

MINUTES

DANE COUNTY CITIES AND VILLAGES ASSOCIATION

September 28, 2011

ATTENDANCE

Belleville –	
Black Earth –	
Blue Mound –	
Brooklyn –	
Cambridge –	
Cottage Grove –	President Diane Wiedenbeck, Trustee Ken Dahl
Cross Plains –	
Deerfield –	Trustee Greg Frutiger, Administrator Patrick Vander Sanden
DeForest –	Administrator Steve Fahlgren
Edgerton –	
Fitchburg –	Mayor Shawn Pfaff, Administrator Tony Roach
Madison –	
Marshall –	
Mazomanie –	Clerk/Treasurer Sue Dietzen
McFarland –	President Mike Harried, Administrator Don Peterson
Middleton –	Mayor Kurt Sonnentag, Alder Jim Wexler, Administrator Mike Davis
Monona –	Mayor Bob Miller, Administrator Patrick Marsh
Mount Horeb –	
Oregon –	Administrator Mike Gracz
Shorewood Hills –	
Stoughton –	Mayor Donna Olson
Sun Prairie –	
Verona –	Mayor Jon Hochkammer, Administrator Bill Burns
Waunakee –	
Others Present –	Forbes McIntosh and Jeff Schoenfeldt, GPS and DCCVA; Jerry Derr, Dane County Towns Association; Kamran Mesbah, Dane County Regional Planning Association; Sharon Corrigan, Dane County Board; John Dejung, Dane County 911 Center

1. **Call to Order.** The meeting was called to order at 5:09 p.m. at the Middleton Fire Station. A quorum was present with 11 member communities represented.

2. **Approval of Minutes.** The Minutes of the meetings of March 30 and July 27, 2011 were approved as presented.
3. **Election of Officers.** Two seats on the DCCVA Executive Board – Treasurer and Member-at-Large – were open and scheduled to be filled by election of the members. The Treasurer position was vacant due to the resignation of Pat Cannon, the long time former Treasurer. The Member-at-Large seat was created by amendment at the previous meeting of the DCCVA By-Laws which now provide for a Member-at-Large to be elected in lieu of a Past President when no previous President of the Association is eligible for that seat.

Treasurer – Bill Burns, City of Verona, was the only nominee. Bill had been serving as interim Treasurer. It was pointed out that if Burns serves, along with President Hochkammer, two of the five current members of the Executive Board would be from the same community. Burns was elected Treasurer by unanimous acclamation.

Member-at-Large – Donna Olson, City of Stoughton, was the only nominee and was elected to the Member-at-Large seat by unanimous acclamation.

6. **DaneCom Update.** This agenda item was moved to accommodate County staff. Copies of the latest draft of the proposed Intergovernmental Agreement (IGA) and FAQs about the DaneCom radio system had been disseminated to members. The distribution of the IGA had been delayed due to a disagreement among County Board members over proposed County borrowing. Approval was expected the following week, however, and December 1, 2011 was the anticipated deadline for agreeing to join the system. John Dejung reported on recent changes in the IGA which clarified language about relinquishing local frequencies, specified those costs to be included in the operating and maintenance (O&M) cost allocation formula, and addressed how the costs be paid. Updated O&M cost allocation estimates were districted assuming a worst case scenario of municipalities refusing to join (21% of County population). The proposal being considered was to have Dane County pay 30% of the cost of the non-member community, with the balance picked up by the other cities/villages or by the other towns depending on the type of community not joining. The first DaneCom bills payable by municipalities under the IGA would be due August 15, 2012.

Dejung also reported that the 911 Center was asked to submit for County Executive consideration a 5% budget reduction scenario for 2012. This would necessitate cutting five FTEs from the current staffing of 87 FTEs. Fitchburg's two self-funded tower sites are now being added to the network of County towers. On the acquisition of radio frequencies question, the County is guardedly optimistic about being able to acquire the needed frequencies, but testing is still underway to evaluate possible interference with other channels in the area. It is unlikely, however, than the January 1, 2013 deadline for narrow banding can now be met so the County will be applying to the FCC for a waiver.

McIntosh reviewed the property tax levy limit adjustment requested by the Dane County Towns Association (DCTA) because of the new requirement that user municipalities will have to pay toward the O&M costs of DaneCom. The Dane County Corporation Counsel has responded in opposition since, if approved, the County's levy limit would be reduced by a comparable amount. Although not directly involved, the DCCVA is an interested party as the DOR ruling will impact our levies as well. Derr clarified the position of the DCTA whose members feel that the O&M payment requirement is a clear pass through of costs. He also expressed concern that, if the levy limit ruling is adverse, a greater number of towns may not sign the IGA. Since the costs of those non-participating towns would have to be absorbed by the other towns, more of them may also choose to withdraw from the system due to higher costs.

