

BOARD OF SUPERVISORS

Brown County



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LAND CONSERVATION SUBCOMMITTEE

Norbert Dantine, Jr., Chair
Dave Kaster, Vice Chair
Bernie Erickson, Dave Landwehr, Tom Sieber, Norb Vande Hei

LAND CONSERVATION SUBCOMMITTEE

**Monday, August 25, 2014
6:00 p.m. (PD&T to Follow)
Room 161, UW Extension
1150 Bellevue Street**

**NOTICE IS HEREBY GIVEN THAT THE COMMITTEE MAY TAKE ACTION ON
ANY ITEMS LISTED ON THE AGENDA**

- I. Call Meeting to Order.
- II. Approve/Modify Agenda.
- III. Approve/Modify Minutes of July 28, 2014.

Comments from the Public

1. Budget Update.
2. Resolution re: Approving a Revision to the Current Agricultural Fee Schedule, as Initially Adopted in the 2004 "Resolution Re: Approval of Brown County 2004 – 2009 Land & Water Resource Management Plan" and Reaffirmed in the Brown County Budget for 2008 to Partially Offset Costs Incurred by the Land Conservation Committee in Administering the Mandatory State Agricultural Nonpoint Performance Standards Required per Chapter NR 151, Wis. Admin. Code.
3. Variance request – Ben Evenson request to build an Animal Waste Storage facility within 250 ft of Mike Zirbel's property line. Maps and consent letter to be provided at time of meeting.
4. Variance request – Marty Goral request to build an Animal Waste Storage facility within 250 ft of Pat Goral's property line. Maps and consent letter to be provided at time of meeting.
5. Directors Report.
6. Such Other Matters as Authorized by Law.
7. Adjourn.

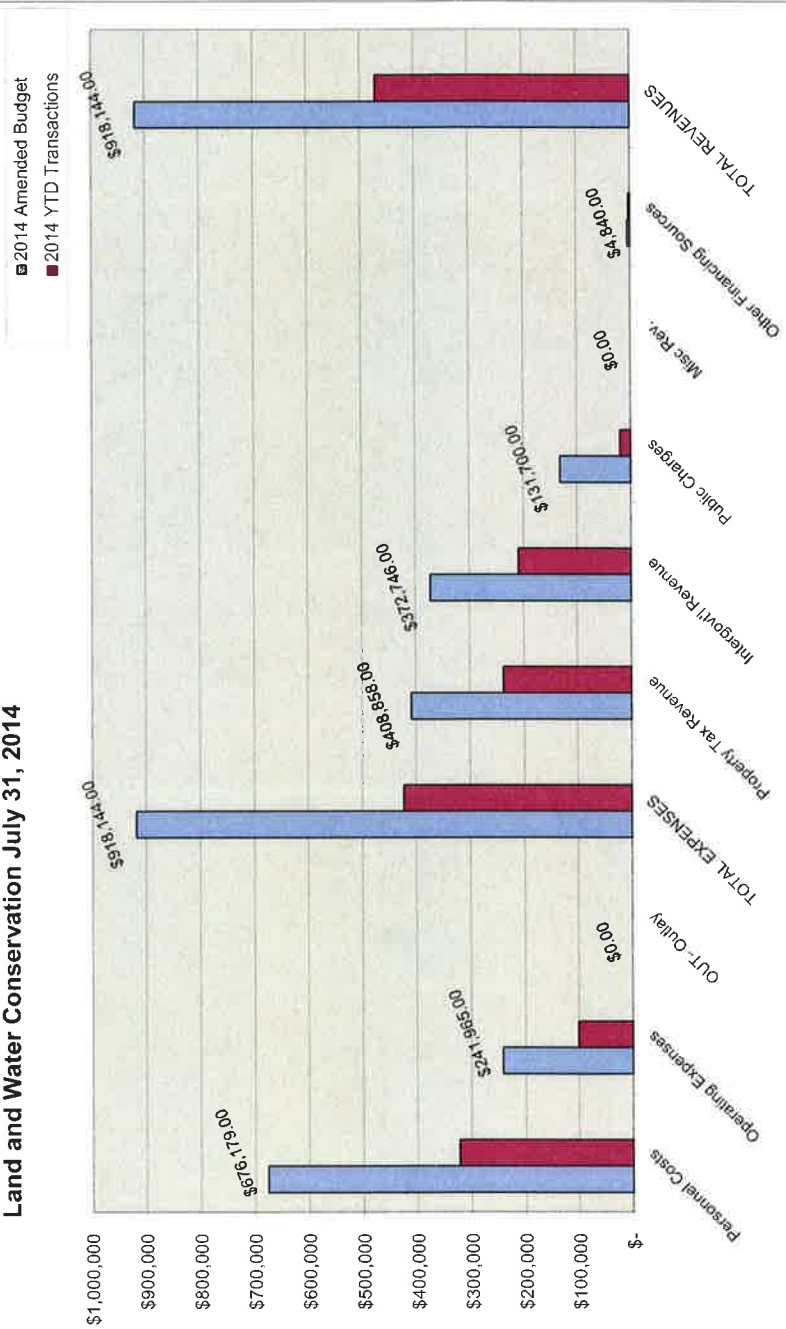
Norb Dantine, Jr., Chair

Notice is hereby given that action by the Committee may be taken on any of the items which are described or listed in this agenda. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

