

**MINUTES**  
of the  
Capital Area Regional Planning Commission

March 10, 2016

1501 Bourbon Road, Cross Plains, WI 53528

7:00 p.m.

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Commissioners Present: Steve Arnold, Lauren Cnare, Mark Geller, Ken Golden, Kris Hampton, Peter McKeever, Ed Minihan (arrived 7:29pm), Larry Palm, David Pfeiffer, Caryl Terrell

Commissioners Absent: Zach Brandon, Eric Hohol, Evan Touchett

Staff Present: Malissa Dietsch, Linda Firestone, Sean Higgins, Mike Rupiper, Steve Steinhoff

Others Present: Matthew Schuenke (Administrator, Village of Cross Plains); Milena Bernardinello (Plan4Health); Jane Busch (LIFE Foundation); Alison Lebwohl; various members of the public

1. Roll Call

Chair Palm called the meeting to order at 7:01pm. Quorum was established.

2. Review of Agenda

3. **Approval of Minutes of the February 11, 2016 Meeting (*actionable item*)**

Ms. Cnare moved to approve the minutes of the February 11, 2016, meeting; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

4. Public Comment on Matters not for Public Hearing

No members of the public wished to speak at this time.

5. Discussion of Budget & Personnel Panel (*note: any members of BPP present at this meeting are invited to speak and will be included in all discussions under this item*)

There were no members of the BPP present other than Chair Palm.

6. Presentation of Plan4Health Grant Activities

Malissa Dietsch and Milena Bernardinello gave a presentation on the Plan4Health grant activities. Jane Busch spoke about the LIFE Foundation. Questions were asked during the presentation.

7. Presentation of Cross Plains Planning and Development (Village of Cross Plains)

Matthew Schuenke gave a presentation on the planning and development activities in the Village of Cross Plains.

8. Public Hearing: Amending the *Dane County Water Quality Plan* and the *Dane County Land Use and Transportation Plan* by Revising the Cross Plains Urban Service Area Boundaries in the Town of Cross Plains

a. Amendment Overview (Sean Higgins)

Mr. Higgins gave a presentation.

b. Water Quality Plan/Water Quality Standards Compliance Staff Presentation (Mike Rupiper)

Mr. Rupiper gave a presentation.

c. Open Public Hearing to Take Testimony from Registrants; Close Public Hearing

Chair Palm opened the public hearing.

Mr. Schuelke spoke about the amendment and his support for it. A discussion ensued regarding the letter received from the Town of Cross Plains. Mr. Schuelke said that the intergovernmental agreement expired in 2012. There

were other questions by Commissioners regarding the letter from the Town of Cross Plains and the information provided by Mr. Schuelke. Warren Myers and Michael Swayley, both Village Engineers, also answered questions by Commissioners.

Chair Palm closed the public hearing.

**d. Approval of CARPC Resolution 2016-04 Amending the Dane County Water Quality Plan and the Dane County Land Use and Transportation Plan by Revising the Cross Plains Urban Service Area Boundaries in the Town of Cross Plains (actionable item, 8 votes required for approval)**

Mr. Golden moved to approve CARPC Resolution 2016-04 with the word "should" in two places in condition #2 being changed to "shall"; and the advisory recommendations included as recommendations (they are missing in the original resolution); Mr. Hampton seconded.

Mr. Golden moved to amend the advisory recommendation #1 by adding "should be done with the cooperation of" and then Mr. Golden asked CARPC staff to fill in the appropriate towns appropriate for the FUDA plan; Mr. McKeever seconded. The amendment passed unanimously on a voice vote.

Mr. Minihan asked if we have checked with our legal counsel to see what liability we have by allowing development in, what the Department of Administration is telling us is an illegal annexation.

Chair Palm did not believe CARPC's legal counsel had been contacted. He asked if the question might be what safeguards should be added to the resolution that would allow CARPC to backdoor out.

