

**Draft Minutes**  
**DCTA Membership Meeting**  
Wednesday, November 7, 2012  
Cottage Grove Town Hall  
4058 County Road N  
Cottage Grove, WI 53527

**Executive Board Present:** Jerry Derr, Tim Roehl, Pat Downing, Jim Pulvermacher, Bob Lee, Ted Olson.

Meeting called to order at 7:15 pm by President Derr.

Pledge of Allegiance led by town of Cottage Grove Supervisors.

**Introduction of Guests.**

**Comments from Dane County Sheriff Mahoney.**

The Sheriff reported that his office is currently investigating a murder in Mazomanie, dealing with an increase in residential break ins, and a county heroin epidemic. Sheriff Mahoney announced the presence of a pink sheriff's squad car in Dane County. The car is wrapped in pink as a cancer awareness tool and paid for with outside funding.

Q: Can townships request a deputy to patrol a particular road?

A: You bet you can.

Q: Are you satisfied with the pace of DaneCom?

A: It is delayed and will likely be implemented in March. I would rather it be delayed and done correctly.

**Dane County Ordinance Amendments**

Recommendation on adopting the State Wind Siting rules. Renée Lauber distributed a memo from Majid Allan, Dane County Planning and Development detailing options for adopting the state wind siting rules (attached to minutes). Renée noted that the Chapter 10 Task Force met in October and recommended that Dane County adopt state wind siting rules by reference. They determined that this would be a reasonable "stop gap" measure and would ensure an ordinance is in place if another project is proposed. If a municipality would like to review tower siting (the state limits the review to very specific areas such as flicker, setbacks etc. see memo) they are required to have an ordinance in place. If a municipality does not have an ordinance (or adopt the state's by reference) then they will not have the ability to review a proposal. Renée further noted that the Chapter 10 Task Force requested that a broader policy discussion occur regarding wind power development in the county and asked the County to create a group to do a more comprehensive review.

Motion: Steve Anders/Lyle Updike: Move to expeditiously adopt state wind siting rules by reference. Carried unanimously. Members thanked the Chapter 10 Task Force for their work on this issue.

Farmland Preservation Plan Renée Lauber noted that the Farmland Preservation was recommended by DATCP and DCTA. It passed the County Board on 11/1/2012 was signed by the County Executive 11/5/2012.

Farmland Preservation OA's (A1-Ex, AB and A-4) The ordinance amendments that go along with the Farmland Preservation Plan and have also been recommended by the DCTA will have a final public hearing at the 11/27/12 Zoning Land Regulation Committee and will likely be on the 12/6/2012 County Board agenda.

**Clean Lakes Alliance (CLA) Update.** Don Heilman (President), Bob Uphoff (farmer – Yahara Pride Farms), and Jeff Endres (farmer and President of Yahara Pride Farms 501C4 non profit). Don gave a brief recap of the community organization.

The group was asked what it thought of the County Executive's proposal to create what appeared to be a similar organization called the Clean Lakes Task Force. They questioned if it made sense to create an additional group and thus more meetings. It could result in complicating things. They noted that they were grateful for the 2 new positions created in the County Executive's budget for water quality monitoring.

It was noted that the county is looking at spending 60 million over the next 10 years on water quality initiatives and needs to have proper oversight of the funding. To some this oversight looks like duplication of the CLA.

Water quality data issues were discussed. Concerns were raised over what entity should keep data and if it should be public record. Farmer/land owner data should be private information not held by a government institution.

Motion: Roehl/Jelle. A letter, on DCTA letterhead, be sent to the County supporting private information staying private, and ask for the County to try to find another way to manage the generous funding for clean lakes initiatives. There is no need to duplicate or complicate what other groups are doing/accomplishing. Carried unanimously.

