

FARMLAND PRESERVATION PLAN CITIZEN ADVISORY COMMITTEE MINUTES

Tuesday, February 28, 2012 at 4:30 PM

Auditorium, Ozaukee County Administration Center, Port Washington

1. CALL TO ORDER

Chairman Lee Schlenvogt called the meeting to order at 4:37 PM. Farmland Preservation Plan Citizen Advisory Committee (FPP CAC) members present included: Chairman Lee Schlenvogt, Benjamin Arnold, John Blasczyk, Mike Didier, Bill Fleming, Barb Jobs, Cathy Jones (4:38 PM), Francis Kleckner, Bryan Kligora, Mary Korte, Edward Miller, John Riordan (alt.), Bob Roden, Eric Ryer, and Pat Wilborn. Members excused included: Vice Chairperson Shawn Graff, Dale Buser, Ron Heinritz, Erin Ortiz, Lynde Uihlein, and Steve Wilkinson. Members absent included: Lynda Huebner, Young Kim, Christine O'Neil, Mike Winker, Roy Wilhelm, and Jac Zader. Ozaukee County Staff present included: UW-Extension Community Resource Development Educator Nicole Sidoff, Planning and Parks Department Director Andrew Struck, and Land and Water Management Director Andy Holschbach. Southeastern Wisconsin Regional Planning Commission (SEWRPC) staff present included: Principal Planner Rick Kania.

2. ASSURANCE THAT THE MEETING HAS BEEN PROPERLY NOTICED/ADOPTION OF AGENDA

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

Motion by Bob Roden and seconded by John Blasczyk to adopt the agenda as printed. All members present voting aye, motion carried unanimously.

3. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

Francis Kleckner noted that he thought the fact that there was no longer a penalty (land conversion fee) for getting out of farmland preservation (land use and rezoning change) would make the program ineffective. Andrew Struck noted that the elimination of the land conversion fee was a decision by the State in its 2011-2013 biennium budget. Barb Jobs indicated that she thought it would be similar to the 1983 plan, in that landowners enrolled in farmland preservation that rezoned out of farmland preservation were supposed to pay back their tax credits, but the State did not enforce it. She noted that the Town of Saukville had notified the State of lands rezoned out of agriculture, but the State had not collected the penalty remittance. Mr. Struck indicated that this was an issue Statewide for that program, which is why they came up with the land conversion fee at the time of rezoning.

Cathy Jones joined the meeting at 4:38 PM.

4. APPROVAL OF MINUTES (JANUARY 24, 2012)

Motion by Bryan Kligora and seconded by Francis Kleckner to approve the minutes for the January 24, 2012 meeting of the Farmland Preservation Plan Citizen Advisory Committee as written. All members present voting aye, motion carried unanimously.

5. UPDATE, DISCUSSION, AND POSSIBLE ACTION ON CHAPTER V – FARMLAND PRESERVATION AREAS – OF THE FARMLAND PRESERVATION PLAN FOR OZAUKEE COUNTY

Andrew Struck noted that FPP CAC members received the chapter in their packets and the FPA maps in the chapters were also on display in large format at the meeting. He noted that staff has been meeting with the local governments and this reflects where staff knows local governments are to date with their decision making process. The Town of Fredonia is the only map that has not been preliminarily approved by the local government and they will be taking up the FPA map for action at their next Town Board meeting. Rick Kania noted that he has large copies of the FPA maps for the Towns of Fredonia, Belgium, and Cedarburg and the City of Mequon, in case any staff from those communities wanted to take their map with them tonight.

Mr. Kania then reviewed the chapter with the Committee page by page. He indicated that he had recently spoken with DATCP, and DATCP clarified that entire parcels have to either be in or out of an FPA – a parcel cannot be divided into being in and out of an FPA. Mr. Struck noted that this is consistent with what they had presented to local governments during the process of delineating FPAs. This primarily affected a few parcels in the Towns of Fredonia and Belgium. John Riordan asked how the parcel is defined.

Andrew Struck noted that each parcel is identified by a unique tax key number and is a legal land division that has been recorded with the Register of Deeds. He then noted that in some planned land use maps, it was delineated that part of a legal parcel would be in agricultural land use in the future, while another part would be for commercial or residential land use. For the most part, this was resolved during the comprehensive planning process, but County staff is currently helping local governments that still have that issue to resolve it. Francis Kleckner noted that he did not understand why some parcels in the Town of Belgium would not be eligible for inclusion in an FPA, namely that one of his ten acre parcels was not eligible. Andrew Struck noted that size of parcel was actually one of several criteria, and smaller parcels received a lower score. Additionally, criteria such as proximity to urban development (adjacent land use), population density and adopted sewer service areas also impacted scores negatively. He further noted that 40% of the scoring for the Land Evaluation and Site Assessment (LESA) was due to the quality of soils (the Land Evaluation criterion), and many of these parcels have poorer soils for agriculture. He reminded the FPP CAC that the criteria for identifying FPAs were developed and approved by this committee, and subsequently approved by the Land Preservation Board and Comprehensive Planning Board.

