PROCEEDINGS OF THE BROWN COUNTY LAND CONSERVATION SUBCOMMITTEE

Pursuant to Section 18.94 Wis. Stats., a regular meeting of the **Brown County Land Conservation Subcommittee** was held on Monday, April 25, 2011 in Room 161, UW-Extension – 115 Bellevue Street, Green Bay, WI

Present:	Norb Dantinne, Bernie Erickson, Mike Fleck, Dan Haefs, Dave Kaster, Norb VandeHei
Excused:	
Also Present:	Executive Streckenbach, Bill Hafs, Jim Jolly, Jon Bechle, Brad Holtz, Bill Bosacki

I. **Call Meeting to Order:**
The meeting was called to order by Chair Dantinne at 6:00 p.m.

II. **Approve/Modify Agenda:**

Motion made by Supervisor Erickson and seconded by Fleck to approve. MOTION APPROVED UNANIMOUSLY

III. **Approve/Modify Minutes of Land Conservation Subcommittee of January 24, 201:**

Motion made by Fleck and seconded by Kaster to approve. MOTION APPROVED UNANIMOUSLY

1. **Land and Water Conservation Department Budget Update: December 2010, February 2011, February 2011 LWCD Grants.**

County Conservationist Bill Hafs provided a handout (attached) re: Land Conservation Budget Status Report – December 31, 2010 and informed this was the (unaudited) end of the year information. He pointed out that they ended up $34,859 ahead in revenue above expenditures. Since the agenda was handed out the March financials had become available as well (attached). Hafs stated this year they will provide on one side their operating budget and on the backside they are tracking separately from the rest of the department budget, two grants, the West Short and Baird Creek, which they are reporting to the United States Environmental Protection Agency (EPA). Both grants are completely funded by the EPA. He stated his department was doing fine.

Dantinne thanked Hafs for the information provided and questioned why at budget time they can't receive the end of the year information such as the December handout from every department. He would like to see the year to date transactions for the previous years and total savings. Erickson agreed, he informed that he had brought this up on the County Board floor requesting to see the percentages of total expenses and grand total revenue reports quarterly from every department. If the Board noticed that a department's percentages were way off they could act on it. He felt they never see anything until it's too late. Erickson informed that he will bring this up at the next Executive Committee meeting.

Haefs stated that in 1992, for about eight years, the county would budget huge sums of

money and at the end of the year they would return millions to the general fund. Everyone at that time thought it was wonderful. The difference today is there simply is not enough money and budgeting is a lot tighter. When department heads come in with a mere $34,000 Haefs considered that a success. He stated he was very pleased and their department was doing a decent job.

Motion made by Supervisor Haefs and seconded by Supervisor Erickson to receive and place on file. MOTION APPROVED UNANIMOUSLY

2. **Review of Working Lands Initiative Program information - Jim Jolly.**

Jolly provided handouts re: Proposed Brown County Working Lands Initiative map (as of October 12, 2010) (attached) and informed that last year he had promised to come back in April to relay where they were at with the working land initiative. He noted a lot of things had happened with regard to the farmland preservation transition to the working land initiative. Referring to the map, in the past all the green areas were areas that were zoned exclusive agriculture. Now that the working lands initiative is here, the townships got together and asked their land owners who wanted to be in the programs and who wanted out. The areas in green are the areas that are currently scheduled to be zoned exclusive agriculture. About 109,000 acres in the Brown County are eligible to receive income tax credits through this program. The green areas are where the focus of work would be.

Referring to the 2010 Program Participation spreadsheet (attached) it showed what the participation levels and rates were for the 2010 income tax year. There are 643 landowners participating in the County, 87,152 acres were enrolled in the program. 109,758 acres eligible, approximately 80% of those acres are enrolled right now. The tax relief from those 87,152 acres that came back to landowners in the County was $653,641 in 2010. That is direct income tax credits to those people. The average income tax credit per acre is $7.50 an acre. Comparing the 2010 tax credit vs. 2008, in 2008 there were 645 people that took the program, 10,000 acres were enrolled, and the average tax credit was only $3.46 an acre. The average tax credit coming back to landowners in 2010 had over doubled with this new working land initiative.