Mr. Steinhoff had not checked with legal counsel about this letter. It is Mr. Steinhoff's understanding that, in the past, CARPC had not inserted itself into annexation battles and that CARPC had offered services for mediation and conversation. Since it is not a water quality standard related issue, it would be more as an advisor.

Mr. Minihan asked if CARPC has ever allowed development on land that was annexed, that this Department of Administration has identified as not appropriate?

Mr. Steinhoff did not know the history.

Mr. Arnold moved to amend condition #1 to change "should" to "shall" in the third line; Mr. Golden seconded. The amendment passed unanimously on a voice vote.

Mr. Arnold cautioned the applicant and the Village of Cross Plains about approving too high a mix of large lot single family development that will not be able to pay for recurring infrastructure costs in the future.

The roll call vote for passage of the main resolution, as amended: Ayes: Mr. Arnold, Ms. Cnare, Mr. Geller, Mr. Golden, Mr. Hampton, Mr. McKeever, Chair Palm, and Mr. Pfeiffer. Nays: Mr. Minihan and Ms. Terrell. Commissioners absent: Mr. Brandon, Mr. Hohol, and Mr. Touchett. The amended resolution passed on a roll call vote.

**9. Report on Potential Future Amendments to Urban Service or Limited Service Areas / Implementation of Past USA or LSA Amendments (Sean Higgins, Mike Rupiper)**

Mr. Higgins and Mr. Rupiper gave a presentation on April public hearings for revising the Cottage Grove Urban Service Area in the Town of Cottage Grove and revising the Environmental Corridor boundaries in the Central Urban Service Area Boundaries in the City of Fitchburg for April CARPC meeting. Discussion occurred during and after the presentation.

**10. Authorization for Chair to Submit a Comment Letter on the WDNR Draft Revised Administrative Decision for the Fitchburg Northeast Neighborhood Amendment to the Central Urban Service Area (actionable item)**

Mr. Golden moved to send the second draft of the letter as is; Ms. Terrell seconded.

Mr. McKeever had requested that Mr. Rupiper add comments by Joy Zedler to the letter as appropriate. Mr. Rupiper added those comments as tracked changes.

Ms. Terrell moved to amend the first sentence in the second paragraph of Section #1 by deleting the word "less"; Mr. Hampton seconded. The amendment did not pass with nine "nays" and one "aye" on a voice vote.

Mr. Golden moved to amend the first and second sentences in the second paragraph of Section #1 to read "The Commission believes there should be less development than the 454 acres DNR is approving. Given that, the Commission supports (rest of paragraph as is)..."; Ms. Cnare seconded. The amendment passed with nine "ayes" and one "nay" on a voice vote.

Mr. Arnold moved to add "with experience in Dane County" to the second paragraph of Section #4; Mr. McKeever seconded. The amendment passed unanimously on a voice vote.

Mr. Pfeiffer moved to add "with experience in Dane County" to the second paragraph of Section #5; Ms. Terrell seconded. The amendment passed unanimously on a voice vote.

The motion to send the amended letter passed unanimously on a voice vote with Mr. Minihan abstaining.

11. Approval of Revised CARPC Bylaws

a. **Approval of Version 1 of the Revised Bylaws (*actionable item*)**

b. **Approval of Version 2 of the Revised Bylaws (*actionable item*)**

Mr. Golden moved to accept Version 2 of the revised bylaws and the Commission will create a study committee as soon as possible that includes the CARPC Executive Committee or its designees and the four members of the Budget and Personnel Panel or their designees, and the study committee's charge is to create a process for reviewing and influencing CARPC budget and hiring process of the Executive Director. The word "influence" is intended to be vague and could involve anything from "comment" to "approve." Ms. Terrell seconded.

Ms. Cnare moved to amend the main motion by accepting Version 1 of the revised bylaws and instructing the CARPC Chair or Executive Committee to set up the study committee as soon as possible to bring some closure to governance and the relationship with the Budget and Personnel Panel; Ms. Terrell seconded. The amendment passed unanimously on a voice vote.

