

LAND PRESERVATION BOARD MEETING MINUTES

Friday, April 16, 2010 at 9:00 A.M.

Room 118, Ozaukee County Administration Center, Port Washington

1. CALL TO ORDER

Chairman Tim Kaul called the meeting to order at 9:25 AM. Land Preservation Board members present were: Chairman Tim Kaul, Frank Madden, Jim Melichar, and alternate Marjie Tomter. Members excused included Vice-Chairperson Jennifer Rothstein, Supervisor John Hazelwood, and alternate Paul Hayes. Members absent included Mike Paulus. Staff present included: Land and Water Management Department Director Andy Holschbach, County Administrator Tom Meaux, UW-Extension Agriculture Agent Dan O'Neil, UW-Extension Community Resource Development Educator Nicole Sidoff, and Planning and Parks Department Director Andrew Struck. Southeastern Wisconsin Regional Planning Commission (SEWPRC) staff present included Principal Planner Dave Schilling. Supervisor Sandy Wirth was also present.

2. ASSURANCE THAT THE MEETING HAS BEEN PROPERLY NOTICED

Chairman Kaul asked staff if the meeting had been properly noticed and the agenda had been posted. Nicole Sidoff noted that the meeting was properly noticed and the agenda posted.

3. ADOPTION OF AGENDA

Chairman Kaul noted that Sam Macklem had resigned from the Land Preservation Board, and the Ozaukee Washington Land Trust (OWLT) was looking for a new representative for the LPB. Chairman Kaul appointed alternate Marjie Tomter as a voting Board member until OWLT finds a new LPB representative.

Motion by Frank Madden and seconded by Jim Melichar to adopt the agenda as printed. All members present voting aye, motion carried unanimously.

4. APPROVAL OF MINUTES (FEBRUARY 19, 2010)

Motion by Frank Madden and seconded by Marjie Tomter to approve the minutes for the February 19, 2010 meeting of the Land Preservation Board. All members present voting aye, motion carried unanimously.

5. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

There were no public comments or written communications.

6. DISCUSSION AND POSSIBLE ACTION RESOLUTION NO. 09 – ESTABLISHMENT OF AN OZAUKEE COUNTY LAND PRESERVATION FUND

Motion by Marjie Tomter and seconded by Frank Madden to take from the table Resolution No. 09_ – Establishment of an Ozaukee County Land Preservation Trust Fund. All members present voting aye, the motion was un-tabled.

Chairman Kaul noted that he and County staff had met with Shawn Graff from the Ozaukee Washington Land Trust (OWLT) to discuss the proposed Land Preservation Trust Fund. Andrew Struck provided the LPB members with a handout of the original resolution with a few revisions (indicated through track changes) based on the discussions at the last LPB meeting and subsequent discussions with the Chairman. He then noted that the trust fund would ultimately be used to accept cash and liquid asset donations, which would be eligible for tax deductions. Chairman Kaul noted that any land donations would have to go through the County Board for acceptance, whereas monetary donations made to the Fund would not require County Board approval. Administrator Meaux noted that if the resolution is adopted by the LPB, it will then go to the Administrative Committee for recommendation to the County Board and then the County Board for adoption.

Motion by Frank Madden and seconded by Marjie Tomter to adopt Resolution No. 09_ – Establishment of an Ozaukee County Land Preservation Trust Fund as revised. All members present voting aye, motion carried unanimously.

7. DISCUSSION ON THE ESTABLISHMENT OF THE FARMLAND PRESERVATION PLANNING CITIZEN ADVISORY COMMITTEE

Andrew Struck noted that the standard citizen appointment form for the County was included in the packet. Applications for the CAC will be accepted immediately. The form is available on the County website, and staff will also request submission of a resume in addition to the application form. Staff will draft a press release for the media to announce the call for CAC applicants. Local communities will also be informed that they will have the opportunity to appoint one member to the CAC. The Land Preservation Board will review the applications at its June or August meeting and recommend applicants to the Comprehensive Planning Board, which will then be charged with appointing the applicants to the CAC. He then noted that June 7, 2010 would be the deadline for CAC applications so that staff would have enough time to prepare the packet with the applications in advance of the June LPB meeting unless more time is needed to get applicants then it would be postponed to August.

