

Agenda
Jefferson County Land & Water Conservation Committee (LWCC)
Jefferson County Courthouse
320 South Main Street – Room 202
Jefferson, WI 53549
Wednesday, June 20, 2012
8:30 A.M.

Committee Members: Sarah Bregant, Walt Christensen, Matthew Foelker, Carlton Zentner, Scott Zimmerman

1. Call to order
2. Roll call (establish a quorum)
3. Certification of compliance with the Open Meetings Law
4. Review of the agenda
5. Review and approval of the June 5, 2012 meeting minutes
6. Communications
7. Citizen comments
8. Natural Resources Conservation Service (NRCS) report – Dennis Vollmer
9. Discussion & possible action on highway facility study
10. Discussion & possible action on land values study
11. Agricultural enterprise area (AEA) information
12. Potential ditch on county farm update
13. Notice of Noncompliance with Soil and Water Conservation Requirements – Farmland Preservation Program (FPP)
14. Southern Area Association summer tour
15. Monthly financial report
16. Set next meeting and possible agenda items
17. Adjournment

Note: If committee members are not able to attend please notify the LWCD

The committee 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.

Understanding Agricultural Enterprise Areas (AEAs) and the Petition Process

Wisconsin Working Lands Initiative

An "agricultural enterprise area" (AEA) is a tool that can help individuals and communities meet locally identified goals for preserving agricultural land and encouraging agricultural economic development.

An AEA is an area of contiguous land primarily in agricultural use that has been designated by the Department of Agriculture, Trade and Consumer Protection (DATCP) in response to a locally developed petition.

Benefits of AEA Designation

Eligible farmers in a designated area can enter into *voluntary* farmland preservation agreements with DATCP. Farmers with an agreement receive income tax credits in return for keeping their land in agricultural use for a minimum of 15 years. Tax credits available to farmers in an AEA are:

- \$5 per acre for land that is covered by a farmland preservation agreement, *or*
- \$10 per acre for land that is covered by a farmland preservation agreement *and* located in a certified farmland preservation zoning district.

An AEA is only designated if it is identified by the local community as an area that is valuable for current and future agricultural use. This local input into the process is important to achieve identified goals.

Overall, the designation is a tool that can be used to protect the agricultural land base for continued production. In addition, the designation can help to promote investment in agriculture, agricultural infrastructure and agricultural-related businesses.

What AEA Designation Does Not Do

The designation of an AEA does not, by itself, control or limit land use within the designated area. Designation of an AEA also does not specifically protect areas from encroaching development or land use conflicts. Local designation of an AEA, however, can be used as part of a local land use and development strategy designed to preserve, protect and promote agricultural enterprises. This local strategy may include a variety of local initiatives including farmland preservation planning and zoning, voluntary farmland preservation agreements, agricultural and conservation easements, private land use covenants and donations, economic development grants, cooperative agreements, financial incentives and more.

It is up to local initiative to design a strategy that adequately addresses local conditions and the community's vision for the area. All components should work together to contribute to the success of any designated AEA.

DEFINITIONS

Contiguous: Parcels that meet at more than one point and are only separated by a lake, stream, or transportation or utility right-of-way.

Eligible farms: Must have at least \$6,000 in "gross farm revenues" in the past year, or \$18,000 over the past 3 years.

Farmland preservation agreement: A voluntary agreement between the state and the landowner that enables farmers in a designated AEA to claim income tax credits by agreeing to keep their land in agricultural use for 15 years.

Gross farm revenue: Gross receipts from agricultural use of a farm, excluding rent receipts, less the cost or other basis of livestock or other agricultural items purchased for resale which are sold or otherwise disposed of during the taxable year.

Primarily in agricultural use: The amount of land that is in actual agricultural use as defined by ch. 91.01(2).

Agricultural Enterprise Areas

Agricultural Enterprise Area Petition Process

To have an area designated as an agricultural enterprise area, farm owners and local governments must work together to submit a petition to the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP). By working together and by drawing in other local stakeholders including ag-related businesses, economic development experts and other interested individuals, the community can better ensure adequate support for an AEA selected for designation.