The reason the map is so sparse now is because of a conversion fee. The State's budget states that if a landowner developed land in the next 10 years, it will cost $600 an acre to get that land changed from exclusive ag to a different use. If Gov. Scott Walker's budget goes through, he planned to eliminate the farmland conversion fee. This would drastically change the map and there would be a lot more green area. It will put them at a completely difference situation. If there are no penalties people are going to want to participate to get the $7.50 per acre. This will shoot acreage up significantly as to what the planning department had to monitor.

Referring to the Department of Agriculture, Trade and Consumer Protection Model Form (Farmland Preservations Program (FPP) Farm Inspection) handout (attached) it states "Farm inspections are required ever four years to determine if the soil and water conservation standards for the Farmland Preservation Program (FPP) are being followed. Jolly informed that schedules of compliance will need to be completed if farmers are out of compliance. That would mean that staff would have to be on every single farm that participated every

four years, hitting 25% a year. If staff can't justify that they had been on the farm and had done everything listed on the inspection form, those farms become ineligible to receive the income tax credits. Jolly felt it was a lot of pressure on their department. He explained that they do not have staff right now to do this extra workload. The Land and Water Conservation Department wanted to know what the committee thought they should do. Jolly informed that this committee at some point in this budget season would have to make a decision on how they are to complete the work. If it's not completed $600,000+ a year will go back to the State. This is additional work above and beyond what their department already handles.

Hafs informed that this program used to have a full time person which was funded by the Department of Agriculture but the money was pulled four or five years ago and the County stopped doing the work. They analyzed everything they need, this could be a minimum of one staff person or it could be more than that. What the State is asking for is more extensive than before. A bigger workload.

Jolly explained that one option would be, there are 87,000 acres enrolled and landowners are receiving over double the tax credits they received in the past, the County could charge $1 an acre for every landowner that participated. This would supply enough money to employ one person to do the work which is mandated. Another option, Jolly understood that no one liked the $.50 breaker fee, but it would spread over a lot more acres and get the same amount of money. The same people that get charged the $.50 breaker fee also have to meet the inspection standards.

Hafs explained that there had been years where property owners were getting money from the State by self certification programs; the State is now rationing that if you are going to get these big credits the State is going to make sure they aren't paying twice. For years the Farmland Preservation Program did not have provisions like these and they were giving money out year after year without the compliance requirements. Hafs believed that the previous Ag Secretary put a task force together to look at this and they felt the weakness of the program was that no one was checking to make sure what they were giving the money for was a good buy. The Town's Association was a big part of this negotiation, it impacted town zoning.

Norb Vande Hei felt $1 was a lot but if that's what it is going to take and noted that they will be getting more than in the past.

Supervisor Haefs stated that this was a good thing and wouldn't have a problem with a fee of some sort. He would like it communicated to the State that for every tax credit of $7.50 per acre, $1 should go to local governments to fund staff. Hafs responded that he did communicate that but the State want to leave it up to the counties because some counties are able to fund on a levy, others will fund on fees.

Jolly furthered that there is a lot of paperwork, all field season April to December staff will be out on the farms. 20,000 acres for one person to inspect. Haefs would like an assessment of what is needed, staff time, etc. It wouldn't be right to charge $1 an acre and then either make or lose money. Going into budget time they will have to come up with a way to pay for this position, they would not levy it.

Jolly informed that land owners have to follow the same rules even if they are not in the program. Hafs added that if you are over 1,000 animal units you have to do all of this anyway, why not participate in the tax credit program.

