



## ***Farmland Conservation Easement Commission Agenda***

***Jefferson County Courthouse  
311 S Center Ave, Rm 203  
Jefferson, WI 53549***

***Monday, August 10, 2015 @ 12:30 pm***

**\*REVISED 08-07-2015**

***Members: Margaret Burlingham (Chair), Walt Christensen (Vice Chair), Steve Nass (Secretary), Mariah Hadler, and Blane Poulson.***

1. Call to Order
2. Roll Call (Establish a Quorum)
3. Certification of Compliance with the Open Meetings Law
4. Approval of the August Agenda
5. Approval of the July 13, 2015 Meeting Minutes
6. Communications
7. Public Comment (members of the public who wish to address the Committee on specific agenda items must register their request at this time)
8. Discussion on Rodell Lea's Easement Compliance
9. Discussion on Dale Neupert's Easement Compliance
10. **\*Discussion and Possible Action on Purchase of Agricultural Conservation Easements (PACE) Applications**
  - Greg Wilke, Town of Waterloo
  - Cliff Haberman, Town of Milford
11. Discussion on Jefferson County Land & Water Conservation Report on Baseline Documentation for Easements
12. Discussion on the 2016 Budget
13. Discussion on Strengthening AEA'S
14. **\*Discussion and Possible Action on Future Funding of Farmland Conservation Easements**
15. Discussion on Future Events that the Farmland Conservation Easement Commission would like to participate in and Community Outreach
16. Discussion on Items for the Next Agenda
17. Next Scheduled Meetings:
  - September 14, 2015 @ 12:30 in Room 203
  - October 12, 2015 @ 12:30 in Room 203
  - November 9, 2015 @ 12:30 in Room 203
18. Adjournment

A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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



## ***Farmland Conservation Easement Commission Minutes***

***Jefferson County Courthouse***

***311 S Center Ave, Rm 203***

***Jefferson, WI 53549***

***Monday, July 13, 2015 @ 12:30 pm***

**Members: Margaret Burlingham (Chair), Walt Christensen (Vice Chair), Steve Nass (Secretary), Mariah Hadler, and Blane Poulson.**

**1. Call to Order:**

The monthly meeting was called to order by Margaret Burlingham at 12:30 pm. Committee members Margaret Burlingham (Chair), Walt Christensen (Vice Chair), Steve Nass (Secretary), and Blane Poulson were present. Also in attendance were Blair Ward, Jefferson County Corporation Counsel; Mark Watkins, Director Land & Water Conservation Department (LWCD); Gerry Kokkonen, LWCD; Kim Liakopoulos, LWCD; Rob Klotz, Director Planning & Zoning Department; Michelle Staff, Planning & Zoning; Kristin Westad, Natural Resources Conservation Service (NRCS); and Greg Kidd, NRCS. Mariah Hadler was absent.

**2. Roll Call (Establish a Quorum):**

A quorum was established.

**3. Certification of Compliance with the Open Meetings Law:**

It was determined that the committee was in compliance with the Open Meetings Law.

**4. Review of the July 13, 2015 Agenda:**

The July agenda was reviewed by the committee members. The commission switched items # 8 and 9.

**5. Review & Approval of the June Meeting Minutes:**

Walt Christensen made a motion to approve the June 8, 2015 meeting minutes as written, Margaret Burlingham seconded. Motion carried 4/0.

**6. Public Comment:**

There were no comments at this time.

**7. Communications:**

There were no communications at this time.

**8. Discussion on the Landownership Changes, specifically the sale of Dale Neupert Parcel #030-0813-1733-002 to Kurt Skalitzky:**

Margaret Burlingham reminded the commission of the landownership changes. Blair Ward informed the commission that the County is not opposed to helping Dale Neupert fix this issue with some direction from NRCS. Greg Kidd from NRCS reiterated, as the easement specifically states, subdivision is not allowed and Jefferson County will be responsible for any expenses incurred if Dale Neupert violates his easement. Blair Ward reminded the commission that it's a land contract and not on record at this time. Greg Kidd reminded the commission that Jefferson County will have to enforce the easement. Blair Ward will send a letter telling Dale Neupert he's violating the easement, he needs to rescind the "sale" and possibly speak to his lawyer about a long term or permanent lease with Kyle Skalitzky.

