



**MINUTES**  
**ROCK COUNTY PDR/PACE AD HOC COMMITTEE**  
**WEDNESDAY, JULY 21, 2010, 6:30 P.M.**  
**COUNTY COURTHOUSE - CONFERENCE ROOM 250**  
**JANESVILLE WI**

1. **Call to Order:** Chair Sweeney called the meeting of the PDR/PACE Ad Hoc Committee to order at 6:35 p.m.

**Committee Members Present:** Chair Alan Sweeney, John Lader, Ron Combs, Dave Rebout, Brad Cantrell, Neil Deupree, Doug Marklein, Archie Morton, Ray Henschler, Fred Hookham, Ramona Flanigan, Neil Walter, Rebecca Houseman for Julie Christenson, and Julie Backenkeller.

**Committee Members Absent:** Charley Rusch, Todd Schmidt, Don Jones, Bill Barlass, Scott Farrington, Mark Gunn, and Rich Bostwick.

**Staff Present:** Tom Sweeney, LCD; Paul Benjamin, Planning; Steve Schraufnagel, Planning; Carrie Houston, Planning; and Wade Thompson, Planning.

**Other's Present:** Vicki Elkin, Lisa Schultz, Allison Volk, all from Wisconsin Department of Ag, Trade and Consumer Protection (DATCP), and Katie Kuznacic, LCC.

2. **Adoption of Agenda:** Chair Sweeney entertained a motion to adopt the agenda as presented. Neil Deupree motioned to approve the agenda, seconded by Dave Rebout.  
**Motion Carried.**
3. **Adoption of Minutes:** Chair Sweeney entertained a motion to adopt the minutes from the June 29, 2010 meeting. Ron Combs motioned to approve the minutes, seconded by Julie Backenkeller. **Motion Carried.**
4. **Citizen Participation, Communications, and Announcements:** Chair Sweeney introduced three representatives from DATCP – Vicki Elkin, Lisa Schultz, and Allison Volk, invited by staff to answer questions regarding the state PACE Program.

Vicki Elkin introduced the DATCP staff stated they are available for questions. Vicki and Lisa Schultz answered various questions from the Committee and staff regarding application cycles, the status of the State program, and amount of State funding available.

5. **Discussion of Urban Reserve Area:** Wade Thompson stated that tonight's meeting would cover a discussion of urban reserve areas, the Program's acquisition identification methodology, and the landowner application and County review and selection process.

Wade began the discussion on urban reserve areas as they relate to the Target Acquisition Areas the Committee identified through the LESA score process. Wade stated that the City of Beloit's urban reserve area is not an issue, but the City of Janesville's urban reserve area does conflict with those areas the Committee identified as Target Acquisition Areas. Wade went on to read through the sheet "Urban Reserve Area and Easement Acquisition Area Statistics (draft 7/21/2010)", providing some statistics on the City of Janesville's existing lands, its urban reserve area and the Target Acquisition Areas identified by the Committee.

Doug Marklein asked for an explanation of the definition of the urban reserve area. Wade stated the urban reserve area are lands not planned for a specific use, but areas that cities

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and villages would like to reserve for potential future development. Wade stated these areas are different than a planned future land use, in that they are a generalized area where a city/village might develop some day but there is no specific land use plan for that area.

Brad Cantrell stated that Wade's explanation of the City of Janesville's urban reserve area is correct. Brad stated the urban reserve is an area that the City believes will have the next pressure for urban development beyond the next 20 or 30-year period. Brad stated the area may be adjusted in the future.

The committee continued to discuss the City of Janesville's urban reserve area. Archie Morton stated the Town's comprehensive plans identified those lands in the urban reserve area be maintained for agriculture use. Archie distributed a map displaying these land uses. Julie Backenkeller questioned the methodology utilized to identify the City of Janesville's urban reserve area. Julie stated she hoped the lands identified both in the City's urban reserve area and as Target Acquisition Areas (conflict areas) would be taken out of the City's urban reserve area.

Ron Combs asked a question regarding display of the Town of LaPrairie's proposed Agricultural Enterprise Area (AEA) and how that would be considered. Wade stated the AEA would be considered in the application process.

Brad stated the City's urban reserve area was developed because the City of Janesville feels these areas will have development pressure and if the PACE Program is applied in those areas development potential is lost. Brad went on to state that the City boundaries have increased by a large margin since 1950. Brad stated the city council adopted the urban reserve area in the City comprehensive plan, and the City should have the ability to approve any easement acquisitions within those areas.

Julie Backenkeller questioned the growth pattern of the City of Janesville and stated that the City's growth would be better served if lands to the east of its current boundaries were preserved in the PACE Program. Neil Deupree stated that lands east of the City are prime agricultural land, and are also prime for development given their location in close proximity to the interstate.

Brad stated that Rock County and the City of Janesville are both growth communities, and that both need to ensure that growth and development is undertaken in a responsible manner. Brad stated that agricultural is vital to economic health of the region, but opportunities for development are also vital. Brad stated that he was in largely in favor of the map of Target Acquisition Areas, but that the City of Janesville's urban reserve areas should not be eligible for the PACE Program, except for the conflict areas. Brad also stated that the conflict areas should be subject to review by the City of Janesville before any easement is acquired on these lands.

John Lader stated that given the large amounts of acreage planned for future City of Janesville growth and the small amounts of acreage in the conflict areas, the Committee should be able to find room to compromise. Julie Backenkeller stated that there is a discrepancy between what the Towns and City of Janesville are planning for on these lands.

