



**LAND CONSERVATION COMMITTEE**  
**Wednesday January 6, 2021, 7:15 P.M.**  
**CALL: 1-312-626-6799**  
**MEETING ID: 869 2697 3736**

Join Zoom Meeting

<https://us02web.zoom.us/j/86926973736?pwd=TSStKSzNuYUhYNEFqMXlZdUJ5TVVY4UT09>

Meeting ID: 869 2697 3736

Passcode: **448758**

One tap mobile

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If you are interested in providing public comments on items on this agenda, you must submit your comments by noon on Tuesday, January 5, 2021. To submit a public comment use the following email: [andrew.baker@co.rock.wi.us](mailto:andrew.baker@co.rock.wi.us)

**Join from a telephone:**

- On your phone, dial the phone number provided above
- Enter the meeting ID number when prompted, using your dial-pad.
- Please note that long-distance charges may apply. This is not a toll-free number.
- Supervisors: Please identify yourself by name
- **Please mute your phone when you are not speaking to minimize background noises**
- We are new at holding meetings this way, so please be patient

Instructions for the hearing impaired –

<https://support.zoom.us/hc/en-us/articles/207279736-Getting-started-with-closed-captioning>

**LAND CONSERVATION COMMITTEE**  
**Wednesday January 6, 2021, 7:15 P.M.**  
**VIA ZOOM**

**AGENDA**

1. Call Meeting to Order
2. Approval of Agenda
3. Approval of Minutes – December 2, 2020 Meeting
4. Citizen Participation, Communications, and Announcements
5. Review Bills Paid
6. **Action Item.** Approval of Farmland Preservation Notice of Noncompliance Documents
  - A. Anne L Haines (Voluntary, chose not to participate in program, no compliance issues)
7. **Action Item.** Six month extension request for Rock County Permit EC-2020-5, Joe Cash Pond Project – Newark Township (Additional time to final repairs to best management practices)
8. **Action Item:** Approval of LCD Fee and Penalty Schedule
9. **Action Item:** Approval and designation of Norman J Tadt Jr. to act on behalf of the County in signing / approving contracts, applying for grant funds, reporting on grant funds, requesting reimbursements, certifying non-engineering practices and other such duties related to DATCP Soil and Water Resources Management cost share and staffing grants (Delegated staff person must spend 100% of time on conservation related activities; action required due to new joint Department head position).
10. **Action Item: Resolution.** Approval to Begin Acquisition Process for Selected 2020 PACE Program Applications (Federal Funding Applications)
11. Adjourn



## MINUTES

### ROCK COUNTY LAND CONSERVATION COMMITTEE Wednesday December 2, 2020, 7:15 P.M. Virtual Meeting - Zoom

1. **Call to Order:** Chair Bostwick called the meeting to order at 7:15 pm.

**Committee Members Present:** Stephanie Aegerter, Rich Bostwick, Wes Davis, Kaelyb Lokrantz, Mike Mulligan, James Quade and Alan Sweeney

**Committee Members Excused:** None

**Others Present:** Andrew Baker, Bill Wilson (soon to be appointed Committee member)

Chair Bostwick welcomed soon to be appointed Supervisor and Committee member Bill Wilson, who joined the meeting as a guest. Mr. Wilson is replacing Jeremy Zajac, representing District 5 (City of Milton, Wards 1-8).

2. **Approval of Agenda:** Supervisor Davis moved to approve the agenda as written, seconded by Supervisor Aegerter. **Motion carried unanimously.**
3. **Approval of Minutes – November 2, 2020 LCC meeting.** Mr. Quade moved the approval of the minutes, seconded by Supervisor Lokrantz. **Motion carried unanimously.**
4. **Citizen Participation, Communications, and Announcements:** Andrew noted that he gave a presentation at the Towns Association meeting (virtual) on November 19<sup>th</sup>. The presentation was also sent to the all Town Clerks via PDF. Supervisor Aegerter informed the Committee that the farmers market would be held at the former Janesville Mall on Saturday morning.
5. **Review Bills Paid:** The Committee reviewed the bills to be paid. There were no questions.
6. **Land and Water Resource Management Program - Approval of Cost Share Agreements:**  
Andrew reviewed the Cost Share agreement to be considered for approval;
  - A. Hullah (various land owners)- Nutrient Management (approximately 500 acres)
  - B. Weberpal Farms LLC – Grade Stabilization and Stream Bank

