

RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

Public Works Committee
INITIATED BY

Ronald D. Burdick
DRAFTED BY

Public Works Committee
SUBMITTED BY



March 25, 2010
DATE DRAFTED

Land Loan Agency Agreement

Designating the Wisconsin Department of Transportation
Bureau of Aeronautics as Agent for Rock County, Wisconsin,

1 **WHEREAS**, the Airport Owner, in Rock County, Wisconsin, hereinafter referred to as the
2 Sponsor, desires to sponsor an airport project to be funded by the Advance Land Acquisition
3 Loan Program for Airports specifically, the Southern Wisconsin Regional Airport project to:
4 fund the costs to acquire properties of approximately 11 acres, (current property owners
5 Robert J. Hallett, Robert W. Breul Revocable Trust, and Southern Wisconsin Regional
6 Enterprises, LLC) located, in part, in the approach of Runway 32; and,
7

8 **WHEREAS**, the Sponsor adopted a resolution on April 22, 2010, a copy of which is attached
9 and the prescribed terms and conditions of which are hereby fully incorporated into this
10 agreement, designating the Secretary as its agent and requesting him to act as such as set forth
11 in the resolution; and
12

13 **WHEREAS**, upon such request, the Secretary is authorized by law to act as agent for the
14 Sponsor.
15

16 **NOW, THEREFORE, BE IT RESOLVED**, the Sponsor and the Secretary do mutually
17 agree that the Secretary shall act as the Sponsor's agent in the matter of the airport land loan
18 project described above as provided by law and as set forth in the attached resolution;
19 provided, however, that the Secretary is not required to provide legal services to the Sponsor.
1

SPONSOR:

WITNESS:

By: *Dave Pabulin*
Title: County Board Chair
Date: 4/22/10

By: *Loralee Hottel*
Title: Rock County Clerk

SECRETARY OF TRANSPORTATION:

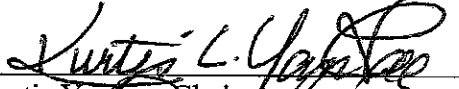
By: _____
Mr. David M. Greene, Director
Bureau of Aeronautics

10-4C-012

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Respectfully submitted,

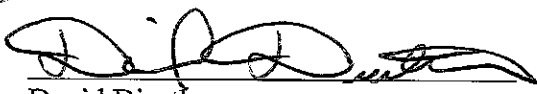
PUBLIC WORKS COMMITTEE


Kurtis Yankee, Chair


Betty Jo Bussie, Vice Chair


Richard Ott


Eva Arnold


David Diestler

FISCAL NOTE:

These resolutions authorize the Secretary of the Wisconsin Department of Transportation to act as Rock County's agent in acquiring land for the Southern Wisconsin Regional Airport. The estimated cost of land acquisition, surveys, appraisals and negotiations is \$1,200,000.

These resolutions authorize the Airport to enter into a 4% simple interest land loan for \$960,000, which is 80% of the estimated cost of the land acquisition. Sufficient funds will be available in the Airport's Capital Improvements Project, A/C 41-4453-4454-67200, for the County's 20% share of \$240,000 if a separate resolution is adopted amending the Airport's 2010 Capital Improvement budget.

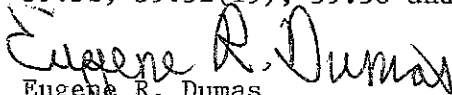
It is anticipated that this land acquisition will qualify for a federally funded Airport Improvement Project at a 95% Federal, 2½% State and 2½% local share. The land loan can be paid in full upon receipt of the AIP without any prepayment penalty. The County will be responsible for the 4% annual interest cost from the date of the drawdown until redemption.

If this land acquisition qualifies for a federally funded AIP, the County's 2½% share of this land acquisition is estimated to be \$30,000.


Jeffrey A. Smith
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes 59.01, 59.51, 59.52(19), 59.58 and numerous sections of Ch. 114.


Eugene R. Dumas
Deputy Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

EXECUTIVE SUMMARY
FOR
RESOLUTIONS
“ADVANCE LAND ACQUISITION LOAN”
“LAND LOAN AGENCY AGREEMENT”
“RESPONSIBILITY AND PERFORMANCE NOTE”

The Resolutions before you authorize the Bureau of Aeronautics to act as our agent for acquiring three parcels that are within the Runway Protection Zone (RPZ) for the airport's primary runway. The FAA recommends fee simple acquisition of land that is within this RPZ and up to 5,000 feet from the end of the existing primary surface. Land also becomes eligible when it becomes necessary to restrict the use of land within the approach and transitional zone to activities and purposes that are compatible with normal airport operations.

Parcel 39, which is the closest to runway 32, has been a collection point for a myriad of heavy equipment, trucks and cars, several semi-trailers, houses, and salvage yard material that's not only unsightly but is a non-compatible use of land within the RPZ.

Parcels 40 and 41 are currently vacant and available on the market, within the RPZ and eligible for federal reimbursement

