

MINUTES

Capital Area Regional Planning Commission

December 13, 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, Kris Hampton, Carlton Hamre, George Kamperschroer, Sally Kefer, Harold Krantz, Jeff Miller, Larry Palm*, Anne Sayers, Kurt Sonnentag

Absent: None

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

*arrived late

1. Roll Call

Mr. Miller called the meeting to order at 7:02 p.m.

2. Approval of minutes of the November 29, 2007 meeting

Moved by Mr. Brandon, seconded by Mr. Krantz, to approve the minutes of the November 29, 2007 meeting. Motion carried unanimously.

3. Review of agenda

No changes.

4. Public comment

No public comment regarding matters not on the agenda.

5. Consideration of approving discussion drafts: CARPC Goals and Objectives; Urban and Limited Service Area and Environmental Corridor Policies; and Criteria for the Review of Urban and Limited Service Area Amendments. Consideration of the intergovernmental and public review process for discussion drafts

Mr. Miller referred to a two-page document e-mailed by Ms. Kefer earlier in the day to Commissioners describing proposed changes to the goals, objectives, policies and criteria. Ms. Kefer described each of the proposed changes, which were based on discussions at a meeting of the Natural Resources Work Group with Commissioners Hampton and Sayers and Kamran Mesbah, and were listed as items 1 through 13.

Mr. Brandon suggested that Item 5 regarding CARPC not considering USA expansions in areas with pending annexation lawsuits would invite lawsuits by parties in opposition to a USA amendment. Mr. Kamperschroer agreed, and stated that the language removed some discretion of the Commission, and suggested that the Commission could "consider" pending lawsuits in its decision to take action on an amendment request. Commissioners discussed amending the language of Item 5. Ms. Euclide suggested changing the sentence to read "The CARPC may at its discretion consider to delay action on any request for urban service area expansion in areas where annexation law suits are pending." There were no objections to the change to Item 5.

Ms. Kefer continued describing the proposed changes. Mr. Miller asked if Item 8 as written required an increase of vegetative buffers for shorelands and wetlands ("...*should* be

increased..."); Mr. Mesbah stated that the term "should" could be changed to be less restrictive; Mr. Kamperschroer suggested it be changed to "may." He suggested that the last sentence "Any decision by CARPC staff can be appealed to the Capital Area Regional Planning Commission" could be placed someplace else because of its general nature. There were no objections to the changes to Item 8.

Ms. Kefer described Item 9, and noted that the intent of the proposed change was to encourage more creative forms of stormwater management to preserve aesthetics and habitat diversity. Discussion followed. Mr. Brandon stated that although Item 9 was a good goal, there may be times when the installation of stormwater facilities within environmental sensitive areas is necessary. Discussion continued. Mr. Hamre suggested adding "when feasible" to the end of the sentence in Item 9. There were no objections to the change to Item 9.

Ms. Kefer continued describing the proposed changes. She noted that the last sentence of Item 11 should be removed and added elsewhere, consistent with the same change to Item 8.

Mr. Miller reminded Commissioners that this agenda item was not to consider adoption of the Goals and Objectives and Policies and Criteria, but was to consider approval of discussion drafts to be distributed to local units of government for review and comment at public hearing. Commissioners discussed the distribution of the documents. Mr. King suggested that staff post notice for a January 24 public hearing, and staff could schedule meetings with local government staff and others the week of January 7. Mr. Brandon suggested that staff could post public hearing notice for January 24, and the Commission could have at least one more review of the documents based on the review and comments of professional staff of the CARPC appointing authorities ("local professional staff").

Moved by Mr. Hampton, to approve the changes proposed in Items 1 through 13 of Ms. Kefer's document, as amended, to the draft goals and objectives of the *Dane County Land Use and Transportation Plan* and urban and limited service area and environmental corridor policies and amendment criteria, for public hearing for January 24, 2008. Mr. Miller asked if review by professional staff prior to the public hearing was acceptable; Mr. Hampton answered yes. Second by Ms. Kefer. Mr. Brandon encouraged the Commission to review and consider input by local professional staff prior to conducting a public hearing. Ms. Gibson suggested it was more efficient for the Commission to consider input by local professional staff and all other interested parties concurrently at the public hearing. Mr. Chase asked if only one public hearing was being considered; Mr. Miller answered yes, but the Commission could consider more although that could cause a considerable delay in the review of pending USA amendment requests. Mr. Sonnentag stated that the Commission needed to begin review of the pending USA amendments and suggested that the 30 days prior to the public hearing should provide sufficient time for local professional staff input. Mr. Hamre agreed that all comments and input should be considered at the January 24 public hearing, after which the Commission could take action. Ms. Euclide agreed that the public hearing should be set, where all comments and input could be received by the Commission; local jurisdictions would have time to review the draft documents prior to the hearing. Mr. Brandon stated that he agreed with holding a January 24 public hearing, but felt it was the Commission's responsibility to allow for local professional staff to provide input on behalf of each of the CARPC's four appointing authorities prior to receiving general public testimony. Major issues could be identified prior to the public hearing, and the Commission would have an opportunity to discuss them at its meeting of January 10, in preparation of the January 24 public hearing.

Main motion carried on voice vote to accept the 13 changes and to set a public hearing for January 24. Mr. Miller directed staff to distribute a “clean” copy of the draft documents.