Questions arose with regards to being a permitted farmer through the DNR, Hafs explained they have to meet the requirements to maintain their permit. Kaster questioned why the DNR is not completing the inspections; Hafs explained that their department was doing it for the DNR right now.

Vande Hei felt that they will have a lot of problems telling land owners that they have to have buffer strips in every waterway. Jolly agreed, it may be an issue.

Streckenbach questioned the purpose of eliminating the conversion fee and felt they had to look at why the conversion was being pulled. The conversion fee was revenue for the State. Jolly explained that for every acre that had been rezoned from exclusive ag to a different use, $600 would be collected by the town, they would send to Madison and the Dept of Ag would use that money to purchase development rights along areas that were prime ag land but was prone to development.

Erickson informed that a bunch of overhead photos were taken of the County and felt that the photos should help with future inspections/field work.

Motion made by Supervisor Erickson and seconded by Supervisor Haefs to receive and place on file. MOTION APPROVED UNANIMOUSLY

3. **Review and approval of Targeted Resource Management (TRM) Grant Application to State of Wisconsin for 2012 budget year – Jon Bechle, Brad Holtz.**

A handout had been provided and attached with regards to the Large Scale Targeted Resource Management Grant Program.

Motion made by Supervisor Haefs and seconded by Supervisor Erickson to approve. MOTION APPROVED UNANIMOUSLY

4. **Such Other Matters as Authorized by Law:**

5. **Adjourn:**

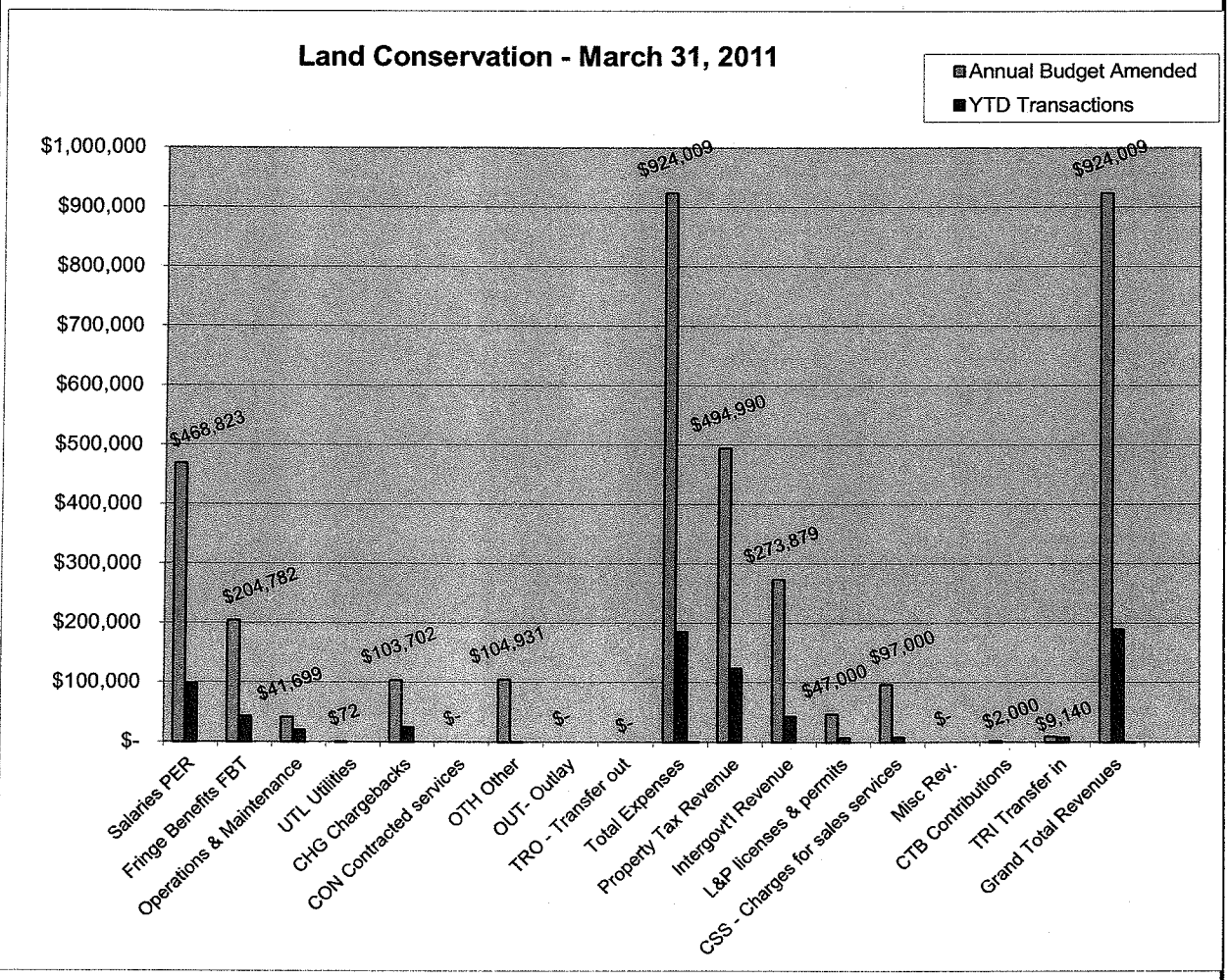
Motion by Erickson, seconded by Supervisor Vande Hei to adjourn at 6:52 p.m. MOTION APPROVED UNANIMOUSLY