#### **Discuss reform of Capital Area Regional Planning Commission (CARPC)**

Mark Hazelbaker gave a summary of the 10/2/12 Budget and Personnel Panel (BPP) meeting. He noted work by the DCTA to revise the BPP by-laws to make it more functional (allowing for designees and changing the quorum from 4 to 3) that were dismissed by the DCCVA. He also noted that Jon Hochkammer (President DCCVA) stated at the meeting that he sees the BPP was responsible for the problems of CARPC and that the super majority vote requirement of CARPC should be abolished. The DCCVA is also contending that the entire structure of the BPP is illegal. Mark noted that we are left in a position where the county is willing to stand by the agreement that was made for the formation of CARPC but the cities and villages are not. Mark summarized the situation by commenting that if the DCCVA gets what it wants CARPC will look like the old RPC that approved a good amount of sprawl and places that are not dense and not well planned. At the same time if we do not have a RPC we will be a situation where people that want USA's will go to the DNR and the DNR will grant them. It is very frustrating.

Martha Gibson, town of Primrose, spoke. She has served on CARPC since its inception - 5 going on 6 years. She stated her opinion of CARPC's major problems:

Lack of effective leadership. CARPC does not prioritize what needs to be done and does not complete projects. Staff does an immense amount of work on process. For example, CARPC goals and criteria – when we adopted them it was with the understanding that an outside group would make recommendations for DNR water quality designation. 1.5 years later they got back to us with recommendations – we are now 5 years into this and we don't have the designation. This is a failure of leadership.

CARPC also asked for criteria relating to the mitigation of ag land. CARPC created a work group to make recommendations to the commission. 5 years later we have accomplished nothing. They have done academic papers and collected data but we are not a day closer to having a policy.

Another example is the 4 years of work that went into the public participation plan that is over 50 pages long. One thing it details is what you are supposed to do when you come to a meeting. Do you think anyone is going to read 50 pages?

CARPC is being directed as if it is a private academic enterprise that isn't accountable. When I hear we need more money I question how anyone could know that until there was someone directing people in a goal oriented way. The time spent on focus groups, conferences, papers, meetings, notes, etc. is too much.

I don't see that CARPC is going to get more money. I think we need to push really hard to force difficult cuts to get an executive director.

Jim Pulvermacher stated that he has been pushing for years for a reallocation of resources to hire an executive director – nothing was ever done. CARPC creates work and does things that are well beyond their charter. He would like to see a cost benefit analysis related to hiring a consultant to do much of CARPC's work.

Tim Roehl and Mark Hazelbaker noted that tomorrow night at the CARPC meeting they will discuss an 89 page report on private waste water treatment systems. Towns need more time to review the document and perhaps get an independent assessment of the report. It will have impacts on land use and rural development.

Motion: Roehl/Wilson. Ask CARPC to defer action on Dane County Water Quality Plan – Appendix I to allow time for DCTA to review and comment on the document. Direct DCTA appointed commissioners to follow this policy direction. Carried unanimously.

Results of meeting with County Executive's office – (Bob Wipperfurth, Jerry Derr, Renée Lauber, Mark Hazelbaker) talked with Carlos, County Attorney and Josh Wescott. We discuss shared concerns and spent most of our time discussing the proposed group of Madison / DCCVA attorney's working on motions to change the BPP by-laws.

Motion: Downing/Roehl – Direct DCTA Commissioners to include funding for an audit in the current budget.

Discussion centered on the issue of still needing an executive director. Instead of the audit motion we should get an executive director in place. Should we push for the audit or an executive director?

Motion on the audit carried unanimously.

### **Request for DCTA By Law Update**

The request from the town of Cross Plains was reviewed. Renée noted that no one has volunteered to work on changes. Mark noted that Tony Varda and Greg Hyer would work on the project. Using information from the 2010 census data to show population changes was discussed. If there are no volunteers the DCTA Executive Committee will review the By Laws and make a recommendation.

### **Other –**

The topic of appointment to the ZLR (Zoning and Land Regulation Committee) was brought up. Renée noted that, as requested, she spoke with John Hendrick about concerns that only 4 people had been appointed to the 5 person committee and that no one on the committee lived in a town. John expects to appoint the person that will fill Scott McDonnell's County Board seat. John also noted that he would resign from the committee if the DCTA found a County Board member willing to take the seat. Discussion centered on the lack of willing town representatives. Mark Hazelbaker noted that legally a non-county board member could be appointed to a serve on the committee.

Motion: Steve Anders/Jim Pulvermacher – Request that a non-county board member be appointed to the Zoning and Land Regulation Committee. Pat Downing abstained. Motion carried.

10:15 Meeting adjourned.