

1. CALL TO ORDER

Chairman Tim Kaul called the meeting to order at 9:07 AM. Land Preservation Board members present were: Chairman Tim Kaul, Vice-Chairwoman Jennifer Rothstein, Frank Madden, Jim Melichar, Mike Paulus, and alternates Paul Hayes and Marjie Tomter. Members absent included Supervisor John Hazelwood and Sam Macklem. 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, Planning and Parks Department Director Andrew Struck, and Planning and Parks Intern Paul Merkey. County Board Supervisor Gus Wirth and City of Mequon Assistant Director of Community Development Jac Zader were 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

Motion by Jim Melichar and seconded Vice-Chairwoman Rothstein to adopt the agenda as printed. All members present voting aye, motion carried unanimously.

4. APPROVAL OF MINUTES (DECEMBER 18, 2009)

Motion by Jim Melichar and seconded by Frank Madden to approve the minutes for the December 18, 2009 meeting of the Land Preservation Board. All members present voting aye, motion carried unanimously.

5. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

Chairman Kaul noted that Amos Funk, who started the land preservation efforts in Lancaster County, PA, had died that week. Marjie Tomter noted that the Land Conservation Partnership Facebook page posted that information as well.

Andy Holschbach noted that the Department of Agriculture, Trade and Consumer Protection (DATCP) was still developing guidelines for the Purchase of Agricultural Conservation Easements (PACE) program and was considering a timeframe of June or July for the first round of applications. He suggested that PACE be included as an agenda item for the next meeting. The LPB then had a brief discussion about the potential value of easements in the County and how they would be calculated.

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

Chairman Kaul noted that County Administrator Tom Meaux had drafted the resolution for the establishment of an Ozaukee County Land Preservation Fund. Administrator Meaux explained that this would be a segregated fund for land preservation in Ozaukee County. The fund would accept monetary donations only, and one donation had already been made. The way the fund is proposed in this resolution is not to accept donation of land or easements. Chairman Kaul noted that the State of Wisconsin does have a process where the value of a donated easement can be recorded and the value of said easement has to be used on a "like" land use within three years of the donation. Andrew Struck distributed copies of the Corporation Counsel's formal opinion on outright donation land to the County.

Motion by Jim Melichar and seconded Frank Madden to adopt Resolution No. 09 – Establishment of an Ozaukee County Land Preservation Fund. Further discussion followed.

The LPB then discussed whether the current iteration of the Land Preservation Fund made it possible for donors to write-off their donations. Staff stated that they were uncertain about that possibility and would check with the Corporation Counsel about the possibility of writing-off Land Preservation Fund donations. Supervisor Wirth noted that in the past the Ozaukee County Historical Society (OCHS) served as the

501(c)3 through which people could make tax deductible donations to County projects. The LPB then discussed the pros and cons of establishing a new 501(c)3 for accepting money for land preservation. Staff agreed that prior to the next LPB meeting, they would investigate the issues of writing-off monetary Land Preservation Fund donations and the possibility of landowners donating the value of their easements to the County.

Motion by Frank Madden and seconded Vice-Chairwoman Rothstein to table the motion to adopt Resolution No. 09 – Establishment of an Ozaukee County Land Preservation Fund. All members present voting aye, motion carried unanimously.

7. DISCUSSION OF APPLICATION FOR A DEPARTMENT OF AGRICULTURE, TRADE, AND CONSUMER PROTECTION (DATCP) FARMLAND PRESERVATION PLANNING ASSISTANCE GRANT

Andrew Struck noted that he and Nicole Sidoff worked together to write the application for the DATCP farmland preservation planning assistance grant. DATCP has awarded Ozaukee County a \$30,000 grant, which was the maximum amount that could be requested. Both the grant application and the grant award letter were included in the packet. The Comprehensive Planning Board (CPB) has already approved accepting the grant. The grant money will be used to contract with SEWRPC to have them provide planning assistance. The italicized tasks on the County Farmland Preservation Plan timeline included in the packet show the tasks for which SEWRPC will be responsible.

Chairman Kaul inquired about the role of the LPB throughout the Farmland Preservation Planning process, particularly in light of the fact that the CAC will also advise the Plan. Andrew Struck noted that the LPB had approved the establishment of a CAC at the last meeting. The LPB will make recommendations on possible citizen representatives for the CAC, review CAC applications, and review each of the Plan chapters that the CAC works on. The LPB will also participate in visioning and issue identification for the Plan, as well as a SWOT analysis. The CAC will look at specifics of the Plan and help ensure that the Plan integrates well with each community. Dan O'Neil indicated that the CAC will play a key role in connecting each community to the County planning process.

The LPB members then discussed the make-up of the CAC, deciding that it would be important to maximize farmer participation in the CAC.

8. DISCUSSION OF PARK AND OPEN SPACE PLANNING ASSISTANCE CONTRACT WITH THE SOUTHEASTERN REGIONAL PLANNING COMMISSION (SEWRPC)

Andrew Struck noted that the contract for SEWRPC assistance in the County Park and Open Space Planning (POSP) process was included in the packet. He also distributed a revised contract and timeline for the POSP. Dave Schilling from SEWRPC will be assisting in the planning process. The POSP must be updated every five years in order to remain eligible for DNR Stewardship funds, including funding for park development and acquisition. The last update to the County POSP was in 2001, but DNR extended eligibility due to the fact that all counties in the State were undergoing the Comprehensive Planning process during that time period.

