

Draft MINUTES

Capital Area Regional Planning Commission

September 9, 2010

City-County Building Rm 351, 210 MLK Jr Blvd, Madison WI

7:00 p.m.

Present: Zach Brandon, Curt Brink, Martha Gibson, John Murray, Larry Palm, Susan Studz, Caryl Terrell, Phil Van Kampen

Absent: John Imes, Peter McKeever, Jeff Miller, Ed Minihan, Kurt Sonnentag

Staff Present: Chris Gjestson, Kamran Mesbah

1. Roll Call

Chair Van Kampen called the meeting to order at 7:04 p.m.; roll was recorded.

2. Approval of minutes of the August 12, 2010 meeting

Moved by Ms. Gibson, seconded by Ms. Studz, to approve the minutes of the August 12, 2010 meeting. Mr. Brink stated that page 2, second full paragraph, describing the amendment to Resolution CARPC No. 2010-8, was misleading and appeared to indicate a 100% volume control standard; discussion followed. Motion by Mr. Palm, second by Ms. Gibson, to amend the paragraph in question by referencing the full paragraph of the Resolution as amended for clarification; motion carried by unanimous consent without objection. Motion to approve as amended carried unanimously on voice vote.

3. Review of agenda

There were no changes requested.

4. Public comment for items not on the agenda

Jon Becker, 4233 Kenwood Dr., Madison, representing Capital Region Advocacy Network for Environmental Sustainability (CRANES), asked members to consider how USA amendments could be “undone”, considering downward trends in population and housing growth. He referred to the large Bishop’s Bay proposal. He described the Cherokee Marsh amendment in 2007 as an example of the problem; the area has several hundred acres of open land between urban areas. He requested the body direct staff to address how CARPC may approach “undoing” amendments. He asked what happens if the town of Westport portion develops first, on the edge near Dorn Creek, and the rest remains undeveloped. He requested a monitoring well near the pending DeForest amendment area; monitoring east of Sun Prairie has indicated a third deviation of rising water table levels. He requested CARPC not approve amendments which rely on buildings using sump pumps, which continually run when water tables are high.

Gary Werner, 2302 Lakeland Ave., Madison, representing CRANES, expressed support for the CARPC decision on the Mazomanie decision. He provided a copy of a letter to the Governor supporting the decision.

5. New business

None.

6. Report and Discussion on the FUDA planning process

Mr. Steinhoff described the August 6, 2010, FUDA outline in the meeting materials, which provided more detail of the community planning stages of FUDA, as requested by the body. He described the three basic proposed steps, which may be conducted in multiple communities simultaneously and result in discrete deliverables: 1) define the planning analysis areas; 2) complete Environmental Conditions Reports; and 3) conduct community planning projects. He described the general approach to community planning as part of the process. He reported that Middleton and Westport were in the process of creating a steering committee, and staff was scheduled to meet with DeForest and Windsor to discuss moving forward. Commissioners discussed the proposed process and directed questions to staff. Staff was directed to follow the proposed approach and report on its success.

7. Public Hearing: Consideration of Resolution CARPC No. 2010-13 adopting the 2011 CARPC Budget

a. Staff Presentation

Mr. Gjestson described the draft budget, which proposed expenditures reduced from 2010, based on County revenue unchanged from 2010 and diminished CARPC reserves. Among other line item reductions, the draft included no funding for contractual services, a halving of intern/workstudy expenditures, approximately four days of furloughs, and the continued vacancy of the Executive Director position. For 2011 and beyond, unless the 0.17 mills levy charge limit could be exceeded or new fees could be established, CARPC would not have sufficient funds to hire an Executive Director, unless it reduced current staffing levels.

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

Mr. Van Kampen opened the public hearing. Gary Werner registered to speak; he expressed frustration over the budget difficulties of the Commission. He encouraged CARPC to continue to pursue County staff support for work of the Commission. He stated that CRANES supported the work and the need for CARPC. He stated that Congress was considering legislation that might expand the Sustainable Communities grant for which CARPC had applied; he asked the Commission to send letters of support for SB 1619 and HR 4690 ("Livable Communities Act").

