



**LAND CONSERVATION COMMITTEE
WEDNESDAY OCTOBER 2, 2019 7:00 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 – September 4, 2019.
4. Citizen Participation, Communications, and Announcements.
5. Review Bills Paid.
6. Erosion Control Storm Water Management Program;
 - a. Six Month Extension Request - ECSW-2018-13, Peace Land Development, Inc. - Lake Woods 5th Addition.
 - b. Six Month Extension Request - ECSW-2017-3, DYN Cannell, LLC - Lake Woods 3rd Addition.
7. Land and Water Resource Management Program;
 - a. Review LWRM Plan Revisions.
 - b. Schedule Updated Plan's Public Hearing.
8. Conservation Reserve Enhancement Program – Approval of Contracts.
9. Groundwater Nitrate Workgroup - Update.
10. Resolution: Finalizing the O'Leary Family Trust Property Agricultural Conservation Easement Donation.
11. Purchase of Agricultural Conservation Easements (PACE) Program:
 - a. PACE Council Meeting Date, Time and Location.
 - b. General Program Update.
12. Next LCC Meeting Set Time and Date.
13. Adjourn.



MINUTES

**ROCK COUNTY LAND CONSERVATION COMMITTEE
WEDNESDAY SEPTEMBER 4, 2019, 7:00 P.M.
LAND CONSERVATION DEPARTMENT
CONFERENCE ROOM
440 N US HWY 14
JANESVILLE WI**

1. **Call to Order:** Chair Bostwick called the meeting to order at 7:02 pm.

Committee Members Present: Stephanie Aegerter, Rich Bostwick, Wes Davis, Brenton Driscoll, James Quade, and Jeremy Zajac

Committee Members Excused: Alan Sweeney and Robert Potter

Others Present: Chris Murphy, LCD
2. **Approval of Agenda:** Supervisor Davis moved to approve the agenda as presented, seconded by Supervisor Quade. **Motion Carried.**
3. **Approval of Minutes – August 7, 2019:** Supervisor Zajac moved the minutes from the August 7, 2019 LCC meeting be approved with the removal of James Quade from the Committee Members Present, seconded by Supervisor Aegerter. **Motion Carried.**
4. **Citizen Participation, Communications, and Announcements:** Supervisor Davis requested for the October LCC meeting, LCD staff provide an update report on Madison Metropolitan Sewage District use of ultra-violet treatment of waste water.
5. **Review Bills Paid:** The committee reviewed the bills paid.
6. **Resolution –** Supervisor Aegerter moved to approve the resolution for Yahara River Basin Adaptive Management Project Approval of Incentive Payments, seconded by Supervisor Zajac. **Motion Carried.**
7. **Resolution -** Supervisor Zajac moved to approve the resolution for accepting the USDA-NRCS Staffing Grant and Amending the 2019 Land Conservation Department Budget to add a New 1.0 FTE Senior Conservation Specialist Position, seconded by Supervisor Aegerter. **Motion Carried.**
8. **Land and Water Resource Management Program -**
 - a. **Approve Cost Share Agreements.** Supervisor Quade moved to approve the agreements as presented, seconded by Supervisor Zajac. Chris Murphy reviewed the agreements for County of Rock/Scott Fleming and RFP Trust. **Motion Carried.**
 - b. **Land and Water Resource Management Plan Update.** Supervisor Zajac moved to forward the Land and Water Resource Management Plan to DATCP and WDNR for preliminary approval, seconded by Supervisor Quade. **Motion Carried.**
9. **Conservation Reserve Enhancement Program –** Supervisor Zajac moved to approve the contracts, seconded by Supervisor Quade. Chris Murphy reviewed the agreements for Eric Komprod Revocable Living Trust and Hoerler and Hoerler LLC. **Motion Carried.**

10. **Yahara WINS Program** – Approval of Cost Share Agreements: Supervisor Driscoll moved to approve the cost share agreement as presented, seconded by Supervisor Davis. Chris Murphy discussed the agreement for George Brothers Farms, Inc. **Motion Carried.**
11. **Construction Site Erosion Control/Storm Water Management - Permit Extension Requests:** Supervisor Driscoll moved to approve the extension request as presented, seconded by Supervisor Davis. Chris Murphy noted permit holder Sal Gomez is requesting a permit extension due to contractor not being available this year. Murphy also noted permit is due to expire June 2020. **Motion Failed with Supervisor Davis voting to approve.**
12. **Groundwater Nitrate Workgroup –**
 - a. **USDA-NRCS Staffing Grant:** Supervisor Aegerter moved to approve the approve the USDA-NRCS Staffing Grant contingent upon the Rock County Board passing the resolution to accept the grant, seconded by Supervisor Bostwick. **Motion Carried.**
 - b. **Update:** Chris Murphy noted the next Groundwater Workgroup meeting will be held on September 16, 2019 at 8:00 a.m. in the LCC Conference Room. Also, on September 16, 2019 there will be a 'Producer Led Watershed' development meeting at 7:00 p.m. at Craig Center located at the fairgrounds.
13. **Purchase of Agricultural Conservation Easement - Update:** Supervisor Driscoll moved to approve the contract with USDA-NRCS for the Barlass Farm, seconded by Supervisor Davis. **Motion Carried**
12. **Adjourn:** Supervisor Quade moved to adjourn the August 7, 2019 Land Conservation Committee meeting at 8:47 pm, seconded by Supervisor Aegerter. **Motion Carried.**

Respectfully Submitted,

Chris Murphy
Conservationist Specialist

Minutes are not official until adopted by the Land Conservation Committee.