General discussion followed. Supervisor Sweeney made a motion to approve the cost share agreements presented for approval, seconded by Supervisor Mulligan. **Motion carried unanimously.**

7. **Action Item:** Six month extension for EC-2019-024, Rock County Rifle and Pistol Club. Supervisor Davis and Mulligan had questions about possible lead in soil that was to be stabilized in the berms. Committee questioned the need for the six month extension. Andrew stated he would ask about the specific status, but primary purpose was to complete stabilization of the site. Supervisor Davis made a motion to approve the extension, seconded by Mr. Quade. **Motion carried unanimously.**
8. **Action Item: Creation of the Rock County Illicit Discharge Ordinance.** Andrew explained this item was postponed from November and gave a general summary. The creation of this Ordinance, applicable only for the Urbanized Area associated with the County WPDES MS4 permitted area, is a requirement of the WPDES municipal stormwater permit. Supervisors had questions about future enforcement of the Ordinance and how it applied to existing connections. Andrew referred to the proposed ordinance and explained how it would be implemented. Supervisor Aegerter made a motion to approve the Ordinance presented for approval, seconded by Supervisor Lokrantz. **Motion carried unanimously.**

9. **Action Item:** Approval of Intergovernmental Agreement Between Rock County and the City of Beloit Regarding Technical Services for Water Quality Trading. Andrew explained that the agreement is similar to agreement already in place with Yahara WINS. In this agreement, LCD staff provides all the technical services related to planning and installation of conservation practices, but not involved with the contract or payment to landowners. The City of Beloit enters into these agreements with landowners as a means to meet the TMDL Phosphorous limits associated with the waste water treatment facility. This is an alternative to making upgrades to the facility itself. The term of the agreement is 10 years. In that time, LCD staff will continue to monitor contracted areas on an annual basis. The City will compensate the LCD based on a percentage (15%) of each contract value. The estimate is around \$77,000, with payments made after the practice is installed. The Committee questioned whether or not there is enough time for Staff to complete this extra work. Andrew noted that, yes it is another commitment, but the Department can make it work. Primary workload will be in year one when design and implementation is done. Chris Murphy is the lead person for the work, but other design and implementation tasks are completed by additional staff as well. There is not just one person working on the project. The City of Janesville has also showed interest in a similar agreement, which we are working on drafting.

10. **Action Item. Purchase of Agricultural Conservation Easements: Review recommendations from PACE Council regarding 2020 applications and selection of applications to be sent to USDA-NRCS for consideration.**

Supervisor Sweeney made a motion to approve the applications for NRCS consideration as recommended by the PACE Council, seconded by Supervisor Lokrantz.

Andrew reviewed the applications via Powerpoint Presentation, which was also reviewed by the PACE Council at the meeting on December 1<sup>st</sup>. The LCC reviewed the LESA scoring system utilized to determine the target acquisition areas based on various factors. Andrew also explained the NRCS ranking system for applications submitted statewide. The ranking is similar, some points are based on County related factors as a whole, so each application from Rock County will have the same score on those factors. There are nine parcels in the application pool this year, from six different landowners. The Vanthournout (two parcels) and Myre (one parcel) applications are renewals from prior years that were not selected. Vanthournout was recommended to NRCS for funding by the LCC last year, but the allocation at the federal level was not quite enough to cover it. The two parcels rank very high on both scoring systems. The LCC discuss the merits of the various parcels, but ultimately agrees with the PACE Council that the highest scoring parcels in priority areas should be considered first.

