

Farmland Conservation Easement Commission Agenda

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

Monday, December 8, 2008 12:00 pm

Members: John Molinaro (Chairman), Margaret Burlingham (Vice Chairman), Steve Nass (Secretary), Daphne Holterman, Carlton Zentner and County Board Chairman Sharon Schmeling, ex-officio.

1. Call to Order

The meeting was called to order by Chairman Molinaro at 12:05 p.m.

2. Roll Call

Commission members present included Molinaro, Schmeling, Burlingham, Zentner, and Nass. Members absent Holterman. County staff present were Phil Ristow and Michelle Staff.

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 changes were proposed.

5. Review and Approval of November 10, 2008 Meeting Minutes

Motion by Burlingham, seconded by Nass to approve the November 10, 2008 minutes with the note to change Zentner name on the last page. **Motion carried** on a voice vote with no objection.

6. Public Comment

No Public Comments

7. Review Letter to be sent to Department of Administration in regards to the Annexation of Farmland.

Holterman sent her comments via e-mail to the commission. Burlingham agreed with Holterman's statements. Molinaro talked to Paul Moderacki, Village of Johnson Creek Administrator, he indicated that the matter has been settled. There is an agreement between the landowners that not all the farmland will be annex. Molinaro asked the Commission if they still would like to send a letter to the Department of Administration. Ristow explained conflicts with annexation and the law. Ristow explains that state law drives how the process works, not the Department of Administration. Molinaro stated maybe we should send a letter to

our State Legislator. Nass stated that we have urban service areas for development and Towns have boundary agreements with villages and cities. Molinaro asked if this issue should be sent as a resolution to County Board. Ristow stated that would be contrary to the Counties Development plan and explains that the law can benefit a landowner or not benefit them depending on if they want to annex or not. **Motion** made by Nass to table the letter to the Department of Administration until further notice and revise it at that time, motion seconded by Burlingham. **Motion carried** on a voice vote with no objection.

8. Possible land application for donation of Farmland Conservation Easements

Molinaro stated they would take item 8 and 10 together. Zentner has requested to preserve 63 acres. Molinaro asked Ristow if all the paper work had been completed. Ristow explained that Zentner had used the base easement language but had added to the original language to be more restrictive. Ristow stated he was satisfied with the document. Zentner handed out to the Commission the additional changes to the easement. In addition, he had some language on agricultural practices that would be acceptable for the highly erodible lands. Molinaro asked Ristow if these changes are enforceable. Ristow explained that the County does not have to be responsible for enforcement. Ristow stated for the Counties purposes this easement is fine. Nass asked if there was a finding of fact for this property. Staff explained she was just aware that it was on the agenda so there was no finding of fact prepared. Staff stated she had talked to Zentner in the Zoning office last week, on the available development rights. **Motion** made by Nass to accept the Conservation Easement and to forward to the County Board. Burlingham seconded the motion. Molinaro asked Ristow if there was a conflict of interest to receive the \$1000 reimbursement fee. Ristow explained that it would have to exceed \$15,000 and since this was under that amount, he didn't see a problem. **Motion carried** on a voice vote with no objection. Zentner abstained.

9. Discuss Criteria for the Purchase for Development Rights in relation to Professor's Paulsen Maps

It was stated that gathering waters may have criteria for purchase of development rights and it was mention that maybe the Commission could partner with a local land trust. Zentner stated the Commission could give them 5,000 to 10,000 to police the lands. Discussion between the Commissions on examining if they should review criteria again for the purchase of development rights. Molinaro stated that we are not opening that discussion up today. Schmeling stated that we are closer to state aid and stated that other counties are starting to form Farmland Commission's, such as Ozaukee County. There was discussion on the muck soils with focus on the upland farms around them. It was discussed that the Commission has not weighted the criteria yet.

10. Review application for conservation easement form Carl & Mary Zentner – Approximately 63 acres in sections 24 and 25, Town of Oakland, and possible recommendation to Board.

See item 8.

11. Discuss approaching Townships on establishing Farmland Commissions

Molinaro attended the Town's Association meeting and recommended to the Town's to start their own Farmland Committee's. Molinaro will send a letter to each of the Town Chairman's. Burlingham stated that the Town Farmland Committee should have at least one farmer on the committee. Molinaro stated that one of the Town chairman's complained about the program because he has some of the best farmland but can't qualify for the program because the land is unbuildable.

12. Suggestions for the Next Agenda

Weight criteria for the purchase of development rights. Strategies on how farmers can get involved with the Commission. Map with muck farm overlay. Contact the Ag business and start public outreach.

13. Future Meeting Dates

- a. January 12, 2009 at Noon Room 202
- b. February 9, 2009 at Noon Room 202

14. Adjourn

Motion to adjourn the meeting at 1:35 p.m. was made by Nass, seconded by Burlingham. Motion carried on a voice vote with no objection.

***The Commission may discuss and/or take action on any item specifically listed on the agenda.

Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 24 hours prior to the meeting so appropriate arrangements can be made.

MJS