

# MINUTES

## *DANE COUNTY CITIES AND VILLAGES ASSOCIATION*

November 30, 2011

### ATTENDANCE

|                   |  |
|-------------------|--|
| Belleville –      |  |
| Black Earth –     | Administrator Marc Dennison  |
| Blue Mound –      |  |
| Brooklyn –        |  |
| Cambridge –       | Trustee Steve Struss   |
| Cottage Grove –   | Trustee Ken Dahl   |
| Cross Plains –    |  |
| Deerfield –       | Administrator Patrick Vander Sanden  |
| DeForest –        | President Judd Blau  |
| Edgerton –        |  |
| Fitchburg –       | Administrator Tony Roach, Fire Chief Randy Pickering, Police Chief Thomas Blatter, Engineer Rick Eilerston |
| Madison –         |  |
| Marshall –        |  |
| Mazomanie –       |  |
| McFarland –       | President Mike Harried, Administrator Don Peterson   |
| Middleton –       | Mayor Kurt Sonnentag   |
| Monona –          | Mayor Bob Miller, Administrator Patrick Marsh, Police Chief Wally Ostrenga, Scott Sullivan                 |
| Mount Horeb –     |  |
| Oregon –          |  |
| Shorewood Hills – |  |
| Stoughton –       | Mayor Donna Olson, Police Chief Greg Leck  |
| Sun Prairie –     | Administrator Margaret Powers  |
| Verona –          | Mayor Jon Hochkammer, Administrator Bill Burns   |
| Waunakee –        | Administrator Todd Schmidt   |
| Others Present –  | Ann Gryphan, GPS and DCCVA<br>Kamran Mesbah, Dane County Regional Planning Commission                      |

- 1. Call to Order.** The meeting was called to order at 12:14 p.m. at the City of Stoughton Fire Department. A quorum was present with 13 member communities represented.
- 2. Approval of Minutes.** The minutes of the meeting of September 28, 2011, were approved as presented.

3. **Construction and Demolition Recycling.** Rick Eilertson, environmental engineer with the City of Fitchburg, gave a brief presentation on Fitchburg's proposed construction and demolition recycling and reuse ordinance. The ordinance is currently running through city committees and commissions. One concern about Fitchburg implementing this ordinance is it could have an economic disadvantage to homeowners and businesses in Fitchburg compared with surrounding communities; Eilertson said it would be better to have a uniform ordinance countywide. Middleton is currently working on a C&D ordinance. Madison has already implemented a C&D ordinance in January 2010. Eilertson suggested that the City of Fitchburg ordinance could be used as a model ordinance for other communities in Dane County. The Fitchburg C&D Reuse/Recycling Deposit Fee is expected to be \$50 for residential and \$100 for non-residential projects. This deposit would be refunded upon submittal of a 1-page report documenting compliance with the reuse/recycling rate. Under the ordinance, homeowners and companies would be required to track their construction recycling/reuse rates, which will assist the city in compiling data. Eilertson said that it is important that an ordinance be flexible, because items that are easily recyclable today might not be accepted for recycling tomorrow. Eilertson circulated a written document with ordinance details to DCCVA meeting participants. He will send an electronic format to Ann Gryphan for her to distribute to all DCCVA members via email. He is looking for feedback from the members. The City of Fitchburg Construction and Demolition Recycling/Reuse Ordinance will be on the next DCCVA meeting agenda for additional discussion.

4. **CARPC Update.**

Future Urban Development Area (FUDA) update: Kamran Mesbah of CARPC reported that the FUDA projects in Middleton/Waunakee/Westport/Springfield and DeForest/Windsor/Vienna/Burke have been progressing. Mesbah said it is important to receive specific input from the communities – it is not enough for residents to say they don't want density, but what aspects of density don't they like? From that, different options for growth can be shown and their impacts. The FUDA process is trying to provide an analysis for communities. Mesbah reported that the local environmental group CRANES is pushing for the hiring of Calthorpe Associates, a California urban design firm that supports more regional planning, rather than subregional planning. Mesbah said his opinion is that this strategy opens up the process to border conflicts among communities. The CRANES proposal to hire Calthorpe would cost \$300,000 to create a framework in which planning will be done. According to Hochkammer, CRANES has met with Dane County officials on this, who expressed support for the concept but said the county does not have the money to fund this. It is believed that CRANES will continue to push to find ways to hire Calthorpe.

