

Freedom Matters

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Planning as Power Politics: Blunder & Thunder

by Bob Bowman

The last issue of Freedom Matters ended with the Dane County board passing and the county executive signing Resolution 70. Res 70 abandoned all pretense of cooperative county planning, in favor of control of the planning process via a committee (EANR) dominated by supervisors elected by Madison, who have a politicized urban agenda some call "progressive."

Res 70 dissolved the Comprehensive Planning Steering Committee (CPSC) which was of nearly two years standing, and replaced it with a new one appointed solely by the chair of the EANR committee. At its first meeting, the new committee failed to muster a quorum when several members refused to sit with it. It was not vibrant enough for a sustainable world.

The three work groups steered by the steering committee have attempted to carry on, with mixed results. The "land use" group (ANCR) met and the majority of the time was spent discussing the above upheaval in the planning process. Those from rural areas (which is where the county comprehensive plan applies) lamented that the process was usurped by an urban faction who seized control by ignoring the voices and citizen input urging them to respect the ongoing planning process. Unheedingly, the urban faction hijacked control, thus turning planning into a sham.

As the Farm Bureau representative indicated, in declaring that he would not continue with such a broken process and who indeed soon after left the ANCR meeting, the rural citizens working hard in the planning process are being conned by the urban faction, to whom rural representatives are merely facades. He hit the nail squarely on the head.

However, the game is still afoot. Three significant sequelae to Res 70 have occurred. First, the ZLR (the county zoning agency) acted to reaffirm the dissolved steering committee, and ZLR renamed it to conform

to the terms of the comprehensive planning grant with the state. Thus, it is now the Comprehensive Plan Grant Steering Committee (or CPGSC).

ZLR is thereby acting to keep its statutory control of comprehensive planning, via the CPGSC. Further, by reaffirming the appointments of those who were on the CPSC on the date it was dissolved, ZLR thereby maintains the continuity of the planning process that is now at its halfway point. Only in that way does it maintain the validity of the citizen input to date.

The second significant reaction to Res 70 has been the filing of a notice of claim against the county. The claimants are the ZLR and three county board supervisors, the latter including the chair of ZLR and the chair of CPSC before its purported dissolution (who is also chair of CPGSC after its reaffirmation by ZLR).

The notice of claim cites its basis as the following points. **(A):** Res 70 cannot change the committee duties set forth overtly and implicitly in Dane County Ordinance 7 without a 2/3 vote, which Res 70 did not have. **(B):** Res 70 breaches the contract with the state, which puts the planning under ZLR's direction. **(C):** Res 70 violates the statutory provision that puts the planning under ZLR's direction. **(D):** Res 70 was retaliation against the claimants, done in violation of their free speech rights.

The third significant reaction to Res. 70 is a letter to the state's Division of Intergovernmental Relations (DIR), which administers the comprehensive planning grants. It asks, in view of Res 70, that DIR suspend grant payments, direct the county to comply with the terms of the grant, and revoke the grant if the county does not pursue a proper planning process.

The reader may ask: "What did ZLR do, to deserve that the central urban faction of the county board enact Res. 70?" The short answer is: "Nothing." Res 70 is a pique of urban hubris. It was the urban faction's reaction to the ZLR's doing of its duty. More on this in the next issue.

Property rights web sites: < <http://www.fairnessinlaw.org/> >
< <http://www.takebackwisconsin.com/> >
<<http://www.PropertyRightsResearch.org>>

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