

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

JANUARY 25, 2013
DATE DRAFTED

**FINALIZING PURCHASE OF THE 2013 AGRICULTURAL CONSERVATION EASEMENTS AND
AMENDING THE 2013 LAND CONSERVATION DEPARTMENT BUDGET**

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**, applications were submitted by landowners to the Land Conservation Department (LCD) in 2011,
7 with said applications reviewed by LCD staff, the Rock County PACE Council (Council), and the Land
8 Conservation Committee (LCC); and,
9

10 **WHEREAS**, three applications were recommended for approval by LCD and the Council, and approved by the
11 LCC, all in accordance with the Rock County PACE Program Manual; and,
12

13 **WHEREAS**, The LCC authorized the LCD to commence the Easement acquisition process on the properties as
14 follows:

- 15 1. Carlson Property: Rock County Tax Parcel Numbers 6-5-304 and 6-5-325, Sections 32 and 33, Town
16 of Clinton;
- 17 2. Phelps Property: Rock County Tax Parcel Numbers 6-20-100, 6-20-101.1, and 6-20-104A, Sections 12
18 and 13, Town of Union;
- 19 3. Anderson Property: Rock County Tax Parcel Number 6-11-120, Section 17, Town of Lima; and,
20

21 **WHEREAS**, the PACE program and the Natural Resources Conservation Service (NRCS) Farm and Ranchland
22 Preservation Program (FRPP) require that easement appraisals be completed by a State of Wisconsin Certified
23 General Appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP); and,
24

25 **WHEREAS**, the purchase price of the said easements were determined with the aforementioned methodology and
26 the appraisal valuations have been approved by the NRCS; and,
27

28 **WHEREAS**, the LCD worked closely with the NRCS staff to secure the NRCS-FRPP funding for said easement
29 purchases and will receive said funding at time of the easement closing(s); and,
30

31 **WHEREAS**, each party to the PACE, that being the Landowners, the County and the NRCS, are required to have
32 financial interests as follows; Landowners will donate thirty three percent (33%) of the easement value, the County
33 will contribute seventeen percent (17%) of each easement value, totaling \$118,320 and the NRCS will contribute
34 fifty percent (50%) of each easement value, totaling \$340,000; and,
35

36 **WHEREAS**, a ten percent (10%) contingency fund shall be established to cover any additional costs to the County
37 due to changes in the real estate appraisals after appraisals have been reviewed by a third party Real Estate
38 Appraisal Reviewer.
39

40 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
41 14 day of February, 2013, does by enactment of this Resolution approve the purchase of the
42 Conservation Easements for each Property, accepts the NRCS-FRPP Funding, and authorizes the LCD to
43 undertake final necessary activities identified therein and obligate all necessary funds to complete said
44 activities.

13-2A-245

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46 **BE IT FURTHER RESOLVED**, the County Board Chair and/or the County Clerk will act as the County's
47 agent(s) for closing of said easements.

48
49 **BE IT FURTHER RESOLVED**, that an appraisal contingency fund be created in the amount of \$46,632
50 with funds to come from Federal Aid and ATC funds.

51
52 **BE IT FURTHER RESOLVED**, the 2013 Land Conservation Department's PACE budget be amended as
53 follows:

<u>A/C DESCRIPTION</u>	<u>BUDGET AT 01/01/2013</u>	<u>INCREASE (DECREASE)</u>	<u>AMENDED BUDGET</u>
Source of Funds:			
62-6350-0000-42100 Federal Aid	\$ 348,000	\$ 34,800	\$ 382,800
62-6350-0000-47000 Transfer In	\$ 153,040	\$ 11,832	\$ 164,872
Use of Funds:			
62-6350-0000-67171 Capital Assets over \$1,000	\$ 466,320	\$ 46,632	\$ 512,952

Respectfully submitted:

LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair

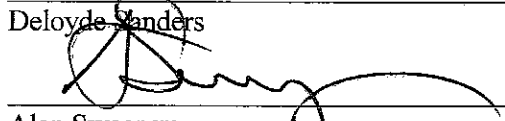

Larry Wiedenfeld, Vice-Chair

Eva Arnold

Edwin Nash


Jim Quade, USDA-FSA Representative

Deloyde Sanders

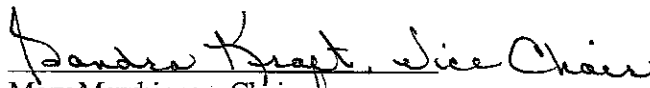

Alan Sweeney

Fred Yoss

FINANCE COMMITTEE ENDORSEMENT

Reviewed and approved on a vote of

4-0


Mary Mawhinney, Chair

FISCAL NOTE:

This resolution approves the purchase of listed easements, accepts NRCS-FRPP funding and establishes a contingency fund in the event of changes to the appraisals after review by a third party Real Estate Appraisal Reviewer. The County's portion of the contingency fund would come from a transfer in of ATC Fees. The estimated 12/31/12 balance in the Land Conservation ATC Fee account is \$755,610.


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. As an amendment to the adopted 2013 County Budget, this Resolution requires a 2/3 vote of the entire membership of the County Board pursuant to sec. 65.90(5)(a), Wis. Stats.


Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

EXECUTIVE SUMMARY

This resolution authorizes the Land Conservation Department (LCD) to finalize acquisition of the Agricultural Conservation Easements under the Purchase of Agricultural Conservation Easement Program (PACE) for the following lands:

1. Carlson Property: Rock County Tax Parcel Numbers 6-5-304 and 6-5-325, Sections 32 and 33, Town of Clinton;
2. Phelps Property: Rock County Tax Parcel Numbers 6-20-100, 6-20-101.1, and 6-20-104A, Sections 12 and 13, Town of Union;
3. Anderson Property: Rock County Tax Parcel Number 6-11-120, Section 17, Town of Lima

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, intergovernmental cooperation, and a regional land use vision throughout the County.

A Real Estate Appraisal Review, requested by the NRCS has been completed on the initial easement appraisals and the reviewer requested changes. The Real Estate Appraiser has made said changes, which has altered the initial values plus six percent (6%). Due to the changes, the LCD is requesting a ten percent (10%) contingency fund to be set up to cover a potential for increases in the Real Estate Appraisals for each property.

If this resolution is approved, the LCD will complete the Easement acquisition process on each of the aforementioned properties, and submit Easement acquisition funding applications to the USDA-Farm and Ranch Land Protection Program. Acquisition of the easements by Rock County is contingent upon funding from the USDA.