

Town of Berry

Supporting Amendment to AB 109 Related to Approval Of Withdrawal By The Annual Meeting

WHEREAS, Assembly Bill 109 was introduced to further clarify the relationship between towns and the county in counties with a population of more than 485,000;

WHEREAS, AB 109 proposed several changes, including:

- Simplifying the confusing and complex timelines for notice of intent to withdraw from zoning and adopting plans and ordinances;
- Eliminating the requirement of town meeting approval of the decision to withdraw from zoning;
- Providing that the county must incorporate the comprehensive plans of all towns into the county comprehensive plan, without change;
- Providing that levy limits associated with the cost of zoning services formerly provided by the County shall shift to towns which withdraw from zoning.

WHEREAS, the proposal to eliminate town meeting approval proved controversial, and led to amendment of the legislation by the Assembly to provide for approval of the town withdrawal decision by a special town meeting;

WHEREAS, after further discussion among the towns, it was agreed that the bill should be further amended to return to prior law, which would require that the decision to withdraw be approved by the annual town meeting;

WHEREAS, the Dane County Towns Association voted in August to turn management of AB 109 over to the towns which have voted to withdraw, with the directive that they seek amendment of the bill to restore the requirement of annual meeting approval;

WHEREAS, in reliance on the DCTA's decision to delegate management of the bill to the towns which withdrew, the Town does believe that amendment of the bill is appropriate;

NOW, THEREFORE, BE IT RESOLVED that the Town hereby supports amending AB 109 to provide that the decision to withdraw must be approved by the Annual Town Meeting, and urges the Legislature to adopt the bill as amended.

Attest: _____
Brenda Kahl, Clerk/Treasurer

Anthony Varda, Chair

Adopted: _____

Jeff Davis, Supervisor

Posted: _____

Michael Statz, Supervisor

Joe Kruchten, Supervisor

Duane Haag, Supervisor