

## **DCTA Membership Meeting Minutes**

Wednesday, May 16, 2018

7:00 pm

Cottage Grove Town Hall  
4058 County Road N, Cottage Grove, WI

**Meeting called to order at 7:06 PM by President Derr.**

### **Pledge of Allegiance**

**Introduction of Guests:** Steve Steinhof, CARPC; Mary Kohler, Dane County Supervisor, Danielle Williams Dane County Supervisor, Sheriff Mahoney.

**Towns Present:** Cottage Grove, Verona, Springfield, Blue Mounds, Sun Prairie, Dane, Rutland, Dunkirk, Westport, Bristol.

### **Introduce DCTA Attorney Eric Larson, legal updates on state and local issues. Question and answer session.**

Attorney Larson shared a large handout titled "Dane County Towns Association, New Town Laws, May 16, 2018." He reviewed the handout including information on new legislation affecting towns; general opinion letters concerning significant legal developments and recent cases affecting towns.

A significant amount of time was spent discussing the new standards for decisions on CUPs (Conditional Use Permits). The new standards require decisions to be made based upon substantial evidence and requires the issuance of the CUP if the conditions are met. These new standards make it harder to deny a CUP request. It is also necessary to follow a quasi-judicial procedure concerning conditional use permits. Attorney Larson emphasized that when hearing these petitions, towns must ensure that they act like judges, not like elected officials. That means that they cannot come to the hearing biased and that they should not investigate the case or receive information about the case outside of the hearing and the public meetings.

Attorney Larson suggested that towns go through their zoning code and review conditional uses and consider reclassifying some uses. Maybe some would now be better classified as permitted uses in some of the districts and prohibited in others. If the decision on a use is changed from a CUP to a zoning decision, towns are given greater latitude in the decision. Attorney Larson is currently working on a letter regarding the Developers Bill.

Q: Aware of anything where towns are challenging cities annexation powers?

A: There was a recent case were a town challenged a petition on contiguity and petition signatures. "Unanimous direct annexation" can not be challenged by a town - this was upheld by the court. On contiguity - the said it was not contiguous and the court said it was.

Q: Blue Mounds asked about its situation with the Department of Revenue and using a Motion instead of a Resolution at their Annual Meeting to increase taxes.

A: Attorney looked up the statutes and noted that they do require a Resolution.

### **Approval of 1-17-18 Membership Meeting minutes**

Motion: Kris Hampton/Mike DuPlayee. To approve January 17, 2018 minutes. Carried unanimously.

### **Sheriff Mahoney report**

The Sheriff explained how retirements impact the department as replacements take 9 months to a year before they can begin work. Thus, his office is requiring mandatory overtime until retirement replacements are made.

More townships are contracting with the Sheriff for service. Dunkirk just did and Dane is talking about it. A Construction Manager was hired for the jail project and engineer and architectural firm hired. He anticipates construction starting this time next year. The Sheriff's Department is enforcing school bus violations. And the Sheriff reminded everyone that his Department has a crime analyst that can give you accident ratios or trends in your town.

### **Financial Report**

A report detailing checking account transactions from January 1, 2018 to present was passed out.

Motion: Steve Anders/John Bixy. To accept the report. Carried unanimously.

### **DCTA educational platform review**

A report detailing current programs and potential future programs was reviewed.

### **DCTA policy platform review**

A brief overview of issues was given. Areas of concern include roads, local control, rural preservation.

### **Updates: DaneCom, CARPC, Lakes and Watershed, MMSD**

Dane Com: Steve Anders, had a conversation with Chad Fleck, things are working well, Stoughton and Mazo fire are reporting sporadic paging issues that are being looked into, Stoughton Road has a deficit (E. Wash to McFarland) that they are working on, the repeater Stoughton/Oregon taking down for scheduled maintenance - didn't return to service as expected but is working now, recent bad weather didn't take anything down. Oregon Fire not happy trying to solve problems - proposal to spend \$17,000 to link to the repeater in Fitchburg. Waunakee Fire District - found that Kenwood's go dead inside the buildings and the Motorola's work better.

CARPC: Providing mapping services to 6 opt out towns. Steve will look into issues with mapping in Blue Mounds. Comp plan services to town of Verona. Greater Vision Madison - survey going out this fall - want strong feedback. Waubesa Study with the DNR - looking at impact of development on the wetlands. Joint MPO group looking at MPO and CARPC integrated planning - colocation is one option. By-Laws changes- corrections type changes. Also looking at their sewer extension fee structure.

Lakes and Watershed: Pam Porter elected as Chair, Lyle Updike is vice Chair - working group with CARPC on stormwater. The Developers Bill restricts what they can do.

MMSD: Yahara Wins - starting to take applications for phosphorus reduction grants. Runs from streambank protection work to grassy swales etc. Just finished lift station in Marshal Park.

#### Other

-Bill Roelofs resigned from the Executive Board and the district elected Steve Anders to replace him.

-Dave Wiginowski former Town Chair from Burke passed away - memorial 6/2 1 to 5 at Wiggies Bar.

-Legislative Council Study Committee on the Bureau of Public Lands loan program – This is an important loan program for towns, it is a flexible program with competitive interest rates. The Legislature is looking into possible changes to the program. Jerry was interviewed for a position on the committee

-Broadband initiative to preempt local authority in the r-o-w. Jerry visited representatives with a legislative delegation and expressed concerns.

#### **Adjourn**

Motion: Kris Hampton/Mike DuPlayee. Adjourn at 9:58 pm. Carried unanimously.