

Amended

WINNEBAGO COUNTY LAND CONSERVATION COMMITTEE
Meeting Minutes of March 5, 2009
LWCD Conference Room, James P. Coughlin Center

Convene: The meeting was called to order by Nancy Barker at 9:00 a.m.

Present: **LCC Members:** Nancy Barker, Bruce Bohn, Chuck Farrey, Sue Locke, John Reinert, Dan Stokes and Bob Warnke.

LWCD Staff: Tom Davies and Brent Jalonon

Others Present: Steve Easterly, Wildlife Technician, WDNR; Brian Maedke, Wildlife Specialist, USDA, APHIS, WS; Ken and Kay Pinnow; Arthur Tellock; and Dan Rieckmann.

Absent: none

Approve, February 5, 2009 LCC Meeting Minutes: A Warnke / Bohn motion to approve the February 5, 2009 LCC meeting minutes as presented, passed 7-0.

Announcements:

- Tom introduced Brent Jalonon, the new Project and Construction Site Erosion Control Technician. Brent told the committee about himself and they in turn introduced themselves to Brent.
- Tom handed out the new Employee and LCC directory with Brent's information added.
- Tom announced that the Spring Tree Sale / Pick Up would be on April 29th, 2009 at the Fairgrounds in Building A.
- Tom announced that the Fox Wolf Watershed Alliance annual Stormwater Conference would be held on March 25 & 26, 2009 at Liberty Hall in Kimberly, WI. Tom offered a conference bulletin to anyone interested in attending.
- Tom informed the LCC that the 2009 Lake Winnebago Land and Water Conservation Association dues of \$100 had been paid.
- Tom reported that Assembly Bill #3, limiting the use of Phosphorus on turf had passed the Assembly and was headed to the Senate. Tom stated that the Senate had passed the bill last year but it died in the Assembly. Tom shared that it would be a good thing for water quality to have this bill become law.
- Tom reviewed the Deer Donation final report and mentioned that approximately 4500 pounds of venison were processed in Winnebago County for public consumption.
- Tom informed the LCC that a budget transfer to allow the LWCD to assist the City of Oshkosh with the Gypsy Moth Spaying Program would be on the April LCC meeting agenda.
- Bob Warnke announced he would be on vacation next month and would not be attending the April 2, 2009 LCC meeting.
- Nancy Barker distributed information regarding a wind power meeting and informed the LCC members to contact Chairman Albrecht if they planned on attending.

Business Items:

Receive and Review Wildlife Damage and Abatement Claims Program (WDACP) Denied Claim Appeals from Art Tellock, Dan Rieckmann and Ken Pinnow

The committee decided to hear the appeals in alphabetical order. To brief the LCC and those in attendance, Brian Maedke reviewed Ken Pinnow's program requirement information and explained that he had not met the shooting permit harvest objective and there were no entries in his shooting logs. Based on this information and the recommendation for denial from Brian Maedke and Steve Easterly, the LCC, at its February meeting, had moved to deny Ken Pinnow's WDATCP claim.

During his appeal, Mr. Pinnow presented a map that highlighted where his property was located in relation to WDNR property. Mr. Pinnow explained that he had always met his harvest quota, but this year was unable to hunt due to surgery. He also said that the hunters that did come out to shoot did not complete the hunting log or return the required paperwork. Steve Easterly explained that Ken's shooting logs had never been an issue in the past because he had always met his shooting objectives. Brian explained the importance of having complete and accurate logs to substantiate hunting efforts when the quotas are not met. Brian also explained that a WDNR Warden can write a citation to a hunter participating in the program that does not abide by the program rules. Ken also explained that an adjacent landowner did not allow hunting access and would only let him on their property to track a wounded deer at night. This land also provided a safe haven for the deer herd during hunting hours.

A Warnke / Farrey motion to reverse the LCC's previous position and approve Ken Pinnow's claim with the stipulation that a WDNR Warden contact the hunters that did not abide by the rules of the program and issue them a warning or citation for their misconduct passed 7-0.

To brief the LCC and those in attendance, Brian Maedke reviewed Dan Rieckmann's program requirement information and explained that he had not met the shooting permit harvest objective and there were minimal entries in his shooting logs to substantiate hunting effort. Based on this information and the recommendation for denial from Brian Maedke and Steve Easterly, the LCC, at its February meeting, had moved to deny Dan Rieckmann's WDATCP claim.