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

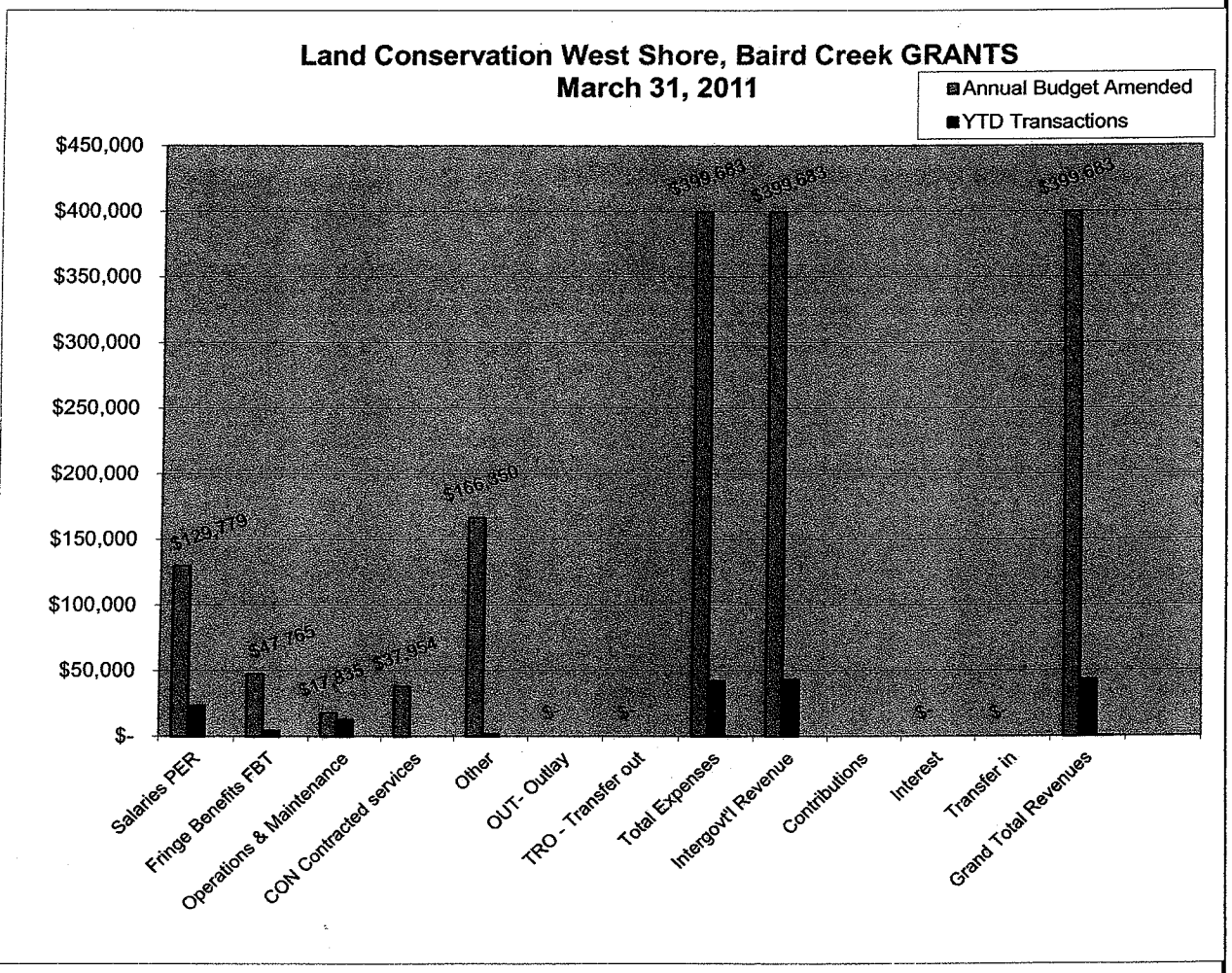
Brown County
Land Conservation
Budget Status Report (unaudited)

