

**WASHINGTON COUNTY
FARMLAND PRESERVATION PLAN ADVISORY COMMITTEE**

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

August 3, 2011
6:00 p.m.

Members present: Richard Beine, Sue Yogerst, Mark Piotrowicz, Ray Heidtke, Mike Samann, Dan Mueller, Al Schulteis, Maury Strupp, Don Heesen, Scott Mathie, Helmut Wagner, Joe Gonnering (as an alternate for Dennis Kay) and Alan Dornacker (as an alternate for Ricky Kratz)

Absent: Dick Melzer, Jim Hovland, Justin Drew, Paul Little, Shawn Graff, Terri Kaminski and Tom Schoofs

Excused: Dennis Kay, Mike Shea, Bob Retko

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

CALL TO ORDER

Supervisor Heidtke called the meeting to order at 6:07 p.m.

REVIEW MINUTES OF MARCH 9, 2011 MEETING

Motion by Strupp, seconded by Schulteis, to approve March 9, 2011 minutes with no additions or corrections. Motion carried.

REVIEW CHANGES TO WORKING LAND INITIATIVE BASED ON 2011 WI ACT 32 – 2011-2013 STATE BIENNIAL BUDGET BILL – DEB SIELSKI

Sielski presented a brief overview of changes that were made to the Working Lands Initiative (WLI) program as the State budget was finalized. Rezoning conversion fees have been removed. The PACE program is still on the books but bonding authority was removed. DATCP is required to evaluate the PACE program over the course of the next year to examine local administration, funding, state participation and requirements for local match. DATCP is required to include options to replace PACE with a less costly and more efficient program for preserving farmland and report its findings to the State Joint Financing Committee and the standing agricultural committees in each house of the Legislature by June 30, 2012.

REVIEW OF REVISIONS TO DRAFT CHAPTER 1 – INTRODUCTION AND BACKGROUND – JOSHUA GLASS

Glass explained that a few minor changes were made to the chapter due to changes made to the WLI program. Some language was modified and a footnote was added on Page I-3. Mathie asked if the last bullet point on Page I-3 could be modified to reflect recent changes to the PACE program. Sielski agreed that the paragraph should be clearer that PACE was funded through 2010 and until the new State budget was implemented. Staff will make the change and bring it back to the Committee.

Motion by Mathie, seconded by Piotrowicz, to approve the revisions draft Chapter 1 pending a change to the last bullet point on Page I-3. Motion carried.

Helmut Wagner arrived at 6:23 p.m.

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

Glass reviewed the text and maps that have been added regarding farmland drainage districts. Sielski explained that drainage districts must be addressed within comprehensive plans, and since the FPP will be adopted as part of the County comprehensive plan, this is a good way to incorporate the information.

Glass presented a new agricultural infrastructure table (Table IV-19). For the municipal location of Kettle Lakes Cooperative located in the Village of Random Lake, change “Ozaukee County” to “Sheboygan County”. Consider adding Country Vet Clinic (in Rubicon) and Mayville Vet Clinic to the list of Farm Veterinary Services.

Motion by Wagner, seconded by Yogerst, to approve the revisions to draft Chapter 4. Motion carried.

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

Glass indicated that this chapter was preliminarily approved in March knowing that changes could be made to the WLI program as the State budget was being finalized. Mathie suggested removing the word “effective” on Page VI-1. Mathie also suggested changing the phrase “especially effective for protecting” in the first line on Page VI-2 under Farmland Preservation Zoning to “designed to protect”. Glass explained where text regarding rezoning conversion fees was removed or modified.

Mathie requested clarification regarding text on Page VI-3 under Nonfarm Residences and Residential Clusters. “By law” will be changed to “By State law”. Glass finished reviewing other changes made to the chapter.

Motion by Strupp, seconded by Schulteis, to approve the revisions to draft Chapter 6. Motion carried.

UPDATE ON THE LOCAL GOVERNMENT MEETINGS TO DISCUSS FARMLAND PRESERVATION AREAS – DEB SIELSKI

Sielski explained that County staff attended approximately thirty rural local government plan commission and board meetings since the last advisory committee meeting. Six local governments have passed resolutions of intent to incorporate FPAs into their comprehensive plans. This would allow landowners within an adopted FPA to petition the State to establish agricultural enterprise areas (AEAs) or utilize the PACE program pending on what the State does with the PACE program.

Strupp asked if anyone has attempted to or expressed interest in establishing AEAs in the County. Sielski stated that there were discussions about it in various communities but no petitions have been submitted yet to her knowledge.

