

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



ANDREW BAKER
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

DECEMBER 26, 2020
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2020 PACE PROGRAM
APPLICATIONS (FEDERAL FUNDING APPLICATIONS)**

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 PACE
3 Program Manual, identifying and outlining all aspects of Program development and implementation, on
4 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 four (4) new landowner applications and
10 reactivated two (2) landowner applications for the PACE Program during the 2020 application cycle, totaling ten
11 (10) parcels and approximately seven hundred (700) acres ; and,
12

13 **WHEREAS**, the applications have been reviewed by LCD staff, the PACE Council, and the Land Conservation
14 Committee (LCC), all in accordance with the Rock County PACE Program Manual; and,
15

16 **WHEREAS**, the LCC voted to approve the reactivation of the Vanthournout application and approved the new
17 applications for the Conway and Watson parcels to begin the Easement acquisition process. The applications are
18 described as:
19

20 Vanthournout Properties – Rock County tax parcel number **6-20-107.2**, part of the SW ¼ of Section 13,
21 Township 4N, Range 10E, Union Township (approximately 40 acres); and Rock County tax parcel number
22 **6-20-109**, part of the SW ¼ of Section 13, Township 4N, Range 10E, Union Township (approximately 40
23 acres); and,
24

25 Conway Property – Rock County tax parcel **6-10-117A**, part of the S ½ of Section 16, Township 2N, Range
26 13E, LaPrairie Township (approximately 167 acres); and,
27

28 Watson Property – Rock County tax parcel **6-16-17.1**, part of SE¼ of Section 2, Township 4N, Range
29 11E, Porter Township (approximately 40 acres); and,
30

31 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement acquisition
32 funding application for the aforementioned properties to the USDA-Natural Resources Conservation Service
33 (“NRCS”), which, if approved, provides funding for a maximum fifty percent of the Easement value; and,
34

35 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement between
36 Rock County and the owners of the aforementioned properties; and,
37

38 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final value
39 being determined by an appraisal, which will be contracted by Rock County only if the property is selected by the
40 NRCS for funding; and,
41

42 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned Properties, Rock
43 County, and Brabazon Title Company, Inc. will sign and execute three *Agricultural Conservation Easement*
44 *Conveyance Agreement* documents (i.e. purchase agreement), one for each application, which will include the
45 estimated purchase price and will outline all aspects of the Easement acquisition process, including but not limited
46 to, the following activities, subject to all terms and conditions as stated therein:
47

- 48 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
49 Commitment of \$15,000 (Title Report) for each Property,

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- 50 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account,
- 51 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,
- 52 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the fair
- 53 market value of the Easement; and,
- 54

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

57
58 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
59 14th day of January, 2021, does by enactment of this Resolution approve an *Agricultural*
60 *Conservation Easement Conveyance Agreement* for each property, authorizes the County Board Chair to sign all
61 necessary documents on behalf of the County and authorizes the LCD to undertake activities identified therein
62 and obligate all necessary funds to complete said activities.

Respectfully submitted:

LAND CONSERVATION COMMITTEE

/s/Richard Bostwick
Richard Bostwick, Chair

/s/ Alan Sweeney
Alan Sweeney, Vice Chair

/s/Stephanie Aegerter
Stephanie Aegerter

/s/Wes Davis
Wes Davis

/s/Kaelyb Lokrantz
Kaelyb Lokrantz

/s/Mike Mulligan
Mike Mulligan

/s/ William Wilson
William Wilson

/s/James Quade
James Quade, USDA-FSA

LEGAL NOTE:

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

/s/ Richard Greenlee

Richard Greenlee
Corporation Counsel

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.

ADMINISTRATIVE NOTE:

Recommended.

/s/ Josh Smith

Josh Smith
County Administrator

/s/ Sherry Oja

Sherry Oja
Finance director

EXECUTIVE SUMMARY**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2020 PACE PROGRAM APPLICATIONS (FEDERAL FUNDING APPLICATIONS)**

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (four 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.