3/31/2011	Annual Budget Amended	YTD Transactions	
Salaries PER	$ 468,823	$ 97,790	
Fringe Benefits FBT	$ 204,782	$ 43,182	
Operations & Maintenance	$ 41,699	$ 19,897	
UTL Utilities	$ 72	$ -	
CHG Chargebacks	$ 103,702	$ 24,535	Indirect cost, I.S., Insurance
CON Contracted services	$ -	$ -	
OTH Other	$ 104,931	$ 430	Grant exp., landowner payments WD, WS, L&W
OUT- Outlay	$ -	$ -	used vehicle, multi functional copier
TRO - Transfer out	$ -	$ -	
Total Expenses	**$ 924,009**	**$ 185,836**	**20%**
Property Tax Revenue	**$ 494,990**	**$ 123,747**	Levy
Intergovt'l Revenue	$ 273,879	$ 43,204	State grants , Federal grants
L&P licenses & permits	$ 47,000	$ 7,078	Permits, inspections
CSS - Charges for sales services	$ 97,000	$ 8,374	Ag 50 cent fee, Tree sales
Misc Rev.	$ -	$ -	
CTB Contributions	$ 2,000	$ -	
TRI Transfer in	$ 9,140	$ 7,500	
Grand Total Revenues	**$ 924,009**	**$ 189,904**	**21%**