1. Request for Petitions Released

DATCP will release a request for petitions to begin the process of designating AEAs. Once the petition period is open, petitioners may submit a petition, using a form developed by the department, to request designation of an AEA. The petition provides information that will be evaluated during the selection process. To view the prior year's petition form, visit: <http://workinglands.wi.gov>.

2. Developing the Petition

The designation of an AEA will be based on selection of a local petition that demonstrates a cooperative local commitment to both agricultural preservation and agricultural development in the designated area. Farm owners and local governments play the leading role in planning and designing agricultural enterprise areas. The petition process may be initiated by either the landowners or by a local government. DATCP expects, and welcomes a variety of local approaches to petition development.

A petition must be signed by at least 5 eligible farm owners and all political subdivisions located within the proposed AEA. Additionally, the political subdivisions located in a proposed AEA must pass a resolution in support of the designation of the AEA. Others may sign the petition as cooperators or submit a letter in support of the designation.

In developing the petition, petitioners are asked to state the goals of the proposed area for the preservation of agricultural land use and agricultural development. Petitioners must identify activities that will aid in achieving the goals including adopting appropriate land use controls, development of a strategy to encourage farmland preservation agreements, and identifying activities to promote agricultural economic development.

Another important component of the petition process is determining the boundary of the proposed area. The proposed boundary must:

- Contain land owned by all interested farm owner petitioners.
- Be located within a certified farmland preservation area.
- Consist of contiguous land area (land owned by petitioning farm owners need not be contiguous).
- Be primarily in agricultural use.
- Consider other relevant factors such as agricultural infrastructure and soil and water resources

Public outreach activities are an important aspect of petition development and public meetings, open houses, and newsletter articles during petition development can inform landowners about the program and help to identify interested farm owner petitioners. This outreach will also help to identify the appropriate boundary for the proposed AEA and for determining if there is adequate support for the designation.

Agricultural Enterprise Areas

3. Submitting the Petition

Once the petition is developed, petitioners must submit a hard copy of the completed petition form, including supporting documentation and maps, signature pages and resolutions. The petition materials must also be submitted electronically, along with the proposed AEA map and the spatial location data for the AEA boundary. Submission instructions and the submission deadline can be found in the department's request for petitions.

4. Selection and Designation of Agricultural Enterprise Areas

DATCP works with an evaluation team to review the submitted petitions. The evaluation process is competitive and the team provides designation recommendations. Once a petition is recommended by the evaluation team and selected for designation, the AEA is designated by order of the Department of Agriculture, Trade and Consumer Protection and a notice of the order is published in the official state newspaper. The designation takes effect on January 1 of the following year.

Petition Assistance

Communities interested in pursuing designation have found it valuable to identify someone to coordinate the petition development process and related public outreach activities. Help for past petitions has come from town and county government officials, county or town land conservation or planning staff, county extension agents and staff at regional planning commissions. Establishing a network of other diverse stakeholders, including local and regional economic development experts, can also help to develop AEA goals and a strategy to achieve the stated goals.

For additional assistance, petitioners may contact the state Department of Agriculture, Trade and Consumer Protection at DATCPWorkingLands@wisconsin.gov, or at (608) 224-4625.

A guidance document used during the prior year petition cycle is available for review at <http://workinglands.wi.gov>.

Next Steps for a Designated Agricultural Enterprise Area

The designation of an AEA remains in effect unless terminated by order of the department. Once an AEA is designated, the eligible farm owners within the area should consider signing a farmland preservation agreement with the state to protect the land for agriculture and collect state tax credits.

In addition, following designation, the local farm owners, local governments and other partners should work together to promote the stated agricultural preservation and agricultural development goals. These goals can be furthered through implementation of the activities and land use controls identified as part of the petition process.

The landowners and the local governments may also identify other opportunities that could help to accomplish stated goals. For additional information or assistance, the landowners and local governments may contact the state Department of Agriculture, Trade and Consumer Protection at DATCPWorkingLands@wisconsin.gov, or at (608) 224-4625.