Marjie Tomter asked if the CAC meetings would be held during the day or in the evening. Andrew Struck noted that the Comprehensive Plan CAC had always met in the early evening, and he would anticipate a similar situation for the Farmland Preservation Planning CAC. However, once the committee is appointed, the CAC members will decide what time works best for them to meet as a group. Chairman Kaul noted that efforts should be made to reach out to farming groups, and the LPB and staff had a discussion about all of the farming groups in the County. Chairman Kaul also noted that it would be beneficial to include a representative from the young farmers group on the CAC. Marjie Tomter noted that the Land Conservation Partnership could include a link to the CAC application on its Facebook page.

8. DISCUSSION ON LOCAL GOVERNMENT MEETINGS REGARDING FARMLAND PRESERVATION AND THE WORKING LANDS INITIATIVE

Andrew Struck noted that he and Nicole Sidoff had met with the Town of Port Washington Plan Commission that week to discuss the Working Lands Initiative and the Farmland Preservation Plan. Jim Melichar, Town Plan Commissioner, noted that part of the discussion revolved around the fact that the Town was currently ineligible for Working Lands Initiative programs due to the use of the mixed agricultural / conservation subdivision land use instead of a farmland protection land use for farmland on the Town's Comprehensive Plan Planned Land Use Map. The Town had taken seven years to develop this land use category, with the intention of increasing the environmental benefits, while also allowing for development in the appropriate places. He then noted that the Town would like to change some of this land on its Planned Land Use Map to a farmland protection land use to ensure that some agricultural land in the Town is eligible for the Working Lands Initiative programs. The Town will likely have a public hearing to determine which areas to change into a farmland protection land use on the Planned Land Use Map. Jim Melichar also noted that it was very helpful to have staff present at the meeting to clarify these issues. Andrew Struck noted that it would be important for the Town to amend its Comprehensive Plan before the County has to identify farmland preservation areas in the County's Farmland Preservation Plan.

Andrew Struck then noted that staff had already met with the Town of Fredonia and is scheduled to meet with the Town of Belgium in early May. Staff has had ongoing conversations with the Towns of Cedarburg and Saukville about the Farmland Preservation Plan and the Working Lands Initiative. Chairman Kaul and Andy Holschbach asked about if the Town of Belgium and the Town of Fredonia, respectively, were interested in participating in the Working Lands Initiative. Andrew Struck stated that the Town of Belgium is very interested and the Town of Fredonia had concerns about the Working Lands Initiative. Chairman Kaul noted that he mentioned the Farmland Preservation Plan and Working Lands Initiative at the Town of Grafton Annual Meeting, and he would help staff set up a meeting with the Town Plan Commission to discuss those issues.

9. UPDATE AND DISCUSSION ON THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION (DATCP) PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT (PACE) PROGRAM

Andy Holschbach noted that DATCP is currently taking applications for the PACE program, and the submission deadline is June 1, 2010. He then reviewed the PACE application criteria. Andrew Struck noted that the criteria for the PACE application are very similar to the criteria identified in Ozaukee County's LESA analysis. Andy Holschbach then stated that he would like to pursue PACE funding in conjunction with Federal Farm and Ranch Lands Protection Program funding for parcels in the North Branch area.

Dan O'Neil asked about whether the land around Harrington Beach State Park had high LESA scores. Andrew Struck stated that it did have high LESA scores. He then passed around several LESA maps, so the LPB members could see the LESA scores around Harrington Beach and in the North Branch area.

Chairman Kaul noted that the directive of the Land Preservation Board is to prepare a land preservation plan, present it to the County Board, and identify strategies for implementing the plan. Frank Madden agreed that the development of the plan was the most important task for the LPB, and that energy should be spent on coming up with a plan rather than on discussing PACE. The LPB understands the North Branch area and the fact that it is beneficial to preserve land in that area, and it will be included as input for the plan. Tom Meaux agreed that the plan should be the main focus of the LPB and also stated that PACE applications would likely have to be taken to committee, such as the Environment and Land Use Committee or Comprehensive Planning Board, for approval. Andy Holschbach stated that he would like the LPB to endorse applications for PACE in the North Branch area at its next meeting.

Nicole Sidoff noted that DATCP was hosting a number of PACE workshops throughout the State later that month and that UW-Extension would be willing to host the DATCP PACE webinar on April 29, 2010 if anyone was interested in attending.

10. DISCUSSION OF COUNTY PARKS AND NATURAL RESOURCE AREAS TOUR

Andrew Struck noted that staff would like to host an all-day tour of existing Ozaukee County parks and identified natural areas in the County. LPB members discussed which day would work best, and members agreed that Thursday, May 27 would be the day of the tour.