**Brown County Land & Water Conservation
Budget Status Report (unaudited)
July 31, 2014**

	<u>2014 Amended Budget</u>	<u>2014 YTD Transactions</u>	<u>2013 Amended Budget</u>	<u>2013 YTD Transactions</u>
Personnel Costs	\$676,179.00	\$323,049.03	\$590,799.00	\$294,022.92
Operating Expenses	\$241,965.00	\$101,054.10	\$252,330.00	\$98,419.57
OUT- Outlay	\$0.00	\$0.00	\$29,163.00	\$9,995.00
TOTAL EXPENSES	\$918,144.00	\$424,103.13	\$872,292.00	\$402,437.49
Property Tax Revenue	\$408,858.00	\$238,500.50	\$392,030.00	\$228,684.19
Intergov'l Revenue	\$372,746.00	\$209,760.31	\$246,520.00	\$159,138.30
Public Charges	\$131,700.00	\$19,968.52	\$143,000.00	\$26,562.37
Misc Rev.	\$0.00	\$0.00	\$0.00	\$250.00
Other Financing Sources	\$4,840.00	\$3,050.00	\$15,742.00	\$11,007.00
TOTAL REVENUES	\$918,144.00	\$471,279.33	\$797,292.00	\$425,641.86

Land and Water Conservation July 31, 2014



September 17, 2014

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

RESOLUTION APPROVING A REVISION TO THE CURRENT AGRICULTURAL FEE SCHEDULE, AS INITIALLY ADOPTED IN THE 2004 “RESOLUTION RE: APPROVAL OF BROWN COUNTY 2004-2009 LAND & WATER RESOURCE MANAGEMENT PLAN” AND REAFFIRMED IN THE BROWN COUNTY BUDGET FOR 2008 TO PARTIALLY OFFSET COSTS INCURRED BY THE LAND CONSERVATION COMMITTEE IN ADMINISTERING THE MANDATORY STATE AGRICULTURAL NONPOINT PERFORMANCE STANDARDS REQUIRED PER CHAPTER NR 151, WIS. ADMIN. CODE

WHEREAS, following Wisconsin’s 2002 enactment of Mandatory Agricultural Nonpoint Performance Standards and Prohibitions under Wis. Admin. Code, Ch. NR 151 (“Mandate”), Brown County (“County”) was required by Wis. Admin. Code, § ATCP 50.10 to establish a Land and Water Resource Management Plan (“Plan”) identifying its strategy for implementation thereof;

WHEREAS, in 2003, the County, through its duly created Land Conservation Committee (“Committee”), established said Plan, which was initially adopted by the Brown County Board of Supervisors (“Board”) under Resolution entitled “Resolution Regarding: Approval of Brown County 2004-2009 Land and Water Resource Management Plan” and, upon modification thereto, reaffirmed by the Board during its adoption of the County’s 2008 Budget;

WHEREAS, under the initial Plan, as well as the modified version currently in effect, the Board approved, as an element thereof, that landowners of Agriculture property located within the County (“Property”) be assessed a contribution fee (“Fee”) of \$.50 per acre to partially offset costs incurred by the Committee in administering the Mandate giving rise thereto, the authority for said Fee being within Wis. Stat., § 92.07(13), which, upon Board approval and so long as reasonably related thereto, allows conservation committees to charge landowners fees for any operations conferring benefits to their land;

WHEREAS, a recent analysis conducted by the Committee found that, notwithstanding

its validity under governing law, the cost to administer Fees against Properties of four acres or less in size actually outweighed the dollar amount collected thereon, rendering the aforementioned purpose of offset futile with respect to said Properties;

WHEREAS, the analysis further revealed that, but for the Plan's general conservation benefits being conferred upon Properties of four acres or less, the Committee rarely conducted staff operations thereon, reserving said operations for the larger tracts of land that result in a higher positive environmental impact, which, in turn, confers a greater benefit thereto; and

WHEREAS, based on the above, the Committee believes it is in the County's best interest to eliminate landowners of Agricultural Property within the County, whose total acreage, as opposed to acreage per parcel, equals four acres or less in size, from the Plan's \$.50 per acre Fee schedule, effective upon the Board's approval of this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT the Brown County Board of Supervisors, pursuant to Wis. Stat., § 92.07, does hereby authorize the Committee to revise the Fee schedule as set forth under the current Plan and any future versions thereof until otherwise determined by the Board in a manner that eliminates therefrom any landowners of Agricultural Property within the County, whose total acreage, as opposed to acreage per parcel, equals four acres or less in size.

Respectfully submitted,

PLANNING, DEVELOPMENT &
TRANSPORTATION COMMITTEE

Approved by:

COUNTY EXECUTIVE

Date Signed: _____

Authored by: Land and Water Conservation Department