

**RESOLUTION****ROCK COUNTY BOARD OF SUPERVISORS**

Supervisor Alan Sweeney  
INITIATED BY



12/22/2023  
DATE DRAFTED

**Acquisition of the Bjugstad Property Agricultural Conservation Easement**

**WHEREAS**, the Rock County Board of Supervisors officially approved the Rock County Purchase of Agricultural Conservation Easements (PACE) Program and adopted the document entitled Rock County PACE Program Manual, identifying and outlining all aspects of Program development and implementation, on January 13, 2011; and,

**WHEREAS**, the Rock County Board of Supervisors officially authorized staff to accept applications to the PACE Program for the donation of an Agricultural Conservation Easement, process applications according to the PACE program policies and procedures and pay for acquisition costs, on June 13, 2013; and,

**WHEREAS**, the primary goal of the PACE program is to acquire and monitor easements which limit or restrict non-agricultural land uses on the agricultural property while maintaining private land ownership; and,

**WHEREAS**, a PACE application was submitted by the Brian L Bjugstad and Renee M Bjugstad Revocable Trust (Landowner) to the Land Conservation Department (LCD) in 2023 for PACE easement on real property located in part of Sections 3 and 10, Township 3 North, Range 11 East, Center Township, part of Rock County tax parcel numbers 6-4-22, 6-4-24B, 6-4-71 and 6-4-72.1; and,

**WHEREAS**, the acquisition of the Easement will take place through a partnership with Groundswell Conservancy, Inc, which has received tentative approval for funding from the Wisconsin State Stewardship program and the USDA-NRCS Regional Conservation Partnership Program (RCPP) for a portion of the value of the Easement; and,

**WHEREAS**, the remaining value of the Easement will be considered a partial donation by the Landowner to the PACE Program; therefore Rock County will not be contributing toward the purchase price of the Easement but will pay the related administrative costs, such as title work, appraisal, closing costs and long term monitoring, which is authorized for any PACE Program acquisition, including donations; and,

**WHEREAS**, the application was recommended for approval by LCD and the PACE Council and approved by the LCC in accordance with the Rock County PACE Program Manual; and,

**WHEREAS**, to formalize the Easement acquisition process, the Landowner, Groundswell Conservancy Inc, Rock County, will execute a Conveyance Agreement – Agricultural Conservation Easement document, identifying and outlining all aspects of the Easement acquisition process, including but not limited to, the following activities, subject to all terms and conditions as stated therein:

Opening an escrow with Brabazon Title Company, Inc. and securing a minimum title insurance commitment of \$15,000 (Title Report) for the property;  
Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account;  
Rock County acquiring or reimbursing Groundswell for the services of qualified appraiser to determine the fair market value of an Easement on the property; and,

**NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this 11th day of January, 2024, does by enactment of this Resolution authorize the LCD to undertake necessary activities identified herein and obligates all necessary funds to complete said activities to proceed with acquisition of the Agricultural Conservation Easement on the Bjugstad Property without

further action for the Board.

**BE IT FURTHER RESOLVED**, the County Administrator will act as the County's agent for purposes of signing the all necessary easement related documents.

FISCAL NOTE:

Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to acquire this easement.

LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.01, 59.51, 93.73 & 700.40, Wis. Stats.

Shanna Sanders  
Deputy Corporation Counsel

ADMINISTRATIVE NOTE

Recommended.

Josh Smith  
County Administrator

**Committee Action**

Land Conservation Committee

The Land Conservation Committee recommended this resolution for approval by a unanimous voice vote.

PACE Council

The PACE Council recommended this resolution to LCC for approval by a unanimous voice vote.