Andrew reviewed that the PACE Council recommended, in priority order, the Vanthournout applications, the southern Watson parcel (6-16-17.1) and the Conway parcel. There was some discussion regarding Watson as compared to Conway in terms of preference since the LESA score are very close. The LCC felt the Watson parcel has a slight preference because it is adjacent to another PACE easement, therefore will rank slightly higher on the federal score sheet. Also, the Conway parcel is very large (167 acres), which is a good thing, but may use up all funding for one application.

Chair Bostwick called for the vote. **Motion carried unanimously** to have staff send the applications to NRCS as recommended by the PACE Council.

11. **Adjourn:** Mr. Quade made motion to adjourn at 8:30 pm, seconded by Supervisor Mulligan. **Motion carried unanimously.**

Respectfully Submitted,

Andrew Baker  
County Conservationist

ROCK COUNTY

COMMITTEE REVIEW REPORT  
WITH DESCRIPTION  
FOR THE MONTH OF DECEMBER 2020

12/31/2020

Account Number	Account Name	PO#	Check Date	Vendor Name	Description	Inv/Enc Amt
62-6200-0000-63100	Office&Misc Exp					
		P2000032	12/17/2020	US BANK	AMAZON OFFICE SUPPLIES	62.88
		P2002096	12/03/2020	OFFICE PRO INC	2021 MONTHLY CALENDARS 8 1/2 X	51.22
		P2002097	12/03/2020	OFFICE PRO INC	2021 MONTHLY CALENDAR 8 X 7	11.68
<b>Land Conservation PR0G TOTAL</b>						<b>125.78</b>

I have reviewed the preceding payments in the total amount of **\$125.78**

Date:

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

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

## ROCK COUNTY LCD – FEES and PENALTIES

PROGRAM	Proposed
<b>ANIMAL WASTE MANAGEMENT (ORDINANCE)</b>	
1-99 Animal Units	\$400.00
100 – 249 AU	\$500.00
250 – 499 AU	\$650.00
500 – 749 AU	\$750.00
750 – 999 AU	\$1,000.00
> 1000 AU	\$1,400.00
Abandonment	\$100.00
Pump Install w/o storage	\$200.00
Siting of unconfined stack	\$100.00
Animal Waste Pipeline Transfer System (new) Less than 1 mile in total length	\$400.00
Animal Waste Pipeline Transfer System (new) greater than 1 mile in total length	\$800.00
Animal Waste Pipeline Transfer System (Repair) each	\$150.00
<b>FARMLAND PRESERVATION PROGRAM (POLICY)</b>	
Annual Certification	\$15.00
Per Acre fee	\$0.50
<b>CONSTRUCTION SITE EROSION CONTROL (ORDINANCE)</b>	
<b>Base Fee</b>	\$200.00
In addition to base fee / per square foot	\$0.005
Plan Resubmit Fee	\$50.00
Permit Extension Fee (6 month maximum as approved by LCC)	\$25.00/month
Additional Site Visits	Time and Material
Utility Work (Underground)	\$0.075
<b>STORM WATER MANAGEMENT PERMIT (ORDINANCE)</b>	
<b>Base Fee</b>	\$200.00
In addition to base fee / per square foot	\$0.005
Plan Resubmit Fee	\$50.00
Permit Extension Fee (6 month maximum as approved by LCC)	\$25.00/month
Additional Site Visits	Time and Material
Base fee for combined permit acquired for CSEC and SWM	\$300.00
<b>NON METALLIC MINING (ORDINANCE)</b>	
<b>Existing Mine Annual Fee</b>	
1 ac	\$115.00
Per additional acre (See Attached Table Page 2)	Varies
Greater > 50 acres	\$765.00
<b>Plan Review Fee</b>	
1 ac.	\$850.00
Per additional acre	\$15.00
Greater > 51 acres	\$1,600.00