Frequently Asked Questions

Who initiates the AEA petition?

Submission of a petition for designation of an Agricultural Enterprise Area is initiated at the local level. Past petitions were initiated by interested landowners or an interested local government.

Since the AEA must be contiguous, does that mean the farm owner petitioner's must own contiguous land?

No. Although the AEA boundary must be contiguous, the land owned by the farm owner petitioners need not be contiguous with each other. As a result, it is likely that the boundary will also include land owned by others who are not petitioners.

Does the entire area have to be used for agriculture?

No. The statute requires that the area be "primarily" for agriculture. Therefore, it is acceptable, and likely, that the proposed area will include some non-agricultural land-uses. As long as the primary use of the proposed area is agriculture, the petition may be considered for designation.

If my land is included within the AEA boundary, is my land use restricted?

No. Designation of an AEA does not restrict land use. It is important to note that local regulations and restrictions within the designated area, such as a zoning ordinance, are still applicable.

Once the area is designated, are we automatically eligible to collect the \$5/acre (or \$10/acre if also zoned for farmland preservation) tax credit?

No. In order to be eligible for the farmland preservation tax credit available to landowners within a designated AEA, the landowner must enter into a farmland preservation agreement with the state. This agreement requires the land to be in agricultural use for the next 15 years. It is not required that a landowner enter into this agreement unless they wish to claim the tax credit.

How long is the designation in effect for?

The designation of an AEA remains in effect unless the designation is terminated by order of the department.



Wisconsin Department of Agriculture, Trade, and Consumer Protection
Phone: (608) 224-4500
E-mail: DATCPWorkingLands@wisconsin.gov
Web: <http://workinglands.wi.gov>

