

Draft MINUTES

Capital Area Regional Planning Commission

September 8, 2011 City-County Building Rm 351, 210 MLK Jr Blvd, Madison WI

7:00 p.m.

Present: Jeff Baylis, Zach Brandon, Martha Gibson, Ken Golden, Jason Kramar, Peter McKeever, Ed Minihan, Warren Onken, Larry Palm, Kurt Sonnentag, Caryl Terrell

Absent: Eric Hohol, Susan Studz

Staff Present: Chris Gjestson, Kamran Mesbah

1. Roll Call

Chair Palm called the meeting to order at 7:02 p.m.; roll was recorded.

2. Approval of minutes of the August 11, 2011 meeting

Moved by Mr. Minihan, second by Mr. Onken, to approve the minutes of the August 11, 2011 meeting; motion carried unanimously on voice vote.

3. Review of agenda

No changes.

4. Public comment for items not designated for Public Hearing

Phil Salkin, 944 Autumn Woods Ln., Oregon, representing REALTORS Association of South Central Wisconsin, registered to speak in opposition to agenda item #12. Mr. Salkin stated that regardless of the legality of a moratorium on consideration of USA amendments, it was questionable why a public entity would decline a project without first hearing its proposal; he described the importance of listening to stakeholders and constituents.

Tim Roehl, 1246 Valley View, Verona, representing Dane County Towns Association (DCTA), registered to speak in opposition to agenda item #12. Mr. Roehl stated that DCTA did not support a moratorium on USA amendments, and expressed opposition to its consideration.

Jon Becker, PO Box 3413, Madison 53704, representing Capital Region Advocacy Network for Environmental Sustainability (CRANES), registered to speak in support of agenda item #12. Mr. Becker expressed support for directing CARPC staff to complete county-wide FUDA planning before any further consideration of USA amendments.

5. Consideration of a motion to convene into closed session pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted with respect to possible litigation with Dane County over the certified 2012 budget charge. The Commission intends to re-convene into open session immediately following this closed session item.

Motion by Mr. Sonnentag, seconded by Ms. Gibson, to convene in closed session pursuant to the agenda item language (Mr. Palm read the language for the record). Motion carried unanimously on roll call vote; the meeting convened in closed session at 7:15 p.m.

Motion by Mr. McKeever, second by Mr. Sonnentag, to re-convene in open session; motion carried, the meeting re-convened in open session at 8:05 p.m.

6. Discussion and possible action to approve agreement with Dane County

None.

7. Public Hearing: Consideration of Resolution CARPC No. 2011-18 adopting the 2012 CARPC Budget

a. Staff Presentation

Mr. Gjestson stated that because an agreement had not yet been reached with Dane County, the draft budget as provided at the August meeting and in the meeting packet had not been changed; he suggested the body dispense with a presentation. Ms. Terrell asked if those in attendance preferred a presentation; Mr. Gjestson confirmed with attendees that a presentation was not necessary.

b. Public Hearing

Mr. Palm opened the public hearing; there were no registrants; he closed the public hearing.

c. Consideration of Resolution CARPC No. 2011-18

Mr. Gjestson suggested that the body consider amending the Resolution to recognize the possibility of a future amendment to the budget to reflect any agreement that it may secure with Dane County. Moved by Mr. Onken, second by Mr. Golden, to adopt the Resolution subject to amendment based on an agreement with Dane County. Motion carried on voice vote.

8. Discussion of SSA Application Review Fees and Consideration of Recommendation to the CARPC Budget and Personnel Panel

Motion by Mr. Sonnentag, second by Mr. Brandon, to defer discussion. Motion carried on voice vote.

9. Discussion of Aug. 11 Calthorpe presentation

Ms. Terrell described the important data which would be made available through the scenario planning conducted by Calthorpe, including air quality, health, relationship between cost of housing and commuting, which were central aspects of the Livability Principles of the HUD SCRP grant. She stated HUD should be made aware of the potential value of the Calthorpe modeling. Mr. Palm suggested that CARPC consider taking the lead on engaging a wider audience for Calthorpe; Mr. Mesbah noted that the CARPC Annual Planning Conference (October 27, 28, Alliant Energy Center) included programming on the topic. Discussion continued. Mr. Mesbah noted that in its review of scenario models, staff determined the Calthorpe model was not a feasible option for FUDA planning since it was not scalable down to the local level, but only applied on a regional scale. Ms. Gibson described her support for investigating the Calthorpe model further. Discussion continued. Ms. Terrell stated that the Calthorpe model appeared scalable, and asked for an explanation about why staff thought otherwise; Mr. Mesbah stated that staff had spoken with Calthorpe staff and it was clear that it was not scalable to the level required in FUDA planning. Discussion continued. Mr. Palm suggested item #11 be taken up next; there were no objections.

