

Walworth County Land Conservation Committee

MINUTES

Monday, December 17, 2007 at 1:00 p.m.

Walworth County Government Center
Committee Meeting Room 111
Elkhorn, WI 53121

Chair Lightfield called the meeting to order at 1:00 p.m.

Roll call - Committee members present included: Chair Lightfield; Supervisors Burwell, Guido, Morrison, and Muzatko; Citizen Member Petersen; A quorum was declared. USDA/FSA Representative Papcke arrived at 1:19 p.m.

County staff present – David Bretl, County Administrator; Michael Cotter, Director of Land Use & Resource Management (LURM); Louise Olson, Deputy Director /LURM; Kevin Williams, Walworth County Sheriff's Department/Emergency Management; and Joeann Douglas, Recording Secretary

Also in attendance –. Nancy Russell, County Board Chair.

Supervisor Muzatko and Citizen Member Petersen moved and seconded approval of the agenda. The motion carried 6-0.

Supervisors Morrison and Guido moved and seconded approval of the September 17, 2007 minutes. The motion carried 6-0.

Public Comment – None

Communication from Wisconsin Emergency Management (WEM) Division regarding pre-application for the section 404-Hazard Mitigation Grant Program – Lt Kevin Williams explained the work being done on the WEM grant to make Walworth County eligible for funding. The applicant must have a FEMA Hazard Mitigation plan; at this time we do not. In 2006, Lt Williams applied for and was awarded a grant to put together the Hazard Mitigation Plan. It should take approximately 18 months from inception to approval by FEMA early in 2009. The plan identifies any type of disasters that could occur within the county. He looks at historical information, potential issues, planning, and land use. It pinpoints those areas in the county where disasters could be avoided through prior action. Federal FEMA monies are divided among the states and states assign counties the grant funding. Citizen member Peterson mentioned culverts/inadequate storm drains near Lauderdale Lakes with flooding, resulting in unsafe roadway conditions. Lt Williams said planning and engineering may not be covered by a FEMA grant, but other aspects could be covered. At present, there are two communities, Village of Williams Bay and Village of Genoa City, not in compliance with the national flood insurance program, making them ineligible for FEMA funds. Genoa City has contacted Lt Williams who put them in contact with the DNR to address compliance issues. There was no response from Williams Bay. Lt Williams said there is a county website for hazard mitigation and he welcomes public participation. Supervisor Guido said he would like to have the LCC updated in the future as to Lt William's progress.

Wisconsin Land and Water Conservation Annual Convention Report – Louise Olson said there will

be a training session Spring 2008 for all new members. She provided the 2007 WLWCA Annual Report, indicating changes and cost savings. WLWCA has been very pro-active, helping secure \$6 million additional for Conservation. For 2008, dues are based on equalized value and are \$1,486.43 which may require a budget amendment. She pointed out if we do not pay, we will not have a say in resolutions, etc. Ms Olson also provided the Wisconsin Land & Water Conservation Board's 2006 Annual Report (DATCP & DNR) with key components, counties accomplishments and emerging trends. Emerging trends include: to protect and enhance working land; preserve WI economic & cultural based (activities); continuing use-value assessment provisions and related state law; develop tax policies that recognize value of agricultural and forest land preservation; update Wisconsin Farmland Preservation Program; monitor farmland preservation and have the Federal Farm Bill mesh with state and local farmland preservation efforts. Walworth County is part of the Southeastern region that reported their top 4 activities as: soil erosion control, lakes/river/shoreland management, land use planning, and urban stormwater management. In Walworth County, activities are dealt with through Farmland Preservation, nutrient management (through conditional use, land use planning and urban stormwater planning), lake management grants, and the Farm Bill. We still lack the groundwater component in the implementation of our programs.

Supervisor Burwell added that the new director was also able to procure \$10-15 million in new bonding. She also said Ms Olson is very well respected and has supported other counties in the conservation community with grant information. Supervisor Burwell said stormwater bio-filtration systems are being used in Dane County and suggested we check further. She also said that on January 30, 2008 there will be a lobbying effort sponsored by conservation groups with legislators in Madison. Last year 500 people attended; it does get the legislators attention.