Andrew Struck then explained that the LPB will act as the CAC for the POSP, due to the fact that the timeline for the POSP is not as long as the Farmland Preservation Planning process. The POSP is scheduled to be adopted at the end of 2010 or beginning of 2011. The Comprehensive Planning Board (CPB) will also have oversight for the POSP, as it is a statutory plan just like the Farmland Preservation Plan (FPP). Both the POSP and FPP will eventually have to be adopted by the County Board as an amendment to the County Comprehensive Plan. The Land Preservation Plan, which the LPB will develop, will incorporate the POSP, FPP and Comprehensive Plan, but will also include additional information such as implementation strategies and identification of funding sources for preservation efforts.

9. DISCUSSION OF FARMLAND PRESERVATION PLANNING ASSISTANCE CONTRACT WITH SEWRPC

This topic was discussed under agenda item 7.

LAND PRESERVATION BOARD MEETING MINUTES

Friday, February 19, 2010 at 9:00 A.M.

Room 118, Ozaukee County Administration Center, Port Washington

10. DISCUSSION OF POSSIBLE AGRICULTURAL ENTERPRISE AREA (AEA) DESIGNATION

Andrew Struck noted that the deadline for the pilot AEA program is February 26, 2010. Struck and Andy Holschbach met with Dale Katsma and Struck and Nicole Sidoff met with the Town of Fredonia to discuss the possibility of putting together an AEA petition in the North Branch area. Although progress was made, the general consensus was that local governments and landowners would like additional information before moving forward with an AEA petition. Andy Holschbach noted that everyone needs more time to understand the Working Lands Initiative and AEA's before proceeding. It is also important to make sure that any proposed AEA's in the County fit within the long-term Farmland Preservation Planning efforts.

Staff intends to keep working with Dale Katsma in talking with landowners in the North Branch about an AEA in the future. Although staff has only met with the Town of Fredonia at this point, they are planning to meet with other towns about the Working Lands Initiative, AEA's and Farmland Preservation Planning efforts. Chairman Kaul noted that an AEA article from the Journal Sentinel was included in the packet. He noted that the counties in which was AEA was encompassed were not responsible for putting together the AEA being discussed. Andrew Struck noted that in his discussions with those two counties' planners, they indicated that they were actually unaware that an AEA petition was even in the works in their counties.

11. DISCUSSION OF POSSIBLE OZAUKEE COUNTY LAND PRESERVATION TOUR

Chairman Kaul noted that the next land preservation tour out east is currently on hold. He then proposed the possibility of having a land preservation tour in Ozaukee County for LPB members. The LPB then had a brief discussion about dates for the tour and decided that April 8 or 13 would work best for everyone's schedules.

12. DISCUSSION OF DATCP MEETING WITH LOCAL GOVERNMENT OFFICIALS / STAFF

Andrew Struck noted that the meeting on March 25 would be geared primarily toward local government staff and officials. The event will likely be held in partnership with Washington County and will take place in the early evening to best accommodate the schedules of the targeted audience. The Working Lands Initiative will be the primary focus of this meeting.

13. DISCUSSION OF APRIL 1 AND 2, 2010 MEETING WITH DAKOTA COUNTY / FIRST FRIDAY FORUM

Chairman Kaul noted that the Land Conservation Partnership and County staff had discussed the format of the April 1 and 2 meetings at length. The April 1 meeting will take place at Saukville Town Hall from 2:00-4:00 PM. The speakers will include Al Singer from Dakota County, Keith Foye from DATCP, and LPB members. Marjie Tomter noted that Al Singer is willing to meet with the LPB following either the April 1 or 2 meeting. The LPB agreed that they would like to meet with Al for dinner following the April 1 meeting.

The April 2 First Friday Forum speakers will include Tim Kaul as moderator, Al Singer, Marijie Tomter, and Andrew Struck. The location of the April 2 First Friday Forum was moved to the County Board Room because the MATC campus is closed that day for Good Friday.

14. DISCUSSION OF OZAUKEE COUNTY FARM BUREAU WORKING LANDS INITIATIVE MEETING – FEBRUARY 25, 2010

Chairman Kaul noted that the State Farm Bureau initiated a joint meeting of the Washington and Ozaukee County Farm Bureaus. At the meeting, a State Farm Bureau representative will discuss the Working Lands Initiative. Nicole Sidoff will email additional information about the Farm Bureau meeting to Land Preservation Board members in case they are interested in attending.

15. 2010 MEETING SCHEDULE – ADD APRIL 16 MEETING DATE

The April 16 meeting date will replace the April 23 meeting date. Andrew Struck explained that this is because County committees do not exist as of April 20, due to elections requiring new committee appointments.

16. ADJOURNMENT

A motion was made by Mike Paulus and seconded by Jim Melichar to adjourn the meeting. All members present voting aye, the motion carried unanimously. Meeting adjourned at 10:58 AM.

Respectfully submitted by Nicole Sidoff and Andrew Struck.