**9. Discussion and possible action on PACE applications:**

**a. Greg Wilke, Town of Waterloo**

Margaret Burlingham reminded Greg Wilke his easement deadline is September 30, 2015. Mark Watkins spoke to Greg Wilke in regard to the LWCD conservation check that was recently completed on his farm. LWCD found a building that either needs to be removed or gutters need to be added and the barnyard run off system seemed clogged or is malfunctioning in some way. Greg Wilke told the commission that the building will be removed and the run off system has been fixed. Margaret Burlingham asked Greg Wilke about whether or not the new title has been recorded. Greg Wilke reported the title has been taken care of, something had been misfiled, and that the commission should see it on record within a week. Margaret Burlingham asked Greg Wilke if he was going to split off a parcel of land before finalizing his easement. After being at the meeting, Greg Wilke has decided to lease some of the land instead. LWCD will send letter to Greg Wilke in regard to a deadline for removal of the building.

**b. Cliff Haberman, Town of Waterloo**

Gerry Kokkonen is working with both NRCS and Cliff Haberman in regard to additional conservation practices. Kristen Westad asked how Cliff Haberman was coming on cleaning up the hazmat issues on the farm. Gerry Kokkonen reported that Cliff Haberman is working on the issues brought forth by the environmental study and a few have already been finished. Kristin Westad informed the commission that Cliff Haberman needs a barnyard run-off system installed at the Fischer Lane property by the time the easement closes. Margaret Burlingham discussed giving Cliff Haberman a deadline for compliance. Gerry Kokkonen will send a letter with a notice of compliance to be completed by October 1, 2015 with regard to fuel and oil storage.

**c. Gary & Mary Ann Kunz Trust, Town of Sumner**

Nothing new this time. Remove from the agenda going forward.

**d. Duane Koch, Town of Farmington**

Nothing new this time. Remove from the agenda going forward.

**e. Timothy Hunn, Town of Aztalan**

Nothing new this time. Remove from the agenda going forward.

**10. 90 Day Notice for any Easement Change Requests:**

Greg Kidd informed the commission that some of the easements include this type of language. Jefferson County should look for that language and be sure the landowners understand.

**11. Jefferson County Land & Water Conservation Report on Baseline Documentation & Monitoring:**

Gerry Kokkonen spoke about Rodell Lea's mobile hanger. Kristin Westad sees this hanger as a building, not a mobile hanger. Kristin Westad informed the commission that Rodell Lea is in violation of his easement and the hanger needs to be removed. Gerry Kokkonen will send Rodell Lea a letter in regard to this with a 30 day notice.

**12. Potential Farmland Preservation Fee and Strengthening AEA's:**

The commission discussed Rock County's PACE program and ways to fund Jefferson County's program. Rob Klotz recommended requesting money collected on sales of all foreclosed properties and any farmland owned by the county go to fund the Farmland Commission. Steve Nass recommended the highway department pay LWCD for the farmland taken for the new highway facility.

Steve Nass made a motion to put a budget item in the 2016 budget for at least one easement per year, Walt Christensen seconded. Motion carried 4/0.

**13. Discussion on future events that the Farmland Conservation Easement Commission would like to participate in and Community Outreach:**

Lake Mills Fall Festival

**14. Future Meeting:**

August 10, 2015 at 12:30 pm in Room 203.

**15. Suggestions for the Next Agenda:**

Agenda items # 8 - 12 and resolution drafts

**16. Adjournment:**

Steve Nass made a motion to adjourn at 2:25 pm, Blane Poulson seconded. Motion carried 4/0.

