



**Walworth County
Land Conservation Committee Meeting and
Public Hearing
Monday, July 16, 2012 at 2:00 p.m.**

**Walworth County Government Center
County Board Room 114
Elkhorn, WI 53121**

Land Use and Resource
Management Department

Dan Kilkenny – Chair, Nancy Russell - Vice Chair
Tim Schiefelbein- Supervisor

Sue Bellman – USDA/FSA Representative, Rosemary Badame – Citizen Member

(Posted in Compliance with Sec. 19.84 Wis. Stats.)

It is possible that a quorum of the County Board or a committee of the County Board could be in attendance.

AGENDA

1. Call to order
2. Public Hearing Pursuant to Chapter 26 Walworth County Ordinance Amendment to Farmland Preservation Ordinance – LURM Staff
3. Roll call
4. Approval of the Agenda
5. Approval of Minutes from June 18, 2012 LCC Meeting
6. Public Comment
7. Discussion/Possible Action, Farmland Preservation Ordinance Amendment, Chapter 26 – LURM Staff (enclosure, pages 1-2)
8. Next meeting date: Monday, August 20, 2012, 2:00 p.m.
9. Adjournment

**Submitted by: Michael P. Cotter, Director, Land Use and Resource Management Department,
Louise Olson, Deputy Director, Land Conservation Committee Designee**

Posted: July 11, 2012

DRAFT

**Walworth County Land Conservation Committee
MINUTES**

Monday, June 18, 2012 at 2:00 p.m.

Walworth County Board Room 114
Elkhorn, WI 53121

The LCC Meeting/Second FPP Public Hearing was called to order by Chair Kilkenny at 2:00 p.m.

FPP Second Public Hearing – Louise Olson said after the first Farmland Preservation Plan Revision was sent to DATCP they had additional recommendations. After meeting with DATCP, the LURM staff addressed the additional recommendations and the plan is now coming back to the LCC. Also included in the revised plan was Table (3.3) which is 2010 data just received for 2010 from the Southeast Wisconsin Regional Planning Commission (SEWRPC). It reflects an increase of 6,052 acres which is primarily due to Turtle Valley Wildlife Area and more accurate wetland inventory/identification of wetlands. Better skill in delineating surface water also increased that amount to 707 acres. The hearing was opened to the public for comment. No members of the public chose to speak at the hearing. **Supervisor Schiefelbein and Vice-Chair Russell moved and seconded to close the public hearing. Motion carried 4-0.**

Roll call - Committee members present included: Supervisors, Kilkenny, Russell, and Schiefelbein and Citizen Member Badame. USDA, FSA Representative Sue Bellman was absent, excused. 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 – Marilee Holst, Geneva Lake Conservancy; Tom Oasen, USDA, FSA; and Greg Igl, USDA, NRCS.

Approval of the Agenda – **Supervisor Schiefelbein and Vice-Chair Russell moved and seconded approval of the agenda as presented. Motion carried 4-0.**

Approval of the Minutes – **Supervisor Schiefelbein and Citizen Member Badame moved and seconded approval of the May 14, 2012 minutes with correction to Supervisor Schiefelbein's official title. Motion carried 4-0.**

Public Comment – none

Walworth County Farmland Preservation Update – Louise Olson submitted highlighted copies of changes and a draft resolution. **Vice-Chair Russell and Citizen Member Badame moved and seconded to approve the Farmland Preservation Plan with changes mentioned and the resolution approving the Farmland Preservation Plan update. Motion carried 4-0.**

Walworth County Farmland Preservation Ch. 26 Ordinance Amendments – Louise Olson said a Ch. 26 ordinance amendment and public hearing for the Farmland Preservation update is necessary prior to it going on to Walworth County Board. **Vice-Chair Russell and Supervisor Schiefelbein moved and seconded to proceed next month (July) to update the Ch. 26 Ordinance Amendment and have a public hearing. Motion carried 4-0.**

Groundwater and Geneva Lake Summary – Louise Olson said the summary is good information and is related to the Lake Management Planning Project Grant Application.

ACE and Farmland Protection Commission Meeting Invitation – Michael Cotter said McHenry County is inviting the LCC to exchange ideas about Agricultural Conservation Easements and farmland protection. Nancy Russell added it would be in our best interests to go, since McHenry County and Waukesha County affects our deep aquifer. Mr. Cotter will post the meeting notice.