REVIEW OF DRAFT CHAPTER 7 – ISSUE IDENTIFICATION AND RECOMMENDATIONS – JOSHUA GLASS & DEB SIELSKI

Glass and Sielski reviewed the chapter. Two delineation criteria items were combined to help local governments understand the concept of three separate and contiguous farms and farm blocks. Sielski also added Figure VII-1 to visually explain the concept.

Piotrowicz questioned whether the Town of Barton's intention to ignore the LESA standard that this committee established should be allowed. Discussion ensued. Sielski explained that exceptions to the criteria requested by local governments were expected based on reasonable rationale. It was always the intent of the County to develop overall criteria for delineating the FPAs and then allow rural local governments to review and consider changes based on reasonable rationale. DATCP will be reviewing the County's plan very closely and will determine if the Town of Barton's intentions will be allowed. Mueller explained that the reasoning behind the Town of Barton's intentions was because the Town has a large block of land currently zoned Exclusive Agriculture and a slightly lower LESA score was preventing that block from staying together.

Motion by Piotrowicz, seconded by Mathie, to stick with the criteria for establishing FPAs as originally set forth by this committee. Heidtke called for a roll call vote. Voting Aye: Piotrowicz, Mathie, Wagner, Heesen and Heidtke. Voting Nay: Dornacker, Mueller, Strupp, Schulteis, Samann, Gonnering, Yogerst, and Beine. Motion defeated (Aye – 5; Nay – 8).

Motion by Mathie, seconded by Piotrowicz, to refer the decision as explained in the previous motion to the PCPC. Discussion ensued regarding Mathie's motion. Sielski ensured that both sides of the discussion and motion would be presented to the PCPC so they could make an informed decision and stated that PCPC meetings are open meetings and all are welcome to attend. **Mathie rescinded his motion, seconded by Piotrowicz, and made a recommendation to have this meeting's discussion regarding the FPA criteria described to the PCPC.**

Sielski will add a paragraph on Page VII-11 (prior to the paragraphs describing local government decisions) describing that there were some changes made to FPAs based on rezoning and CSMs and all corrections were made prior to the local governments determining if they would participate in the WLI.

Sielski stated that changes to updated goals, objectives, policies and programs will be shown as underlined or struck through in the next draft of the chapter.

Mathie requested to have housing density more specifically addressed. Mathie stated that he thought there was discussion during the development of the WLI to increase housing density by 20 percent in existing residential areas. Anderson explained that there is an objective in the County comprehensive plan under Land Use Issue that states to encourage land uses and densities that promote efficient development patterns at relatively low cost to all levels of government, and the plan also states to encourage urban density and a range of housing unit types in areas with sewer service. Sielski stated that staff will review the comprehensive plan again, look at what is currently listed in Chapter 7 of the Farmland Preservation Plan, and come up with a proposal that this Committee can review at its next meeting. Mathie will look into where he saw the reference to increasing housing density by 20 percent and contact staff when he finds it.

Piotrowicz requested a few wording changes. First, to modify the language in the second policy on Page VII-14 that currently reads "...until their orderly transition into urban use is warranted and/or necessary". Staff will modify the language and review it at the next meeting. Second, modify the first program on Page VII-15 and change "encourage" to "educate" and "consider" to "follow". Third, modify the first full sentence on Page VII-17 regarding limiting the use of TIF districts. Sielski will rewrite the sentence and present it at the next meeting.

Regarding the Education and Public Perception issue listed on Page VII-16, Mathie questioned how and who should “continue to educate”. Struck explained the purpose behind a document that he published titled “*Living in the Country*”. Discussion ensued. Glass suggested rewording as “encourage local organizations to continue to educate”. Sielski stated that multiple entities will be listed in Chapter 8 for the implementation of this program.

REVIEW OF DRAFT CHAPTER 8 – IMPLEMENTATION – JOSHUA GLASS

Glass gave an overview of draft Chapter 8. Anderson suggested adding a note to the end of Part V explaining that local governments are only required to update their local zoning ordinance if they want to enable landowners to claim tax credits through farmland preservation zoning. Sebo stated that a slight modification to the last sentence in the first paragraph could address this. Chairman Heidtke directed staff to make this change where appropriate.

DETERMINE FUTURE MEETING DATE AND AGENDA ITEMS

Future meeting dates include:

- Thursday, August 25, 2011 at 6:00 p.m.

Future agenda items include:

- Review of revisions to Chapters 1, 7 and 8
- Timeline for plan completion, certification and adoption
- Review preliminary draft of Farmland Preservation Plan

PUBLIC COMMENT

None

ADJOURNMENT

Motion by Beine, seconded by Piotrowicz, to adjourn the meeting at 8:11 p.m. Motion carried.

Debora Sielski
Deputy Planning and Parks Administrator

Approved by _____
Raymond Heidtke, Chairperson

Date _____