



*Plat map excerpt courtesy of Rockford Map Co.*

## **DCTA SUPPORTS RATIFICATION OF DANECOM AGREEMENT AS PROPOSED**

To: Towns Still Considering Ratification of DaneCom Agreement  
From: Mark Hazelbaker, Legal Counsel of the DCTA  
Date: December 8, 2011  
Re: Need To Approve DaneCom Agreement As Proposed

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Eighteen towns have acted on the DaneCom agreement so far. Of those, 14 voted to support the agreement. Two voted to support the agreement with the reservation that the Town would not pay more than its allocated share. Two voted no. Sixteen have yet to consider it. The DCTA continues to urge approval of the Agreement. We urge Towns to approve the agreement without reservations. Approving anything other than the proposed Agreement will likely be considered rejection.

The County agreed to pay 30 percent of the costs of the non-participating towns. And, the County also stipulated that the Agreement will not be effective unless 28 towns ratify it. We asked for the 28-town requirement to prevent towns from being stuck with the bill for a large number of non-participating towns. Because of that provision, the towns can be assessed for no more than 70 percent of the costs which would have been paid by 6 towns.

It's important to know what the worst case scenario is under the agreement. If fewer than 28 towns sign the agreement, there is no Agreement, and no cost sharing. The worst case is if the six towns which would pay the most toward DaneCom refused to sign.

I have calculated the cost which would be shifted to towns under that worst case situation. Rejection of the agreement by the six towns with the highest equalized values out of the 16 which have not acted would require reallocation of \$7,553 in 2012 and \$39,771 in 2015. The County will pay 30 percent of those amounts, meaning that \$5,287 in 2012 and \$27,840 in 2015 would be charged to the 28 participating Towns. Those amounts will be allocated according to the formula. To give a rough idea of the impact, the average cost to the 28 participating towns would be an additional \$188 in 2012 and \$994 in 2015. I do not mean to suggest that isn't a significant cost but it is manageable.

The DaneCom agreement is important. We went through difficult negotiations with the County to reach the best agreement possible under the circumstances. We urge all towns to make the responsible decision to sign the Agreement as proposed.

Disasters can happen anytime and in anyplace. Dane County needs to be prepared. We need this communication system.

Drafted by DCTA Legal Counsel Mark Hazelbaker  
Based on DCTA Membership action.