#6

Jefferson County Farmland Conservation Easement Commission
Non-Profit Conservation Organization Matching Grant Program

Grant Application

Funds Requested: _____

Name of Organization: _____

Street Address: _____

City, State, Zip: _____

Name of Contact Person: _____

Phone: _____

Fax: _____

E-mail: _____

Owner of property funds are requested for: _____

Address of Property: _____

_____

Acres: _____

Number of acres currently tillable: _____

Number of acres currently in permanent conservation programs: _____

Number of development rights associated with the property: _____

Number of development rights that will be retired under the easement: _____

Eligibility with Documentation

A non-profit conservation organization (NCO) shall be eligible for the Jefferson County Grant Program to purchase Agricultural Conservation Easements on working farms once it has provided evidence satisfactory to the Commission that it is a nonprofit conservation organization. Please submit the following documents with your application, please mark with an 'X' the documents that are attached.

- ☐ Most recent IRS Filing (Form 990). Organizations not required to file Form 990 should provide most recent year-end financial statements.
- ☐ A copy of the most recent audit.
- ☐ Most recent annual financial statements consisting of income statement and balance sheet.

- ☐ A copy of the NCO by-laws.
- ☐ A copy of the NCOs articles of incorporation.
- ☐ A copy of the IRS letter of tax-exempt status determination.
- ☐ A description of endowment funds, if applicable.
- ☐ Other materials in support of the NCO eligibility including mission statement, brochures about the organization, newsletters, annual reports, copy of land acquisition policies, criteria for evaluation of land, or other materials.
- ☐ List of Board Officers and Members
- ☐ NCO Board of Directors shall adopt a resolution indicating the organization's commitment to continual progress toward implementation of *Land Trust Standards and Practices*. Organization shall submit the adopted resolution to the Commission.

Resolutions and Letters of Interest

Resolutions by the Board of the Directors of the NCO and all its partners in this grant application requesting a grant from the Jefferson County Farmland Conservation Easement Commission are required. A letter of interest signed by the property owner(s) must also be submitted. A sample resolution and letter are included in the application packet.

- ☐ Signed resolution(s) by NCO Board of Directors and all partners.
- ☐ Signed letter of interest by owner(s).

Maps

- ☐ Please clearly show the location of the property on an aerial photograph, mark the farmstead area and mark any building sites left out of the easement.

Property Description

- ☐ Exact location and legal description of property if available.
- ☐ Property description, type of operation, crops, special features (....acres tillable land, 10 acres of wetland...).
- ☐ Any known encumbrances (easements, deed restrictions...).
- ☐ Proximity to other protected land.
- ☐ Proximity to Urban Service Areas or City/Village Limits.
- ☐ Any other relevant information.

Narrative

- ☐ Please describe how the property contributes toward the NCO's and Jefferson County Farmland Conservation Easement Commission's overall goals and priorities. Refer to the Jefferson County Ranking criteria for assistance.

Monitoring

- ☐ Please include an indication of the ability and experience of the applicant to monitor and enforce the easement, and specify whether a fund has been established for this purpose.

Preliminary Environmental Questionnaire

- ☐ Please indicate the presence of any hazardous or toxic materials on the property including underground tanks.
- ☐ Please list any known zoning or solid waste violations.

Appraisal

- ☐ MUST comply with the Uniform Standards of Professional Appraisal Practice, the Uniform Appraisal Standards for Federal Land Acquisition, and the statutory rules governing the determination of just compensation (Chapter 32, Wis. Stats.).
- ☐ Provide a copy of the appraisal to the Jefferson County Farmland Conservation Easement Commission.

Jefferson County Approval – *please initial your agreement to the following statements.*

_____ The grant request must be approved by the Jefferson County Farmland Conservation Easement Commission for recommendation to the Jefferson County Board of Supervisors.

_____ The grant request must be approved by the Jefferson County Board of Supervisors.

_____ Jefferson County will be a co-holder of any easement utilizing County funds.

RESOLUTION

Requesting a Jefferson County PACE Program Grant.

RESOLVED, that the _____

(Board of Directors or other authorized governing unit)

of the _____

(Name of Organization)

headquartered at _____

HEREBY AUTHORIZES _____

(Name and Title)

to act on its behalf to submit an application for financial assistance to the County of Jefferson under the Jefferson County PACE Program for the acquisition of agricultural conservation easements or for other qualified conservation purposes described below; to sign documents; and to take action necessary to undertake, direct, and complete an approved Jefferson County PACE Program grant project:

_____

(Description of grant proposal project)

BE IT FURTHER RESOLVED THAT the _____

(Name of Organization)

recognizes and acknowledges the long-term monitoring responsibilities (when applicable) associated with this Jefferson County PACE Grant Program, and will meet its obligations under the Grant and Monitoring Contract for the project.