6. 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 discuss a contractual agreement with Michael King to provide services in 2008

Moved by Mr. Hampton, seconded by Ms. Gibson, to convene in closed session, pursuant to 19.85(1)(c) Wis. Stats., to discuss 2008 offers of employment for staff and to discuss a contractual agreement with Michael King to provide services in 2008, with the opportunity to allow the Commission to invite staff into the closed session. Motion carried 13-0 on a roll call vote; the meeting convened in closed session.

7. 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 contractual agreement with Michael King to provide services in 2008

Moved by Mr. Hampton, seconded by Mr. Sonnentag, 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 contractual agreement with Michael King to provide services in 2008. Motion carried 13-0 on a roll call vote; the meeting re-convened in open session.

Moved by Mr. Brandon, seconded by Ms. Euclide, to accept the counter-offers of employment made by the Deputy Director and the Graphic Designer, and to approve the re-classification of the Environmental Engineer position. Motion carried unanimously.

8. Consideration of Purchase of Services Agreement or Memo of Understanding with Dane County to cooperatively secure the services of Aaron Krebs, GIS Specialist in 2008

Moved by Ms. Euclide, seconded by Mr. Kamperschroer, to approve the Memo of Understanding with Dane County to cooperatively secure the services of Aaron Krebs, GIS Specialist in 2008. Motion carried unanimously.

9. Selection of membership to Executive Committee, Personnel Committee, and Agricultural Loss Mitigation Workgroup

Mr. Gjestson stated that Brandon, Euclide, Hampton, Hamre, Sayers, Sonnentag, and Kamperschroer had expressed interest in serving on the Executive Committee, and the Bylaws provide that the CARPC Chair also serves as the Executive Committee Chair. Discussion ensued about the size of the committee. Mr. Hamre expressed support for the composition to be similar to that of the Dane County RPC which included the four officers plus one additional Commissioner. Mr. Krantz stated that eight was too many and ineffective; Mr. Kamperschroer agreed, and stated that any more than five members would essentially be a committee of the whole. Discussion continued.

Moved by Mr. Hampton, seconded by Mr. Krantz, to limit the Executive Committee to five members, including the Chair, and to consider membership at the January 10 meeting. Members discussed. Motion carried unanimously.

Mr. Gjestson stated that Gibson, Krantz and Palm had expressed interest in serving on the Personnel Committee. Moved by Mr. Hampton, seconded by Mr. Sonnentag, to approve Gibson, Krantz and Palm as Personnel Committee members. Mr. Brandon stated that having only three members created difficult problems with Open Meetings Law conflicts. Ms. Euclide suggested that a maximum of five members be allowed on the Personnel Committee; suggestion to specify five as the maximum membership was accepted by Hampton and Sonnentag as a friendly amendment, with no objection. Mr. Chase suggested that the slate of

candidates should include write-ins. Mr. Brandon stated that he would be opposed to approving a Committee with partial membership, and suggested that it would be more appropriate to bring it back before the Commission for consideration. Ms. Euclide agreed. Motion failed 7-6 on roll call vote.

Moved by Mr. Miller, seconded by Ms. Sayers, to accept up to five members to serve on the Personnel Committee and to consider such membership at the January 10 meeting. Motion carried unanimously.

Mr. Gjestson stated that Gibson, Hampton and Kefer had expressed interest in serving on the Agriculture Loss Mitigation Workgroup. Motion by Ms. Euclide, seconded by Mr. Kamperschroer, to approve Gibson, Hampton and Kefer as members of the Agriculture Loss Mitigation Workgroup, and to allow for any other willing Commissioners to participate. Motion carried unanimously.

10. Discussion of Natural Resources Work Program 2008-2013

Mr. Mesbah stated that the Work Program was provided to the Commission at a previous meeting and indicated initiatives which should be undertaken by the CARPC based on deadlines such as the statutory requirement for the *Water Quality Plan Summary* update. Upon direction, staff could provide a more detailed Program for Commission consideration. Moved by Mr. Hampton, seconded by Ms. Euclide, to instruct staff to provide a more detailed six-year Natural Resources Work Program. Motion carried unanimously.

11. Discussion of 2008 meeting schedule

Mr. Miller referred to the draft 2008 meeting calendar, which schedules the 2nd and 4th Thursdays of each month as regular CARPC meetings. Mr. King noted that the calendar should have indicated that the 1st meetings of each month begin at 7:00 p.m., and the 2nd meetings of each month begin at 7:30. Moved by Ms. Kefer, seconded by Ms. Euclide, to remove the 2nd meetings in June and July and the 1st meeting in August. Discussion followed. Mr. Miller stated that the 2nd meeting in June was the last possible meeting before the July 1 deadline to submit a draft budget to the Budget and Personnel Panel. Discussion continued. Motion by Mr. Palm to include the 2nd June meeting as a budget only meeting and to remove the 1st February meeting accepted as friendly without objection. Motion to adopt the 2008 meeting schedule as amended carried on voice vote.

12. Report of Interim Chair / Discussion

None.

13. Report of Division Administrator / Discussion of Reports

Mr. King referred to the items provided in the meeting materials; he stated that staff would meet with local professional staff

14. Future agenda items

Mr. Brandon suggested that a 2009 budget strategy should be discussed, possibly by the Budget Workgroup which could be chaired by the Treasurer, and regular budget reports should be provided by staff.

15. Adjournment

Moved by Mr. Hampton, seconded by Mr. Krantz, to adjourn. Motion carried at 9:30 p.m.

Recorded by Chris Gjestson