

Farmland Conservation Easement Commission

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

Wednesday, August 2, 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, Nass, Poulson, Molinaro, Rinard and Hadler. County staff present was Gary Petre (County Administrator), Philip Ristow (Corporation Counsel) and Michelle Staff (Zoning Technician, Zoning Department).

3. Certification of Compliance with Open Meetings Law Requirements

Staff 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. Audience was asked to sign in.

6. Review & Approval of the June 9, 2010 and July 14, 2010 minutes

Motion by Nass, seconded by Hadler to approve the June 9, 2010 minutes. **Motion carried** on a voice vote with no objection.

Motion by Rinard, seconded by Hadler to approve the July 14, 2010 minutes with the amendment that "purchase land" be changed to "purchase easement". **Motion carried** on a voice vote with no objection.

7. Correspondence

No correspondence this month.

8. Discuss and Review Commission's Budget

Petre has contacted Dave Ehlinger and asked whether we can use the \$250,000 for administrative costs related to the easements. Staff handed out to the Commission an itemized spreadsheet of all expenses as of this year. Nass asked if Soleska's appraisal funds were reimbursed. Burlingham said they were only partially reimbursed because work was completed on the appraisal. Poulson asked if the Commission will be receiving any additional funds from the County. Molinaro stated that additional monies from the purchase of road right-a-way will be available to the County and hopefully additional monies from that will be allocated to the Commission.

There was discussion amongst the Commission on continuing to use the Natural Heritage Land Trust to help the County complete administrative paperwork to apply for and complete conservation easement purchases. **Motion** by Nass, seconded by Poulson to allocate \$4,000 to the Natural Heritage Land Trust to finish our applications for conservation easements. **Motion carried** on a voice vote with no objection.

9. Memorandum of Agreement between the County and the Natural Heritage Land Trust on co-holding and monitoring the Conservation Easements.

Ristow explained that in accepting funds for the conservation easements, the County agrees to monitor and enforce the easements. There are two elements that are relevant to the Commission. One of them is that the Natural Heritage Land Trust is a co-holder. They will be named in the conservation easement, and when you have two co-holders you need two bodies to agree. The second is monitoring which involves cash costs of \$8,000 to start a baseline of the farm as it exists today and then to monitor it yearly. Molinaro stated that we have Land and Water Conservation already out in the field and they could do this for us. Burlingham asked if Mark Watkins' department can fulfill the monitoring requirements as stipulated by NRCS. Molinaro said that Watkins stated at other meetings that they are out in the field anyway and it would not be an increase in their workload. Burlingham stated that there were more requirements than just checking that the farm is still in farmland and she wants to make sure that Watkins knows all the requirements and then is still willing to do it. Ristow stated that this issue does not need to be decided today; this is the opening for further discussion on this issue. Nass stated that first we need to decide if we will have co-holders and then figure out if the County is doing the monitoring or not. Nass stated that we need Welsh and Watkins here for this discussion. Molinaro suggested that it be placed on next month's agenda so that both Welsh and Watkins can be present.

10. Agreement that would obligate the Federal Funds on the Lea and Schultz Conservation Easements.

Ristow reviewed the proposed cooperative agreement between NRCS and Jefferson County. Ristow recommended that the Commission add these grant monies in their budget for next year. Molinaro explained that the Commission budget is part of the County Board budget and he will have to add that to it. Molinaro asked that the monies set aside for purchase of conservation easements be used for administration costs associated with the purchase of these easements. Petre stated that it was Ehlinger's opinion that the Commission can use the \$250,000 for related administrative costs in purchasing the easements and Ristow agreed with that statement. Ristow explained that when the Commission purchases an easement, the Commission will get County Board authorization to enter into a contract to obtain the right to restate. The second piece to the easement is the financial end of it and Ristow would recommend that you show that in this year's budget. Molinaro stated that there will be a discussion on grants at the next Finance Committee meeting. Burlingham asked whether the County can sign the Cooperative Agreement without County Board approval. Ristow explained that on page 3 of the agreement it states that the County is not obligated to purchase the easements but would recommend that the County Board be aware that the Commission is in the process of purchasing the easements. Molinaro stated that if the Commission is not granted the Working Lands monies from the State of Wisconsin, the County cannot purchase the easements so he would like to wait until the Commission is certain that the purchase of the easements is possible. Molinaro feels comfortable in signing the agreement because it states the County is not obligated to purchase the easement; the entire package will be brought to the County Board when we know all the numbers.

