

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



THOMAS SWEENEY  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

JULY 12, 2016  
DATE DRAFTED

**AMENDING RESOLUTION 16-5A-028 FINALIZING THE SAYRE JOINT FARMS, LLC PROPERTY  
AGRICULTURAL CONSERVATION EASEMENT ASSIGNMENT/DONATION**

1 **WHEREAS**, the Rock County Board of Supervisors approved the Resolution 16-5A-028 during their May 5,  
2 2016 meeting, which authorized the Purchase of Agricultural Conservation Easements (PACE) Program to accept  
3 the Sayre Joint Farms, LLC Agricultural Conservation Easement through the donation component of the Program;  
4 and,

5  
6 **WHEREAS**, this amendment to Resolution 16-5A-028 authorizes the County to supplement the purchase price of  
7 the Sayre Joint Farms, LLC Agricultural Conservation Easement; and,

8  
9 **WHEREAS**, a PACE application was submitted by Sayre Joint Farms, LLC to the Land Conservation Department  
10 (LCD) in 2015 to purchase a PACE easement on approximately 356 acres of real property located in part of  
11 Sections 8 & 17, Township 3 North, Range 11 East, Town of Center, Rock County Tax Parcel Numbers; 6-4-131,  
12 6-4-132, 6-4-129.1, 65-4.59, and 6-4-130.3; and,

13  
14 **WHEREAS**, the application was recommended for approval by LCD and the PACE Council, approved by the  
15 LCC to be considered a donated easement in accordance with the Rock County PACE Program Manual, which  
16 only allows the LCD to fund administrative costs associated with title commitments, title insurance and the real  
17 estate appraisals; and,

18  
19 **WHEREAS**, the LCD partnered with the Natural Heritage Land Trust (NHLT) to secure an alternative funding  
20 source from the Wisconsin Department of Natural Resources (DNR) Knowles-Nelson Stewardship Program  
21 (KNSP) to fund this Agriculture Conservation Easement purchase, and;

22  
23 **WHEREAS**, the DNR conducted a second real estate easement appraisal for the Sayre Joint Farms, LLC property  
24 as required by the KNSP policy and this appraisal determined the purchase price of the easement to be one hundred  
25 and fifty dollars (\$150.00) per acre less than the County's easement appraisal; and,

26  
27 **WHEREAS**, Sayre Joint Farms, LLC representative was made aware of the second appraisal purchase price and  
28 determined it was too low and requested Land Conservation Committee (LCC) the review the potential of a  
29 supplemental payment to the purchase price as determined by the second appraisal conducted by the DNR; and,

30  
31 **WHEREAS**, the LCC reviewed the request during their July 6, 2016 meeting and authorized the LCD staff to  
32 negotiate a supplemental payment within a set perimeter for said easement purchase with the Sayre Joint Farms,  
33 LLC Representative; and,

34  
35 **WHEREAS**, Staff negotiated the supplemental payment of fifty dollars (\$50.00) per acre for a total payment of  
36 seventeen thousand and eight hundred dollars (\$17,800.00) to be made by the PACE Program; and,

37  
38 **WHEREAS**, the easement will be purchased by the NHLT and the County in 2016 and the easement will be  
39 assigned to the NHLT and Rock County, in partnership by DNR. After the purchase has been completed, the  
40 NHLT will assign the easement in full to the County.


41  
42 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this 11th  
43 day of August, 2016, do by enactment of this Resolution authorizes and accepts the Agricultural  
44 Conservation Easement on the Sayre Joint Farms, Inc. Property and authorizes the LCD to undertake final  
45 necessary activities identified therein and obligate necessary funds to complete said activities.

46  
47 **BE IT FURTHER RESOLVED**, the County Board Chair and/or the County Clerk will act as the County's  
48 agent(s) for closing of said easement.

16-8A-089

Respectfully submitted:

LAND CONSERVATION COMMITTEE

  
Richard Bostwick, Chair

  
Alan Sweeney, Vice-Chair

\_\_\_\_\_  
Wes Davis

\_\_\_\_\_  
Anders Dowd

  
Brenton Driscoll

  
Kara Hawes

  
David Rebut, USDA-FSA Representative

  
Jeremy Zajac

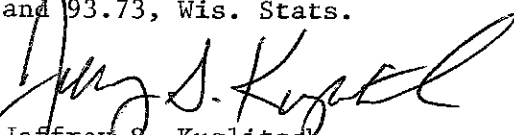
FISCAL NOTE:

This resolution approves the purchase of an agricultural conservation easement. Sufficient funds are available in the Land Conservation Department's PACE budget for the estimated County portion of the purchase price of this easement.

  
Sherry Oja  
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.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

  
Nick Osborne  
Acting County Administrator

## EXECUTIVE SUMMARY

This resolution will amend Resolution 16-5A-028 which authorized the Land Conservation Department (LCD) to finalize acquisition of the Agricultural Conservation Easement under the Purchase of Agricultural Conservation Easement Program (PACE) for the Sayre Joint Farm, LLC Properties, which will be the first Easement acquired through an alternative funding source by the Program.

Resolution 16-5A-028; FINALIZING THE SAYRE JOINT FARMS, LLC PROPERTY AGRICULTURAL CONSERVATION EASEMENT ASSIGNMENT/DONATION was approved by the County Board during their May 5, 2016 meeting. This resolution authorized the county to accept the easement as if a landowner donated the full easement to the county, which only includes administration costs associated with the purchase.

This resolution which amends Resolution 16-5A-028, will supplement the alternative funding source to purchase the easement at a rate of \$50.00 per acres for a total of \$17,800.00. The supplement is needed to assure Sayre Joint Farms, LLC, agrees to the final purchase price. Administrative costs will remain the same or approximately \$3,000.00.

The DNR conducted a second real estate easement appraisal for the Sayre Joint Farms, LLC. property as required by the KNSP policy and this appraisal determined the purchase price of the easement to be one hundred and fifty dollars (\$150.00) per acre less than the County's easement appraised purchase price. Sayre Joint Farms, LLC requested Land Conservation Committee (LCC) the review the potential of a supplemental payment to the purchase price as determined by the second appraisal conducted by the DNR.

The LCC reviewed the request during their July 6, 2016 meeting and authorized the LCD staff to negotiate a supplemental payment within a set perimeter for said easement purchase with the Sayre Joint Farms, LLC Representative. Staff negotiated the supplemental payment of fifty dollars (\$50.00) per acre for a total payment of seventeen thousand and eight hundred dollars (\$17,800.00) to be made by the PACE Program.

Please note that the supplemental payment of \$17,800.00 is approximately Two Hundred Forty Thousand Four Hundred and Twenty Five Dollars (\$240,425.00) less than if the County fully funded their 25% of the easement appraised value.

Acquisition of easements such as this is intended to protect and preserve productive agricultural lands in Rock County, encouraging and promoting the goals of a strong agricultural economy and community identity, intergovernmental cooperation, and a regional land use vision throughout the County.

For this aspect of the PACE Program, of the value of the Easement was determined by a qualified Real Estate Appraiser utilizing IRS approved standards and criteria. Conducting this appraisal process allows the landowner to deduct the value of the easement from their income taxes as a non-cash charitable donation.

If this resolution is approved, the LCD will complete the Easement acquisition process on the Sayre Joint Farms, LLC Property.