



**Meeting Date:** 7/25/2011  
**Agenda Item:** 5g (iii)

**Mission Statement**

Provide quality services in a modern, courteous and cost-efficient manner.

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## VILLAGE BOARD MEETING STAFF REPORT

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**REPORT TO:** Burt R. McIntyre, President  
Village Board members

**REPORT FROM:** Dave Wiese, Executive Director of Community Development

**AGENDA ITEM:** Approve properties to be included in the Farmland Preservation Program

### **BACKGROUND INFORMATION**

The Working Lands Initiative (WLI) was signed into law via the 2009-2011 state budget. The most significant impact of the program **was** the establishment of a conversion fee. Beginning January 1, 2010, if a property was rezoned out of A-1 Exclusive Agriculture, a conversion fee payment to the State was required. The fee in Brown County ranged from approximately \$580 to \$660 per acre. The fee was required to be paid by the property owners regardless if they were taking advantage of the tax credit. The local unit of government was responsible for administering the program including collection of the conversion fee and payment back to the state. Several Howard property owners rezoned their property before January 1, 2010 so they could get their properties out of A-1 Exclusive Agriculture and avoid the conversion fee.

I have attached correspondence from Brown County regarding the changes in the Working Lands Initiative program that were made in the recent adoption of the 2011-13 State Budget. Due to the elimination of the conversion fee, staff recommends the Village make changes to the Farmland Preservation Map the county is completing.

### **PLAN COMMISSION RECOMMENDATION**

The Plan Commission unanimously recommended including in the Brown County Farmland Preservation Plan all zoned A-1 Exclusive Agriculture properties within the Village of Howard.

### **STAFF RECOMMENDATION**

Staff recommends all areas zoned A-1 Exclusive Agriculture within the Village of Howard be included in the Brown County Farmland Preservation Plan.

### **POLICY REFERENCE**

*Wisconsin Statutes:* 91

*Howard Municipal Code:* Chapter 50 Article IV Division 7

*Policies & Procedure Manual:* N/A

For complete information regarding the Working Lands Initiative visit the DATCP website at [www.datcp.state.wi.us/workinglands/index.jsp](http://www.datcp.state.wi.us/workinglands/index.jsp)

### **ATTACHMENTS**

- I. Correspondence from Brown County Planning

**ATTACHMENT I**

PLANNING COMMISSION

*Brown County*



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PLANNING DIRECTOR

**MEMORANDUM**

**DATE:** July 1, 2011  
**TO:** Brown County Local Municipalities  
**FROM:** Aaron Schuette, Senior Planner   
**RE:** Changes to the Wisconsin Working Lands Initiative (WLI)

The recently signed state budget made two significant changes to the Wisconsin Working Lands Initiative.

1. The conversion fee for rezoning lands out of a certified agricultural zone (generally exclusive agriculture) has been repealed in its entirety. Therefore, local municipalities should no longer collect any conversion fees for rezoning lands out of a certified agricultural district. However, each municipality with a certified agricultural zone will still need to report, on an annual basis, to the Department of Agriculture, Trade and Consumer Protection (DATCP) the acreage rezoned out of a certified agricultural zone as well as a map of the locations. Please keep in mind this does not in any way change the conversion fee associated with "use-value" agricultural property tax assessment. Additionally, according to Section 9103 of the state budget, if your community has collected any rezoning conversion fees during 2011, "...the political subdivision shall retain the fees and use them for farmland preservation planning, zoning, and compliance monitoring."
2. The budget keeps the Purchase of Agricultural Easements (PACE) program within the statutes, but funding has been eliminated for at least one year for new PACE applications while DATCP performs a study of the program. The PACE applications that were previously approved for funding will be paid for with \$5.2 million in bonding authority from the Knowles-Nelson Stewardship Fund.

Under the revised state law, Brown County will still need to prepare a new Brown County Farmland Preservation Plan. Considering the changes to the program, some municipalities may want to re-evaluate their farmland preservation area ("intensive agricultural") maps that each participating community developed over the past two years. These maps will still form the basis of the Brown County Farmland Preservation Plan and Map. Please keep in mind that the areas



within your certified agricultural areas (generally Exclusive Agriculture) must be “substantially consistent” with your local certified agricultural zone district in order for farmers in your communities to be eligible for the Farmland Preservation Tax Credit. I have enclosed a county-wide map of the previously identified farmland preservation areas for your information.

If your community is planning on making changes to your farmland preservation area map that you previously submitted to me, please let me know by July 15, 2011. The deadline for adoption and certification of the Brown County Farmland Preservation Plan is currently set for December 31, 2011. However, considering the uncertainty caused by state action during the budget deliberations, I will be contacting DATCP to request an extension to the deadline.

Should you have any questions, please feel free to call me at 448-6486 or email me at [schuette\\_am@co.brown.wi.us](mailto:schuette_am@co.brown.wi.us).

AS:lw

cc: Jim Jolly, Brown County Land Conservation  
Matt Heyroth, Brown County Zoning  
Keith Foye, DATCP

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# Proposed Brown County Working Lands Initia

As of October 12, 2010