11. Report and Discussion on FUDA planning process

Mr. Steinhoff reported that the scenario planning phase had begun in the two planning areas (North Mendota and NUSA); six community meetings had been scheduled (promotional postcards were at members' places). The initial phase of meetings was meant to introduce findings to the public and receive feedback via visual preference survey; the second phase was meant to create development scenarios to guide future growth, and would

estimate impacts on the same range of resources and infrastructure measured by the Calthorpe Rapid Fire model. He described the parameters for the staff review of potential scenario modeling software, which included cost, scalability and interactive functionality with ArcGIS. Staff had identified the two most viable options as Community Viz and Index. Mr. Minihan requested that staff provide a description on the software upon its selection.

Ms. Terrell asked if FUDA planning in the two areas would be scalable to the county level; Mr. Steinhoff stated that the county scale was not being considered in the FUDA processes, but the processes would build into the update of the *Dane County Land Use and Transportation Plan* to commence in 2014. Discussion continued. Ms. Terrell expressed concern that scenario planning at the local level does not adequately address regional impacts outside the planning area, such as impacts on lake levels or transportation systems. Mr. Mesbah stated that the stated examples of regional issues were addressed in the FUDA process: ECRs addressed lake level issues, and transportation issues would be addressed by providing data derived in the FUDA planning process to MPO for entry into the regional transportation planning model. Other regional impacts such as those on the regional groundwater levels were also included in the analysis. Mr. Minihan requested that MPO be invited to make a presentation on its model at a future CARPC meeting.

10. Consideration of disseminating Draft 2012 Work Program and 2012-2017 Overall Program Design to local units of government to solicit comments at October 13 public hearing

Mr. Mesbah referred to the items in the meeting packet, which included a summary of planned 2012 work activities. He described the seven-year work plan chart and its revision, which illustrates the delay in project work due to insufficient funds. Discussion followed. Motion by Mr. McKeever, second by Mr. Baylis, to disseminate the Draft; motion carried unanimously on voice vote.

12. Discussion and potential consideration of moratorium on consideration of sewer service area amendments until adoption of FUDA plans

Mr. Baylis stated that while a good discussion was generated by the motion, he did not wish for CARPC to incur legal costs that might result from the action. Mr. Baylis withdrew the motion without objections. Ms. Gibson stated that the Work Program could be changed to allocate staff work to emphasize FUDA and de-emphasize USA amendment work; she stated this could be considered after the 2012 budget was certain. Discussion continued.

13. Consideration of Resolution CARPC No. 2011-17 amending the CARPC Bylaws to identify Commission budget certification procedures

Motion by Mr. Sonnentag, second by Mr. Onken, to adopt Resolution 2011-17. Mr. Palm explained that the Bylaw amendment followed state law regarding the process for the annual budget certification process and budget adoption requirements. Discussion followed. Mr. Golden stated that other sections of the Bylaws should be reviewed for accuracy and consistency; discussion ensued. Motion carried on voice vote.

14. Approval of September disbursements and Treasurer's Report for August 2011

Mr. Gjestson reported the actual amount for the legal services bill, which was estimated in the packet materials. Motion by Ms. Gibson, seconded by Mr. Sonnentag, to approve the September disbursements (in the total amount of \$115,441.83) and August Report; motion carried unanimously on voice vote.

15. Report from Commissioner McKeever on status of CARPC Retreat planning and potential discussion of the recommendations of the Policies and Criteria Advisory Group

Mr. McKeever reported that he had requested a discussion with Mr. Palm about the retreat, but had not yet had a response. He suggested that some of the PCAG recommendations could be considered by CARPC during the conduct of its regular meetings, while other topics may be referred to the retreat. Ms. Gibson stated that some of the recommendations may have already been addressed or are being addressed; staff could report. Mr. Mesbah stated that the August meeting packet included that information; staff could bring that back to a future meeting with recommended specific measures to be undertaken by staff.

16. Communications

Three items were provided at members' places: 1) FUDA meetings calendar for September and October; and 2) & 3) two postcards announcing FUDA public meetings for the Northern USA area and the North Mendota area.

17. Report of Chair/Discussion

None.

18. Report of Deputy Director / Discussion

Mr. Mesbah noted that he would be out of the office on vacation from September 9 through September 22.

19. Future Agenda Items

Mr. Mesbah stated that the status of new USA amendments has not changed; Windsor Bear Tree would be coming to make a presentation on their conceptual plan at a future meeting. At the October meeting, CARPC would consider the Verona "Southwest" proposal which failed to be approved by CARPC in early 2010; the proposal was being remanded back to CARPC by DNR due to new information being made available for CARPC to consider (DNR has approved the Montgomery Report). Mr. Golden suggested that a Bylaw Workgroup be considered. Mr. Onken asked that a DNR representative be invited to attend for the Verona amendment item.

20. Adjournment

Moved by Mr. Kramar, seconded by Mr. Baylis, to adjourn; motion carried at 9:58 p.m.

Recorded by Chris Gjestson