Draft



State of Wisconsin  
Governor Scott Walker

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**Department of Agriculture, Trade and Consumer Protection**  
Ben Brancel, Secretary

July 29, 2015

Rodell Lea  
W7885 Lea Lane  
Fort Atkinson, WI 53538

Dear Mr. Lea:

Jefferson County has alerted us to a violation of the terms of the agricultural conservation easement agreement that is co-held by the State of Wisconsin. We are aware of a permanent structure that has been built in the agricultural area of the easement property. This structure along with any accompanying impervious surface or gravel must be removed from the agricultural area.

Under the terms of the easement that you signed with Jefferson County and the State of Wisconsin, accessory uses are only allowed in the agricultural area provided the uses do not require the installation of impervious surface or gravel (See paragraph H(1)(c)). Further, under paragraph I(1)(a), you may not cover any part of the agricultural area with impervious surface or gravel outside of the farmstead area without approval of the Holders, unless such action is a natural resource conservation practice implemented in compliance with a state or federal conservation standard. The Lea farm has not received approval to install impervious surface or gravel in the agricultural area from the State of Wisconsin.

Based on our conversations with Jefferson County and an inspection of photographs taken during their annual monitoring visit, it appears that a structure has been permanently affixed to the ground within the agricultural area. To regain compliance with the terms of the agricultural conservation easement, the structure should be removed from the agricultural area along with any impervious surface or gravel and the site should be restored to its previous agricultural use. Failure to comply with the terms of this easement may result in further court action.

Since the structure is an impervious surface with a gravel base it is an improper structure and must be removed. Any questions regarding the above or the terms of the easement agreement can be directed to Scott Karel, the PACE program manager. He can be reached at 608-224-4604 or at [scott.karel@wisconsin.gov](mailto:scott.karel@wisconsin.gov).

Sincerely,

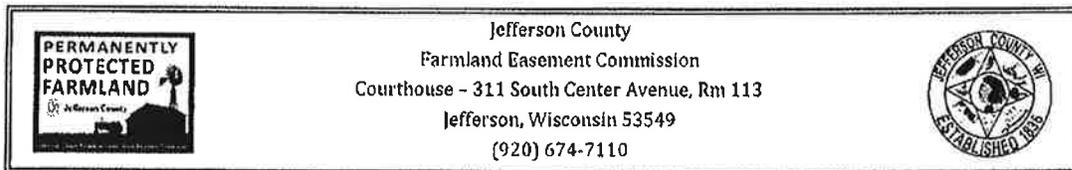
John Petty  
Division Administrator

c. Gerry Kokkonen, Mark Watkins, Margaret Burlingham, Kristin Westad

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Wednesday, July 15, 2015

Rodell Lea  
W7885 Lea Lane  
Fort Atkinson, WI 53538

Dear Mr. Lea,

As part of the Agricultural Easement on the covered land described in Jefferson County document number 1304077, it's the county's responsibility to annually monitor the site. The monitoring objectives are described in the baseline report and generally consist of agriculture conservation compliance, accessory uses, and other ag-related activities.

This year's monitoring included a staff member from NRCS. NRCS, having third party enforcement rights per the easement language took interest in the ultra-light aircraft storage, as it appears to be a permanent structure. Any permanent structures created outside the designated building envelope or farmstead is inconsistent with the purpose of the easement and specifically violates Section H. (1) of the document. The Jefferson County Farmland Easement Commission requires that the aforementioned structure and any residual gravel **must be removed within thirty (30) days on receipt of this notification.**

Once this time period has passed our office will again document said structure and take action as warranted and on behalf of the Jefferson County Farmland Easement Commission.

If you have any questions or require an evaluation of specific land uses allowed under the easement, please call or stop by our office.

Sincerely,

Gerry Kokkonen  
311 South Center Ave.  
County Courthouse, RM 113  
Jefferson, WI  
920.674.7111 M-F 8 AM to 4:30 PM

Cc: Jefferson County Farmland Easement Commission  
Jefferson County Zoning & Planning Department  
Jefferson County Corporation Counsel  
DATCP- Lisa Schultz  
NCRS-Kristin Westad  
NHLT-Jim Welsh