

To: Land Conservation Committee
From: Amy Piaget, County Conservationist, Land Conservation Division
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Date: May 23, 2019
Subject: Delegating Administrative Duties

Chapter 92, Wisconsin Statutes, provides the authority for the creation of county land conservation committees (LCC) and outlines the powers these committees can carry out. In addition, ch. 92, Wis. Stats., provides for the employment of soil and water conservation staff whose role is to administer the county’s soil and water conservation programming and may exercise the powers granted to the land conservation committee. Dane County also has an executive branch of governance under ch. 59, Wis. Stats., which places administrative responsibilities on the county executive including administration of county staff while county policy responsibilities are placed on the county board.

In many counties across Wisconsin, LCCs work on setting program priorities and goals, budgets and work plans as well as acts as the appeals entity for ordinance concerns and program decisions. This is primarily done through the county’s land and water resource management plan. Land conservation departments (LCD) and staff then implement the priorities and goals conducting much of the administrative work associated with implementation.

The *Land Conservation Committee Supervisors Handbook* (2018) by Wisconsin Land + Water Conservation Association provides examples of the division of responsibilities found in most counties.

LCC	LCD
Sets policy and program goals	Administers the LCC policy and programs
Provides leadership	Advises and informs the LCC
Approves the LCD budget	Prepares the LCD budget
Approves the LCD work plans	Prepares the work plan
Supports LCD	Provides technical assistance and distributes cost sharing to landowners
Advises the county board	Administers grants and regulations

Typical tasks the LCD administers include, approving cost share agreements/contracts with landowners for conservation practices in accordance with the program goals and policies set by the LCC, managing landowner payments, administering the Farmland Preservation Program, and implementing county ordinances. In many counties, LCD staff then provide status reports on these topics to the LCC at regular intervals (i.e. monthly, quarterly, annually depending on

meeting schedules and topics). This allows the LCC to focus on policy initiatives rather than administrative tasks during the limited meeting times. In addition, it allows LCD staff the ability to provide timely and efficient processing of cost-share agreements, payments and program implementation for customers. With busy construction seasons, unpredictable weather, or changes in landowner interest in practice implementation, having the flexibility and efficiency to move quickly on projects aids in getting conservation practices implemented in the county.

Attached is a summary of county LCD responses to how they manage administrative tasks between LCD and LCC. Regardless of county structure or size, a vast majority of the counties follow the example in the *Land Conservation Committee Supervisors Handbook* for the division of roles and responsibilities.

Recommendation:

Land & Water Resources Department staff recommend the LCC delegate the following administrative tasks to the County Conservationist:

- Approval of cost-share agreements with landowners in accordance with program policies and goals set by the LCC and the approved Dane County Land and Water Resource Management Plan 2019-2028.
- Approval of cost-share payments in accordance with the approved cost-share agreements, change orders or amendments as appropriate.
- Approval of change orders or amendments to cost-share agreements.
- Oversight and approval of the Farmland Preservation Program including issuance of certificates of compliance, voluntary waivers, schedules of compliance, notices of noncompliance and withdraws of notices of noncompliance.
- Administer and implement county ordinance(s) including issuing notices of noncompliance, notices of violation, citations and referrals to corporation counsel.

As part of this delegation, LCD staff will provide regular reports and presentations to the LCC on the status of implementation of the policies, programs and goals established by the committee.