changes.

There was discussion regarding use value assessment fees and how they are different from conversion fees assessed through the Working Lands Initiative. Schulteis requested that language be added explaining that conversion fees are waived if property is annexed by a municipality that does not exercise farmland preservation zoning.

Shea requested that a discussion of changes, either pending or made, to the farmland preservation program be added to the next meeting agenda. The Committee concurred.

Discussion ensued regarding presentation of farmland preservation area maps to local governments. Sielski hopes to meet jointly with Town Boards and Plan Commissions between mid-April and mid-June, depending on the outcome of this meeting.

Glass continued presentation of Chapter 6. Glass stated that the majority of language in Part 2 is verbatim from the Farmland & Open Space Preservation (FOSP) Tools report published by the Department in 2005. Mathie suggested shortening the chapter by having a paragraph listing tools and referencing the FOSP report for more detailed information. The Committee concurred to restructure Part 2 accordingly.

In Part 3, under Community Supported Agriculture, Shea requested that a local example of CSA be added. Mathie suggested changing the third paragraph in this section to read “This effort...” rather than “The collective effort...” for clarification. The Committee concurred.

Motion by Shea, seconded by Retko, to preliminarily approve draft Chapter 6 pending the requested revisions. Motion carried with Kahn opposing.

**PRESENTATION AND DISCUSSION OF FARMLAND PRESERVATION AREA MAPS – DEB
SIELSKI**

Sielski indicated that when packets were mailed, staff had not yet received mapping data from the Village of Germantown. Data was received two days ago and updated maps have been created. Sielski distributed the updated maps. Maps include all towns and two villages. Sielski presented farmland preservation area (FPA) maps with steps 1 through 6 completed as directed by the Committee at the January meeting. Sielski noted that the maps viewed at the last meeting were incorrect, showing 3 percent agricultural use instead of the 30 percent as stated. Sielski stated that she will be requesting the Committee to make decisions on five things: 1) reaffirmation to stay with the minimum 30 percent agricultural use as a cut-off point for FPA designation; 2) which of the four options to go with for defining FPAs or if the Committee wants to go with a whole new option; 3) whether or not to include farms surrounded by a FPA but were not included only because of a lower LESA score as possible exceptions; 4) whether or not to include farms having less than 30 percent agriculture to connect FPAs; and once the Committee decides on the previous four things, 5) approve staff presenting the mapping process and draft FPA map to local governments this summer. When finished presenting to the local governments, the Committee will have another chance to review the countywide map prior to approval.

Sielski explained that the FPA mapping analysis for Step 7 was conducted on a countywide scale rather than by individual town or village as originally requested because FPAs can cross municipal boundaries. Sielski presented various mapping options to the Committee for the delineation of FPAs and explained how certain exceptions could possibly be considered. Sielski requested direction from the Committee on how to move forward from this point.

Motion by Graff, seconded by Strupp, to reaffirm the 30 percent decision that was made at the last meeting. Mathie requested further explanation for the 30 percent reasoning. Sielski explained the reasoning as discussed at the previous meeting and additional discussion ensued. Retko requested a roll call vote on the motion. **Motion carried (Aye - 11; Nay - 2) with Mathie and Kahn opposing.**

Motion by Graff, seconded by Retko, to approve Option #4 for defining FPAs. Graff explained that his rationale for approving Option #4 is that it would give each town the maximum options available. Mueller explained why he believed Option #3 would give the towns the most flexibility. Graff concurred with Mueller's reasoning and offered to amend his previous motion to instead approve Option #3. Mathie explained his rationale in support of Option #1. Discussion ensued with Shea reminding the Committee that DATCP prefers larger areas of contiguous land for FPAs. Sielski indicated that DATCP has never clearly defined what "larger sweeping area" means. Heidtke called for a roll call vote on the original motion to approve Option #4. **Motion defeated (Aye - 1; Nay - 12) with Graff supporting and all others opposing.**

Motion by Mathie, seconded by Wagner, to approve Option #1 for defining FPAs. Graff and Mueller reiterated their belief that Option #3 gives the most flexibility to towns. Discussion ensued. Heidtke called for a roll call vote on the motion to approve Option #1. **Motion defeated (Aye - 4; Nay - 9) with Mathie, Kahn, Piotrowicz, and Shea in support and all others opposing.** Wagner clarified that although he seconded the motion, he no longer prefers Option #1.

Motion by Retko, seconded by Graff, to approve Option #3 for defining FPAs. Motion carried (Aye - 9; Nay - 4) with Kahn, Mathie, Piotrowicz, and Shea opposing.

Sielski briefly reviewed the first of two exceptions presented earlier. This exception involves including a farm that is completely surrounded by a FPA but was not originally included due to having a LESA score slightly lower than 6.8. **Motion by Graff, seconded by Mueller, to approve Exception #1.** Discussion ensued with Mathie suggesting tabling this decision until the next meeting so staff can complete the analysis and determine how many parcels this would involve. Shea requested an explanation of the second exception before approving either. Sielski briefly reviewed the second exception option which involves including parcels with less than 30 percent agriculture that would connect two separate FPAs to form one large FPA. Discussion continued. Heidtke called for a roll call vote on the motion to approve Exception #1. **Motion carried (Aye - 9; Nay - 4) with Kahn, Kratz, Mathie, and Piotrowicz opposing.**

Motion by Graff, seconded by Retko, to approve Exception #2. Schulteis asked to revise how Exception #2 is defined so that relevant parcels are identified only as links and are not eligible for the tax credits. **Motion by Graff, seconded by Retko, to amend the previous motion so as to approve Exception #2 with the understanding that relevant parcels are only being used to link FPAs and not making the parcels eligible for tax credits through the Farmland Preservation Program.** Further discussion ensued. Heidtke called for a roll call vote on the amended motion to approve Exception #2. **Motion carried (Aye - 9; Nay - 4) with Kahn, Kratz, Mathie, and Piotrowicz opposing.**

Scott Mathie left the meeting at 8:44 p.m.

DISCUSSION OF ANY CHANGES TO SURVEY REPORT – KEVIN STRUCK

No changes have been requested. Struck indicated that he mailed local results to local government clerks. Survey reports will be posted on UW-Extension's website. Kevin will be submitting an article to *The Daily News* that summarizes the findings of the survey and focus group sessions.

PRESENTATION OF FOCUS GROUP RESULTS – KEVIN STRUCK

Struck presented results of the focus group sessions. Also reviewed some key quotes expressed during the sessions which can provide insight and reasoning as to why some of the survey results were what they were.

DETERMINE FUTURE MEETING DATES AND AGENDA ITEMS

Future meeting dates include:

- Possibly end of May – Staff will contact Committee members after meeting with the local governments over the next few months

Future agenda items include:

- Update and discussion regarding pending changes to the farmland preservation program at the State level (i.e. elimination of farmland preservation rezoning conversion fees and the PACE program)

PUBLIC COMMENT

Schoofs requested that some information regarding funding of farmland preservation program be sent to the Committee when the draft FPA is sent out for review.

ADJOURNMENT

Motion by Graff, seconded by Schoofs, to adjourn the meeting at 9:08 p.m. Motion carried.

Debra Sielski
Deputy Planning and Parks Administrator

Approved by _____
Raymond Heidtke, Chairperson

Date _____