During his appeal Mr. Rieckmann explained there are far less deer in his area and that there were no deer by his grain bins or his farm. He shared that hunters had come out but decided not to hunt because of minimal sign of deer activity. Mr. Rieckmann explained that no one had asked to hunt in the early season to help him meet his quotas. He admitted to giving the hunters a sheet from the log and then not getting it back from them to substantiate their efforts for harvest. Mr. Rieckmann had however harvested 6 of the 8 deer harvest objective. The committee recognized that this trend of the landowners not controlling the logs was unacceptable and would look unfavorably at landowner's appeals in the future if this was one of the reasons for denial. They also restated their displeasure with hunters not abiding by the rules of the program.

A Farrey / Warnke motion to reverse the LCC's previous position and approve Dan Rieckmann's claim with the stipulation that a WDNR Warden contact the hunters that did not abide by the rules of the program and issue them a warning or citation for their misconduct passed 6-0-1 (John Reinert abstained).

To brief the LCC and those in attendance, Brian Maedke reviewed Arthur Tellock's program requirement information and explained that he had not met the shooting permit harvest objective. Based on this information and the recommendation for denial from Brian Maedke and Steve Easterly, the LCC, at its February meeting, had moved to deny Arthur Tellock's WDATCP claim.

During his appeal Mr. Tellock explained that he has only 50 acres and the deer are very nocturnal. The land is completely surrounded by wildlife habitat which allows the deer to remain in cover and only come out after legal hunting hours. He also stated that there was a very large coyote population in the area. Brian said he observed a very large amount of coyote scat in the field corners. John Reinert added he was very familiar with this area and supported Mr. Tellock's information. Brian distributed the shooting log from Mr. Tellock and it showed a fair amount of effort to harvest deer. Mr. Tellock said he does a good job of controlling his logs. The LCC commended him for his efforts.

A Reinert / Bohn motion to reverse the LCC's previous position and approve Arthur Tellock's claim passed 7-0.

Report on the fiscal changes to the 2009 WDACP

Tom reviewed a letter he received from Brad Koele, Wildlife Damage Specialist, WDNR, regarding proposed changes to the 2009 WDACP. The major changes identified as cost savings measures that would directly affect the program participants are an increase in the claim deductible from \$250 to \$500 and a reduction of the maximum claim payment from \$15,000 to \$10,000. Tom explained that other items like the reduction for Agricultural Bear damage and Administrative audits would not effect Winnebago County because there was little bear damage and because we contract with USDA Wildlife Services to do the field work. Chuck Farrey suggested this item be sent to the Legislative Committee for review via Chairperson Nancy Barker. Nancy agreed to take it to the Legislative Committee.

Report on the 2009 Soil and Water Resource Management Grant Allocation Plan

Tom reported that the revised preliminary allocation plan indicated a \$54,000 reduction in the SEG funding used to cost share Nutrient Management Planning for landowners. The other portions of Staff funds and funds for construction projects remained relatively unchanged. Tom indicated that for 2010 there will be some additional reductions in State staffing funds that will need to be dealt with in the LWCD budget.

Review and Approve Winnebago County Water Quality Improvement Program Cost Share Agreements (CSA) to provide funding for eligible projects

Tom provided information for CSA# 09-02. Tom explained it was for a well abandonment at the Patricia Shea homestead in the town of Utica. Tom reported that the property had been flooded last spring and surface water had entered the old well and contaminated the water. After the new well is drilled the old well will be properly abandoned. The LCC agreed that it was certainly a good project. Following a brief discussion, a Farrey / Stokes motion to approve \$350.00 for Patricia Shea's well abandonment passed 7-0.

Report on the proposed revisions to the Farmland Preservation Program (FPP) and the potential impacts for landowners and the LWCD

Bob Warnke commented that he was strongly opposed to the proposed revisions to the FPP. Bob said that in his opinion the revisions were very detrimental to landowner's ability to control their own property. Bob explained he opposed to the proposed changes because of the control the State would be placing on individual's land and property rights. Chuck Farrey also shared his opposition to the proposed FPP because it was not being proposed as a voluntary program. His belief is landowners must be given the choice to maintain their current Exclusive Agricultural (EA) zoning and participate or to rezone to general agriculture (GA) and then look at options for participation if they so choose. Tom then reviewed the differences between the current FPP and the proposed FPP currently included in the State 2010-2011 budget proposal. John Reinert also explained how he and many other landowners had gotten their land removed from EA zoning when the first FPP was established **because after that you could not get it rezoned.** The LCC agreed that the P & Z Department would need to play a very active role in administering how Winnebago County would achieve the requirements of this program.

A Stokes / Reinert motion to adjourn the meeting at 11:20 am passed 7-0.

Tom Davies, Recorder