11. Discuss and possible action on letter of Support for the Heritage Land Trust and the Commission's policy on such letters.

Motion made by Nass, seconded by Hadler to authorize the current chairman to write a letter of support for the Heritage Land Trust and to establish a policy for future letters. We trust her discretion but ask her to bring future such letters to the Commission's attention.

12. Discuss and Possible Action on Drumlin Area Land Trust request for a 15% Cost Sharing Request for the purchase of Farmland Conservation Easement

Sue Marx from the Drumlin Area Land Trust is requesting 15% of the cost for the purchase of the Farmland Conservation Easement on the Weenonah Brattset farm. The Land Trust is asking for 50% of the easement monies from NRCS, 35% from the State of Wisconsin Working Lands and 15% from Jefferson County. The appraisal has not been completed yet but they anticipate that 15% of the easement would be \$40,000 to \$50,000. They are not interested in the County being a co-holder of the property; it would simply be a grant from the County.

Commission members discussed whether this request needs to be presented to the Finance Committee. Molinaro stated that the money allocated was for the purchase of conservation easements. It was noted that the County does not know if they will be awarded State Working Lands monies, so would not know at this time if they have money available for a grant to the Drumlin Area Land Trust. Drumlin Area Land Trust believed that the \$250,000 was available to non-profits as grant monies to purchase conservation easements. It was discussed that without actual numbers of what the county will be getting and how much the Land Trust will need, it would be difficult to go to County Board with a resolution to allocate the monies. Burlingham asked to put on the agenda an item to discuss

this issue, for non-profits to apply for grants with procedures for Conservation Easements. The Commission agreed that they could not act on this issue at this time. **Motion** made by Nass, seconded by Rinard to postpone a decision on this issue until we know what monies the County will be receiving. The Land Trust does have the option to amend their application with the State. **Motion** carried on a voice vote with no objection.

Rinard left at 10:10 a.m.

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

Burlingham had asked Grabow to attend to facilitate the Strategy/Work Plan but he was unavailable. Burlingham will move this item and items 14 and 15 to next month's meeting. The Commission should review all materials and be ready to discuss them at the next meeting.

14. Communication Plan Review

Will be placed on next month's meeting agenda.

15. Review and Revise the program applications, interest forms and the fact sheets.

Will be placed on next month's meeting agenda.

16. Discuss possible signs for farm with the purchase of conservation easements.

Will be placed on next month's meeting agenda.

17. Discussion and possible action on PACE applications: Timothy Hunn (Carol Ann Hunn Joint Revocable Living Trust), Weenonah Brattset, Robert Schultz, Jonathan Hartwig, Rodell Lea, Dale Neupert, Edward Soleska, Jeffery Hillmann and Greg Wilke.

There were no new updates that were not stated above.

18. Update from the Steering Committee of the 2010 Farmland Preservation Plan

All Commission members have been to a quadrant meeting except Poulson. September 2 at 6:00 pm is the next Farmland Steering Committee meeting.

19. Discussion on Agricultural Enterprise Areas proposed by DATCP

DATCP is conducting public hearings in Madison and Eau Claire.

20. Suggestions for the Next Agenda

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

21. 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.

22. Adjourn

Motion to adjourn the meeting at 10:35 a.m. was made by Hadler, seconded by Nass. Motion carried on a voice vote with no objection.

Minutes transcribed by Michelle Staff, Zoning Department

Mariah Halder -- Farmland Conservation Easement Commission Secretary Date