

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

October 17, 2019
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2019 PACE PROGRAM
APPLICATIONS (FEDERALLY FUNDED)**

- 1 **WHEREAS**, the Rock County Board of Supervisors officially approved the Rock County Purchase of
2 Agricultural Conservation Easements (PACE) Program and adopted the document entitled Rock County
3 PACE Program Manual, identifying and outlining all aspects of Program development and implementation,
4 on January 13, 2011; and,
5
- 6 **WHEREAS**, the Program works to achieve the mission by acquiring agricultural conservation easements
7 (Easements) on eligible lands throughout unincorporated Rock County; and,
8
- 9 **WHEREAS**, the Land Conservation Department (LCD) received one (1) new application and reactivated one
10 (1) application for the PACE Program during the 2019 application cycle; and,
11
- 12 **WHEREAS**, the applications have been reviewed by LCD staff, the PACE Council, and the Land
13 Conservation Committee (LCC), all in accordance with the Rock County PACE Program Manual; and,
14
- 15 **WHEREAS**, the LCC voted to approve the reactivation of the Barlass application for the 80 acre parcel and
16 approved the new application for the Vanthournout parcels for the federal funding option of the PACE
17 Program and begin the Easement acquisition process, both applications are described below:
18
- 19 Barlass Property - Rock County tax parcel number **6-7-255**, Part of the NE ¼ of Section 26, Township
 - 20 3N, Range 13E, Harmony Township (approximately 80 acres); and,
21
 - 22 Vanthournout Properties – Rock County tax parcel number **6-20-107.2**, part of the SW ¼ of Section 13,
 - 23 Township 4N, Range 10E, Union Township (approximately 40 acres); and Rock County tax parcel
 - 24 number **6-20-109**, part of the SW ¼ of Section 13, Township 4N, Range 10E, Union Township
 - 25 (approximately 40 acres); and,
26
- 27 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement acquisition
28 funding application for the aforementioned properties to the USDA-Natural Resources Conservation Service
29 (“NRCS”), which, if approved, provides funding for a maximum fifty percent of the Easement value; and,
30
- 31 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement
32 between Rock County and the owners of the aforementioned properties; and,
33
- 34 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final
35 value being determined by an appraisal, which will be contracted by Rock County only if the property is
36 selected by the NRCS for funding; and,
37
- 38 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned Properties,
39 Rock County, and Brabazon Title Company, Inc. will sign and execute three *Agricultural Conservation*
40 *Easement Conveyance Agreement* documents, one for each parcel, which will include the estimated purchase
41 price and will outline all aspects of the Easement acquisition process, including but not limited to, the
42 following activities, subject to all terms and conditions as stated therein:
43
- 44 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
 - 45 Commitment of \$15,000 (Title Report) for each Property,
 - 46 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow
 - 47 account,
 - 48 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,
 - 49 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the
 - 50 fair market value of the Easement; and,

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APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2019 PACE PROGRAM APPLICATIONS (FEDERALLY FUNDED)

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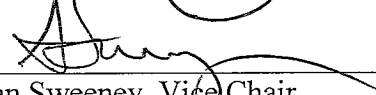
51 WHEREAS, final acquisition of any or all of the Easements will take place only after future action by the
52 County Board.

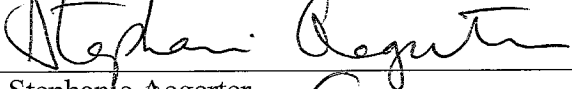
53
54 NOW, THEREFORE, BE IT RESOLVED, the Rock County Board of Supervisors duly assembled this
55 14th day of November, 2019, does by enactment of this Resolution approve an Agricultural
56 Conservation Easement Conveyance Agreement for each property, authorizing the LCD to undertake
57 activities identified therein and obligate all necessary funds to complete said activities.

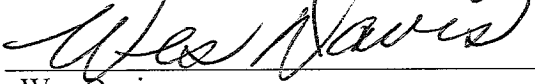
Respectfully submitted,

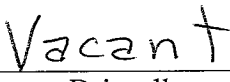
LAND CONSERVATION COMMITTEE

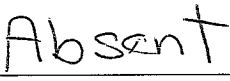

Richard Bestwick, Chair


Alan Sweeney, Vice Chair

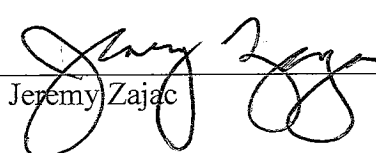

Stephanie Aegerter


Wes Davis


Brenton Driscoll


Robert Potter


James Quade, USDA-FSA


Jeremy Zajac

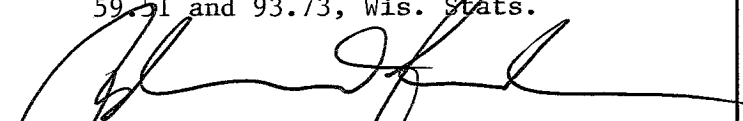
FISCAL NOTE:

Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to begin the acquisition process for Agricultural Conservation Easement Conveyances on these two properties. Once we have estimated purchase prices, sufficiency of available funding will need to be determined. Purchase of these easements is subject to funding from the Natural Resources Conservation Service.

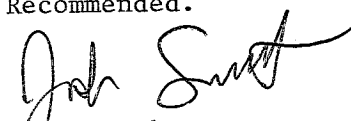

Sherry Qja
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 93.73, Wis. Stats.


Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator

EXECUTIVE SUMMARY**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2018 PACE PROGRAM APPLICATIONS (FEDERALLY FUNDED)**

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (Agreement) with the landowners and Brabazon Title Company for two PACE applications, representing three parcels located in unincorporated Rock County. The Agreement identifies and outlines the agricultural conservation easement (Easement) acquisition process to be undertaken by the Rock County PACE Program. The first steps in the process include establishing an escrow account to be held by Brabazon Title Company, purchasing title insurance, submitting applications to the USDA-NRCS funding of a portion of the easement value and contracting for appraisals if approved for funding by the USDA-NRCS. Acquisition of the easements by Rock County is contingent upon funding from the USDA-NRCS and will be finalized only after future action by the County Board.

Acquisition of Easements will protect and preserve productive agricultural lands in Rock County, encouraging and promoting the goals of a strong agricultural economy and community identity, and intergovernmental cooperation.