Adopted this _____ day of _____, 20 _____.

I hereby certify that the foregoing resolution was duly adopted by _____ at a legal meeting (Name of Organization)

held on the _____ day of _____, 20 _____.

Authorized signature _____

Printed or typed name and Title _____

Date: _____, 20_____

LETTER OF INTEREST

TO SELL AGRICULTURAL CONSERVATION EASEMENT

TO: County of Jefferson

FROM: _____

Please print ALL Owner(s) Full Name(s)

_____

_____

Owner(s) Address & Telephone No.

PROPERTY: _____

Address

LEGAL DESCRIPTION:

_____

_____

Full legal description or attach copy of deed or title policy

SIZE OF PROPERTY: _____ Acres

DATE: _____, 20__

THIS LETTER OF INTEREST from the OWNER is issued to SELL an EASEMENT with respect to the above-referenced Property. The purpose of this Letter is to encourage the County of Jefferson to start the public review process to allocate monies from the JEFFERSON COUNTY PACE PROGRAM to assess, appraise and acquire an easement with respect to the Property by Jefferson County or other governmental units or private non-profit land conservation group(s).

The OWNER believes the fair market value of the easement over the property is $_____ per acre for a total easement price of $_____.

Note: the values expressed by OWNER above are not binding and are not to be shared with the appraiser.

OWNER grants permission for an APPRAISAL of the Property and will fully cooperate with and provide information about the Property to an appraiser and shall permit the appraiser and Jefferson County staff reasonable access to the subject Property and any adjoining property of OWNER for the purpose of the timely completion of such appraisal and determining the suitability of the property for agricultural preservation purposes.

OWNER agrees to complete, to the best of OWNER's knowledge, and attach to this Letter a "Preliminary Environmental Questionnaire." If additional information comes to OWNER's attention after the date of this Letter, Owner agrees to promptly contact the Jefferson County Zoning Department.

Owner agrees to make the Conservation Plan and Nutrient Management plan, if required, available to the Jefferson County Farmland Conservation Easement Commission.

The owner agrees to Jefferson County as a co-holder of the easement.

It is understood and agreed that this LETTER OF INTEREST is not intended to be and is not a contract. Rather, it is an expression of the basis on which the parties hereto would consider entering into a written contract to for purchase of a conservation easement in and to the Property.

OWNER(s) _____

Print Name

_____

Signature

_____

Print Name

_____

Signature

TO: FARMLAND CONSERVATION EASEMENT COMMISSION
FROM: GERRY KOKKONEN
SUBJECT: SEPTEMBER MEETING AGENDA ITEMS
DATE: SEPTEMBER 14, 2015
CC: MARK WATKINS

Agenda Item #8 - Lea Violation

- 08/10/2015 – Spoke w/Kristen Westad, she received call for Ned Healy, Westad told Healy that the she is not able to comment on violation and should direct questions to Commission or DATCP.
- 08/14/2015 – Received call from Scott Karel -DATCP, he spoke w/Healy - would like to make structure "mobile" and is looking for opinion from County on building permits and easement ramifications.
- 08/17/2015 - Spoke with Michelle in Zoning she will prepare memo stating zoning rules with regards to structures. Also will schedule conference call with DATCP & NRCS to discuss.
- 08/18/2015 – Prepped map and letter for landowner. **See handout**
- 08/26/2015 – Received memo from Zoning describing the process for making the structure Zoning compliant.
- 09/02/2015-Conference call with DATCP, NRCS & Commission Chair. Concluded that structure must be removed by October 1. Sent letter to landowners.
- 09/09/2015 – forwarded copies of latest correspondence to DATCP & NRCS. **See handout**
- 09/14/2015 - Have not received any response from landowner
- Will monitor for compliance shortly after 10/01, and report to Chair, Mark W, & Corp Counsel if required

Agenda Item #9 - Neupert Violation

- Spoke w/ Corp Counsel – Blair- sent letter inform landowner that land split is a violation of easement and land contract must be rescinded. *Please contact Blair for additional information.*

Agenda Item #10

- Greg Wilke: Inspecting site for structure removal -9/14/2015. In addition, NRCS/DNR is scheduled to visit the site for woodlot & assessment to satisfy required portions of Baseline Document Report. Various documents require additional information – *please ask Margaret/Mark W.* Timeline needs to be set for closing date and has the extension been granted?
- Cliff Haberman: Pasture & Forest management plans are complete for ALE Comprehensive Plan and require landowner's signature. Remediation of any remaining environmental hazards will require documentation this fall, also survey work for farmstead/buildings is still needed – will follow-up with timeline from County Surveyor.

