

# MINUTES

## Capital Area Regional Planning Commission

January 14, 2010

City-County Building Rm 315, 210 MLK Jr Blvd, Madison WI

7:00 p.m.

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Present: Zach Brandon, Curt Brink, Kristine Euclide, Martha Gibson, Steve Hiniker, Ed Minihan, Jeff Miller, John Murray, Larry Palm, Kurt Sonnentag, Phil Van Kampen

Absent: Sally Kefer, Harold Krantz

Staff Present: Chris Gjestson, Mike Kakuska, Kamran Mesbah, Barbara Weber, Attorney John St. Peter

### 1. Roll Call

Chair Miller called the meeting to order at 7:06 p.m.; roll was recorded.

### 2. Election of Officers: Chair, Vice-Chair, Secretary, and Treasurer

Mr. Miller noted that he would not accept a nomination to serve as Chair in 2010. Moved by Ms. Gibson, seconded by Mr. Palm, to defer action to the next meeting. Motion carried unanimously on voice vote.

### 3. Selection of Executive Committee membership

Moved by Ms. Gibson, seconded by Mr. Palm, to defer action to the next meeting. Motion carried unanimously on voice vote.

### 4. Approval of minutes of the November 12, 2009 meeting

Moved by Mr. Van Kampen, seconded by Mr. Hiniker, to approve the minutes of the November 12, 2009 meeting. Ms. Euclide requested the minutes be clarified by adding the following to the first paragraph on page 6: "in a state that now has numerous large-scale developments that, because of speculation or the economy downturn, are now only partially built or even abandoned (i.e., a large scale development like Bishops Bay should be considered very carefully given the experiences of other states)." Recognized as a friendly amendment without objection. Motion to approve amended minutes carried unanimously.

### 5. Review of agenda

There were no changes requested.

### 6. Public comment for items not on the agenda

Jon Becker, 4233 Kenwood St., Madison, registered to speak. He requested the Commission not meet more than once per month, citing the difficulty for attendees to become familiar with the upcoming large USA amendment applications. He stated that studies were being conducted in the north part of the Yahara watershed that would be important to consider.

Jerry Derr, representing Dane County Towns Association, registered to speak. He referred to the memo at members' places from DCTA expressing support for the completion of FUDA plans; he stated that local communities should be encouraged to cooperate and

support the process, which would help inform consideration of the USA amendment applications. He stated that DCTA did not express support for a “pause” in USA amendments until FUDA is completed. Mr. Miller asked if the Budget and Personnel Panel would consider providing additional resources to CARPC to expedite the FUDA process; Mr. Derr answered no, and suggested that alternative support should be considered, such as using local planning staff. Ms. Euclide asked if DCTA had a preference to any of the options indicated in the memo to expedite FUDA; Mr. Derr answered no, the options were indicated for discussion only.

Arnold Harris, 3427 County Rd. P, Mt. Horeb, representing Western Dane Coalition for Smart Growth and Environment, requested that FUDA be completed on a county-wide basis rather than by community. He stated that the process should be comprehensive, including county-wide transportation planning, regional protection of agricultural and open spaces, regional economic development, and delivery of other public services. It must incorporate existing local planning, should be iterative, must be a pause in development considered by CARPC

Don Hammes, 3507 Valley Ridge Rd., Middleton, registered to speak, and read from a written statement provided for the record. He described weaknesses of the CARPC process, which was reactionary rather than proactive, by considering development proposals prior to conducting the FUDA process.

**7. New business**

None.

**8. Consideration of Resolution CARPC No. 2009-13 amending the *Dane County Land Use and Transportation Plan and Dane County Water Quality Plan* by revising the *Central Urban Service Area boundary and Environmental Corridors in the City of Madison and Town of Verona***

The following individuals registered in support of the proposal: Michael Waidelich, City of Madison Planning Division, 215 MLK Jr. Blvd.; Mike Dailey, City of Madison Engineering, 210 MLK Jr. Blvd.; and Ron Trachtenberg, 33 E. Main St. #500, Madison, representing Hawks Creek LLC.

