

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



THOMAS SWEENEY  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

APRIL 13, 2013  
DATE DRAFTED

**AUTHORIZING ACCEPTANCE OF FULL DONATION OF AGRICULTURAL CONSERVATION  
EASEMENTS ON PROPERTIES ELIGIBLE FOR THE ROCK COUNTY PURCHASE  
AGRICULTURAL CONSERVATION EASEMENTS (PACE) PROGRAM**

- 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 Purchase
- 3 of Agricultural Conservation Easements (PACE) Program Manual, identifying and outlining all aspects of
- 4 Program development and implementation, on January 13, 2011; and,
- 5
- 6 **WHEREAS**, the mission of the Rock County PACE Program ("Program") is to work in cooperation with local
- 7 governments to enhance Rock County's quality of life by building consensus towards a regional vision, to include
- 8 preservation of agricultural land, the agricultural economy, and the County's rural character, and responsible
- 9 growth and development in appropriate areas; and,
- 10
- 11 **WHEREAS**, the Program works towards achieving its mission by acquiring Agricultural Conservation Easements
- 12 on eligible lands throughout unincorporated Rock County; and,
- 13
- 14 **WHEREAS**, the Program identifies specific target areas that have met the criteria set forth in the Program's
- 15 manual, while other lands maybe eligible but are less likely to be considered/approved for inclusion into the
- 16 Program; and,
- 17
- 18 **WHEREAS**, applicants whom are not approved for Program participation and owners of properties not located in
- 19 a designated priority area, as defined in the Program manual, may wish to donate 100% of the Agricultural
- 20 Conservation Easement value to the Program; and,
- 21
- 22 **WHEREAS**, the Land Conservation Committee has discussed the merits of a full donation Program component
- 23 for individuals whom do not fit into the Program acquisition priority and concluded that the Program needs to fill
- 24 this void; and,
- 25
- 26 **WHEREAS**, current Program policies require the landowners to donate a minimum of thirty three percent (33%)
- 27 of the Agricultural Conservation Easement value, as defined by the easement appraisal, Rock County pays the
- 28 applicant 17% of the easement value and the USDA-NRCS Farm and Ranchland Protection Program pays the
- 29 applicant the remaining 50% of the easement value. Rock County pays all costs associated with the purchase of
- 30 the easement, which includes; the Agricultural Conservation Easement appraisal, all title work and title
- 31 insurance, recording fees, and a land survey, if needed; and,
- 32
- 33 **WHEREAS**, if this resolution is approved, Landowners, located in eligible areas as defined in the PACE Program
- 34 Manual, will be allowed to make a full donation of the Agricultural Conservation Easement value to the PACE
- 35 Program, and the PACE program will be allowed to pay for costs associated with the Agricultural Conservation
- 36 Easement appraisal, associated title work, title insurance, if needed, and recording fees.
- 37
- 38 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled this
- 39 13 day of June, 2013, authorizes Program staff to accept applications to the PACE Program
- 40 for the full donation of an Agricultural Conservation Easement, process applications according to the PACE
- 41 program policies and procedures, and authorizes program costs with the full donation of the Agricultural
- 42 Conservation Easement value.

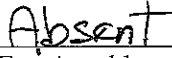
13-6A-350

Respectfully submitted:

LAND CONSERVATION COMMITTEE

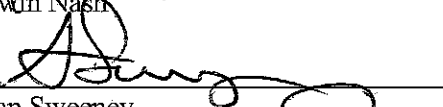
  
Richard Bostwick, Chair

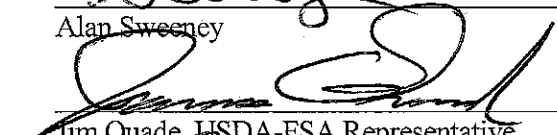
  
Larry Wiedenfeld, Vice-Chair

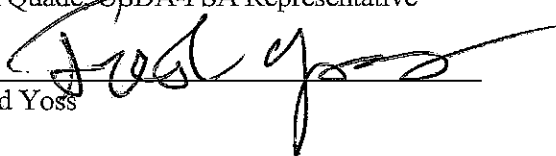
  
Eva Arnold

  
~~Doloyde Sanders~~

  
Edwin Nash

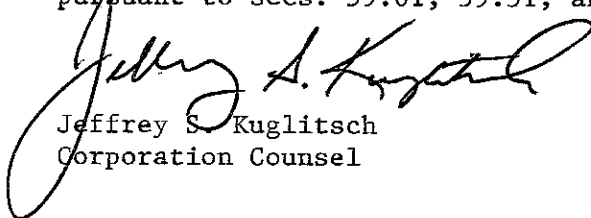
  
Alan Sweeney

  
Jim Quade, USDA-FSA Representative

  
Fred Yoss

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51, and 93.73, Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

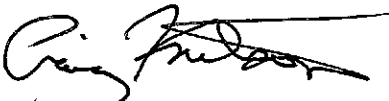
FISCAL NOTE:

This resolution would allow landowners the option to make a full donation of a conservation easement to the PACE Program. This would save the County the 17% of the easement value that it currently pays.