October 2, 2019: Land Conservation Committee Meeting

Conservation Reserve Enhancement Program 15 year agreements for Consideration:

Owner Name/Participants Name	Practice	Acres	Amount	Town/Sec
BDM Farms/Clintonview Farms Partners, LLC	CP 21	1.75	\$422.62	Clinton 24
BDM Farms/Clintonview Farms Partners, LLC	CP 21	1.73	\$417.79	Clinton 23
Grace Ann Toberman	CP 21	2.08	\$502.32	Magnolia 36
Gary Sommers Living Trust	CP 21	3.5	\$845.25	Turtle 25
Dan Pann	CP 21	4.1	\$990.15	Avon 10
Craig J Myhre	CP 21	8.49	\$1,723.63	Porter 2
McConnell Farm LLC	CP 21	2.93	\$651.19	Clinton 1
Leederland INC	CP 21	7.49	\$1,428.41	Union 32,33
Bjoin Realty INC	CP 21	3.1	\$748.65	Plymouth 1
Cross Creek Farms, INC	CP 21	11.5	\$2,211.62	Bradford 35
Lloyd Edge Rev. Trust	CP 21	18.7	\$4,515.05	Clinton 27
Malcolm Hull	CP 21	4.3	\$258.00	Magnolia 10
KMStier Properties, LLC	CP 21	4.9	\$1,183.35	Spring Valley 4,9
TOTALS		74.57	\$15,898.03	Fees = \$2,207.45

RESOLUTION NO. _____

AGENDA NO. _____

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

SEPTEMBER 18, 2019
DATE DRAFTED

**FINALIZING THE O'LEARY FAMILY TRUST PROPERTY AGRICULTURAL CONSERVATION
EASEMENT DONATION**

- 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
4 implementation, on January 13, 2011; and,
5
6 **WHEREAS**, the Rock County Board of Supervisors officially authorized staff to accept applications to
7 the PACE Program for the donation of an Agricultural Conservation Easement and process applications
8 according to the PACE program policies and procedures, on June 13, 2013; and,
9
10 **WHEREAS**, a PACE application was submitted by O'Leary Family Trust to the Land Conservation
11 Department (LCD) in 2018 to donate a PACE easement on approximately 109 acres of real property
12 located in part of Section 18, Township 4 North, Range 11 East, Town of Rock, Parcel Numbers
13 6-17-166, 6-17-166.1 and 6-17-166.2; and,
14
15 **WHEREAS**, the application was recommended for approval by LCD and the PACE Council, approved
16 by the Land Conservation Committee (LCC) and County Board in accordance with the Rock County
17 PACE Program Manual; and,
18
19 **WHEREAS**, the Internal Revenue Service (IRS) requires that an appraisal of the easement be completed
20 by a qualified appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP)
21 and other non-cash charitable donation requirements, the cost of which was approved by separate action
22 to be paid by the County utilizing PACE Program funds; and,
23
24 **WHEREAS**, the PACE Program policy and procedures requires a signed option to purchase between
25 Rock County and the Landowners of the aforementioned property identifying the purchase price of the
26 Easement; and,
27
28 **WHEREAS**, while the acquisition of the Easement is considered a full donation by the Landowners, the
29 transaction will be officially be completed in consideration of the sum of one and no/100 dollar (\$1.00)
30 paid by the County to the Landowner.
31
32 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
33 _____ day of _____, 2019, do by enactment of this Resolution authorizes and accepts the
34 donated Agricultural Conservation Easement on the O'Leary Family Trust properties and authorizes the
35 LCD to undertake final necessary activities identified therein and obligate necessary funds to complete
36 said activities.
37
38 **BE IT FURTHER RESOLVED**, the County Board Chair and/or the County Clerk will act as the
39 County's agent(s) for closing of said easement.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

Richard Bostwick, Chair

Alan Sweeney, Vice-Chair

Stephanie Aegerter

Wes Davis

Brenton Driscoll

Robert Potter

James Quade, USDA-FSA Rep.

Jeremy Zajac

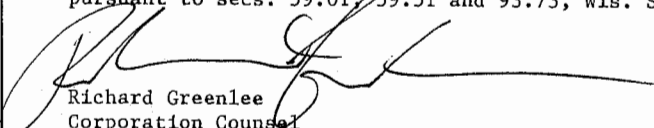
FISCAL NOTE:

Sufficient funds are available to close donation of this easement.

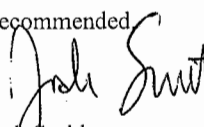

Sherry Oja
Finance Director

LEGAL NOTE:

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


Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended

Josh Smith
County Administrator

EXECUTIVE SUMMARY

This resolution authorizes the Land Conservation Department (LCD) to finalize acquisition of the Agricultural Conservation Easement under the Purchase of Agricultural Conservation Easement Program (PACE) for the O'Leary Family Trust Properties, which will be the third Easement acquired through the donation process by the Program.

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, 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 O'Leary Family Trust Properties.