Jefferson County
Farmland Easement Commission
Courthouse – 311 South Center Avenue, Rm 113
Jefferson, Wisconsin 53549
(920) 674-7110

Wednesday, September 02, 2015

Rodell Lea
W7885 Lea Lane
Fort Atkinson, WI 53538

Dear Mr. Lea,

Jefferson County being a cooperating entity and a named holder of the Agricultural Conservation Easement described by Jefferson County document number 1304077, and as part of the ongoing enforcement action involving a **structure and impervious surface outside the Farmstead Area** of the covered land. The easement holders require the structure *-documented on June 15th by both NRCS and Jefferson County-* be removed from the Agricultural Area, as described and illustrated in both Exhibit A of the Easement and Exhibit B of the Baseline Documentation Report.

It is the decision of NRCS, DATCP and the Jefferson County Easement Commission that both the **structure and associated impervious surface must be removed by October 1st, 2015.** In addition, any structural alteration, relocation or construction must meet all Zoning ordinances and permitting.

Finally, it is a condition of the easement that the grantors of the easement contact Jefferson County or any other named easement holders prior to any structural improvements, building additions or other activity requiring the holder's approval.

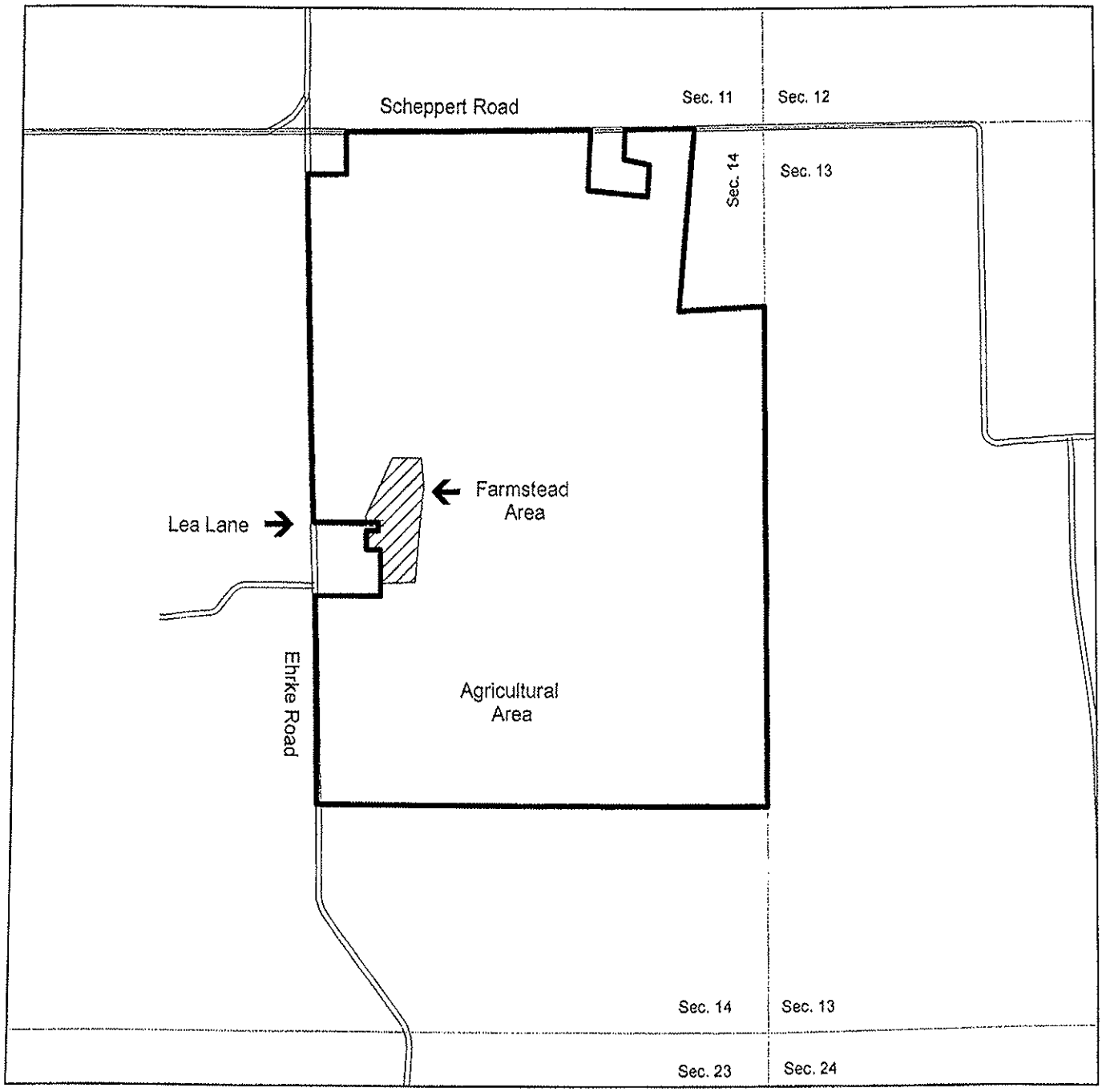
Sincerely,

Gerry Kokkonen
311 South Center Ave.
County Courthouse, RM 113
Jefferson, WI
920.674.7111 M-F 8 AM to 4:30 PM

Cc: Jefferson County Farmland Easement Commission
Jefferson County Zoning & Planning Department

COPY

Exhibit B. Map of Covered Land



The Covered Land is located in Section 14, T6N, R13N, Town of Oakland, Jefferson County, WI.

Appurtenant access to the PACE-FRPP Conservation Easement Area is from the east end of Lea Lane (which runs east from Ehrke Road to the Farmstead Area) in the NE1/4 of Section 14, T6N, R13E, Town of Oakland, Jefferson County, WI.

Legend

- Covered Land
- Farmstead Area
- Section Lines
- Public Roads

0 380 760 1,520 Feet

Lea_CE_ExhibitB.mxd

N

Jefferson County

PLANNING AND ZONING DEPARTMENT
COURTHOUSE, 311 S. CENTER AVE., JEFFERSON, WI 53549
ROOM 201 PHONE 920-674-8638 FAX 920-674-7525

MEMO

DATE: August 26, 2015

TO: Jefferson County Farmland Conservation Easement Commission
