

Minutes
DCTA Executive Board Meeting
Wednesday, July 18, 2018
Town of Blooming Grove, 1880 S Stoughton Rd, Madison, WI 53716

Present: Steve Anders, Tom Wilson, Jim Pulvermacher, Ted Olson, Jerry Derr, Martha Gibson, Manfred Enburg
Also Present: Renee Lauber, David Pfeiffer
Meeting called to order by President Derr at 7:05 pm.

Approval of June 20, 2018 meeting minutes.

Motion: Pulvermacher/Wilson. Approve June 20, 2018 minutes. Steve Anders abstain. Motion carried.

Financial Report and Executive Board Reimbursement approval.

Motion: Wilson/Pulvermacher. Accept financial report as written. Carried unanimously.

Motion: Wilson/Pulvermacher. Accept reimbursement amending the amounts for Martha Gibson (-\$50) and Jim Pulvermacher (+\$100). Carried unanimously.

Consider reappointment of Lyle Updike to the Lakes and Watershed Commission.

Motion: Wilson/Pulvermacher. Reappoint Lyle Updike. Carried unanimously.

Consider reappointment of David Pfeiffer to Capital Area Regional Planning Commission.

Motion: Gibson/Wilson. Reappoint and thank David Pfeiffer for his service. Carried unanimously.

Discuss CARPC BPP resolution tabled until September 2018 and placement on August Membership Meeting agenda for policy discussion.

"The Budget and Personnel Panel of the Capital Area Regional Planning Commission supports reforming the funding structure for CAPRC requesting the state legislature to act to allow CAPRC to independently levy a tax to finance its operations, separating it from the county levy. The appointing authorities represented on the BPP will work to lobby for this reform in the upcoming state budget."

Links: [CARPC Draft Resolution in favor of removing state imposed levy](#), [CARPC analysis of levy limit change](#)

Discussion what oversight would there be? At the BPP meeting this was discussed and the consensus was that the BPP would continue to approve the budget. Pulvermacher would like the BPP quorum standard to change so that three instead of four members would make a quorum. Legislation could address if the county is allowed to keep the current levy limit. Also the desire to increase funding to be able to hire an Executive Director was discussed. Authority of the BPP would also be addressed. Be careful of the process - What else could the legislature add to the legislation?

Motion: Anders/Gibson. Change membership meeting to September 12th. August will be an Executive Board meeting. The CARPC BPP resolution is a policy issue that should be voted on at the September Membership Meeting. Carried.

Discuss tannerite question from Vermont. Has DCTA heard of any towns that have found a way to effectively enforce "appropriate" use of tannerite? Are you aware of any county-wide or state-wide legislation being considered?

Tannerite is a substance that takes the high energy of something like a bullet to explode. Described and being extremely loud. Use is causing issues in Vermont and recently in Primrose. Suggestion that it could be regulated like fireworks -

legal to have but you need a permit to use. Jerry will ask the WTA board if there have issues in their towns. Tom did a quick search and found regulations in other states.

Update on Department of Revenue share revenue penalty cases and possible action.

Martha noted that it impacts your revenue for two years. Jim discussed DCTA sending a letter to the DOR.

Mike Koles should be working on setting up a meeting with the DOR. Renee will check in with him and help schedule if necessary.

Manfred Enburg arrived.

Meet with Dane County Planning Staff to discuss CUP memo and joint training for Plan Commission on acting as a quasi-judicial body.

Links: [6-7-18 Memo to ZLR From Violante Re 2017 Wisconsin Act 67 and Conditional Use Permits \(CUPs\)](#), [Attorney Larson 1-28-17 opinion on Conditional Use Authority](#), [6-7-18 Memo to Kolar from DCTA Exec Re Review use of CUPs](#)

Many towns are concerned that this legislation could result in a power grab away from towns making decisions. The county doesn't seem to think this issue is that great of a concern. Todd Violante, Director of Dane County Planning and Development noted that in his assessment they looked at other analyses and other opinions. One of the main things is the requirement for substantial evidence (as opposed to unsubstantiated hearsay) so any conditions put on the CUP have to be based on substantial evidence.

Todd was asked, "who would be responsible for gathering the evidence?" Who pays for the second opinion? Todd responded that the burden of the cost still does go back to the applicant. The county requires an application agreement that is an agreement for the applicant to pay engineering, legal and other evidence fees. Martha noted that it is not the big requests that many towns are concerned about - it is modifications of existing CUPs or small cases. Additionally, it will be more expensive for the applicant, even if the town wants the land use change.

State statutes say CUPs don't have to be consistent with the comprehensive plan. Todd noted that Dane County will require consistency. He also noted expanded standards for CUPs - added consistency with Comp Plan and standards for specific uses. Renee will plan an education meeting with Todd for September or October. The agenda should include: standard meeting procedures, application agreements, board of review type training, option of towns taking no action – stating concerns and forwarding it to the county.

Motion: Wilson/Pulvermacher. Have Renee work with Todd and county staff and have the county put together a CUP presentation for the towns. Carried unanimously.

Insurance update

Survey ready to go.

Other

Bureau of public lands first meeting is in 8/16 and they will have an all day meeting once a month. Program has worked well since the 1800's.

Adjourned 9:20 pm