

**Draft Minutes  
DCTA Membership Meeting  
February 27, 2013**

Dunn Town Hall  
4156 County Road B  
McFarland, WI 53558

DCTA Executive Board present: Jerry Derr, Tim Roehl.

**Call to Order** Meeting called to order by Chair Derr at 7:11 pm.

**Pledge of Allegiance** led by Dunn Town Chair, Ed Minihan.

**Introduction of guests** : Lyle Updike, DCTA representative on the Lakes and Watershed Commission; Ed Minihand, town representative on the MPO (Metropolitan Planning Organization); Patrick Miles, County Board Supervisor and ZLR Chair.

**Report on Recommendations for members of the County Comprehensive Plan Steering Committee.** Nothing to report.

**Report on ZLR (Zoning and Land Regulation) Committee composition** – Patrick Miles reported that the option of the County Board appointing a non county board member to the ZLR was briefly discussed. They are researching legal options.

**Update on reform of the Capital Area Regional Plan Commission and Program and Audit request**

Patrick Miles reported that the scope document, the document containing specific questions related to the audit request, was completed. An RFP (request for proposals) was sent out and is due back April 1<sup>st</sup>.

The next CARPC budget was briefly discussed and implication of the HUD (Housing and Urban Development) Grant funding several CARPC employees coming to an end in early 2014.

A report was given on the BPP (Budget and Personnel Panel) meeting held 2/26/13. The meeting was short lasting about 20 minutes. The County Executive proposed a budget process and meeting dates that was immediately dismissed by Mayors Soglin and Hockhammer. Soglin suggested that, if he can find the money, CARPC could be put in his planning department. The County Executive asked Jerry Derr and the DCTA to dissolve CARPC. There is speculation that Parisi will ask for a County Board resolution to dissolve CARPC.

Mark noted that dissolution would wipe the slate clean and a future organization would not likely have a super majority USA approval requirement. He noted that the situation could be worse. He would like to see a plausible new scenario.

One new option would be to ask the DNR to designate CARPC as the area water quality agency and have conditions imposed on the DNR approval that require a BPP.

Another is to legally challenge the DCCVA assumption (based on the arbitration decision) that the BPP is not a legal entity. Mark doesn't think a court would rule the same way as the arbitration panel.

Others stated that the DNR "blessing" of area water quality designation would be a huge mistake. Does the DNR have the right to make conditional approvals? What would happen if the conditions were struck down and we are left with a CARPC with more authority?

### **Update on Dane County Water Quality Plan, Appendix I (private wastewater treatment systems) and Appendix B Surface Water Quality**

DCTA had issues with recommendations that called for land use review on private wastewater systems– the state preempted all local ordinances in 2004. Language referring to specific requirements for clustered subdivisions was removed.

Appendix B is an inventory of surface waters in Dane County. Mark gave the document a positive review.

**Review and consider DCTA financial policies – result of Audit Committee recommendations.** Nothing to report.

**Review and consider changes to DCTA By-Laws.** Nothing to report.

### **Open discussion/general questions.**

Wisconsin Towns Association capital day is April 30<sup>th</sup>.

Lyle Updike reported discussion on proposed new standards for implementing NR 151 stormwater runoff. Lake and Watershed staff have prepared language to deal with the issues previously discussed. Also staff have identified problems with NR 115 dealing with shoreland zoning and will be bringing forward recommendations for changes. The ZLR passed changes to the fee calculation for mitigation practices – it was producing more fee than required for the work and a refund was also approved.

Ed Minihan reported that the MPO was mostly working on county roads, city bus service – nothing has really come up that relates to towns.

Jerry Derr reported that the RTA Committee is talking about bus rapid transit and how that would work in the county.

DaneCom – Questions by John Brixy

The cost estimates that Blue Mounds were given are being far exceeded and the cost schedule accelerated by one year. The 18 million project cap is not a hard total anymore. In Blue Mounds the system does not work and we have to make plans around it. It is beyond the 5 or 6 % coverage lapse. Our fire district has been told to get a system – go on our own and figure something out. The contract with Harris called for 95% coverage. We were told that if it required building another tower than Harris would build more towers. Why is this happening? Blue Mounds was billed \$2200 in the second year. The fees were not supposed to be that much until year 4. John Brixy has heard that two more tower are needed and the additional cost will exceed the project cap.

Mark noted that certain levels of performance are required in the Harris contract. He will check in with John DeJung.

ZLR – Questions by John Brixy – the Larson property rezone in front of the ZLR. Why can't they have a house? Tim Roehl noted that Blue Mounds has not filed a Comprehensive Plan with the county. Until that is done Blue Mounds will be "punished" for not filing a plan. Town plan on file is from 1981.

Renée Lauber reported that the Chapter 10 Task Force's recommended OA on adopting state rules for wind siting was being review by towns. The Task Force is also soliciting proposals for other zoning code improvements and continuing to work on a tower siting ordinance.

Tim Roehl noted that he is working on a report on wind towers and its effect on land values.

Epic's plan to build a private underground transmission line was discussed. It would be a private line in public r-o-w easement. The theory is that Epic had a plan from the beginning to take the power from the town of Springfield towers to their business on a private line and hid the information. It is not fair if it is a private use.

Jerry asked Rick Stadleman if they can run a private line in a public easement. Springfield passed a 6 month tower moratorium.

**Adjourn.** Motion: Kris/Mike Kindschi at 8:49. Motion carried.