Barb Jobs noted that she thought she heard that four landowners were not eligible for inclusion in an FPA in the Town of Saukville because they owned one parcel in a trust. Andrew Struck noted that this was not a criterion and would not have impacted eligibility for inclusion in an FPA. He noted that she may have been thinking of an Agricultural Enterprise Area (AEA), which requires five individual landowners to sign a petition to have their land designated in an AEA. No one in the County has applied for this to date though and staff is not aware of any areas under consideration.

Motion by Bob Roden and seconded by Ben Arnold to approve Chapter V – Farmland Preservation Areas – of the Farmland Preservation Plan for Ozaukee County. Twelve members (Ben Arnold, John Blasczyk, Mike Didier, Bill Fleming, Barb Jobs, Cathy Jones, Bryan Kligora, Mary Korte, Ed Miller, Bob Roden, Eric Ryer, and Pat Wilborn) present voting aye, one member present voting nay (Francis Kleckner), motion carried.

6. UPDATE, DISCUSSION, AND POSSIBLE ACTION ON CHAPTER VI – VISION, ISSUES, AND RECOMMENDATIONS – OF THE FARMLAND PRESERVATION PLAN FOR OZAUKEE COUNTY

Andrew Struck noted that the FPP CAC made it through this entire chapter during its last meeting. Staff just wanted to give everyone time to think over the recommendations and take one more look at them. He read the revised vision statement from the minutes, and noted the changes in the chapter that would have to be made to ensure it properly reflected the changes the FPP CAC approved. The statement should say, “in perpetuity” after “conservation easement” and “in order to” should be replaced with “that”. Additionally, the word “the” should be inserted in the vision so it reads, “and the implementation”. The vision should read, “The rural and agricultural character of Ozaukee County will be preserved through the purchase and donation of agricultural conservation easements in perpetuity, the establishment of zoning oversight, and the implementation of policies and programs that ensure sustainable rural land use and prevent urban sprawl.”

All the changes requested by the FPP CAC at the last meeting are shown in track changes. Rick Kania highlighted the key changes throughout the chapter. Andy Holschbach noted that the fourth program on page 19 should be changed to include the Southeast Wisconsin Invasive Species Consortium, which is working to deal with invasive species in the region.

Motion by Ben Arnold and seconded by Mary Korte to approve Chapter VI – Vision, Issues, and Recommendations – of the Farmland Preservation Plan for Ozaukee County. Twelve members (Ben Arnold, John Blasczyk, Mike Didier, Bill Fleming, Barb Jobs, Cathy Jones, Francis Kleckner, Mary Korte, Ed Miller, Bob Roden, Eric Ryer, and Pat Wilborn) present voting aye, one member present voting nay (Bryan Kligora), motion carried.

7. UPDATE AND DISCUSSION ON PROGRAM PRIORITIZATION WORKSHEET FOR CHAPTER VII – IMPLEMENTATION – OF THE FARMLAND PRESERVATION PLAN FOR OZAUKEE COUNTY

Andrew Struck noted that the prioritization worksheet was included in the packet. The programs were all extracted from the Vision, Issues, and Recommendations Chapter. During the next meeting, FPP CAC members will have the opportunity to discuss the results of the prioritization and adjust them accordingly. This method of calculating averages based on the CAC's individual input and using that as a starting point for a committee conversation on implementation is what was done as part of the comprehensive planning process. He encouraged anyone who had not completed their worksheet to do so after the meeting and hand it in to Nicole Sidoff so that it could be compiled.

8. EDUCATION, OUTREACH. AND PLANNING NEWS

- **FIRST FRIDAY FORUM ON THE OZAUKEE COUNTY FARMLAND PRESERVATION PLAN – FRIDAY, APRIL 13, 2012 AT 11:30 AM AT MATC-MEQUON**

Nicole Sidoff noted that the First Friday Forum on the Farmland Preservation Plan was coming up, and staff was looking for representatives from each of the committees to speak on a panel as part of the program. Mary Korte volunteered to be on the panel. Nicole Sidoff thanked Mary, and noted that it would be great if FPP CAC members could still attend the program and help promote it. She noted that she would send out the flyer once it was finalized. Andrew Struck noted the articles included in the packet.

9. 2012 MEETING SCHEDULE - NEXT MEETING – MARCH 27, 2012

The next FPP CAC meeting will take place on Tuesday, March 27, 2012 at 4:30 PM.

10. ADJOURNMENT

A motion was made by John Blasczyk and seconded by Ben Arnold to adjourn the meeting. All members present voting aye, the motion carried unanimously.

Meeting adjourned at 5:18 PM

Respectfully recorded and submitted by Nicole Sidoff and Andrew Struck.