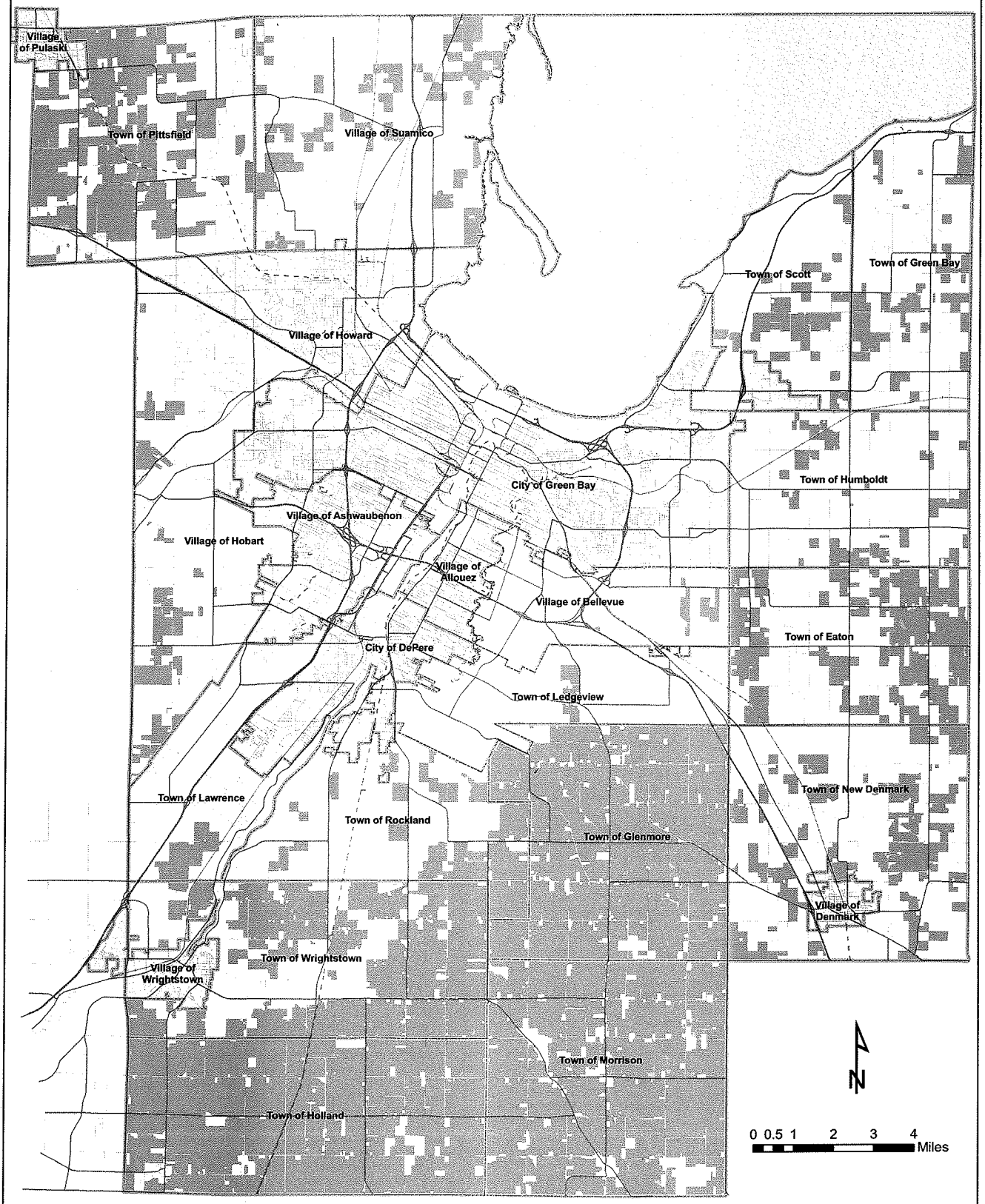
Brown County
Land Conservation West Shore, Baird Creek GRANTS
Budget Status Report (unaudited)

3/31/2011	Annual Budget Amended	YTD Transactions	
Salaries PER	$ 129,779	$ 23,509	
Fringe Benefits FBT	$ 47,765	$ 4,192	
Operations & Maintenance	$ 17,835	$ 12,790	
CON Contracted services	$ 37,954	$ -	Baird Creek Preservation Foundation
Other	$ 166,350	$ 1,825	landowner payments
OUT- Outlay	$ -	$ -	
TRO - Transfer out	$ -	$ -	
Total Expenses	**$ 399,683**	**$ 42,317**	**11%**
Intergovt'l Revenue	$ 399,683	$ 43,496	
Contributions			
Interest	$ -	$ -	
Transfer in	$ -	$ -	
Grand Total Revenues	**$ 399,683**	**$ 43,496**	**11%**