Mr. Mesbah stated that action was deferred from the public hearing held in November 2009. Motion by Mr. Van Kampen, second by Mr. Hiniker, to approve Resolution CARPC No. 2009-13 with the conditions of the staff analysis dated Nov. 6, 2009 as amended in the agenda item cover sheet. Ms. Gibson asked how many acres were in the Town, and if it had commented on the proposal. Ms. Weber stated 12.5 acres, and no comment had been received. Ms. Euclide confirmed that no increase in runoff was a condition of approval in the watershed; Mr. Mesbah stated that the City agreed to maintain pre-development volume temporarily, but would do so permanently if CARPC adopted a watershed-wide volume control standard based on recommendations from the Environmental Resources Technical Advisory Committee. Ms. Euclide stated that the staff recommendation was to approve with the condition that groundwater recharge rates and runoff volumes be permanently maintained at pre-development levels with no caps on infiltration area; she asked if that was still the staff recommendation; Mr. Mesbah answered yes. Discussion continued. Motion to adopt carried unanimously on voice vote.

**9. Consideration of Resolution CARPC No. 2009-14 amending the Dane County Land Use and Transportation Plan and Dane County Water Quality Plan by revising the Central Urban Service Area boundary, the Fox Bluff Limited Service Area boundary and Environmental Corridors in the City of Middleton and Town of Westport**

A memo from Dane County Towns Association expressing support for the proposal was provided at members' places. Tom Wilson, representing Town of Westport, 5387 Mary Lake Rd., Waunakee, registered in support. Eileen Kelley, 4626 Mineral Point Rd., representing the City of Middleton, registered in support. Constance Threinen, 2121 Gateway St. N., Middleton, representing CRANES, registered in opposition to the proposal. Melissa Malott, representing Dane County Lakes and Watershed Commission (DCLWC), registered to speak.

Moved by Mr. Sonnentag, seconded by Mr. Murray, to approve Resolution CARPC No. 2009-14. Mr. Sonnentag summarized the proposal, stating it provided 588 developable acres; 2,624 developable acres were needed in the CUSA to meet 2030 projected population demands. He stated that CUSA proposals by Madison had been approved in 2009, including 212 acres for the Pumpkin Hollow proposal and 40 acres for the Blackhawk proposal. He noted that approximately 2,300 acres as the projected remaining land demand; if the proposal was approved, 1,700 acres would still be needed to meet projected demand. He stated that the City historically approves 125 building permits per year; the 2,500 units of the proposal would satisfy the city's estimated need for 20 years.

Mr. Van Kampen asked if DCLWC had provided comment on the proposal, as invited by the Commission. Melissa Malott, DCLWC Chair, answered no, it did not have staff resources to comment; she expressed support for DCLWC and CARPC working together in the future. Motion to approve failed on voice vote 7-4 (Hiniker, Gibson, Euclide and Minihan voting against).

Ms. Euclide described why she had voted against approval. She stated that the inadequacy of the municipal water supply and off-site, indirect effects of the development on water quality had not been addressed, and the development would create increased traffic requiring additional road capacity, causing cumulative impacts on water quality. She expressed concern for groundwater level impacts, and the negative impact on springs of Pheasant Branch Creek, and she stated that cumulative long-term effects of the development had not been addressed. She stated that the FUDA process, which would address outstanding issues in the proposal, such as identification of environmentally sensitive areas, was not completed. She stated that the need for the proposed development had not been established; growth in Dane County is slowing, so forecasts may overestimate land demand needs.

Mr. Hiniker stated that the FUDA process should be complete before considering proposals of this size. He stated that the application was well done; he expressed frustration that the Commission had not done its job by completing FUDA plans, but still considered large USA amendment requests. He stated that the Commission needed to decide if it will continue to consider any large USA amendment applications without completed FUDA plans; CARPC was not doing what it needed for applicants. He expressed the need to conduct regional planning before considering large USA amendments.

Mr. Minihan stated that while DCTA supported the proposal, he was voting against it as a representative of the Town of Dunn, which had the largest portion of riparian watershed in the county. He stated that the proposal was a well done, good plan. He stated that the

developer had not shown a commitment to pay for remedial action necessary to fix problems should the proposed engineering fail to achieve stated objectives; the municipality would end up paying for it. He stated that results of a study of the lower Yahara, recently begun, needed to be known prior to consideration.

Mr. Brandon stated that FUDA planning was intended to be a pilot program, but CARPC has never had sufficient resources to support it. He stated that even if FUDA planning had been conducted upon CARPC creation, there may not have been a completed FUDA plan for this area. He stated that comments made by members in opposition to the proposal appeared to indicate that no new urban development would be approved until FUDA was complete. Mr. Mesbah noted that the FUDA planning timeline included the completion of Environmental Condition reports by CARPC by the end of 2011 for submission to local governments in the priority USAs, after which the local units would prepare FUDA plans for Commission review and action. He stated that the FUDA pilot programs were taking significant time because staff did not have metrics or standards to guide the process.