Jon Becker registered to speak; he stated that CRANES supported CARPC and opposed staff furloughs. He expressed hope that development patterns over the past hundred years would change; he stated that if CARPC received the Sustainable Communities grant, it could conduct a charrette in the North Mendota sub-basin, to gather information for the local communities on what needs to be protected. He described the importance of cultural resources planning, which was a critical criterion for the grant award. He requested that the FUDA process (steps 2 and 3) identify cultural resources, including those that support the economy, such as the regional music economy. There were no other registrants; Mr. Van Kampen closed the public hearing.

c. Consideration of Resolution CARPC No. 2010-13

Mr. Brandon described commissioners as stewards of the agency responsible for its existence, and should not support a budget that is irresponsible and sets the agency up for failure. He stated that layoffs and cutting all non-essential parts of the agency should be considered, which might include FUDA. Moved by Mr. Palm, second by Ms. Studz, to adopt the draft 2011 budget. Discussion followed. Mr. Palm stated that expectations and work plan needed to be scaled back to reflect budget resources; he

expressed support for trying to conduct FUDA correctly and gauge its support and efficacy, and adjust future work programs and budgets accordingly. Ms. Gibson stated that the Mayor of Madison expressed doubt about the value of FUDA. She expressed the need for an Executive Director, which may require cutting staff. She asked if CARPC could refuse to adopt a budget; Mr. Mesbah answered that state statutes required adoption by October 1. Commissioners asked questions of staff. Mr. Murray stated that not approving or tabling the budget would be an effective way to communicate the Commission's dissatisfaction with how the Budget & Personnel Panel has managed the CARPC budget; the mission of the Commission was beginning to wither. It should either have a robust budget and work plan or shut down. Discussion continued. Mr. Mesbah stated that the Commission was functioning and was not in danger of jeopardizing its contractual or statutory obligations, only that we are not meeting the expectations for timelines of FUDA. The BPP was expected to be meeting to discuss the Commission's mission and future. Discussion continued; Commissioners discussed potential staffing cuts.

Motion to adopt carried on roll call vote, 6-2 (Messrs. Brandon and Murray voting no).

8. Consideration of disseminating Draft 2011 Work Program and 2011-2016 Overall Program Design to local units of government to solicit comments at October 14 public hearing

Ms. Studz described the need to indicate what work would not be done in 2011 as a result of the reduced budget; discussion followed. Mr. Murray stated that the proposed language on the item cover sheet could be used in the dissemination, bolding those items describing what items would not be carried out. Dissemination of the document with the language proposed in the cover sheet approved by unanimous consent, without objection.

9. Consideration of hiring Schenck Business Solutions to conduct 2010 financial audit

Motion by Mr. Brandon, second by Ms. Studz, to approve. Motion carried unanimously on voice vote.

10. Direct staff to draft a resolution to the Dane County Lakes and Watershed Commission requesting that the Dane County Ordinance be changed to incorporate the CARPC stormwater volume control standard

Mr. Murray stated his intent to request deferral, since the specific language of any resolution was an important consideration. Mike Lawton, 740 Regent St., Madison, registered in opposition to the resolution as drafted. Mr. Lawton stated his concern that the draft letter and resolution in the packet were not consistent with the CARPC resolution adopted in August regarding volume control, which applied only to new USA/LSA amendments. He expressed concern that the resolution as drafted endorsed Dane County's application of a stricter standard retroactively to previously approved development projects. He requested CARPC engage in a broader outreach effort prior to considering such a resolution; rural areas not under CARPC jurisdiction would be impacted by new County rules. Should CARPC not wish to conduct broader outreach on the topic, it should consider clarifying the resolution to indicate that the higher standard should apply only to new urban service areas. Discussion followed.

Motion by Mr. Murray, second by Ms. Terrell, to defer action to the October meeting. Mr. Murray noted the importance of having more commissioners present for a more thorough discussion. Motion carried unanimously on voice vote.

11. Communications

Mr. Gjestson reported four communications: a draft resolution and a draft memo to Dane County Lakes & Watershed Commission (regarding agenda item #10), which had been e-mailed to members Tuesday night; an e-mail from Mr. Lawton requesting deferral of agenda item #10; and letter dated September 9, 2010, from CRANES to Governor Doyle requesting support for the CARPC decision to not approve the Mazomanie USA amendment request (submitted during public hearing under item #7).

12. Report of Chair / Discussion**a. Report on Executive Committee meeting of September 9**

Mr. Van Kampen reported that the Committee had approved the monthly bills.

13. Report of Deputy Director / Discussion

Mr. Mesbah reported that he would be attending the Great Lakes Association of Regional Councils strategic planning meeting next week in Milwaukee. Staff would be attending the DeForest tour on September 10.

14. Future agenda items

Ms. Terrell requested an item to consider submitting a letter of support for SB 1619 and HR 4690.

15. Adjournment

Moved by Ms. Studz, seconded by Ms. Terrell, to adjourn; motion carried at 10:07 p.m.

Recorded by Chris Gjestson