  
Sherry Oja  
Finance Director

ADMINISTRATIVE NOTE:

Recommended.

  
Craig Knutson  
County Administrator

**RESOLUTION: AUTHORIZING FULL DONATION OF AGRICULTURAL CONSERVATION EASEMENTS ON PROPERTIES ELIGIBLE FOR THE ROCK COUNTY AGRICULTURAL CONSERVATION EASEMENTS (PACE) PROGRAM**

**EXECUTIVE SUMMARY**

The Land Conservation Committee has discussed the merits of incorporating a voluntary agricultural conservation easement donation component into the PACE program, allowing landowners, whom are eligible for Purchase component, but may rank extremely low in the eligibility, the ability to make a donation of an Agricultural Conservation Easement to Rock County.

Under the current PACE Program Policy, landowners are required to make a minimum thirty three percent (33%) donation of the easement value, as determined by a Wisconsin Certified Appraiser, to be eligible for the Program. Rock County pays the applicant 17% of the easement value and the USDA-NRCS Farm and Ranchland Protection Program pays the applicant the remaining 50% of the easement value. Rock County pays all costs associated with the purchase of the easement, which includes; the Agricultural Conservation Easement appraisal, all title work and title insurance, recording fees, and a land survey, if needed.

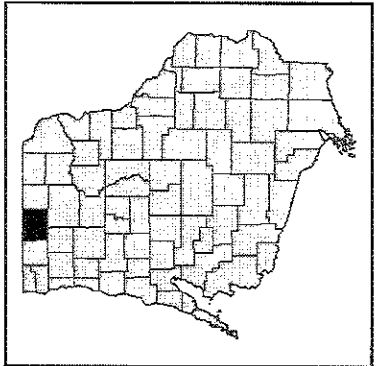
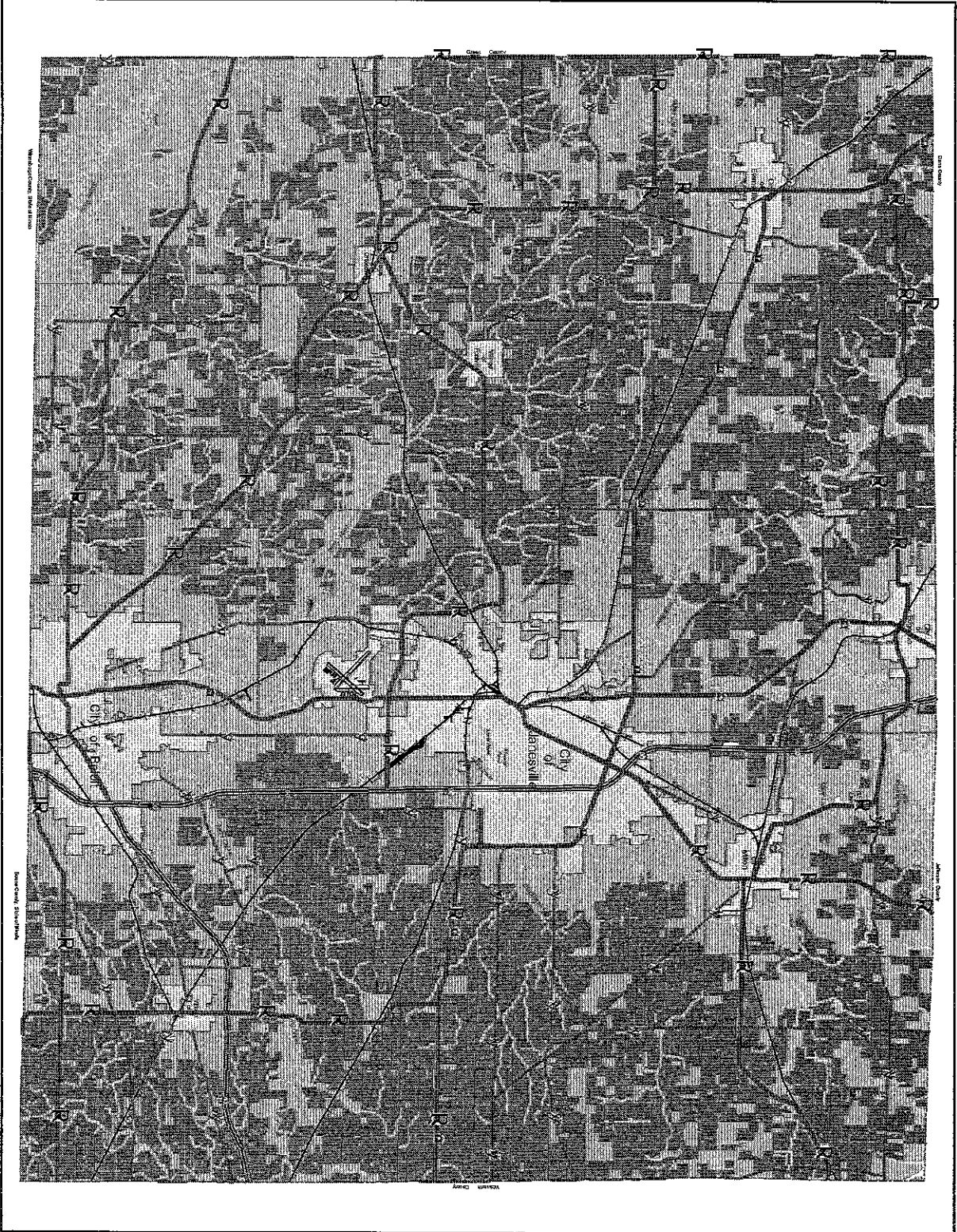
This resolution requests that Rock County Board of Supervisors allow landowner(s) the option to make a full donation of the Agricultural Conservation Easement to Rock County. All PACE Program eligibility components, as outlined in the PACE Manual will remain in place. The only costs associated with a donation component are Agricultural Conservation Easement appraisals, tile work, title insurance, if needed, and the appropriate recording fees.

