



**LAND CONSERVATION COMMITTEE  
WEDNESDAY AUGUST 5, 2015 7:15 P.M.  
LAND CONSERVATION DEPARTMENT  
CONFERENCE ROOM  
440 N US HWY 14  
JANESVILLE WI**

**AGENDA**

1. Call Meeting to Order.
2. Approval of Agenda.
3. Approval of Minutes – July 1, 2015.
4. Citizen Participation, Communications, and Announcements.
5. Bills/Encumbrances/Transfers.
6. Farmland Preservation Program – Approval of Voluntary Withdraw for Darrel Weber.
7. Land and Water Resource Management Program – Approval of Cost Share Agreements.
8. Resolution - Authorizing Modifications to Conveyance Agreements for 2014 Applications for the Purchase of Agricultural Conservation Easements (Pace) Program.
9. Purchase of Agriculture Conservation Easements (PACE) – Program Update and Discussion.
10. Adjourn.

Account Number	Account Name	PO#	Inv Date	Vendor Name	Inv/Enc Amt
62-6225-0000-62119	OTHER SERVICES	P1500293	07/08/2015	USDA APHIS GENERAL	1,163.17
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	5,500.00	1,733.35	0.00	1,163.17	2,603.48
<b>WILDLIFE DAMAGE/ASSMTS. PROG TOTAL</b>				<b>1,163.17</b>	
62-6280-0000-64928	COST SHARING	P1502499	06/01/2015	VANTHOURNOUT,GREG	3,122.36
		P1502609	07/14/2015	BAKER,ANDREW AND TERESA	1,785.05
		P1502612	06/02/2015	GRADY,JOHN AND ALICE	1,400.00
		P1502614	06/18/2015	KUNKLE,JEFF AND CINDY	354.48
		P1502620	07/17/2015	REBOUT AND SONS FARMS,ROGER	5,000.00
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	150,000.00	44,924.50	1,400.00	11,661.89	92,013.61
<b>LWC PLAN IMPLEMENTATION GRANT PROG TOTAL</b>				<b>11,661.89</b>	
62-6300-0000-62119	OTHER SERVICES	P1502851	07/13/2015	VEOLIA ES TECHNICAL SOLUTIONS	17,742.77
<b>ENC</b>	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	29,000.00	0.00	0.00	17,742.77	11,257.23
62-6300-0000-64918	ADVERTISING	P1502500	07/01/2015	CSI MEDIA LLC	389.27
	Budget	YTD Exp	YTD Enc	Pending	Closing Balance
	2,000.00	708.25	0.00	389.27	902.48
<b>HOUSEHOLD CLEAN SWEEP PROG TOTAL</b>				<b>18,132.04</b>	

I have examined the preceding bills and encumbrances in the total amount of **\$30,957.10**

Claims covering the items are proper and have been previously funded. These items are to be treated as follows:

A. Bills and encumbrances over \$10,000 referred to the Finance Committee and County Board.

B. Bills under \$10,000 to be paid.

C. Encumbrances under \$10,000 to be paid upon acceptance by the Department Head.

Date: **AUG 05 2015**

Dept Head \_\_\_\_\_

Committee Chair \_\_\_\_\_

PURCHASE ORDER NUMBER P1500159 PEID 053588

## PRE-APPROVED ENCUMBRANCE AMENDMENT FORM

This form must be used when adding funds to or changing an account number of a previously approved encumbrance. Please complete this form and e-mail to Susan Balog in Accounting ([balog@co.rock.wi.us](mailto:balog@co.rock.wi.us)), Cheryl Mikrut in Accounting ([mikrut@co.rock.wi.us](mailto:mikrut@co.rock.wi.us)) **and** Jodi Millis in Purchasing ([jodi@co.rock.wi.us](mailto:jodi@co.rock.wi.us)). Susan or Cheryl will forward on to your governing committee for approval. The Encumbrance and Purchase Order will be updated upon approval of all necessary committees and County Board (if amendment is over \$10,000).

