

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



ANDREW BAKER, DIRECTOR
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

OCTOBER 11, 2021
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2021 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 two (2) new landowner applications and
10 reactivated five (5) landowner applications for the PACE Program during the 2021 application cycle, totaling
11 seven (7) parcels and approximately five hundred eighty five (585) 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 one Watson and one Sayre application and approve the
17 one new application from McNall to begin the Easement acquisition process. The applications are described as:
18
19 Sayre Property – Rock County tax parcel number **6-16-110**, part of Section 13, Township 4N, Range 11E,
20 Porter Township (approximately 82 acres); and,
21
22 Watson Property – Rock County tax parcel **6-16-17**, part Section 2, Township 4N, Range 11E, Porter
23 Township (approximately 34.7 acres); and,
24
25 McNall Property – Rock County tax parcel **6-9-258**, part of Section 30, Township 3N, Range 14E,
26 Johnstown Township (approximately 85 acres); and,
27
28 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement acquisition
29 funding application for the aforementioned properties to the USDA-Natural Resources Conservation Service
30 (“NRCS”), which, if approved, provides funding for a maximum fifty percent of the Easement value; and,
31
32 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement between
33 Rock County and the owners of the aforementioned properties; and,
34
35 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final value
36 being determined by an appraisal, which will be contracted by Rock County only if the property is selected by the
37 NRCS for funding; and,
38
39 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned Properties, Rock
40 County, and Brabazon Title Company, Inc. will sign and execute three *Agricultural Conservation Easement*
41 *Conveyance Agreement* documents (i.e. purchase agreement), one for each application, which will include the
42 estimated purchase price and will outline all aspects of the Easement acquisition process, including but not limited
43 to, the following activities, subject to all terms and conditions as stated therein:
44
45 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
46 Commitment of \$15,000 (Title Report) for each Property,
47 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account,
3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,

48 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the fair
49 market value of the Easement; and,
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Applications)
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50 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by the County
51 Board.

52
53 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this 28th
54 day of October, 2021, does by enactment of this Resolution approve an *Agricultural Conservation Easement*
55 *Conveyance Agreement* for each property, authorizes the County Board Chair to sign all necessary documents
56 on behalf of the County and authorizes the LCD to undertake activities identified therein and obligate all
57 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/Janelle Crary
Janelle Crary

/s/Wes Davis
Wes Davis

/s/Mike Mulligan
Mike Mulligan

/s/James Quade
James Quade, USDA-FSA

/s/Genia Stevens
Genia Stevens

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 three 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 2021 PACE PROGRAM APPLICATIONS (FEDERAL FUNDING APPLICATIONS)

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