County Board Resolution 11-1A-250, Resolution to Approve the Start of Rock County Purchase of Agriculture Conservation Easement Program (PACE) and Approval of the PACE Manual, stated that a public hearing and approval by Rock County Board of Supervisors are needed to modify specific components of the PACE Manual, specifically Section IV-Program Development (II. Eligibility or III. Priority) or Section V. – Program Implementation (I. Oversight and Administration or IV. Application). This resolution does not request amendments to any of the aforementioned sections.

Respectfully Submitted,

Thomas Sweeney

# Eligible Agricultural Parcels Rock County PACE Program

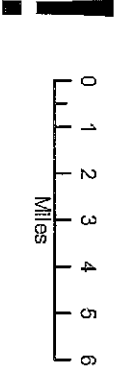


Rock County, Wisconsin  
12/1/2010

- Eligible Parcels
- Ineligible Parcels
- City, Village or Town Boundary
- City or Village
- Rivers and Streams
- Rivers, Lakes, and Ponds
- Rail Line
- Roads
- County Trunk
- Highway
- Interstate

**MAP DISCLAIMER**

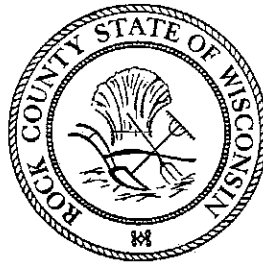
This map identifies agricultural parcels eligible to apply for inclusion in the Rock County PACE Program, reflecting the best data and information available at the time of Program adoption. Landowners and/or other interested parties may petition the County for a determination of Program eligibility on lands not identified as eligible. Land parcels meeting Program Eligibility Criteria 1 - 5, but not criteria 6, and/or 7, will become eligible to apply for inclusion in the Program pending submission of a Statement of Support - Rock County PACE Program Eligibility, by the applicable Town, Village and/or City, and amendment of said Town, Village, and/or City comprehensive plan, if required.



Rock County Geographic Information Systems (GIS)  
Planning, Economic and Community  
Development Agency  
51 S. Main St. Janesville, WI 53404  
TEL: 608-725-3827, FAX: 608-725-4386  
email: [Planning@rockcountwi.us](mailto:Planning@rockcountwi.us)

Disclaimer of this map is published without warranty concerning the accuracy of the information contained herein. The Rock County Geographic Information Systems (GIS) is a public information system. All graphics and attribute information is based on the Rock County Coordinate System. This map is not intended to be a substitute for an actual field survey and is an advisory reference only.

ROCK COUNTY LAND CONSERVATION DEPARTMENT  
 440 NORTH U.S. HIGHWAY 14  
 JANESVILLE, WI 53546  
 TELEPHONE: 608.754.6617 (EXTENSION: 3)  
 FAX: 608.752.1247  
 WEB: WWW.CO.ROCK.WI.US



## ROCK COUNTY PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS (PACE) PROGRAM – ELIGIBILITY CRITERIA FACT SHEET

### GENERAL INFORMATION

The Rock County PACE Program Ad Hoc Committee (Committee) developed Eligibility Criteria to identify agricultural parcels that are eligible to apply for inclusion to the Rock County PACE Program.