4. **Discussion and possible action to approve the DCCVA budget and dues structure for 2012.** Treasurer Bill Burns distributed a multi-page handout containing: a current financial statement with 2011 revenues and expenses; a proposed dues structure for 2012 which was unchanged except for the updating of population figures to the 2010 census results; and a detailing of YTD expenses for 2011. President Hochkammer clarified the proposed 2012 expenses for the lobbyist and other consultants, and requested that the Executive Board be authorized the flexibility to shift those expenses around within the budget to adapt to changing needs and opportunities. On motion by Miller, second by Dietzen and carried unanimously the 2012 budget and dues structure and the requested flexibility were approved as proposed.
5. **CARPC Update.** CARPC received a letter from the DNR stating that they did not support the recent denial by CARPC of an urban service area (USA) amendment request from Verona. The letter stated that CARPC did not follow properly the statutory requirements of NR 121 in making its decision and asked CARPC to review the matter again which they are scheduled to do on October 13. This is the second time that the DNR has disagreed with a CARPC decision.

Bruce Sylvester has resigned as the DCCVA representative on the CARPC policies and criteria advisory group. Neil Stechsulte of Sun Prairie has been appointed to take his place. The issue of whether to charge a fee for processing of USA amendments is still being considered. A draft frame work for charging a fee of \$110 per acre has been circulated and input/feedback from all communities is encouraged. Under the proposal, each individual community would need to adopt a local ordinance in order to legally collect the fee from developers. Madison has expressed concern because the City owns many of the affected properties and thus have few developers to whom the new fees could be passed through. Derr noted that implementing such a fee would not be much salvation to the CARPC budget challenges as the annual revenue stream would not be very reliable or predictable.

Two Future Urban Development Area (FUDA) planning processes – Middleton/Waunakee/Westport/Springfield and DeForest/Windsor/Vienna/Burke – have

been progressing and both are at a stage where the planners are gathering input from local citizens. In particular, input is sought on the subject of “intensity of development” under different scenarios to help evaluate the impacts of different types of growth.

An arbitration hearing will be scheduled soon over the question of the “reasonableness” of the proposed CARPC tax levy for 2012. Dane County challenged the reasonableness due to the comparatively large levy increase stemming from the depletion of fund balance in recent budgets. The County selected arbitration over judicial review. Once an arbitrator is selected they will have 30 days to hold a hearing and render a decision.

- 7. Department of Workforce Development Unemployment Insurance Special Assessment for Interest on Monies Borrowed from the Federal Unemployment Program.** Like many states have experienced during this prolonged recession, Wisconsin exhausted current funding for unemployment compensation programs. To meet its needs, the State borrowed from the Federal government and now must pay interest on the borrowed funds. The plan is to collect the interest cost by special assessing private and public employers across the state. Many have questioned why public employers should be assessed because, unlike private employers who pay so much based on payroll dollar, public employers in Wisconsin are billed directly for 100% of benefit costs if and when they are incurred. The League of Wisconsin Municipalities and the Wisconsin School Boards Association are considering taking this fairness issue directly to the Legislature.
- 8. Website Update.** At the last DCCVA membership meeting, the organization chose GovOffice to design and implement the new DCCVA website. F. McIntosh has requested that municipalities please send a photograph of their municipal hall for the customized banner to the new website. Ann Gryphan with Government Policy Solutions will be working with GovOffice on the website and will update the site with information when it goes live. We are hoping for the website to be up by January 1, 2012 – the first of the new year.
- 9. Legislative Update.** In the interest in limited meeting time, the report was brief. F. McIntosh has been focusing efforts on behalf of DCCVA on DaneCOM, CARPC and a few state legislative proposals. Recall petition efforts against Governor Walker, Lt. Governor Kleefisch and at least three state senators will likely begin on November 15th. Recall petitions will be due on January 13th, 60-days after the petition effort began. The State Senators that are likely to be targeted include (but not limited to): Sen. Galloway (R-Wausau), Sen. Moulton (R-Chippewa Falls) and Sen. Van Wangaard (R-Racine). Legislature is holding Special Session this fall on 26 legislative proposals impacting “Jobs and the Economy.” The proposals are expected to impact wetland mitigation, mining, tax credits, employee benefits, worker training, local government TIFs, truck size and weight limits and tort reform.

Republicans [Sen. Alberta Darling](#) and [Rep. Andre Jacqu](#)e announced they are teaming up to introduce a bill aimed at offsetting the costs of state mandates on local governments. The

measure (LRB-1941) was circulated for cosponsorship last week and would create a Joint Committee on State Mandates comprised of three majority and two minority lawmakers from each house. In an effort to overturn a provision added to the 2011-13 Wisconsin State Budget ([Act 32](#)) that repealed all Regional Transit Authorities (RTAs) in the state of Wisconsin, Madison democratic [Rep. Kelda Roys](#) has circulated draft legislation that would reinstate the Dane County RTA. While the bill resurrects the Dane County RTA, it is silent on the other former RTAs in the state.

10. Other Business.

11. Upcoming Meetings. Reminder that Michael Best & Friedrich law firm is hosting an educational seminar to the memberships of the DCCVA and the Dane County Towns Association on Tuesday, October 18, 2011 entitled, “2011 Annual Legal Update for Wisconsin Public Officials.” In addition, the next DCCVA membership meeting is scheduled for Wednesday, November 30, 2011 at 12:00 Noon at the City of Stoughton.

12. Adjourn.