DATE 7/6/15

DEPARTMENT LAND CONSERVATION

COMMITTEE LAND CONSERVATION

VENDOR NAME SYNCHRONY BANK

ACCOUNT NUMBER 62-6210-0000-64316

FUNDS DESCRIPTION TREE PLANTING (TREE PLANTER & SPRAYER REPAIR)

AMOUNT OF INCREASE \$ 50.00

INCREASE FROM \$ 100.00 TO \$ 150.00

ACCOUNT BALANCE AVAILABLE \$ 899.99 SB 07/06/15

REASON FOR AMENDMENT NEEDED TO MAKE SOME REPAIRS TO  
EQUIPMENT. PARTS COST MORE THAN WE ENCUMBERED THE FIRST  
OF THE YEAR FOR FARM N FLEET PURCHASES.

### APPROVALS

GOVERNING COMMITTEE \_\_\_\_\_  
Chair \_\_\_\_\_ Date \_\_\_\_\_

FINANCE COMMITTEE \_\_\_\_\_  
(If over \$10,000) Chair \_\_\_\_\_ Date \_\_\_\_\_

COUNTY BOARD \_\_\_\_\_  
(If over \$10,000) Resolution # \_\_\_\_\_ Adoption Date \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

AGENDA NO. \_\_\_\_\_

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY \_\_\_\_\_



THOMAS SWEENEY AND  
ANDREW BAKER  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY \_\_\_\_\_

July 15, 2015  
DATE DRAFTED

**AUTHORIZING MODIFICATIONS TO CONVEYANCE AGREEMENTS FOR 2014 APPLICATIONS  
FOR THE PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS (PACE) PROGRAM**

- 1 **WHEREAS**, the Rock County Purchase of Agricultural Conservation Easements (PACE) Program acquires  
2 agricultural conservation easements ("Easements") on eligible lands throughout unincorporated Rock County;  
3 and,  
4  
5 **WHEREAS**, the Rock County Board of Supervisors, through Resolution 14-10B-136 (October 23, 2014),  
6 authorized the Rock County PACE Program to begin the Easement acquisition process via a Conveyance  
7 Agreement ("Agreement") for each of the following properties:  
8  
9 1. Morton - Rock County tax parcel number 6-10-101, Part of the W ½ of the SE 1/4, Section 14, Township  
10 2N, Range 13E, LaPrairie Township (approximately 68 total acres)  
11  
12 2. Francis - Rock County tax parcel number 6-20-162, Part of the SW 1/4 of Section 20, Township 4N,  
13 Range 10E, Union Township (approximately 112.5 total acres)  
14  
15 3. Kraus - Rock County tax parcel numbers 6-10-2 and 6-10-7, Part of the E ½ of Section 1, Township 2N,  
16 Range 13E, LaPrairie Township (approximately 117 total acres)  
17  
18 4. Oberdeck - Rock County tax parcel number 6-6-50, Part of the E ½ of the W ½ of Section 7, Township  
19 4N, Range 12E, Fulton Township (approximately 124 total acres); and,  
20  
21 **WHEREAS**, the Land Conservation Department ("LCD") submitted Easement acquisition funding applications  
22 for the aforementioned properties to the USDA-Natural Resources Conservation Service ("NRCS"); and,  
23  
24 **WHEREAS**, the LCD has been notified by the NRCS that no applications from Rock County were selected for  
25 funding, partially due to an unforeseen reduction in federally funding in Wisconsin for fiscal year 2015 and  
26 partially due to the fact that there were multiple applications from another entity which ranked higher; and,  
27  
28 **WHEREAS**, the Agreement states that Easement acquisition is contingent on funding from the NRCS, therefore  
29 unless an alternative arrangement is agreed to by Rock County and the landowner, the Easements will not be  
30 acquired in 2015; and,  
31  
32 **WHEREAS**, each landowner deposited \$3,500.00 in an escrow account as earnest money at the beginning of the  
33 transaction process in the fall of 2014; and,  
34  
35 **WHEREAS**, the Agreement states that if the acquisition is terminated due to lack of financing then the transaction  
36 costs (i.e. appraisal, title insurance, survey, etc) shall be borne equally by each party and a portion of the earnest  
37 money would be retained to pay the landowner's half of said costs; and,  
38  
39 **WHEREAS**, in an effort to maintain a strong interest in the PACE program by encouraging future applications  
40 and in light of the unforeseen circumstances which led to no applications from Rock County being funded by  
41 the NRCS this year, the Land Conservation Committee believes it is appropriate to return the earnest money in  
42 full to each landowner, therefore paying all transaction costs, rather than share the transaction costs as  
43 described in the Agreement.  
44  
45 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled this  
46 \_\_\_\_\_ day of \_\_\_\_\_, 2015, does by enactment of this Resolution, authorize a modification to the  
47 Conveyance Agreements for the Morton, Francis, Kraus and Oberdeck properties to return the earnest money  
48 deposited in an escrow account by each landowner, subject to all terms and conditions stated therein.