**ROCK COUNTY LCD – FEES AND PENALTIES**

<b>CONSERVATION RESERVE ENHANCEMENT PROGRAM CREP (POLICY)</b>	
Agreement	15% of calculated incentive payment or MAX \$500.00
Easement	15% of calculated incentive payment or MAX \$1,000.00
<b>NUTRIENT MANAGEMENT (POLICY)</b>	
Soil testing at Soil Lab	Current rate charged by lab.
Manure testing at Soil Lab	Current rate charged by lab.
Collection of Samples and Mileage	Actual time/material
Development of Plan	\$6.00/acre.
<b>ATCP 51 - LIVESTOCK SITING (POLICY)</b>	
Worksheet One – Animal Units:	\$50.00
Worksheet Two – Odor Management:	\$200.00
<b>Worksheet Three – Waste and Nutrient Management:</b>	\$300.00
Part A	\$50.00
Part B	\$50.00
Part C	\$250.00
<b>Worksheet Four – Waste Storage Facilities:</b>	\$250.00
New and Substantially Altered	\$200.00
Existing Facilities Retained	N/A
Facilities to be Abandoned	\$ 50.00
Worksheet Five – Runoff Management:	\$200.00
Review entire application:	\$750.00

<b>NON-METALLIC MINING RECLAMATION ANNUAL FEE FOR EXISTING MINES</b>									
<b>acreage</b>	<b>fee</b>	<b>acreage</b>	<b>fee</b>	<b>acreage</b>	<b>fee</b>	<b>acreage</b>	<b>fee</b>	<b>acreage</b>	<b>fee</b>
1	\$115	11	\$409	21	\$607	31	\$697	41	\$747
2	\$146	12	\$436	22	\$622	32	\$702	42	\$749
3	\$177	13	\$463	23	\$637	33	\$707	43	\$751
4	\$208	14	\$490	24	\$652	34	\$712	44	\$753
5	\$239	15	\$517	25	\$667	35	\$717	45	\$755
6	\$270	16	\$532	26	\$672	36	\$722	46	\$757
7	\$301	17	\$547	27	\$677	37	\$727	47	\$759
8	\$328	18	\$562	28	\$682	38	\$732	48	\$761
9	\$355	19	\$577	29	\$687	39	\$737	49	\$763
10	\$382	20	\$592	30	\$692	40	\$742	50 & >	\$765

<b>PENALTIES</b>		
<b>Ordinance</b>	<b>Section</b>	<b>Amount</b>
Construction Site Erosion Control	4.1109 (3)  4.1110	Double Fees for After-the-Fact Permit  <i>Per resolution 08-8A-054</i> <i>(Citation Amounts when deemed necessary)</i> First offense \$500.00 Second offense \$1000.00 Third offense \$5000.00
Storm Water Management	4.809(3)  4.810	Double Fees for After-the- Fact Permit  <i>Per resolution 08-8A-054</i> <i>(Citation Amounts when deemed necessary)</i> First offense \$500.00 Second offense \$1000.00 Third offense \$5000.00
Nonmetallic Mine Reclamation	4.1032	Not less than \$25.00, not more than \$1000.00
Animal Waste Management	4.944 4.953	Double Fees for After-the-Fact Permit

Adopted by the LCC  
 Adopted by LCC on August 6, 2014  
 Amended by LCC on January 7, 2015  
 Amended by LCC on March 2, 2016  
 Approved by LCC on January 6, 2021

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Rich Bostwick, LCC Chair

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

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

**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 SE1/4 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,

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

Page 2

- 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 \_\_\_\_\_ day of \_\_\_\_\_, 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

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

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

\_\_\_\_\_  
Stephanie Aegerter

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

\_\_\_\_\_  
Kaelyb Lokrantz

\_\_\_\_\_  
Mike Mulligan

\_\_\_\_\_  
William Wilson

\_\_\_\_\_  
James Quade, USDA-FSA

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.

*/s/ Sherry Oja*

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.

*/s/ Richard Greenlee*

Richard Greenlee  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

*/s/ Josh Smith*

Josh Smith  
County Administrator

## **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.