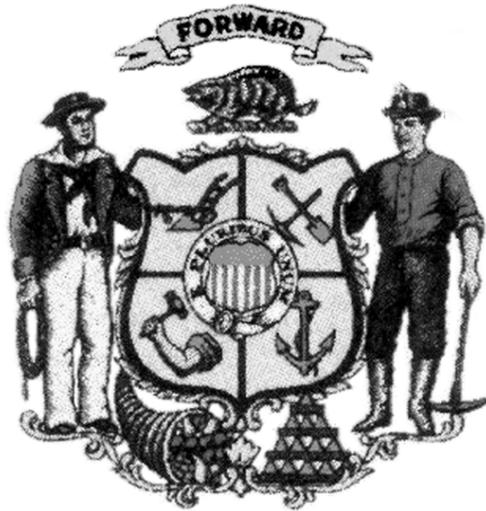


DRAFT-WISCONSIN

Purchase of Agricultural Conservation Easement (PACE) Council

Council Membership, Functions and Procedures



*Wisconsin Department of Agriculture, Trade
and Consumer Protection
P.O. Box 8911
Madison, WI 53708-8911
(608)224-4622*

I. PURPOSE

The Wisconsin Purchase of Agricultural Conservation Easement Council (PACE Council), is attached to the Department of Agriculture, Trade and Consumer Protection (DATCP). The PACE Council is appointed to advise DATCP on the purchase of agricultural conservation easements under s. 93.73, Stats. DATCP's Division of Agricultural Resource Management is responsible for the operations of the PACE Council.

II. MEMBERS

A. Members

The DATCP Secretary shall determine the number of members on the PACE Council. Members shall be appointed by the DATCP Secretary for 1, 2, or 3 year terms.

B. Vacancies

Vacancies on the PACE Council shall be filled by the DATCP Secretary.

C. Terms

PACE Council members shall serve 1, 2, or 3 year terms, which shall expire on June 30th of each calendar year.

D. Attendance

A PACE Council member, if absent from a council meeting, may not be represented by a proxy. If a PACE Council member is absent at three consecutive meetings without good cause, as determined by the PACE Council Chairperson, the Chairperson shall bring the matter to the attention of the DATCP Secretary.

III. OFFICERS

At the first PACE Council meeting subsequent to July 1st in each calendar year, the DATCP Secretary shall appoint the PACE Council Chairperson. The Secretary may reappoint a Chairperson to serve consecutive terms.

IV. FUNCTIONS

The PACE Council will perform the following functions, subject to the scope of its advisory authority under s. 93.73, Stats.:

1. Advise DATCP on requirements for agricultural conservation easement applications.
2. Advise DATCP on selection criteria used to rank agricultural conservation easement applications.
3. Review DATCP's proposed ranking of agricultural conservation easement applications, based on established criteria.

The PACE Council will establish meeting and operating procedures for the Council, including policies and procedures related to the receipt of public comments on matters before the Council.

V. DECISION MAKING

To the extent practicable, the PACE Council will advise DATCP based on the consensus of the PACE Council. The PACE Council may put matters to a vote of the Council, as deemed appropriate, but is not required to do so. The PACE Council may also advise DATCP of majority and minority views.

VI. CONSULTATION.

DATCP's Agricultural Resource Management Division will consult with the PACE Council, at Council meetings properly noticed under s. 19.84, Stats., related to the following matters under s. 93.73, Stats.:

1. Requirements for agricultural conservation easement applications.
2. Selection criteria used to rank agricultural conservation easement applications.
3. Proposed ranking and selection of agricultural conservation easement applications, based on established criteria.
4. Preparation of any evaluation reports submitted to the Board of Agriculture, Trade and Consumer Protection concerning the agricultural conservation easement grant program.
5. Other matters related to the administration of s. 93.73, Stats., as appropriate.

Consultation with the PACE Council may be based on draft materials prepared by the Division, in consultation with the PACE Council Chair.

VII. OPERATIONAL SUPPORT

DATCP's Agricultural Resource Management Division will provide operational support to the PACE Council. Support may include all of the following:

1. Scheduling and coordinating PACE Council meetings, in consultation with the PACE Council Chair. The Division will prepare draft agendas, issue open meeting notices, and prepare and distribute meeting materials as appropriate.
2. Provide draft materials for review by the PACE Council.
3. Provide information, technical and legal assistance, and other assistance as necessary.