Lake Management Planning Project Grant Application – Louise Olson said if awarded the grant, we would be using existing staff and resources for implementation. She provided a draft resolution and fiscal note. The Lake Management Planning Project Grant Application is due to WDNR August 1, 2012. **Vice-Chair Russell and Supervisor Schiefelbein moved and seconded to approve the draft resolution supporting the Lake Management Planning Project Grant Application. Motion carried 4-0.**

Next Meeting Date – Monday, July 16, 2012 at 2:00 p.m.

Adjournment – **On motion and second by Supervisor Schiefelbein and Vice-Chair Russell, Chair Kilkenny adjourned the meeting at 2:29p.m. Motion carried 4-0.**

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

WALWORTH COUNTY CODE OF ORDINANCES

Chapter 26 - ENVIRONMENT

ARTICLE IV. - CONSERVATION

DIVISION 2. - SOIL AND WATER CONSERVATION STANDARDS FOR THE FARMLAND PRESERVATION PROGRAM

ARTICLE IV. - CONSERVATION

DIVISION 1. - GENERALLY

DIVISION 2. - SOIL AND WATER CONSERVATION STANDARDS FOR THE FARMLAND PRESERVATION PROGRAM

Land conservation committee (LCC) means a committee of the county board of supervisors comprised of members per Wis. Stats. ch. 92.

Nutrient management plan means any of the following:

- (a) A plan required under s. ATCP 50.04(3) or 50.62(5)(f) rules.
- (b) A farm nutrient plan prepared or approved, for a landowner, by a qualified nutrient management planner.

Nutrients means plant nutrients derived from commercial fertilizers, manure, organic wastes, soil reserves, legumes or other sources.

Participant means a landowner who owns land that is included on a valid zoning certificate.

RUSLE II (Revised Universal Soil Loss Equation- revision 2) means the mathematical formula for estimating or predicting average annual soil erosion rates due to sheet and rill erosion caused by rainstorms on specified land areas, as described in section I of the technical guide.

- (a) Except as provided in par.(b), the release that was in effect on November 14, 2006.
- (b) For purposes of a compliance determination under ch.NR151 or this chapter made prior to November 14, 2006, the release that was in effect on the date of the compliance determination.

Sec. 26-212. - Authority, purpose and applicability.

This policy is established by the committee pursuant to Wis. Stats. § ~~92.104, 92.105, 92.07(1), 92.10(5), 92.10(6)~~ and ATCP 50.16, Wis. Adm. Code and related guidelines adopted by the State Land and Water Conservation Board under Wis. Stats. § ~~92.105(2)~~ 92.10(6). It provides for soil and water conservation standards to be met and procedures to be followed by participants in the Wisconsin Farmland Preservation Program. Conformance with these standards and procedures will be necessary for landowners to establish and maintain eligibility for farmland preservation tax credits under Subchapter IX of Chapter 71, and Wis. Stats. §§ ~~92.104- 91~~ Subchapter V 91.80, 91.82 and 92.105, Subchapter VI, 91.84, 91.85 shall apply to landowners who claim a farmland preservation tax credit for which they are eligible because their land is located in the exclusive agricultural zoning district (A-1 prime agricultural land district) These standards are effective when approved by the Wisconsin Land and Water Conservation Board and the Walworth County Board of Supervisors.

(Res. No. 30-10/93, § I; Amd. of 9-9-04)

Sec. 26-213. - Administration.

(a) This policy ...

- (3) *Notice of noncompliance...* Wis. Stats. §§ ~~92.104(4) or 92.105(5)~~ 91.82.

WALWORTH COUNTY CODE OF ORDINANCES

Chapter 26 - ENVIRONMENT

ARTICLE IV. - CONSERVATION

DIVISION 2. - SOIL AND WATER CONSERVATION STANDARDS FOR THE FARMLAND PRESERVATION PROGRAM

Discussion on June 18, 2012

Public Hearing July 16, 2012

Additions are noted with underlines and deletions are noted with cross-hatches.

Amendments are proposed to address Wisconsin Administrative Code and Statutes numeral changes and additions to the State Farmland Preservation Program including nutrient management requirements. (Wis.Stat. §. Chapter 91, Chapter 92 and Administrative Code ATCP 50.