

# **Farmland Conservation Easement Commission**

**Jefferson County Courthouse, Room 202  
320 S. Main St.  
Jefferson, WI 53549**

**Wednesday, July 14, 2010 8:30 am**

Members: Margaret Burlingham (Chair), Amy Rinard (Vice-Chair), Mariah Hadler (Secretary), Steve Nass and Blane Poulson.

**1. Call to Order**

The meeting was called to order by Chairperson Burlingham at 8:30 a.m.

**2. Roll Call**

Commission members present included Burlingham, Rinard and Hadler. Nass and Poulson were absent. County staff present was Sharon Ehrhardt (Solid Waste/Air Quality Program Asst., Zoning Department). Also, Jim Welsh, Natural Heritage Land Trust was present.

**3. Certification of Compliance with Open Meetings Law Requirements**

Ehrhardt verified that the meeting was being held in compliance with open meetings law requirements.

**4. Review of Agenda**

No change to the agenda.

**5. Public Comment**

No public comment.

**6. Review & Approval of the June 9, 2010**

Michelle Staff did not have time to complete the minutes. This item will be placed on next month's meeting.

**7. Correspondence**

Notification from DATCP Secretary Nilsestuen of the designation of the AEA Zones. Jefferson County did receive recommended approval for an AEA zone in the Palmyra/Hebron area.

**8. Revise the Commission's Overall Strategy/Work Plan for 2010-2011**

The Commission will contact Steve Grabow to help them develop a new work plan for 2010-2011. It will be placed on next month's agenda.

**9. Communications Plan Review**

The Commission discussed media outlets to promote the program such as Land Conservation newsletter, USDA newsletters, etc. Burlingham handed out an article from Waupaca County program and the Commission would like to have something similar for the farm that Jefferson County is proposing to acquire the conservation easements from. There was discussion about putting signs on the properties where Jefferson County purchases the development rights.

**10. Review and Revise the Program Applications, Interest Forms and the Fact Sheets**

Welsh explained that the applications for Lea and Schultz are being reviewed by the USDA. Welsh handed out the State PACE criteria and explained what types of lands the State wants to protect. Welsh handed out the State PACE criteria sheet with how Lea and Schultz came out in this rating

system. Welsh went through the entire state criteria rating sheet. Welsh handed out the sheet of the Jefferson County application and had suggestions for changes to rating criteria. On the right hand side of this sheet are Welsh's suggestions for changes to this application. Welsh suggested that the application have a flat fee instead of covering an appraisal because they change from year to year. Burlingham suggested that a line be added to ask if the applicant is applying for other state or federal programs and/or has applied for zoning changes to the property. The Commission also discussed that they should be aware if there are any zoning violations on the property. Hadler asked to change the County's criteria form to be the same as the State of Wisconsin's. Burlingham stated that there may be some local concerns not listed in the State criteria. Welsh commented that the Commission should discuss over the next couple of months in what direction it wants to move.

Commission discussed the fact sheets and interest forms. Welsh explained that the tax law has changed and is out of date. Burlingham will go through the changes and will use Gathering Waters format from their web page.

#### **11. Discussion on Co-Holder Agreement with Natural Heritage Land Trust**

Welsh passed around a memo to the Commission. Welsh explained that a co-holding agreement is a good idea whether it's with them or another entity because it adds another layer of protection. The Natural Heritage Land Trust has co-held easements in the Town of Dunn in Dane County for 12 years. If the County does get the Federal and State grants there is an annual monitoring requirement and you must report back to the State and Feds. There are three elements for co-holding: first is the preparation of the base line document report, which is the document, signed at the time of closing that states the conditions of the land at the time of closing. Then there is annual monitoring. Finally there is enforcement. Welsh passed out an example of an agreement and annual report from Town of Dunn. The Natural Heritage Land Trust asks for an enrollment payment for every easement they co-hold which is a one-time fee of \$8,000. They have a memo of understanding that states what would be required from the County and what would be required from Land Trust. The Federal government needs a property agreement signed by the County to allocate those funds and they would like to know if the Natural Heritage Land Trust is a co-holder. Welsh apologized for these issues being forced on the Commission but some of the requirements are being forced by the Federal Government. The Federal Government would like to have the federal agreement signed by August 1, 2010. Welsh will e-mail the agreement to Burlingham. If the County receives State funding, the State will be a co-holder. The State will not be involved in monitoring but will be in enforcement.

#### **12. Discussion and possible action on PACE applications**

- a. Timothy Hunn (Carol Ann Hunn Joint Revocable Living Trust)
- b. Weenonah Brattset
- c. Robert Schultz
- d. Jonathan Hartwig
- e. Rodell Lea
- f. Dale Neupert
- g. Edward Soleska
- h. Jeffery Hillmann
- i. Greg Wilke

Sue Marx from of the Drumlin Area Land Trust was present to discuss the Weenonah Brattset farm conservation easement. The Land Trust did apply for the State PACE monies and the Federal Ranch Protection Grant and is here today to ask for a match from the PACE application. They are asking for 35% from the State and 15% from the County. The Land Trust figures that the appraisal will come in at \$400,000 so 15% would be around about \$60,000. So they will need a letter of commitment that the County will match the 15%. Burlingham asked if they would rank higher if they had a match from the County. Marx confirmed that they would rank high and believes the County has the money set aside to purchase development rights-that's what they are asking for. Rinard asked how much money the Commission has and asks the history of how that money was allocated. Burlingham responded that the County set aside \$250,000. The Commission discussed the applications through the State and

Federal Government program and how the money and appraisals determine the amount of money the applicant will get. Burlingham would like to wait until the two other members are present to discuss this issue and make a decision on this issue. We don't know when the appraisals are due to the State and how much they are willing to fund. Burlingham asked to put this specific item on the next agenda for next month's meeting.

Burlingham asked Welsh if there were any updates for the Lea and Schultz farms. No updates at this time.

Burlingham explained that we collected \$1,000 from Soleska for the appraisal. The partial appraisal cost was \$500. Rinard made the motion to refund Soleska half of the appraisal costs, simliar to the Lea appraisal costs. Hadler seconded the motion. Motion carried on a voice vote, no objection.

**13. Update from the Steering Committee of the 2010 Farmland Preservation Plan**

Burlingham stated that she will be attending the Palmyra plan quadrant meeting. Rinard and Hadler will also be attending a quadrant meeting.

**14. Discussion on Agricultural Enterprise Areas proposed by DATCP**

They all have been accepted by the State.

**15. Suggestions for the Next Agenda**

Burlingham has asked that the request from Land Trust be added to next month's agenda.

**16. Future Meeting Dates**

Burlingham stated that she really needs to contact Nass and Poulson to set up the next meeting date. Burlingham will contact the Commission at a later date.

**17. Adjourn**

Motion to adjourn the meeting at 10:26 p.m. was made by Rinard, seconded by Hadler. Motion carried on a voice vote with no objection.

Minutes by Michelle Staff, Zoning Department (Transcribed by digital tape recorder.)