Archie Morton stated that it is a landowner decision as to whether or not they want to apply to the PACE Program. Archie also stated that he thought the conflict area should remain eligible for the Program. Doug Marklein stated that the long-term growth of the City of Janesville needs to be considered. Doug also stated he had concerns about limiting the supply of developable land and cited Portland, Oregon as an example of issues that may arise.

Dave Rebout stated there would be possibility to have discussions between the City of Janesville and landowners in the conflict areas if/when the landowner applies to the County PACE Program. Dave also stated that \$6 million in State funding is not going to go very far if

it's spread across the entire State. Dave stated that ultimately the amount of land purchased by the County PACE Program would be a small amount each year.

Wade Thompson stated that staff is developing the idea of a PACE Council, representing various interests throughout the County. Wade stated this PACE Council would review Program applications and would potentially address many of the issues being discussed tonight.

John Lader asked Brad Cantrell if the City of Janesville purchased easements. Brad stated they did not. Brad also stated that areas within both the City of Janesville and City of Beloit's urban reserve area should remain open for potential development, and not be eligible for the PACE Program. Brad stated that the City should have the right to review any proposed easement purchase within the City's ETJ area. Brad stated he would be presenting these issues to the Janesville City Council on August 9<sup>th</sup>.

Dave Rebut stated that landowner rights are diminished in the City's ETJ area if he/she is not allowed to develop, nor preserve his land for farming. Brad stated that the landowner still has the right to farm, but the development rights should not be purchased by a governmental entity within those areas. Archie Morton questioned the City of Janesville's authority to review applications in the conflict area.

Chair Sweeny stated the Committee would move on to the Acquisition Identification Methodology.

6. **Acquisition Identification Methodology** – Wade Thompson distributed a handout and stated that the acquisition identification methodology entails four steps.

1. Developing eligibility criteria
2. Utilizing LESA to identify general target acquisition areas
3. Prioritizing general target acquisition areas to produce specific target acquisition areas
4. Developing acquisition priority based on LESA score and location within, adjacent or approximate to specific target acquisition areas

Wade went on to review the above steps in detail and how they apply to the maps discussed tonight. Wade stated final acquisition selection will be based on landowner application and the County review process. Wade talked in detail about the proposed PACE Council, a body representing various interests throughout the County that will have a role in identifying lands for easement acquisition. Wade answered various questions on this process.

Wade stated that the Committee would be seeking approval of the four steps outlined above.

7. **Approval of Eligibility Criteria, Land Evaluation and Site Assessment (LESA) Scoring System, and Target Acquisition Areas:** Chair Sweeney recommended getting the motion on the floor as it is an action item. Ron Combs moved to get it on the floor, seconded by Neil Deupree.

Discussion ensued on the motion. Ron Combs made a motion to approve the eligibility criteria, the land evaluation and site assessment scoring system, and the general and specific target acquisition areas. Neil Deupree seconded the motion. Further discussion on the motion ensued.

Neil Deupree asked if the urban reserve areas would remain eligible for easement acquisition. Wade stated the urban reserve area was put on the map tonight for informational purposes only and would be taken off of any future versions of the map.

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Various discussion ensued on the acquisition identification methodology. Brad Cantrell stated he thought the methodology was sound but that cities and villages need to be allowed to grow and develop. Brad stated he thinks the Janesville City Council should have the ability to say yes or no within the conflict area and he hopes the County board will agree with that as well.

Ramona questioned when the decision will be made regarding veto authority by cities or villages affected by easement acquisitions. Chair Sweeney and Tom Sweeney stated the Committee will be covering that in the next meeting. Ramona stated that this issue is critical to adoption of the motion. Tom Sweeney stated that the Land Conservation Committee has program oversight authority. Ramona stated affected cities and villages should have a voice in acquisition easements that will affect them. Tom Sweeney stated this would be addressed in the PACE Council.

Rebecca Houseman questioned what the Committee was approving. Chair Sweeney stated the acquisition identification methodology. Wade Thompson also stated that once this Program gets implemented, education, outreach, and acquisition efforts will be focused in the specific target acquisition areas.

Ron Combs stated that he agreed with Brad Cantrell and the right of the City of Janesville to have review authority in the urban reserve areas, and that there will be opportunity for further compromise. Ron stated that what the Committee is approving is the acquisition identification methodology and a specific target area map that has a small amount of conflict area. Ron stated he thought all cities, villages, towns should be notified of potential easement acquisitions in close proximity to their borders.

Doug Marklein stated that he agreed with the City of Janesville on the urban reserve area issue, but would like to see this program be a success. Doug stated he thinks that the conflict area should be avoided initially to avoid controversy.

Julie Beckenkeller stated that the rights of landowners are an important consideration throughout this process.

Chair Sweeney - All in favor of the motion - Yea – 10 No – 4. Motion passes 10-4.

8. **Review of the Draft Application Materials:** Carrie Houston discussed drafts of the application materials, including the application information sheet and application review and recommendation form. Carrie stated that the Committee should review these drafts and be prepared to discuss them in greater detail at the next Committee meeting. Carrie also stated that at the next Committee meeting the Committee would be reviewing a draft of the program manual, identifying all aspects of Program development and implementation.
8. **Future Meeting Date:** Chair Sweeney recommended September 8, 2010 with an 8:30 a.m. start time as the next meeting date. The date was later changed to Thursday, September 2, 2010 at 8:30 a.m. at the Courthouse Conference Room 250. All members were notified by mail.
9. **Adjournment:** Neil Deupree motioned to adjourn the PDR/PACE Ad Hoc Committee at 8:07 p.m., seconded by Archie Morton. Motion carried.

Respectfully Submitted,

Thomas Sweeney  
County Conservationist

**Minutes are not official until adopted by the PDR/PACE Ad Hoc Committee.**