

MINUTES

Capital Area Regional Planning Commission

November 29, 2007 City-County Building Rm 201, 210 MLK Jr. Blvd., Madison WI

7:00 p.m.

Present: Zach Brandon, Joe Chase, Kristine Euclide, Martha Gibson, George Kamperschroer, Kris Hampton, Carlton Hamre, Harold Krantz, Larry Palm, Anne Sayers, Kurt Sonnentag

Absent: Sally Kefer, Jeff Miller

Staff Present: Chris Gjestson, Michael King, Aaron Krebs, Kamran Mesbah, Steve Wagner, Barbara Weber

1. Roll Call

Ms. Euclide called the meeting to order at 7:00 p.m.

2. Approval of minutes of the November 8, 2007 meeting

Moved by Mr. Hampton, seconded by Mr. Palm, to approve the minutes of the November 8, 2007 meeting. Mr. Chase requested the correction of an error of the spelling of "Ms. Gibson." Motion to approve as amended carried unanimously.

3. Review of agenda

No changes.

4. Public comment

No public comment regarding matters not on the agenda.

5. Public Hearing: Amending the *Dane County Land Use and Transportation Plan and Water Quality Plan* Revising the Central Urban Service Area Boundary in the Town of Burke

Ms. Euclide opened the public hearing. Mr. Tom Pinion, MSA Professional Services, representing the Town of Burke, registered to speak in support of the proposal. He requested approval of the proposal, and offered to answer questions. Mr. Hampton asked how the Town planned to address the inadequate water supply for firefighting purposes as indicated in the staff report. Mr. Pinion noted that the Village of DeForest and Token Creek Sanitary District planned for a new Well No. 5, which will be more than adequate to provide firefighting flows to the amendment area. He noted that the Village supports the amendment request. Mr. Chase noted that the staff report indicated some construction had occurred prior to amendment approval, and asked if an entity other than the CARPC could approve such construction. Mr. King answered yes, but public sewer could not be connected to the structure without CARPC approval. The construction had occurred under the misunderstanding that the area was already within the current USA.

Mr. Richard Bloomquist, 5743 Wilshire Dr., Fitchburg, representing Badger Utility Inc., registered to speak in support of the proposal. Mr. Bloomquist stated that Badger Utility had been told by the Village of DeForest in May or June 2006 that the amendment area

was within the existing USA. He stated that Badger Utility was a low user and discharger of water; it will have between 46 and 48 employees. Construction of sewer and water lines is scheduled to begin the week of December 3, since DeForest and Burke had given their approvals.

Dave Batterman, 4334 Daentl Road, DeForest, representing Badger Utility Inc., registered in support of the proposal. Ms. Euclide closed the public hearing.

6. Consideration of Resolution CARPC No. 2007-9 Revising the Central Urban Service Area Boundary in the Town of Burke

Moved by Mr. Brandon, seconded by Mr. Palm, to approve Resolution CARPC No. 2007-9 revising the Central Urban Service Area boundary in the Town of Burke.

Mr. Mesbah made a PowerPoint presentation of the staff analysis of the proposal. He described the amendment, which proposes to add 26 acres to the CUSA, including 10.9 acres of existing right-of-way and 15.1 acres of existing commercial development, and would not add any new developable acreage. He described the physical area of the watershed and the impacts of the proposal, and its consistency with the goals and objectives of the *Dane County Land Use and Transportation Plan*. He described the conclusions and conditions of the staff report. He stated that there was currently no stormwater quantity control; because of the potential for erosion into receiving sensitive wetlands and streams, it was important to maintain control of runoff velocity of all storms. He described the need for a contingency plan in the event the parking area is paved, which would increase runoff velocities and contaminants. The conditions for groundwater recharge are well beyond those that would be required by Dane County because the County has determined the addition to be a redevelopment project.

Mr. Mesbah referred to the draft resolution of approval, and stated that Condition 2 addressed the groundwater quantity impacts of the proposal, but was not sufficiently clear in regards to potential redevelopment of the area. He proposed a sentence be added to the end of Condition 2: "Any redevelopment in the amendment area should maintain the natural recharge of the site and mitigate the impacts of groundwater withdrawal to the maximum extent practicable." He stated that the condition probably would not apply to the current owner, but provided for protection of impacts of any future redevelopment. Motion by Mr. Palm, seconded by Mr. Krantz, to include the amendment language in the resolution. Motion to amend carried unanimously. Commissioners asked questions of staff regarding the conditions of approval and their enforcement.