Proposed Brown County Working Lands Initiative Map

As of October 12, 2010



Non-Participating Muncipalities

WLI Lands

Map Prepared by the Brown County Planning Commission, 10/12/2010 AMS

2010 Program Participation

	# Landowners	Acres Enrolled
Eaton	58	6029.5
Green Bay	29	3648.7
Glenmore	69	9409.9
Hobart	10	2650.5
Holland	47	8930.1
Humboldt	27	2792.6
Lawrence	11	1768
Ledgeview	11	1493.1
Morrison	71	9591.3
New Denma	46	5989.7
Pittsfield	49	5919.1
Rockland	27	3579
Scott	25	2423.3
V Bellevue	4	261.3
V Howard	2	1004
V Suamico	14	1432.5
V Wrightstov	2	210.5
Wrightstown	67	9585.1
other	74	10434
TOTAL	**643**	**87152.2**

Total ag zoned acres in Brown County: 109,758.6 acres

Total tax relief to landowners in 2010: $653,641.50
Tax credit: $7.50/acre

Total tax relief to landowners in 2008: $347,841.00
Tax credit: $3.46/acre

2010 $0.50/ac fee:
Number of bills sent - 3885
Total acres billed - 168,087.2
Total revenue generated - $84,048.32

2008 FPP Tax Credit Information

	2008 DATCP	Acres/DOR	Ac/claimant
Eaton	35	4054	115.8
Green Bay	34	5295	155.7
Glenmore	60	11549	192.5
Holland	56	9914	177
Humboldt	38	4688	123.4
Lawrence	17	2630	154.7
Ledgeview	14	1651	117.9
Morrison	65	8907	137
New Denmark	47	7190	153
Pittsfield	41	8416	205.3
Rockland	35	4170	119
Scott	16	3061	191
V Bellevue	12	1534	127.8
V Suamico	12	1675	139.5
V Howard	8	1085	135.6
Wrightstown	74	11689	158
V Wrightstown	14	3972	283.7
City De Pere	9	1619	179.9
City Green Bay	21	3675	175
V. Hobart	11	1559	141.7
V Allouez	1	0	
V Ashwaubenon	2	0	
V Denmark	19	2182	114.8
V Pulaski	4	0	
TOTAL	645	**100515**	3298.3

Total Claims for 2008	$	347,841.00
Total acres claimed		100515
Ave credit/acre	$	3.46

Department of Agriculture, Trade and Consumer Protection Model Form

Farmland Preservation Program (FPP) Farm Inspection

Producer Name _____ Producer Phone _____

Address / Email _____

Location(s) of land for which credit is claimed:

_____
Town, Village, or City Section, Township, Range County

_____
Town, Village, or City Section, Township, Range County

Farm inspections are required every four years to determine if the soil and water conservation standards for the Farmland Preservation Program (FPP) listed below are being followed. To claim tax credits in 2010 and beyond, except those with agreements prior to 2004 not amended to the new standards, FPP claimants can only certify that they are in compliance on their tax return if the farm either:

(1) Complies with the NR 151 state agricultural performance standards and prohibitions incorporated into ATCP 50 (state conservation standards).

(2) Is or will be covered by a schedule of compliance that enables claimants to comply with state conservation standards by a specific deadline set by the county (for 2009 claimants only which cannot extend beyond December 31, 2015).

If there is a failure to agree on needed measures to achieve compliance, or failure to achieve compliance in the agreed timeframe, the county may issue a notice of non-compliance under s. 91.82(2), Stats. that will suspend your eligibility for tax credits.

Review date _____ County _____ Reviewer Name _____

County Phone _____ Address / Email _____

Conservation Compliance Status

For each of the listed standards, please check the box that best characterizes the farm. If multiple structures or facilities are present, consider them all in answering each question. Please sign and date this form at the bottom after listing the conservation standard status. If you were not available at the time of our visit and are not in compliance with all of the standards, please review your status and return by _____ to the _____County Department of Land Conservation.