Ms. Gibson stated that she voted against the proposal because the applicant's wastewater estimates were grossly under-estimated, so the impact was not clear. She stated that the municipal water supply issue was not resolved, and the development presented serious water drawdown issues.

Mr. Miller asked staff if the water use estimates were understated. Mr. Mesbah stated that the applicant provides its data, and CARPC staff double-checks it for reasonableness based on data from the Public Service Commission, which are less accurate than the estimates by the applicants. He stated that the estimates made by the applicants were within the "ballpark" of those done by staff; staff was comfortable with the range from 60 to 100 gallons per day per person. He stated that the proposal included conservation measures, so the actual use may be less than estimates based on current City of Middleton typical residential water use. Mr. Miller asked staff if groundwater and lake drawdown was a concern. Mr. Mesbah stated that drawdown is impacted by overall use from all urban areas; drawdown is not impactful in most development proposals, although some well proposals can impact nearby streams and in these cases an analysis is performed. Frederick Springs would not be impacted in this case based on groundwater flow and mapped contribution areas for the springs; he stated that as a consequence of the high proposed infiltration and recharge rates, adverse impact on the shallow groundwater and stream baseflow are greatly mitigated.

Mr. Sonnentag stated that the City had recently drilled a new well near the lake, which did not pose drawdown issues due to the highly renewable nature of lakes, and the City had capacity to serve the development. He stated that the developer should consider a lawsuit. He stated that the proposal was large, but not overly so, and proposed mitigation measures would actually improve water quality.

Mr. Miller expressed admiration for the intergovernmental relationship between Middleton and Westport. He stated that FUDA was being used to prevent urban development; he questioned ever encouraging local officials to seek RPC re-creation. The intent of FUDA had never been to hold up development, but was meant to be done concurrent with USA amendments. He described FUDA as time-intensive and requiring more resources than currently available to CARPC. He described the proposal as a pinnacle development.

**10. Public Hearing: Consideration of Resolution CARPC No. 2009-15 amending the Dane County Land Use and Transportation Plan and Dane County Water Quality Plan by revising the Central Urban Service Area boundary and Environmental Corridors in the City of Fitchburg**

**a. Staff Presentation**

Mr. Mesbah suggested it may be more helpful to the flow of information if the applicant provided a presentation first. There were no objections.

Jason Schmidt, City of Fitchburg, 5520 Lacy Rd., Fitchburg, gave a PowerPoint presentation on the proposal. The land use portion of the City comprehensive plan was completed through a FUDA-type process, during which future neighborhoods were identified over a 50-year period. The City adopted a policy which allows urban development to occur at a maximum of 75 acres per year on a 5-year rolling average. He described the planning process and metrics used to determine growth areas. He identified the amendment area on a map and described the natural resources to be preserved and restored. Surface and ground water monitoring activities in the area informed the proposed stormwater standards, which provide that infiltration and recharge rates be maintained at 90% of pre-development volume, more stringent than the County ordinance. He described more stringent stormwater mitigation standards, as recommended by CARPC staff and agreed to by the City, proposed land uses and environmental corridors, transportation facilities, and potential environmental impacts. He described the three phases: Phase 1: western business park and small residential area, Phase 2 (4 to 8+ years from now): eastern portion with TOD and business areas, and Phase 3 (7 to 10+ years): final center residential area. The proposal equates to 14 years worth of development, based on City policy, and would qualify for LEED-ND certification. He answered questions posed by members.

Ms. Weber made a PowerPoint presentation on the request, which proposes to add 397 acres (217 acres developable) to the CUSA as the northern part of the McGaw Neighborhood. She described the proposal's consistency with CARPC policies and the goals of the Land Use and Transportation Plan. Mr. Kakuska described the natural resources of the amendment area, most of which were proposed for inclusion in environmental corridors – including wetlands identified by NRCS – and potential impacts of development; he noted that the applicant had agreed to a 300-foot buffer for the more sensitive wetland in the eastern amendment area. He described the importance of maintaining stormwater runoff volumes at pre-development levels to mitigate hydrologic impacts, and the importance of recharge to maintaining baseflows to Swan Creek. He further noted that groundwater drawdown which can impact stream baseflows requires areawide groundwater management planning, and the City is participating in funding an update to the Regional Groundwater Model to allow better analysis of groundwater withdrawal impacts related to stream baseflows. Mr. Mesbah stated that staff had worked with City staff to address the potential impacts of the proposed development; he described the conditions of approval as described in the staff analysis dated Dec. 4, 2009. He described the runoff volume and peak flow control standards recommended by CARPC staff and agreed to by the City. These standards go well beyond state and local standards and maintain the pre-development hydrology of the receiving streams (predevelopment defined as CN=68 for B soils). The City also agreed to staff recommendations to maintain predevelopment groundwater recharge based on the most recent WGNHS data. Staff responded to questions by commissioners.

