

Draft Minutes  
DCTA Membership Meeting  
November 9, 2011  
Town of Westport  
5387 Mary Lake Road, Waunakee, WI 53597

Meeting called to order by President Derr at 7:10 pm.

Pledge of Allegiance led by Tom Wilson, Attorney/Administrator/Clerk-Treasurer, Town of Westport.

**Discuss proposed DaneCom Intergovernmental Agreement (IGA) and alternative solutions for funding operations and maintenance.**

Jerry Derr introduced Steve Schulz and Mark Hazelbaker, DCTA representatives on the DaneCom Governing Board and Sharon Corrigan, County Board Supervisor and Chair of the DaneCom Governing Board. Ms. Corrigan gave an overview of how the proposed new radio system was created, the structure of the Governing Board, and the need to share the cost of operations and maintenance.

John Dejung, Director of the Dane County Public Safety Communications Center, discussed the improved coverage, capacity, and interoperability of the proposed system. Language was added to the IGA stating that if we don't get at least 70% of the population of Dane County (outside of the city of Madison) the system will not go forward. The date needed to sign the agreement was extended to 12/22/11. Language allowing a community to opt out of the IGA with 18 months notice was also added.

Mr. Dejung responded to the following questions:

Question: What would happen if we don't agree to the proposed radio system? Answer: It would be a narrow band system - less coverage (about 20%) and still would cost 8 or 10 million.

Question: What is the penalty for the towns that don't opt in? Answer: If there is an emergency they will get service. Peer pressure to join is the only method we now have to get participation.

Question: A long term solution to the operations and maintenance funding needs be figured out to get town buy in. A separate line item on the tax bill or a designated sales tax could work. Answer: Those ideas require legislative changes and we can not guarantee what will happen to an idea that has to go through the state legislature.

The clause in the IGA that would redistribute operating and maintenance costs from non participating towns to participating towns was discussed at length. Towns expressed concern over the language in the IGA that asks for a blank check and don't want to pay for non participating towns.

Roll call was taken 24 towns present (The following towns were not present: Black Earth, Blooming Grove, Burke, Christiana, Deerfield, Dunn, Montrose, Oregon, Roxbury, Verona.)

Motion: Robinson/Tim Roehl. Request straw poll on general question of whether towns would support signing the DaneCom IGA.

Amendment to Motion: Chris Upper/Jeff Baylis. Amend motion to add that towns would not be obliged (to the DaneCom IGA) unless 80% of towns agree by the 12/22/11 deadline. Amendment carried. Motion carried. Poll: 4 no, 20 yes.

Motion: Pat Downing/Lyle Updike. Request straw poll asking if towns would sign the DaneCom IGA if it was amended and paragraph 4(f) was changed to state that the operation and maintenance cost (of non-participating municipalities) be redistributed among all. Motion carried. Poll: 2 no, 21 yes, 1 abstention.

John Van Dinter, Chair Westport, spoke about the precedent of the county passing costs on to towns. What is going to prevent another shift of taxes to the towns?

Motion: John Brixy/Milo Breunig. DCTA request the County Board take money set aside for land purchases and use it for the DaneCom system as a gesture of good will that they are willing to cut back one of their extras. Motion carried.

### **Presentation, Brian Standing, Dane County Planning and Development, on proposed changes to Dane County Farmland Preservation Plan**

Mr. Standing discussed recent changes to the state Farmland Preservation Law (Chapter 91, Wisconsin Statutes) that require Dane County to revise, update and recertify its Farmland Preservation Plan. The previous plan was done in 1981. Dane County's deadline for certification was recently extended (at the request of the DCTA) until December 31, 2012.

The county Zoning and Land Regulations Committee (ZLR) appointed a Farmland Preservation Plan Subcommittee to make recommendations on necessary plan amendments. Renée Lauber represents the DCTA on that Subcommittee. A working draft of the new Farmland Preservation Plan is available on the county website.

By 2013 land not planned as farmland preservation will not be able to be A1-Ex Ag. The state will require a rezone.

By 2014 the county's farmland preservation zoning districts (A1-Ex Ag zoning) will have to updated to comply with the new mandates.

The DCTA asked for the 1 year extension because of the perception that towns were not aware of the proposed changes. The DCTA will be taking a detailed look at the Draft Farmland Preservation Plan at its December Executive Board meeting and will work to get more information out to towns and rural property owners.

Mr. Standing answered the following questions:

Question: Can a town opt out of Farmland Preservation? Answer: A town would have to get the county board to agree to it.

Question: Where village and town plans differ – what do you do? Answer: We will base it on USAs (Urban Service Areas). If an area is in an USA it will not qualify.

## **DCTA Reports**

### Ordinance Amendments (OAs)

- At the October ZLR meeting **OA #8, 2011-2012** – *Amending Ch. 75, Regarding the Requirement that Building Sites be established by a Certified Survey Map or Subdivision Plat* was postponed indefinitely. Eileen Bruskewitz, Count Board Supervisor and member of the ZLR, stated this effectively ends the OA. The DCTA has been working for several years to defeat this proposal.
- At the October DCTA Executive Board meeting the DCTA endorsed the concept of **OA #11, 2011-2012** – *Amending Chapter 75 of the Dane County Code of Ordinances, Regarding Lot Frontage on a Public Street* adding a provision for language requiring a maintenance agreement.

CARPC (Capital Area Regional Planning Commission) – Jerry Derr introduced Sue Studz and Jeff Baylis, two of the DCTA’s representatives on CARPC. Ms. Studz reported that the recent CARPC planning conference, paid for by a HUD grant, provided an opportunity to learn things from other regional planning areas. She provided an update on Verona’s USA extension request pending before CARPC, gave a FUDA update and reported that arbitration resulted in a \$60,000 reduction in CARPC’s budget.

Chapter 10 Task Force – Renée Lauber reported that the Task Force was working on revisions to the **AB zoning district** that would rewrite it to be use based (similar to work done on LC-1). They are also working on **tower co-location** and have reviewed an OA that would allow **chickens** in residential areas (the city of Madison currently allows chickens).

Audit Committee – Mark Hazelbaker reported that Kris Hampton and Greg Hyer have been asked to serve on the Audit Committee. Mark’s office manager now does all the accounting for the DCTA.

## **Wheel Tax Discussion**

A resolution from the town of Blooming Grove opposing the Wheel Tax passed out.

Motion: TimRoehl/John Brix. DCTA oppose wheel tax. Carried unanimously.

## **Other Business**

- DCTA Communication. Mark Hazelbaker addressed DCTA communication and apologized for not communicating well. He asked towns to let the DCTA know what it needs to do to meet their needs.
- **WTA (Wisconsin Towns Association).** Jerry Derr gave a report on the WTA. One significant issue is new bills allowing heavier weights on town roads.
- **Survey.** Jim Pulvermacher passed out a survey for town chairs, or their designated representative, to fill out regarding their opinion of the work and effectiveness of the Association. The survey will also be posted on the DCTA website.

## **Adjourn**

Motion: Tim Roehl/Kris Hampton. To adjourn. (10:15 pm)