Cropland Standard	**In compliance**	**Will achieve compliance* Season & Year**	**Does not apply**
Cropped fields meet tolerable soil loss ("T") calculated by which method? a. SNAP Plus b. RUSLE2 c. Other	☐		☐
A nutrient management (NM) plan has been developed and implemented according to NRCS 590 standard with: Current soil tests conducted by DATCP certified lab, Application restriction maps with NRCS 590 restrictions, Nutrient applications planned over the entire rotation, and No visible signs of gully erosion. Or has a signed, current *NM Plan checklist*	☐		☐

Department of Agriculture, Trade and Consumer Protection

Livestock Standard: Manure Storage Facilities

What number of manure storage facilities?	In compliance	Will achieve compliance Season & Year	Does not apply
All facilities constructed or substantially altered after 2002 meet the NRCS 313 standard	☐		☐
All facilities have no visible signs of leakage or failure	☐		☐
All facilities are maintained to prevent overflow	☐		☐
For each storage facility that has not had manure added or removed within 24 months, it has been closed according to standards that protects surface and ground water or continued use has been approved	☐		☐

Livestock Standard: Clean Water Diversion

What number of feedlots_____ barnyards_____ manure storage facilities_____ in WQMA?

Runoff is diverted away from all feedlots, manure storage areas, and barnyards by roof runoff controls (e.g. gutters, tiled infiltration trenches) or overland flow diversions to prevent the flow of clean water within water quality management areas (WQMA)	☐	☐

Livestock Standard: Manure Management Prohibitions

There are no unconfined manure piles in the WQMA	☐	☐
There are no channels or other visible signs of significant discharge from a feedlot or stored manure into waters of the state	☐	☐
There is self-sustaining sod or vegetative cover adequate to preserve streambank or lakeshore integrity in areas where livestock have access Note: This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.	☐	☐

For 2009 tax year claimants with schedules of compliance, the schedule must achieve compliance no later than a deadline set by your county (which can not extend beyond **December 31, 2015**). You must come into compliance regardless of whether cost-sharing is available. *Note*: A compliance determination for FPP purposes does not insulate a landowner from actions by DNR and others to address violations of performance standards under NR 151, NR 243, or local ordinances.

Certification and Signatures

The landowner(s) certify that the qualifying acres are part of the farm that is in compliance with the applicable conservation standards or that compliance with the standards will be achieved, as indicated above.

Landowner _____ Date _____

Landowner _____ Date _____

County Representative _____ Date _____

Version 06/03/10

BOARD OF SUPERVISORS

Brown County

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P. O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600
PHONE (920) 448-4015 FAX (920) 448-6221

LAND CONSERVATION SUBCOMMITTEE
Norb Dantinne, Chair
Dave Kaster, Vice Chair
Bernie Erickson, Mike Fleck, Dan Haefs, Norbert Vande Hei

4-25-2011

To Whom It May Concern,

I am writing this letter to support the Large Scale Targeted Resource Management Grant Program as proposed by Kewaunee and Brown County that will provide approximately $1 million dollars of cost share dollars to landowners in portions of the Kewaunee River Watershed located in Kewaunee and Brown County.

Cost shared practices proposed will include Nutrient Management, Well abandonment, Buffer Strips, Grassed Waterways, Animal Waste Storage, and Barnyard runoff management. Several of these conservation practices were not available for cost share when the DNR Kewaunee Watershed project was in place in the early 1980's.

This project will reduce phosphorus and sediment loading to Lake Michigan, improve farm economics and help protect the groundwater from contamination.

Please give strong consideration to funding this most needed project.

Sincerely,

Norbert Dantinne Jr.
Chairman
Brown County Land Conservation Committee
305 E. Walnut Street
P.O. Box 23600
Green Bay, Wisconsin 54305-3600