**b. Open Public Hearing to take testimony from registrants; close Public Hearing**

Mr. Miller opened the public hearing. Arnold Harris, 3427 CTH P, Mt. Horeb, representing Western Dane Coalition for Smart Growth and Environment, registered to speak against the proposal. Mr. Harris stated that the proposal conflicted with the following legal areas: Insufficient sewage treatment capacity of NR 110.05(4)(a); lack of cost-effective analysis of NR 121.05(1)(g); lack of economic growth data of NR 121.05(1)(c)(2); conflicts between CARPC staff recommendations and Sec. 27.06(2)(a) of City of Fitchburg ordinance; conflicts with NR 102.04(4)(b)(1) and (2); over corn processing plant; thermal impacts of NR 102.04(b)(4)(1) and (2); lack of stormwater plan in NR 121.05(1)(i) and 121.01 requiring evaluation of best management practices; conflicts between CARPC staff recommendations and Sec. 27.06(3)(a)(c) and (e) of City of Fitchburg ordinance; conflicts with NR 121.05(1)(g)(2)(c); and NR 121.05(1)(l).

Jay Allen, Mayor, City of Fitchburg, 5360 Lacy Rd., Fitchburg, spoke in support of the proposal. He stated that the Neighborhood Plan, to be adopted as part of the City comprehensive plan, addressed each of the items raised by Mr. Harris. He stated that the Plan addressed concerns of phosphorus loadings by preventing more phosphorus from running into the lake. He stated that the City was committed to preventing thermal impacts on Swan Creek, and proposed some restoration be done in that area. The City was building more dense development in smaller areas, pursuant to CARPC goals; the rail line in the amendment area was owned by the City, and connected regionally, including a connection in Harvard IL to the Chicago Metro line. The rail line was not feasible unless dense development was approved for the area.

Jon Becker, 4233 Kenwood St., Madison, representing CRANES, registered to speak in opposition to the proposal. He referred to a letter dated Jan. 13, 2010 from CRANES and expressed concern for the loss of a significant amount of prime farmland. He stated that the Commission should engage in planning on a regional basis, rather than treating large USA amendment proposals on the urban fringe as infill. He stated that FUDA planning could be completed for the entire county in six months or less. He stated that the Fitchburg proposal was not bad, but questioned whether more urban development should be added in this particular area along the rail line between the city and Harvard (IL). He described RPC assumptions as problematic: Inter-municipal agreements were problematic because they weren't truly regional; the FUDA serial process was problematic because it doesn't address the overall issues; and the regional outlook is missing because there isn't a regional process, and there is no connection with other counties. He stated that CRANES was not anti-development; he referred to the high number of USA amendments approved by CARPC.

Gary Werner, 2302 Lakeland Ave., Madison, representing CRANES, referred to the CRANES letter, and stated that they were not opposed to all development. He identified three major water quality and quantity issues of the proposal: 1) the amount of proposed impervious surface and its impact on increased stormwater runoff into Lake Waubesa, Swan Creek, and adjacent fens and wetlands; 2) the loss of prime farmland; and 3) the lack of "need" for new developable area; over 300 developable acres north of the amendment area were already in the USA. He described the need to complete FUDA planning prior to answer specific questions prior to service area amendment. FUDA planning should be coordinated with RTA and MPO for integrated land use planning. CRANES objected to the timing of the proposal more than anything else.

Stefi Harris, 3427 CTH P, Mt. Horeb, representing Western Dane Coalition for Smart Growth and Environment, registered to speak against the proposal. Ms. Harris expressed concern for the adequacy of a 300-foot buffer to prevent runoff into a sensitive creek. She stated that the pre-development stormwater runoff standards were not high enough, since it used current agricultural land as the standard; re-development standards, based on city ordinance, were even lower. She expressed concern for thermal impacts on the creek, which would be adversely effected by runoff received from the adjacent large impoundment.