A proposed ban on Phosphorus (P) fertilizers passed one of the committees and was sent on to the Senate with the only "no" vote coming from Neal Kedzie. Chair Russell said Lake Geneva's Phosphorus free fertilizer ordinance goes into effect January 1, 2008. The ordinance will cover non-application of Phosphorus to lawns in the City of Lake Geneva with exceptions granted to new lawns, or if a need can be proven with a plan similar to an agricultural Nutrient Management Plan.

WLWCA resolutions passed: strengthening the Great Lakes St Lawrence River Basin Water Resources Compact, transportation of aquatic invasive species, soil and water protective grant, Carse Taskforce, and encouraging counties to develop a pharmaceutical disposal program.

Door County Resolution No. 2007-89 – Support for the Great Lakes-St Lawrence River Basin Water Resources Compact – Referral from County Board. Supervisor Burwell said that as water shortages becomes more of an issue water policies will become more important. **Supervisor Burwell and Citizen Member Petersen moved and seconded directing Michael Cotter to get the WLWCA Great Lakes-St Lawrence River Basin Water Resources Resolution to be reviewed by the LCC Committee at their next meeting and forwarded to the Walworth County Board. Motion carried 7-0.**

Communication from U.S. Department of Homeland Security concerning countywide digital flood insurance rate maps ("DFIRM") for Walworth County – FEMA has completed the digital flood insurance rate maps, expanding the floodplain, and have sent them to Walworth County for public review and comment, at a meeting January 30, 2008 6:00 p.m.. Towns will be notified and it will be put up on our website. Chair Russell said the maps have included a total of 120 miles of changes, either additional or removed from the floodplain. Road data will not be used since our maps run the road names along the road and FEMA runs the road data east to west. Citizen Member Petersen said

the county website does not have the proper location for some county roads such as the eastern end of West Shore Drive in LaGrange. Supervisor Muzatko said there is a duplication of a road by Booth Lake. Mr Cotter will forward the information on to IS Department, and Richard Colbert.

At this time, Supervisor Morrison left the meeting.

Ozaukee County Resolution No. 07-28 Opposition to the State of Wisconsin Emerald Ash Borer Response Plan – Supervisor Burwell recommended taking up the issue at the next UWEX meeting. Ms Olson said guest speakers are to include Brian Kuhn, DATCP; Dr Chris Williamson, UWEX, and Randy Cooper, DNR Forester. **Supervisors Burwell and Guido moved and seconded referring Ozaukee County Resolution No. 07-28 back to the Agriculture and Extension Education Committee for the January 14, 2008 meeting. Motion carried, 6-0.**

Wisconsin Farm Bureau Federation's policies – Ms Olson said she has shared the Farm Bureau's information with Neal Frauenfelder, to include in his smart growth information. Mr Cotter said the next meeting of Smart Growth Technical Advisory Committee is January 10, 2008, 6:00 p.m. It includes a policy encouraging clustered development to save farmland and supporting increasing the population threshold to 50,000 in order for cities to exercise extra-territorial zoning management. Another item, the Stewardship Program that purchases undeveloped lands, is not popular with farmers. They also opposed a ban on winter spreading, saying it should be based on a farmer's nutrient management plan (winter spreading is a component), and supported allowing farmers write their own nutrient management plans. Local conservation staff works with landowners/operators, reviews nutrient management plans and with UWEX, conducts training sessions. If there is a need for enforcement action, the DNR becomes involved. Regarding taxation, the Farm Bureau supports allowing a taxpayer to defer taxes from the sale of agricultural property and machinery by investing the proceeds into a retirement account with taxes due at withdrawal. They also support land conservation efforts but opposed using the property tax system as a punitive way to accomplish land conservation. They oppose counties setting per acre fees to fund land conservation departments. Ms Olson said that some Land Conservation Departments (not in this county) are funding their departments by charging for farm plans. Supervisor Burwell said she had heard the suggestion of charging a fee for farmland taken out of production and sold for development. Citizen Member Petersen said he has spoken with LCD's nationwide. Some had a tax on all property transfers to fund conservation like the one passed by a referendum in Nantucket Island and Martha's Vineyard, Massachusetts.

Next Meeting Date – Monday, January 14, 2008, 2:00 p.m.

Adjournment - **On motion and second by Supervisors Muzatko and Citizen Member Petersen, Chairman Lightfield adjourned the meeting at approximately 2:21 p.m. Motion carried 6-0.**

Submitted by Joeann Douglas, Recording Secretary. Minutes are not considered final until approved by the committee at the next regularly scheduled meeting.