Outcome of CARPC budget arbitration: Mesbah reported on the arbitration panel ruling between Dane County and the Capital Area Regional Planning Commission. The arbitration panel ruled on Oct. 27 that although the CARPC budget submitted to Dane County was reasonable, the certified charge was unreasonable and reduced it by \$60,000, to \$755,707.

Mesbah said the ruling was helpful in that it provided clarification to some ongoing issues regarding CARPC's role.

Amendments to CARPC budget: Amendments to the CARPC 2012 budget will be presented at the next CARPC meeting. These amendments will reflect the ruling of the arbitration panel.

Dane Co. Towns Association resolution on hiring an executive director: A copy of a recent motion passed by the Dane County Towns Association was passed around. It states: "Direct Jerry Derr, as President of the DCTA, to move ahead with the hiring a CARPC Executive Director under the current budget by reallocating existing resources. Ask that staff be instructed to change the direction of the FUDA process following directives in the Charter Resolution." The DCTA Executive Board chose this option over pursuing CARPC dissolution. Mesbah said that the problem with laying off staff in order to hire an executive director is that some of the positions are partially funded through grants and CARPC cannot risk defaulting on grant funding. In Mesbah's opinion, there is not enough money to have both an executive director and an adequate staff.

City of Verona USA: Mesbah gave a history of the City of Verona USA Amendment. He said former Dane County Executive Kathleen Falk was opposed to the amendment to the Dane County Water Quality Plan revising the Verona Urban Area Boundary and Environmental Corridors ("amendment") in the Town of Verona and that CARPC twice voted it down, despite support from the DNR and CARPC staff. If the commission vote is close and there are some commission members absent during the vote, the CARPC bylaws state that the issue can continue to be held over until the next meeting. Hochkammer said the City of Verona met with the DNR, appealing verbally to them, and has spent five years working on this issue. He said the City has met or exceeded every standard. He believes in the end it will be approved, however he is concerned that CARPC will have lost a lot of credibility over this issue. Kurt Sonnentag, a CARPC member, expressed frustration with CARPC's proceedings and long meetings and is concerned that CARPC could become irrelevant. Hochkammer said he would like to see CARPC continue, and there was some general discussion about whether a change in the CARPC bylaws is needed and/or a change in the makeup of the commission.

- 5. DaneCOM Update.** Hochkammer said communities should have received copies of the Intergovernmental Agreement (IGA) on DaneCOM. Some have already approved it, including Verona, Waunakee and McFarland. Hochkammer said Jerry Derr of the Dane County Towns Association is uncertain whether the towns will get the 80% needed to sign on; DCTA was meeting with Parisi today to discuss the issue. Hochkammer believes we will get the necessary 70% of cities and villages to sign on by the deadline, which is Dec. 22. He suggests that DCCVA set up a meeting with Parisi or DeJung to see where they are at. Hochkammer stressed the importance of getting the towns signed on, so that DaneCOM can move forward. Donna Olson of the City of Stoughton said she does have some questions on

the proposal, in particular what will happen if Dane County takes over a local frequency. She said it is primarily the unanswered questions that give her concern. A representative from the Village of Cambridge said their community likely will approve the IGA, but wondered how their community would be affected since they straddle the Dane/Jefferson County lines. Their concern is how communications with Jefferson County would take place. They were advised that another community that faces a similar issue uses two sets of radios in all police/emergency vehicles set at all times to the different frequencies.

6. **Legislative Update.** Ann Gryphan presented a written legislative report on proceedings so far during the 2011-12 legislative session. She pointed out the bills that have been enacted so far this year. She reported that the legislature is quiet now and will continue to be so until the next legislative floor period in January. Government Policy Solutions will keep DCCVA members informed of bills as they move forward.
7. **Future Meetings.** The following preliminary meeting dates for 2012 were set. The Village of Deerfield agreed to host the next meeting in January 2012.
  - o Wednesday, Jan. 25, 2012, 5 p.m., Location is Village of Deerfield
  - o Wednesday, March 28, 2012, 12 p.m., Location TBD
  - o Wednesday, May 2, 2012, 5:30 p.m., (annual meeting and dinner) Location TBD
  - o Wednesday, July 25, 2012, 7 a.m., Location TBD
  - o Wednesday, Sept. 26, 2012, 5 p.m., Location TBD
  - o Wednesday, Nov. 28, 2012, 12 p.m., Location TBD
8. **Other Business.** None to report.
9. **Adjourn.** The meeting adjourned at 1:29 p.m.