11. UPDATE ON THE PARK AND OPEN SPACE PLAN TIMELINE, KICK-OFF MEETING, VISIONING SESSIONS, AND PUBLIC OPINION SURVEY

Chairman Kaul introduced Dave Schilling, Southeastern Wisconsin Regional Planning Commission (SEWRPC) Principal Planner, who is assisting in the development of the County Park and Open Space Plan (POSP). Andrew Struck noted that the timeline for the POSP was in the packet, and that the italicized tasks would be led by the County, while the remainder of the tasks would be led by SEWRPC. Dave Schilling explained the outline for the POSP, which was also included in the packet. Basically, the new POSP would draw on the existing plan as well as the County Comprehensive Plan. Chapter 4 of the POSP would include all of the public input gathered throughout the planning process. He stated that he would like to have a few chapters for the LPB to review at its June meeting. He also stated that the County should be eligible for WDNR Stewardship funding while it is undergoing the POSP process.

Andrew Struck noted that the Visioning Sessions for the POSP were coming up, and that anyone could also provide written comments to Dave Schilling, Nicole Sidoff or himself at any time during the planning process. Staff is also planning to conduct a strengths, weaknesses, opportunities, and threats (SWOT) workshop with the Ozaukee Interurban Trail Advisory Council and both the LPB and the CPB sometime this summer, likely at the June meeting for the LPB.

Andrew Struck also noted that CPB approved working with UW-River Falls Survey Research Center on conducting the public opinion survey for the POSP and Farmland Preservation Plan (FPP). The survey will be conducted in fall 2010, and staff is already working on development of survey questions, which will

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be reviewed by LPB and CPB. The survey will be later in the POSP process than in the FPP process, but this timeline works best for UW-RF and enables the County to have a joint survey for the POSP and FPP. The survey will be mailed to a statistically significant sample of the Ozaukee County population. Supervisor Sandy Wirth suggested that staff have students at Concordia also review the survey questions, and David Borst would be the Concordia staff member to contact to make that connection.

The LPB then had a discussion about the 2005 wetland inventory versus the older wetland inventory, and Andrew Struck explained that comparing the two inventories would be like comparing apples and oranges due to the fact that the way wetlands were delineated and classified changed completely from the former way of delineating and classifying wetlands. Dave Schilling noted that inventory data in the 2010 update to the POSP would be different than the inventory data in the 1995 POSP, due to the fact that technology improved so drastically in the time period between the plans and allows for gathering much more detailed data.

Chairman Kaul inquired about who would have input on the prioritizations of recommendations in the new POSP. Dave Schilling noted that staff would look at recommendations from the last plan to see what had been recommended and implemented, and would also look at the recommendations of the new regional natural area plan. Additionally, the POSP would incorporate public input from the public information meetings, Visioning Sessions, survey, and any additional input methods. Andrew Struck noted that the Environmentally Sensitive Lands map from the County Comprehensive Plan would also be considered in formulating and prioritizing recommendations. Ultimately, the LPB and CPB would review and approve the prioritization of recommendations.

12. UPDATE ON MARCH 25, APRIL 1 AND 2 PUBLIC INFORMATION MEETINGS

LPB members and staff discussed the meetings. Marjie Tomter inquired about LPB members' interest in taking a trip to Dakota County to see the effects of Dakota County's land preservation initiative in person. LPB members expressed interest in participating in a tour, and Marjie Tomter agreed to look into the possibility of coordinating an LPB trip to Dakota County, MN.

13. NEXT MEETING – FRIDAY, JUNE 18, 2010

Andrew Struck noted that the way the schedule of meetings was set up for the Comprehensive Planning Board (CPB) and LPB meant that the timing for reviewing and approving chapters of the Park and Open Space Plan and the Farmland Preservation Plan would be off and increase the amount of time it would take to get the plans approved. It would be beneficial to have the LPB meet before the CPB met during the months each board had meetings. This would result in the CPB meetings remaining the same, but the LPB meetings would be moved to earlier during each month. The LPB would still meet on June 18, 2010, but the following 2010 meeting dates would be August 5, October 7, and December 2. LPB members agreed that this timing for meetings would be acceptable.

14. ADJOURNMENT

A motion was made by Jim Melichar and seconded by Marjie Tomter to adjourn the meeting. All members present voting aye, the motion carried unanimously. Meeting adjourned at 11:03 AM.

Respectfully submitted by Nicole Sidoff and Andrew Struck.