DRAFT

Walworth County Land Conservation Committee

MINUTES

Monday, September 20, 2010 at 1:30 p.m.

Walworth County Board Room 114
Elkhorn, WI 53121

The meeting was called to order by LCC Chair Kilkenny at 1:30 p.m.

Roll call - Committee members present included: Supervisors Kilkenny, Hawkins and Grant, Citizen Member Burwell, and USDA/FSA Representative Henningfeld. A quorum was declared.

County staff present – David Bretl, County Administrator; Michael Cotter, Director of Land Use & Resource Management (LURM); Louise Olson, Deputy Director, LURM; Fay Amerson, Urban Manager, LURM; Neal Frauenfelder, Sr. Planner, LURM; and Joeann Douglas, Recording Secretary.

Also in attendance –. Nancy Russell, Walworth County Board Chair, Carl Redenius, Walworth County Board Supervisor, Kathy Ingersoll, Walworth County Board Supervisor, Greg Igl, USDA NRCS, David Terrall, USDA/APHIS, Chip Lovell, USDA/APHIS, Terry Papcke, Walworth County Farm Bureau, and Kathleen Papcke, Walworth County Farm Bureau.

Approval of the Agenda – **Supervisors Hawkins and Grant moved and seconded approval of the agenda. Motion carried 5-0.**

Approval of the Minutes – **Citizen Member Burwell and Supervisor Grant moved and seconded approval of the July 19, 2010 LCC meeting minutes as presented. Motion carried 5-0.**

Public Comment – Citizen Member Burwell said she was invited to attend the NRCS Legacy of Conservation, in celebrating 75 years of helping people help the land, September 29 at Madison UW Memorial Theater. She will be unable to attend but has the information for anyone interested.

Item 6, 2011 Wildlife Abatement Program Budget, David Terrall, USDA/APHIS was passed over, since Mr Terrall had not yet arrived from Waupun.

Farmland Preservation Plan Map Direction – Neal Frauenfelder explained the Farmland Preservation Area Map that was created using A-1 Zoning districts which was the baseline chosen by the LCC. One map showed the green areas which are currently zoned A-1. On the other Farmland Preservation Area map, the areas are shown in brown and red. The red areas identified inconsistencies between what is zoned A-1 and what is shown on the Comprehensive Land Use Plan (Comp Plan). Most of the red areas are close to other developed areas or planned for development between now and 2035. Several hundred acres are no longer in private hands and are owned by the state. Also, about 70% of the red areas were never in farmland preservation. Mr. Frauenfelder laid out possible options and good and bad points of each. Mr. Frauenfelder said the committee is not limited to the options he laid out

- Option 1 – Leave the A-1 zoned areas that are not consistent with the Comprehensive Land Use Plan (red areas) as designated Farmland Preservation Areas. Advantages are that it allows landowners to be eligible for farmland preservation tax credit (including red areas); allows landowner to be part of an Agricultural Enterprise Area (AEA); is consistent with the direction of the Smart Growth Technical Advisory Committee (no mass rezones) and included in the Comp Plan. Disadvantages are the landowner would have to pay the conversion fee if A-1 land was rezoned to a zoning district consistent with Comp Plan designation. Also, the Farmland Preservation Area Map would not be completely consistent with the Comp Plan land use map.

- Option 2 – Remove all the areas inconsistent (red areas) with the Comp Plan from the Farmland Preservation Map. Advantages are that the landowner will not have to pay a conversion fee for rezoning and the farmland Preservation Area Map will be more consistent with the Comp Plan map. It is possible the state could ask that more be done to eliminate inconsistencies. Disadvantages are that

the landowners whose land is inconsistent with Comp Plan would not be eligible for Farmland Preservation tax credits; could not be part of an AEA; the towns and county could have to rezone those inconsistent areas even if the landowner has no intention to develop the land; and a mass rezone would be required at significant cost of towns and county.

- Option 3 – Give the option to the individual landowners whose land is inconsistent with the Farmland Preservation Area Map, asking them if they would like to be included in Farmland Preservation area. Advantages to this option are, the landowner can choose between being eligible for farmland preservation tax credit by leaving their land in the Farmland Preservation Area Map and the A-1 Zoning District or avoid the conversion fee by having their land removed from the Farmland Preservation Area Map and allowing the town and county to rezone their land out of the A-1 zoning district. Disadvantages include the need for a massive rezone at significant cost to towns and county; the decision on whether or not to be in the Farmland Preservation area would be influenced by the conversion fee rather than long range land use concerns and could result in haphazard land use patterns; and it may trigger landowners outside the areas of inconsistency to request the same option of choosing to be removed from Farmland Preservation area map and rezoned out of the A-1 zoning district

Chair Kilkenny who was on the smart growth technical advisory committee said Option 1 seems to follow their committee's findings more closely than the other options. It is more consistent with smart growth. The conversion fee is set by the State and not by the County. Chair Kilkenny also said he assumes those farming still want to have the low real estate tax. **Citizen Member Burwell and Supervisor Grant moved and seconded choosing Option 1.** Discussion followed. Supervisor Grant asked when the Farmland Preservation Plan must be done. Mr. Frauenfelder said December 31, 2011 and reminded it had to go to public hearing in October and to county board prior to the December date. Mr. Frauenfelder also said the Comp Plan inconsistencies could be addressed when it is updated in about 6 years. **Motion carried 5-0.**

2011 Wildlife Abatement Program Budget. David Terrall, USDA/APHIS – Mr. Terrall said the wildlife damage program is a state program with funds passing through the county to cost share abatement techniques such as deer fencing to recipients that qualify. Walworth County has 5 participants. Of those, 4 for deer damage have been taken care of with fencing made available by APHIS. There is only one crop payment so far for goose damage. Supervisor Grant asked if a cost share recipient with an area posted with "No Hunting" signs must allow public hunting. Mr. Terrall said public hunting must be allowed or designated hunters must be listed. Mr. Lowell, USDA/APHIS added that the ratio is 2 hunters per 40 huntable acres. The reason is that the program is paid for by hunter dollars through a $2.00 surcharge and additional doe tags of $12.00 each (non-CWD areas). Supervisor Grant asked if the county administrative fee of $250. is sufficient for processing the paperwork. Ms. Olson indicated it was sufficient and is in the 2011 budget. **Citizen Member Burwell and Supervisor Grant moved and seconded to approve the 2011 Wildlife Abatement Program Budget as presented. Motion carried 5-0**.

Next Meeting Date – Monday, October 18, 2010, 1:30 p.m.

Adjournment – **On motion and second by Supervisor Grant and USDA/FSA Representative Henningfeld, Chair Kilkenny adjourned the meeting at 2:15 p.m. Motion carried 5-0.**

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