VIII. MEETING PROCEDURES

A. Schedule and Place of Meetings

1. Four meetings will be pre-scheduled each year and may be cancelled, if not needed.
2. Additional meetings may be called by the PACE Council Chairperson, as necessary.
3. Meetings will be held at DATCP, in Madison, or at other appropriate and publicly accessible locations as determined by the PACE Council in consultation with the Division. Meetings may be held and members may attend by telephone conference call as necessary.

4. All meetings, including telephone conference meetings, if any, will be noticed and conducted according to the Wisconsin Open Meeting Law, Open Meeting law, subch. V of ch. 19, Stats.

B. Meeting Agendas

1. Preparation and Publication

The Agricultural Resource Management Division will prepare each meeting agenda in consultation with the PACE Council Chairperson. The Division will mail the agenda to PACE Council members at least 7 calendar days prior to the scheduled meeting, unless the PACE Council Chairperson authorizes a shorter time period due to extenuating circumstances. The Division will publish an open meeting notice, under subch. V of ch. 19, Stats., that summarizes the meeting agenda. Copies of the complete agenda will be published on the DATCP website, and will be available to the public upon request.

2. Contents

A meeting agenda will normally include the following items:

- a. Approval of minutes of the previous meeting.
- b. Council member reports (check-in), as appropriate.
- c. Division reports, as appropriate.
- c. Public appearances, as appropriate.
- d. Items for discussion or action by the Council.
- e. Schedule and possible agenda items for future meetings.
- f. Other appropriate items as provided in the published agenda.

Council discussion and action will be limited to the published agenda, except as specifically authorized by the Open Meeting Law, subch. V of ch. 19, Stats.

C. Minutes

DATCP's Agricultural Resource Management Division will prepare draft minutes of each PACE Council meeting, for approval at the next Council meeting. The Division will mail the minutes to Council members with the agenda for the next meeting. The PACE Council Chairperson will sign the minutes after they are approved by the PACE Council, and the Agricultural Resource Management Division will keep the minutes on file for the period of time required by law.

D. Meeting Materials

The Agricultural Resource Management Division will prepare PACE Council meeting materials in consultation with the PACE Council Chairperson. Except as otherwise authorized by the Chairperson, the Division will electronically mail the meeting materials to PACE Council members with the meeting agenda. Materials will be published on the DATCP website, made available to the public upon request, and made available to attendees at the PACE Council meeting.

E. Method of Mailing Agendas and Meeting Materials

Except as otherwise requested by the PACE Council, meeting agendas and materials may be mailed to PACE Council members by electronic mail.

F. Conduct of Meetings

1. General

The PACE Council Chairperson or, in the absence of the Chairperson, any member chosen by the members present, shall chair meetings of the PACE Council. Meetings will be conducted according to the Wisconsin Open Meetings Law, subch. V of ch. 19, Stats. Parliamentary procedural issues will be determined according to *The Sturgis Standard Code of Parliamentary Procedure*.

2. Quorum

A majority of the PACE Council constitutes a quorum. No Council business may be transacted unless a quorum is present. A member participating by teleconference is considered to be present for the meeting.

3. Member Recusal

If a member recognizes that his or her own participation in a particular discussion or vote represents a conflict of interest, that member shall so state publicly and abstain from that discussion or vote.

IX. COMPENSATION AND EXPENSES

PACE Council members who are not employees of state agencies are eligible to receive reimbursement of reasonable and necessary expenses incurred in the performance of their duties. Council members may request reimbursement of expenses incurred to attend Council meetings, but may not be reimbursed for other expenses, unless those other expenses are incurred with the specific prior approval of the Council Chairperson and DATCP.

X. REVIEW AND AMENDMENT OF PROCEDURES

The PACE Council and DATCP may, from time to time, agree to review and amend PACE Council procedures as necessary.

Signed this _____ day of _____, 2009:

For and with the approval of the the PACE Council:

Thomas Lyon,
PACE Council Chairperson

Signed this _____ day of _____, 2009:

For the Department of Agriculture, Trade and Consumer Protection: _____

Rodney J. Nilsestuen,
Secretary