Motion to adopt Resolution CARPC No. 2007-9 as amended carried unanimously on a voice vote.

7. Consideration of a motion to convene in closed session, pursuant to §19.85(1) (c) Wis. Stats., to discuss 2008 offers of employment for staff and to consider a recommendation on the Executive Director candidates to the Budget and Personnel Panel

Mr. King suggested that the Executive Director position be discussed first, which might inform the discussion of staff employment. Ms. Euclide agreed, there were no objections.

Moved by Mr. Hampton, seconded by Mr. Palm, to convene in closed session, pursuant to §19.85(1) (c) Wis. Stats., to discuss 2008 offers of employment for staff and to consider a recommendation on the Executive Director candidates to the Budget and Personnel Panel. Motion carried 11-0 on a roll call vote. The meeting convened in closed session at 7:35 p.m.

8. Consideration of a motion to re-convene in open session, pursuant to §19.85(2) Wis. Stats., to consider 2008 offers of employment for staff and to consider a recommendation on the Executive Director candidates to the Budget and Personnel Panel

Moved by Mr. Chase, seconded by Mr. Hampton, to re-convene in open session, pursuant to §19.85(2) Wis. Stats., to consider 2008 offers of employment for staff and to consider a recommendation on the Executive Director candidates to the Budget and Personnel Panel. Motion carried 11-0 on a roll call vote; the meeting re-convened in open session.

Moved by Mr. Brandon, seconded by Mr. Sonnentag, to instruct the Executive Director to undertake a reclassification study immediately for the reclassification of the Deputy Director/Division Director and Graphic Designer positions, due back to the Commission at its December 13 meeting, and additionally instruct the CAPD Division Administrator/Executive Director to undertake a full review of all positions within the first three months of 2008. Motion carried unanimously on voice vote. (See Item 9 for action regarding the Executive Director position.)

9. Consideration of recommended fees for sewer extension reviews

Mr. King referred to the proposed sewer extension fee schedule as developed by staff (e-mailed to Commissioners on November 26). He stated that the local government resolutions petitioning for the creation of the CARPC called for the CARPC Budget and Personnel Panel (BPP) to approve a sewer extension fee schedule; the draft schedule, which was based on 2006 staff work on sewer extension reviews, could be considered by the Commission for recommendation to the BPP.

Moved by Mr. Kamperschroer, seconded by Mr. Sonnentag, to recommend the sewer extension review fee schedule as proposed to the BPP. Discussion followed. Mr. Brandon noted the statutory requirement to not charge fees beyond the cost of providing the service. Motion carried unanimously.

Ms. Gibson noted that action had not been taken regarding the CARPC Executive Director position. Moved by Mr. Brandon, seconded by Mr. Hampton, to reconsider item 8. Motion carried unanimously. Moved by Mr. Brandon, seconded by Ms. Gibson, to additionally direct the CAPD Division Administrator/Executive Director, the Interim Chair, and the Personnel Committee to re-open the process of selecting the Executive Director, thank the previous candidates, and to an accounting of the current budget status for available recruitment funds, and to inform the BPP of such action. Motion carried unanimously by voice vote.

10. Discussion of Natural Resources Work Program 2008-2013

Moved by Mr. Hampton, seconded by Ms. Gibson, to defer discussion to the next meeting. Motion carried unanimously.

11. Report of Interim Chair / Discussion

Ms. Euclide referred to the written report from the Interim Chair in the agenda materials. She requested that any Commissioners interested in serving on the Personnel Committee and/or the Executive Committee should contact Mr. Gjestson.

12. Report of Division Administrator / Discussion of Reports

Ms. Euclide referred to the materials provided in the packet.

13. Future Agenda Items

Ms. Euclide requested that any Commissioners interested in serving on the Agricultural Land Mitigation Workgroup should contact Mr. Gjestson. She noted that the draft letter to be sent to the local units of government describing the status of the Commission's USA/LSA policy/criteria was not yet drafted, but will be on the agenda for the meeting of December 13. She requested that staff provide the USA/LSA policy/criteria document to Commissioners no less than one week prior to the meeting of the 13th.

14. Adjournment

Moved by Mr. Hampton, seconded by Mr. Krantz, to adjourn. Motion carried at 9:35 p.m.

Recorded by Chris Gjestson