Mark Watkins, Director of Land and Water Conservation Department
Gerry Kokkonen, GIS/Land Use Specialist

FROM: Michelle J. Staff, Zoning/On-Site Waste Systems Technician
Jefferson County Planning and Zoning Department

RE: Zoning/Land Use Permits for Agricultural Structures

The Land and Water Conservation Department sent a letter on behalf of the Jefferson County Farmland Conservation Easement Commission in regards to an agricultural structure which was placed on Rodell Lea Trust property. Section 11.03 of the Jefferson County Zoning Ordinances requires a Zoning/Land Use Permit for all structures whether they are temporary or permanent. If the agricultural structure is to be moved or remain in its present location, a Zoning/Land Use Permit must be granted from our office. With the Zoning/Land Use application, we would also need a site plan showing the location of the structure with setbacks from all property lines, roads, etc. Since this land does have a Jefferson County easement, we would consult with the Jefferson County Land and Water Conservation Department before issuing any such permit. We would also like the Farmland Conservation Easement Commission to be aware that in an A-1 Exclusive Agricultural zone, air strips and/or airplane hangars are not permitted. The landowner would need to rezone to A-2 Agricultural and Rural Business with a conditional use for public/semi-public use. If you have any questions regarding this issue or the Jefferson County Zoning Ordinances, please contact Rob Klotz, Director of Planning and Zoning or me at 920-674-8638.

Jefferson County
Farmland Easement Commission
Courthouse – 311 South Center Avenue, Rm 113
Jefferson, Wisconsin 53549
(920) 674-7110

Monday, August 17, 2015

Rodell Lea
W7885 Lea Lane
Fort Atkinson, WI 53538

Dear Mr. Lea,

As part of the ongoing process of evaluating the structure documented during the 2015 annual easement monitoring, we have provided a map depicted the surveyed area of the described farmstead on page 10 of the easement document. In addition this area is shown as Exhibit C Pre-Existing Uses & Structures of the easement document.

We are scheduling another discussion with DATCP and NRCS to further evaluate whether the easement will allow the structure. We will contact you shortly thereafter to forward any concluding information.