ARM-Pub-203
June 2012

For the Four Months Ending April 30, 2012

Description	Prior Year Actual	Pr Yr Pro Budget	Pr Yr Amend Bdgt	Curr Year Actual	Curr Yr Pro Budget	Curr Yr Budget	Actual Variance
070 LAND CONSERVATION							
7001 LAND CONSERVATION							
R REVENUE							
421001 STATE AID	0	57,814-	173,442-	0	56,667-	170,000-	0
432099 OTHER PERMITS	0	167-	500-	0	167-	500-	0
451010 SALE OF MAPS & MISC	39-	167-	500-	84-	167-	500-	29-
451421 CREP CANCELLATION FEE	0	17-	50-	0	17-	50-	0
455001 TREE SALES LOC	3,515-	4,333-	13,000-	1,250-	3,667-	11,000-	2,265
455005 AG & HORTIC SUPPLY REVENUE	0	167-	500-	30-	167-	500-	30-
455009 LIVESTOCK SITING APP REVIEW FE	0	333-	1,000-	750-	333-	1,000-	750-
455013 FARMLAND CERT FEE	4,505-	1,500-	4,500-	4,325-	1,833-	5,500-	180
474200 COPYING & PRINTING INTERDEPA	0	0	0	13-	0	0	13-
489203 WLWCA ASSISTANCE	0	667-	2,000-	0	0	0	0
R REVENUE	8,079-	65,165-	195,492-	6,452-	63,018-	187,050-	1,627
E EXPENDITURES							
511110 SALARY-PERMANENT REGULAR	23,687	28,767	86,302	21,252	29,434	85,303	2,435-
511210 WAGES-REGULAR	71,854	80,402	241,206	81,521	87,876	263,628	9,637
511240 WAGES-TEMPORARY	0	619	1,858	0	0	0	0
511310 WAGES-SICK LEAVE	3,655	0	0	4,160	0	0	505
511320 WAGES-VACATION PAY	4,943	0	0	3,463	0	0	1,480-
511330 WAGES-LONGEVITY PAY	0	316	947	0	397	1,196	0
511340 WAGES-HOLIDAY PAY	1,246	0	0	3,069	0	0	1,823
511350 WAGES-MISCELLANEOUS(COMP)	558	0	0	2,176	0	0	1,618
512141 SOCIAL SECURITY	5,048	5,423	25,267	6,731	6,905	26,723	683
512142 RETIREMENT (EMPLOYER)	5,404	5,583	16,750	6,823	6,945	20,535	1,419
512143 RETIREMENT (EMPLOYEE)	6,888	7,117	21,350	7,000	0	0	6,888-
512144 HEALTH INSURANCE	16,609	17,348	52,045	13,446	15,286	45,857	3,163-
512145 LIFE INSURANCE	24	23	70	30	30	91	6
512173 DENTAL INSURANCE	1,580	1,764	5,292	1,604	1,584	4,752	24
531301 OFFICE EQUIPMENT	0	250	750	0	250	750	0
531303 COMPUTER EQUIPMT & SOFTWARE	0	0	0	514	167	500	514
531311 POSTAGE & BOX RENT	564	833	2,500	699	733	2,200	133
531312 OFFICE SUPPLIES	267	400	1,200	268	400	1,200	1
531313 PRINTING & DUPLICATING	13	433	1,300	91	333	1,000	78
531314 SMALL ITEMS OF EQUIP	440	250	750	38	250	750	402-
531321 PUBLICATION OF LEGAL NOTICE	0	17	30	0	17	30	0
531324 MEMBERSHIP DUES	1,605	558	1,675	1,750	556	1,675	148
531341 AGRICULTURAL & HORTIC SUPPL	225	2,667	8,000	32	2,000	6,000	196-
531348 EDUCATIONAL SUPPLIES	0	250	750	0	250	750	0
531351 GAS/DIESEL	152	583	1,750	318	583	1,750	166
532325 REGISTRATION	295	667	2,000	1,150	633	1,900	685
532332 MILEAGE	21	167	500	0	133	400	21-
532335 MEALS	53	133	400	271	117	350	218
532336 LODGING	104	417	1,250	412	467	1,400	308
532325 TELEPHONE & FAX	206	333	1,000	217	300	900	11
535242 MAINTAIN MACHINERY & EQUIPMT	298	300	900	361	300	900	63
535259 TREE PLANTER SERVICE	0	33	100	0	33	100	0
536533 EQUIPMENT RENT & LEASE	0	0	0	230	0	0	230
571002 MIS ALLOCATION	6,463	0	0	0	0	0	6,463-
571004 IF TELEPHONY ALLOCATION	299	297	894	335	288	865	36
571005 DUPLICATING ALLOCATION	146	16	47	145	108	325	0
571009 MIS PC GROUP ALLOCATION	0	5,211	15,633	5,106	5,106	15,319	5,106

For the Four Months Ending April 30, 2013

Description	Prior Year Actual	Pr Yr Pro Budget	Pr Yr Amend Bgett	Cur Year Actual	Cur Yr Pro Budget	Cur Yr Budget	Actual Variance
571010 MYS IGIS GROUP ALLOCATION	0	1,246	3,738	1,492	1,164	3,493	1,492
591519 OTHER INSURANCE	1,083	1,154	3,459	856	767	2,300	227-
594811 CAP AUTO	43,812	15,567	56,000	0	0	0	43,812-
594813 CAP OFC EQUIP	9,000	3,000	9,000	0	0	0	9,000-
E EXPENDITURES	209,577	188,248	564,747	160,566	165,419	496,262	49,011-
7001 LAND CONSERVATION	201,492	123,083	369,255	154,114	102,401	307,212	47,984-
7002 WILDLIFE CROP DAMAGE							
R REVENUE							
421001 STATE AID	0	7,711-	23,132-	0	7,711-	23,132-	0
R REVENUE	0	7,711-	23,132-	0	7,711-	23,132-	0
E EXPENDITURES							
592999 PURCHASE CARE & SERVICES	1,733	7,711	23,132	1,465	7,711	23,132	268-
E EXPENDITURES	1,733	7,711	23,132	1,465	7,711	23,132	268-
7002 WILDLIFE CROP DAMAGE	1,733	0	0	1,465	0	0	268-
7008 COUNTY COST SHARE PROGRAM							
593701 COST SHARE PAYMENT	0	3,411	10,233	0	9,757	29,271	0
E EXPENDITURES	0	3,411	10,233	0	9,757	29,271	0
7008 COUNTY COST SHARE PROGRAM	0	3,411	10,233	0	9,757	29,271	0
7010 LAND & WATER RESOURCE PLAN							
R REVENUE							
421001.001 STATE AID - SPR	3,785-	6,667-	20,000-	0	6,667-	20,000-	3,785
421001.002 STATE AID - BONDED	0	1,167-	3,500-	200-	1,167-	3,500-	200-
R REVENUE	3,785-	7,834-	23,500-	200-	7,834-	23,500-	3,785
E EXPENDITURES							
593701 COST SHARE PAYMENT	3,785	7,833	23,500	0	7,833	23,500	3,785-
E EXPENDITURES	3,785	7,833	23,500	0	7,833	23,500	3,785-
7010 LAND & WATER RESOURCE PLAN	0	1-	0	200-	1-	0	200-
7011 NON-METALLIC MINING							
R REVENUE							