Phyllis Hasbrouck, 3113 View Rd., Madison, representing West Waubesa Preservation Coalition, registered to speak against the proposal. She stated that although the City's planning process for the proposal was an improvement compared to others proposed by the City, she favored a county-wide "pause" on USA amendments until county-wide FUDA completion and completion of a watershed level intergovernmental agreement facilitated by CARPC to develop a consensus among all stakeholders regarding the best approach to management stormwater runoff into the lakes. She stated the proposal was not needed: 879 vacant acres were already in the current service area. She stated that development in the western part of Phase 1 was the only part of the proposal that made sense at this time. She expressed concern for impacts of runoff on sensitive receiving waters; the onus should be on the applicants or developer to pledge to pay for remediation if engineering plans fail resulting in damage to the resources; the extra expense may encourage re-development first.

Don Hammes, 3507 Valley Ridge Rd., Middleton, registered to speak against the proposal. He read from a letter (submitted for the record), and questioned the "need" for additional developable acreage when there were already hundreds of developable acres within the current CUSA. The Nine Springs Green Tech Village was the largest undeveloped area with 310 unplatted acres in the current USA. In total, there were 820 undeveloped acres within the current USA; at 75 acres per year, there were 11 years worth of undevelopable land within the current USA. He requested CARPC complete FUDA plans prior to approving USA amendments.

There were no other registrants; Mr. Miller closed the public hearing.

**c. Consideration of Resolution CARPC No. 2009-15**

Moved by Ms. Gibson, second by Mr. Minihan, to postpone action to the next meeting. Ms. Gibson stated that she wanted more time to consider the proposal and review water quality impacts; Mr. Minihan stated that the City of Fitchburg needed to engage the Town of Dunn, due to impacts on the town. Motion to postpone failed on roll call vote (5-6).

Motion by Mr. Van Kampen, second by Mr. Sonnentag, to approve Resolution CARPC No. 2009-15. Mr. Brandon expressed support for the proposal; he stated that the proposal had issues similar to other proposals some members had voted against for reasons such as the loss of prime farmland, water quality issues (impacts on Swan Creek and Lake Waubesa, including biological and thermal impacts), water quantity issues, the lack of a completed FUDA plan, the lack of "need" for new developable area, and impact on the Town of Dunn. Mr. Van Kampen stated that it was unfortunate that funding for FUDA was lacking, but requiring its completion prior to CUSA amendment was unfair.

Ms. Gibson expressed opposition to the proposal based on the reasons cited by Mr. Brandon; she wanted another month to review the issues. Ms. Euclide expressed support for postponement, and stated that the presentation by Mr. Kakuska raised many water quality concerns and issues involving important and unique resources and areas; she expressed concern for impacts on the Town of Dunn, and the need for better guarantees to insure that stormwater plans and procedures of the staff analysis will be implemented, backed by sufficient funding, inspection, maintenance and enforcement. She stated that FUDA was not just a process, but was to provide information on the location of developable areas and the location of sensitive regional resources to be protected; that lack of information was cause to object to acting on USA amendment proposals. She stated that labeling the Commission as anti-growth was not factual, since it had approved far more amendment requests than denied.

Mr. Brandon stated that a FUDA plan for this area may not have been completed at this time even with sufficient funding. Mr. Murray expressed support for postponement in order for members to conduct a more impartial review of the proposal. He expressed support for FUDA planning and its value; he questioned the lack of financial support for it. He stated that the Commission will lose credibility if it denies USA amendments for lack of FUDA plans while not providing sufficient funding to conduct FUDA planning. He described the need for the Commission to discuss and agree upon its priorities based on merits, its mission and funding. Mr. Hiniker expressed support for postponement.

Moved by Mr. Palm, seconded by Mr. Murray, to refer to staff for further study, to be brought back before the Commission when staff is ready. Mr. Brandon expressed support for the referral, but questioned revisiting the issue of prioritizing FUDA after discussing and unanimously adopting the current Work Program. Mr. Hiniker expressed support for revisiting the Work Program; he expressed surprise at the lack of a single completed FUDA plan, and the need to assess regional impacts. Motion to refer carried unanimously on voice vote.

Mr. Miller noted that the City of Middleton/Town of Westport proposal would be re-considered at the next meeting, pursuant to CARPC Bylaws governing super-majority voting requirements.