AUTHORIZING MODIFICATIONS TO CONVEYANCE AGREEMENTS FOR 2014  
APPLICATIONS FOR THE PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS  
(PACE) PROGRAM  
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Respectfully submitted:

LAND CONSERVATION COMMITTEE

\_\_\_\_\_  
Richard Bostwick, Chair

\_\_\_\_\_  
Alan Sweeney, Vice Chair

\_\_\_\_\_  
Tom Brien

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

\_\_\_\_\_  
Jason Dowd

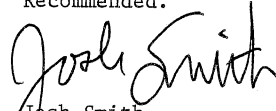
\_\_\_\_\_  
David Rebut, USDA-FSA

\_\_\_\_\_  
Larry Wiedenfeld

\_\_\_\_\_  
Jeremy Zajac

ADMINISTRATIVE NOTE:

Recommended.

  
Josh Smith  
County Administrator

FISCAL NOTE:

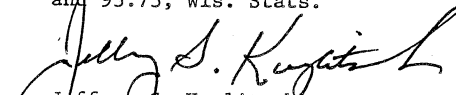
This resolution authorizes the return of all the earnest money paid by the landowners for these four properties. The earnest money is being held by a title company. The application transaction costs were paid by the County from ATC fees.



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

## EXECUTIVE SUMMARY

The Rock County Purchase of Agricultural Conservation Easements (PACE) Program acquires agricultural conservation easements ("Easements") on eligible lands throughout unincorporated Rock County. The acquisition of Easements is completed using a combination of County and Federal funding along with a partial landowner donation. Therefore, each purchase is contingent on the approval of funding by the USDA Natural Resources Conservation Service (NRCS).

In October 2014, the County Board authorized the Land Conservation Department (LCD) to proceed with acquisition on the four properties listed in this resolution via a Conveyance Agreement (Agreement). The four properties were selected by the PACE Council and Land Conservation Committee from the eight applications that were submitted to the PACE Program in 2014. After completing the appraisal process and executing Option to Purchase agreements, LCD staff submitted applications for NRCS funding in spring 2015. Following the NRCS ranking and selection process the LCD was notified that no applications from Rock County were selected for funding for Fiscal Year 2015. This was due to a large number of applications from another entity in the State (which were ranked higher) and due to the fact that the NRCS reduced funding for this program compared to previous years.

In a typical Easement acquisition which proceeds to closing, the County pays all transactions costs associated with the purchase. Transactions costs include the appraisal, title work, survey, recording fees and other closing costs. Transactions costs do not include County staff time to administer the program. As per the Agreement with each landowner, if the Easement is not selected for funding by the NRCS the transactions costs are to be shared by the County and the landowner. Each landowner has deposited \$3,500 in an escrow account to pay their portion of these costs in the event the acquisition is not closed. Transactions costs for each application were \$2,375.00.

Despite not being funded for Fiscal Year 2015, each landowner has expressed interest in reapplying during the next application cycle. After considering the circumstances which contributed to lack of funding this year, the Land Conservation Committee has determined that it is the best interest of the PACE Program to return the full earnest money amount to the landowners and not seek reimbursement for one half of the transactions costs. Section 9.2 of each Agreement allows modification by written Addendum signed by both parties. Approval of this Resolution authorizes the County to draft and sign an Addendum to the Agreement for the purposes described above.