

RESOLUTION

ROCK COUNTY BOARD OF SUPERVISORS

Public Works Committee
INITIATED BY

Ronald D. Burdick
Airport Director
DRAFTED BY

Public Works Committee
SUBMITTED BY

March 25, 2010
DATE DRAFTED

Advance Land Acquisition Loan

1 **WHEREAS**, it is deemed to be in the best interest of the County of Rock to apply for a State
2 loan to acquire land or interests in land for improvement of the Southern Wisconsin Regional
3 Airport; and,
4

5 **WHEREAS**, the Sponsor is required by State Statute and Wis. Administrative Code (Trans
6 54.05) to designate the Secretary as its agent to accept, receive, receipt for and disburse any
7 funds loaned by the State of Wisconsin under the Advance Land Acquisition Loan Program.
8

9 **NOW, THEREFORE, BE IT RESOLVED**, by the Rock County Board of Supervisors that
10 the Chair of the Rock County Board is hereby authorized to execute all necessary loan
11 agreement documents and associated agency agreement on behalf of the County, and to file
12 with the Secretary of Transportation an application for such loan; that said application in the
13 following form is hereby approved, to wit:
14

15 **“Application for Land Acquisition Loan”**

16
17 By Rock County, Wisconsin,
18

19 TO THE SECRETARY OF TRANSPORTATION: (In care of Wisconsin Department of
20 Transportation, Bureau of Aeronautics.)
21

22 THE APPLICANT, ALSO KNOWN AS SPONSOR, DESIRING TO ACQUIRE LAND
23 OR INTEREST IN LAND, RESPECTFULLY REPRESENTS AND STATES:
24

- 25 1. The land to be acquired in fee simple and is within the recommended minimum
26 property limits shown in a Department approved Airport Layout plan.
27
- 28 2. The land is needed for planned airport improvements and/or approach clearance, or
29 protection from encroachment, for the safety of aircraft using the airport.
30
- 31 3. The descriptions of the land and property interest are as follows:
32

33 Parcel No.	34 Property Owner	35 Land Area	36 Interest	37 Current Land Use
38 39	39 Robert J. Hallett 1736 Park Ave., Beloit, WI 53511 Purpose: Located within the Runway Protection Zone (RPZ) for 14/32. Comments:	38 3.870 Acres(+/-)	39 Fee Simple	40 Commercial
41 40	41 Robert W. Breul Rev. Trust 28325 98 th St., Salem, WI 53168 Purpose: Located within the Runway Protection Zone (RPZ) for 14/32. Comment:	42 2 Acres(+/-)	43 Fee Simple	44 Commercial

10-4C-013

46 **41 Southern Wisconsin**
 47 **Regional Ent. LLC** 5 Acres(+/-) Fee Simple Commercial
 48 2418 Crossroad Ste. 1200, Madison, WI 53718
 49 Purpose: Located within the Runway Protection Zone (RPZ) for 14/32.
 50 Comments:

51
 52 The requested loan is to cover up to 80% of the total cost of the acquisition,
 53 including necessary project plans, environmental studies, land surveys, relocation
 54 costs, and all other costs incidental to the land acquisition process and cost
 55 documentation.

56
 57 4. Land Loan funding breakdown:

58
 59 Sponsor Share (20%) \$ 240,000
 60 Loan Amount (80%) \$ 960,000
 61 Total Land Loan project \$1,200,000

62
 63 5. The Sponsor will forward 20% of the project funding, \$240,000 to the Bureau of
 64 Aeronautics, to be used in full before loan funds will be disbursed.

65
 66 6. If actual costs incurred exceed the estimate and the established maximum is inadequate,
 67 the loan amount may be adjusted up to 80% of a revised project cost by an amended
 68 agreement between the Secretary of Transportation and the County when duly authorized
 69 by resolution of the Rock County Board of Supervisors.


70
 71 7. Simple interest at the rate of four percent per annum will be paid annually by the County
 72 on the unpaid balance of the loan.

73
 74 8. The amount of the loan, plus interest, will be repaid to the State, in full, within five years.
 75 Repayment may be made by annual budget appropriations, or project appropriations of
 76 the County, State and FAA, or a combination of both methods acceptable to the Secretary
 77 of Transportation and the applicant.

78
 79 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the Sponsor that the Secretary
 80 is hereby designated as its agent and is requested to agree to act as such in matters relating to
 81 the land loan project described above, and is hereby authorized as its agent to make all
 82 arrangements for the development and final acceptance of the completed work whether by
 83 contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt
 84 for and disburse monies, either public or private, for planning and land acquisition, for the
 85 airport; and, to acquire property or interest in property by purchase, gift, lease, or eminent
 86 domain under chapter 32 of the Wisconsin Statutes; and, to supervise the work of any
 87 engineer, appraiser, negotiator, subagent or other person employed by the Secretary; and, to
 88 execute any assurances or other documents required or requested by any agency of the state or
 89 federal government and to comply with all federal and state laws, rules, and regulations
 90 relating to airport development projects.

91
 92 **NOW, THEREFORE, BE IT FURTHER RESOLVED**, the Sponsor hereby requests that
 93 the Secretary order as provided in section 114.33(8)(a) of the Wisconsin Statutes, that the
 94 Sponsor may acquire the required land or interest in land that the Secretary shall find
 95 necessary.

96
 97 **NOW, THEREFORE, BE IT FINALLY RESOLVED**, you are requested to take such
 98 action as may be deemed necessary by the facts presented.


 J. Russell Podzilni, Chair
 Rock County Board of Supervisors

Introduced: Date 4/22/10

Passed: Date 4/22/10


Advance Land Acquisition Loan

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Attest:


 Lorena R. Stottler, Clerk


I do hereby certify that the above and foregoing is a true, accurate, and complete copy of the original resolution No. 10-40-013, introduced and passed by the County Board on April 22, 2010.



 Lorena R. Stottler, Rock County Clerk

Respectfully submitted,


PUBLIC WORKS COMMITTEE

 Kurtis Yankee, Chair

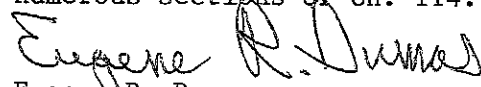

 Betty Jo Bussie, Vice-Chair


 Richard Ott



 Eva Arnold


 David Diestler
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.

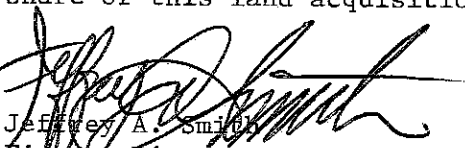

 Craig Knutson
 County Administrator
FISCAL NOTE:

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

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