**11. Report on work of Policies & Criteria Advisory Group and Consideration of extending deadline to receive Advisory Group recommendation on USA policies**

Tom Wilson, Eileen Kelley, and Phyllis Hasbrouck appeared on behalf of the Advisory Group; Ms. Kelley stated that good progress had been made, but an extension of the deadline to the end of summer was needed. Moved by Mr. Van Kampen, seconded by Ms. Euclide, to approve extending the deadline to September 1, 2010. Motion carried unanimously on voice vote.

**12. Consideration of CARPC 2010 meeting calendar**

Motion by Mr. Palm, second by Mr. Sonnentag, to approve the meeting calendar. Motion carried unanimously on voice vote.

**13. Consideration of Contract with WDNR for 2010 projects: Yahara CLEAN, Black Earth Creek, and Appendix B update**

The contract was provided at members' places; Mr. Mesbah briefly described the projects. Motion by Mr. Sonnentag, second by Ms. Gibson, to approve the contract. Motion carried unanimously on voice vote.

**14. Consideration of Executive Committee recommendation to consider an exception to CARPC personnel policies governing earned vacation and personal holiday leave and/or payout of leave liability**

Motion by Mr. Sonnentag, second by Ms. Euclide, to accept the Executive Committee recommendation to approve an exception to the personnel policies and pay the value of excess 2009 vacation and holiday leave (\$5,304) to Mr. Mesbah. Motion carried unanimously on voice vote.

**15. Consideration of Personnel Committee recommendation to recommend an executive recruitment firm to the CARPC Budget & Personnel Panel**

Motion by Mr. Sonnentag, second by Mr. Palm, to accept the Personnel Committee recommendation to recommend The Mercer Group, Inc. to the CARPC Budget and Personnel Panel to recruit for the CARPC Executive Director position. Motion carried unanimously on voice vote.

**16. Consideration of CARPC Newsletter**

Motion by Mr. Murray, second by Mr. Van Kampen, to approve distribution of the newsletter. Ms. Euclide asked about the amount of staff time needed to prepare and publish the newsletter; Mr. Mesbah stated that the amount of staff time was relatively minimal, and was part of necessary outreach activities approved in the Work Program. A newsletter would be published electronically twice a year to augment the other two current publications, namely the *Regional Trend Report*, and the *Annual Report*. Discussion continued. Motion carried unanimously on voice vote.

**17. Consideration of directing Chair to sign Memorandum of Understanding with Dane County to continue receiving GIS services from Aaron Krebs in 2010**

Motion by Mr. Palm, second by Ms. Gibson, to direct the Chair to sign the MOU. Motion carried unanimously on voice vote.

**18. Consideration of convening in closed session pursuant to 19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted with respect to litigation in which it is likely to become involved with the Village of Mazomanie and the Department of Natural Resources**

Motion by Mr. Brandon, second by Mr. Hiniker, to convene into closed session pursuant to the language indicated in the agenda item, as stated by Mr. Miller. Motion carried 10-1 on roll call vote (Mr. Miller voting no).

**19. Re-convene into open session**

Motion by Mr. Sonnentag, second by Ms. Gibson, to re-convene into open session. Motion carried unanimously on voice vote.

**20. Communications**

Eight items were provided at members' places: letter from CRANES dated Jan. 13, 2010, regarding the Fitchburg CUSA request; four items from Stefi and Arnold Harris regarding the Fitchburg CUSA request, responding to letter from T. Wall, a letter to DNR regarding the Mazomanie USA request, and letters between Dane County Executive and Yahara

Lakes Association; letter from Ron Trachtenberg dated Jan. 14, 2010 requesting approval of the Shady Wood Neighborhood proposal; an article provided by Jon Becker dated Jan. 8, 2010 in Isthmus regarding global warming; and a memo from Dane County Towns Association expressing support for the Bishops Bay proposal.

**21. Report of Chair / Discussion**

**a. Report on Executive Committee meeting of January 14**

Mr. Miller reported that the Executive Committee approved payment of bills and recommended payout of vacation leave for Mr. Mesbah.

**22. Report of Deputy Director / Discussion**

None.

**23. Future agenda items**

Mr. Murray suggested that the Work Program be discussed. Mr. Mesbah stated that a FUDA update would also be provided at the next meeting; Mr. Miller suggested that a FUDA update should be on every agenda.

**24. Adjournment**

Moved by Mr. Brandon, seconded by Mr. Hiniker, to adjourn; motion carried at 10:15 p.m.

Recorded by Chris Gjestson