These Eligibility Criteria include:

1. Located in an Agricultural Preservation Area, per the *Rock County Farmland Preservation Plan: 2005 Update*, Farmland Preservation Plan Map
2. In private ownership but not owned by a conservation entity, and not currently protected through another agreement designed to maintain agricultural or open space use in perpetuity
3. Natural Resources Conservation Service (NRCS) composite land evaluation soil score of 60 or greater
4. 35 acres or larger with at least 50% of the acres classified as workland
5. Not adjacent to any an existing U.S. Interstate highway interchange (on 1-1-2010)
6. Not currently within any Town/Village/City planned development areas (per Town/City/Village comprehensive plans on 1-1-2010) or existing sewer service area (on 1-1-2010)\*
7. Not currently within .75 miles of the boundary of a Large City (City with a population over 20,000, per most recent United States Census) or .50 miles of a Small City (City with population under 20,000, per most recent United States Census), as said boundaries exist on 1-1-2010\* \*\*

*\*Land parcels meeting Program Eligibility Criteria 1.- 5., but not criteria 6. and/or 7., will become eligible to apply for inclusion in the Program pending submission of a Statement of Support – Rock County PACE Program Eligibility, by the applicable Town, Village and/or City, and amendment of said Town, Village, and/or City comprehensive plan, if required.*

*\*\* Land parcels meeting all other Program Eligibility Criteria., but not criteria 7., are eligible to apply for inclusion in the Program if said parcels are located in a Primary Target Acquisition Area (per Map IV.3 Rock County PACE Program: Target Acquisition Areas and Other High-Priority Agricultural Parcels),*

*Land parcels meeting all other Program Eligibility Criteria, but not criteria 7., located in the Town of Rock, west of State Highway 11 and County Highway D (Afton Road), as identified in an Intergovernmental Agreement between the Town of Rock and the City of Janesville, are eligible to apply for inclusion in the Program, pursuant to said Agreement.*

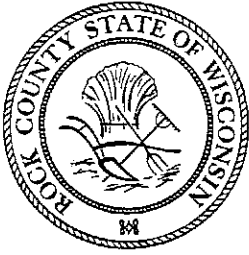
**GENERAL INFORMATION**

Agricultural parcels must meet all seven of the Eligibility Criteria to be eligible to apply for inclusion in the Program. Approximately 2,806 agricultural parcels in Rock County, totaling approximately 228,264 acres, meet all seven Program Eligibility Criteria and are eligible to apply for inclusion in the Program.

**FURTHER INFORMATION**

**\*\*PLEASE CONTACT ANDREW BAKER, ROCK COUNTY LAND CONSERVATION DEPARTMENT,  
AT 608.755.6617 Ext. 3, BAKER@CO.ROCK.WI.US, OR:**

**ROCK COUNTY LAND CONSERVATION DEPARTMENT  
ATTN: PACE PROGRAM  
440 NORTH U.S. HIGHWAY 14  
JANESVILLE, WI 53546**



## Rock County Land Conservation Department

440 N US Hwy 14

Janesville, WI 53546-9708

Phone: (608) 754 - 6617 ext.3

Fax: (608) 752 - 1247

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April 23, 2013

PACE Ad Hoc Committee Member and Council Members:

During the April 2013 Land Conservation Committee (LCC) meeting, discussion ensued regarding allowing Landowners the option to donate 100% of the easement value under the PACE Program. Currently the Landowners are required to donate a minimum of 33% of the easement value, while the county pays the landowner 17% of the easement value and the USDA-NRCS Farm and Ranchland Protection Program pay the landowner 50% of the easement value. The LCC believes that this minor change will help the program meet one of its primary goals of acquiring conservation easements on eligible lands.

As part of the discussion, the LCC stated that all current eligibility criteria for the PACE program would need to be met. I have attached a summary sheet of the approved criteria for you convenience. Also I have attached a map that was developed using the aforementioned criteria.

There were three issues that the committee discussed that predicated the needed change. First, the program was developed in a time when the PACE Ad Hoc Committee was under the impression that the Wisconsin Department of Agriculture, Trade and Consumer Protection was going to be a large financial player in the PACE programs application. This has not materialized. Second, after the State bowed out of the program, the County had to fill the void with a larger financial responsibility. The County's limited financial resources must be applied under the great scrutiny, which the PACE Council and LCC has done. Third, landowners whose lands do not fall into the Primary Target areas, but are still regarded as eligible land under the aforementioned criteria may wish to participate in the program, via the 100% donation avenue.

The Land Conservation Committee has requested that a resolution should be drafted for County Board consideration. The resolution will be considered during the June County Board meeting. If you have any questions comments or concerns regarding this matter, please give me a call.

Sincerely,

Thomas Sweeney  
County Conservationist

cc. Craig Knutson, County Administrator  
enclosures