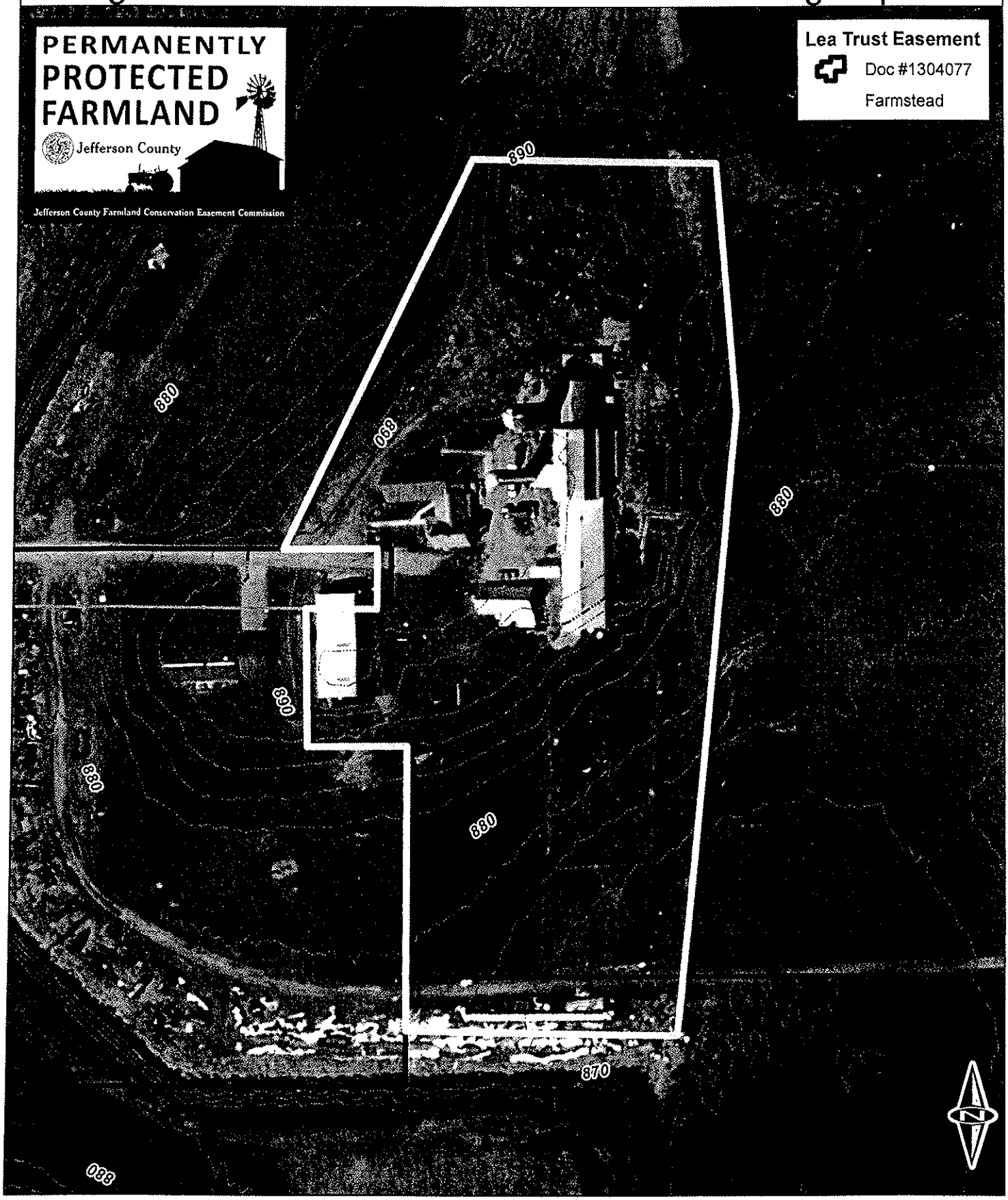
Finally, as a reminder it is a condition of the easement that you contact our office prior to any structural improvements or additions. It may be advisable to also consult the County Zoning Department for any permits they may require.

Sincerely,

Gerry Kokkonen
311 South Center Ave.
County Courthouse, RM 113
Jefferson, WI
920.674.7111 M-F 8 AM to 4:30 PM

Cc: Jefferson County Farmland Easement Commission
Jefferson County Zoning & Planning Department

Agricultural Conservation Easement-Monitoring Report



Data Sources:
Parcel Dataset; 2010 Aerial Photo
Jefferson County, Land Information Office
Localize Data, Jefferson County LWCD

0 50 100 200 300
Feet

1 inch = 100 feet
Map compiled by:
Jefferson County Land & Water Conservation Department
August, 2015