The main motion as amended passed unanimously on a voice vote.

Mr. Arnold moved to refer the approval of Version 2 of the revised bylaws; Mr. Golden seconded. The motion passed unanimously on a voice vote.

12. Discussion of March 4th CARPC Retreat

Ms. Terrell moved that this item be moved up and discussed before item #11; Mr. Arnold seconded. The motion passed unanimously on a voice vote.

Chair Palm introduced Allison Lebwohl, who was the facilitator of the CARPC retreat on March 4th. Ms. Lebwohl reviewed some of the items on the executive summary that was handed out and wanted to know what was resonating with the Commissioners, what was missing, and what next steps should be taken.

Comments by Commissioners:

- Mr. McKeever stated Commissioners aren't as diverse as the notes from the retreat indicate.
- Mr. Arnold stated Commissioners represent diverse political bodies.
- Mr. Golden stated, if he had been at the retreat, he would have added a bullet that CARPC should be doing regional planning, and he would have added a fifth bullet under Strategies titled "Communicate."
- Chair Palm stated that the retreat attendees used "Tell Our Story" in multiple places to say CARPC needed to be more active.
- Mr. Arnold stated that presentations such as the Plan4Health presentation needs to be given to local government authorities.
- Mr. McKeever said that regional planning should be about motivating, inspiring, and educating the communities to think about the impact of what they do on the broader region and their neighbors.
- Mr. Pfeiffer thought that "informed regional planning" might be a better phrase to use because CARPC wants to help all communities in the region make better planning decisions.
- Chair Palm said the Commission needs to have stronger conversations about transportation, advocacy, and general principal about development or environment, the balance of the two. Also, the Executive Committee has already talked about drafting a mission/vision statement. The Commission needs more conversations about mapping and next steps and through that process prioritize what issues are important to the Commission.
- Ms. Terrell requested that these discussions keep going and that continued discussions, as well as retreat updates, be included on each agenda.

13. **Authorization for the Chair and Secretary to Sign the 2015-16 Agreement with the Wisconsin Department of Natural Resources to Provide Water Quality Management Planning Assistance to the Department (*actionable item*)**

Mr. Arnold moved to authorize the Chair and Secretary to sign the 2015-16 agreement with the Wisconsin Department of Natural Resources; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

14. **Authorization of Deputy Director to Execute Consulting Agreement with Brian Stewart for Professional Services to Design, Develop and Implement a New CARPC Website (*actionable item*)**

Mr. Golden moved to approve authorization for the Deputy Director to executive a consulting agreement with Brian Stewart; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

15. **Approval of March 2016 Disbursements and Treasurer's Report for February 2016 (*actionable item*)**

Mr. Geller moved to approve the March 2016 disbursements and the February Treasurer's Report; Mr. Hampton seconded. The motion passed unanimously on a voice vote.

16. **Report of Deputy Director / Report and Discussion on Division of Community and Regional Planning Activities (Steve Steinhoff)**

- Personnel Manual Update
- A Greater Madison Vision

There were no questions for Mr. Steinhoff.

Mr. McKeever asked Mr. Steinhoff to have the Values Study results presentation that was held at Central Library be presented to the Commission.

17. **Report and Discussion on Division of Environmental Resources Planning Activities (Mike Rupiper)**

There were no questions for Mr. Rupiper.

18. **Report of Chair / Discussion**

There were no questions for Chair Palm.

19. **Future Agenda Items (Next meeting is April 14, 2016)**

Chair Palm and Commissioners Cnare, McKeever, and Terrell are not attending the April 14th CARPC meeting, although Commissioner Terrell can call in. The April 14th meeting will be held at the City/County Building in Madison.

20. **Adjournment**

Mr. Hampton moved to adjourn the meeting; Mr. Golden seconded. Motion passed unanimously on a voice vote. The meeting adjourned at 11:15pm.

Minutes taken by Linda Firestone