Description	Prior Year Actual	Pr Yr Pro Budget	Pr Yr Amend Bggt	Curr Year Actual	Curr Yr Pro Budget	Curr Yr Budget	Actual Variance
432004 RECLAMATION PLAN REVIEW FEE	0	333-	1,000-	0	333-	1,000-	0
432005 NON-METALLIC ANNUAL FEE	0	3,723-	11,170-	0	3,723-	11,170-	0
474175 HIGHWAY BILLED	0	600-	1,800-	0	600-	1,800-	0
R REVENUE	0	4,656-	13,970-	0	4,656-	13,970-	0
E EXPENDITURES							
531311 POSTAGE & BOX RENT	11	17	50	18	17	50	7
531312 OFFICE SUPPLIES	0	17	50	0	17	50	0
531348 EDUCATIONAL SUPPLIES	0	8	25	0	8	25	0
532325 REGISTRATION	0	83	250	0	83	250	0
532332 MILEAGE	0	17	50	0	17	50	0
532335 MEALS	0	17	50	0	17	50	0
532336 LODGING	0	50	150	0	50	150	0
E EXPENDITURES	11	209	623	18	209	623	7
7011 NON-METALLIC MINING	11	4,447-	13,345-	18	4,447-	13,345-	7
7014 GYPSY MOTH PROGRAM							
R REVENUE							
498012 PUBLIC LAND CONSV FEES	0	167-	500-	0	117-	350-	0
R REVENUE	0	167-	500-	0	117-	350-	0
E EXPENDITURES							
531313 PRINTING & DUPLICATING	0	33	100	0	33	100	0
531348 EDUCATIONAL SUPPLIES	0	33	100	0	33	100	0
532325 REGISTRATION	0	33	100	0	0	0	0
532332 MILEAGE	0	67	200	0	50	150	0
E EXPENDITURES	0	166	500	0	116	350	0
7014 GYPSY MOTH PROGRAM	0	1-	0	0	1-	0	0
7020 COUNTY FARM							
R REVENUE							
482003 COUNTY FARM LAND RENT	57,796-	24,667-	74,000-	46,101-	30,903-	92,710-	11,695
R REVENUE	57,796-	24,667-	74,000-	46,101-	30,903-	92,710-	11,695
E EXPENDITURES							
529170 GROUNDS KEEPING CHARGES	124	164	495	182	369	1,108	58
535249 SUNDRY REPAIR	270	417	1,250	0	417	1,250	270-
535250 CEMETERY MAINTENANCE	0	500	1,500	0	500	1,500	0
E EXPENDITURES	394	1,081	3,243	182	1,286	3,858	212-
7020 COUNTY FARM	57,402-	25,586-	70,737-	45,914-	29,617-	86,802-	11,489
070 LAND CONSERVATION	145,840	98,459	295,386	109,478	78,092	254,286	36,362-

Description	Prior Year Actual	Pr Yr Pro Budget	Pr Yr Amund Bdg	Curr Year Actual	Curr Yr Pro Budget	Curr Yr Budget	Actual Variance
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