

MEETING NOTICE

STEERING COMMITTEE

COMMITTEE MEMBERS: *Martin Farrell (Chair), Jeff Nooyen (Vice-Chair), Jerry Erdmann, Dick Koeppen, David Albrecht (Perm. Alt. for Shiloh Ramos), Donna Kalata, Alice Connors, Jeremy Johnson*

Date: Monday, February 24, 2020

Time: 9:30 a.m.

Place: ECWRPC Offices, 400 Ahnaip Street, Menasha WI 54952

Agenda

- 1) Welcome & Introductions
- 2) Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement
- 3) Pledge of Allegiance
- 4) Approval of Agenda
- 5) Public Comment
- 6) Approval of January 27, 2020 Steering Committee Meeting Summary of Proceedings (held from last meeting) (**Attachment #1**)
- 7) Approval of January 31, 2020 Steering Committee Meeting Summary of Proceedings (**Attachment #2**)
- 8) Approval of February 13, 2020 Steering Committee Meeting Summary of Proceedings (**Attachment #3**)
- 9) Announcements / Updates
- 10) New Business / Action Items:
 - a) **Proposed Resolution No. 08-20:** Committing to an Evaluation of the Restructuring of the Appleton Metropolitan Planning Organization (MPO) and Oshkosh Metropolitan Planning Organization (MPO) Policy Boards upon Release of 2020 Census Urbanized Area Boundaries (**Attachment #4**)
 - b) **Proposed Resolution No. 09-20:** Supporting Measures to Create a Future Policy and Procedure to Address the Equitable Distribution of the Levy Supported Local Assistance Program Provided to Member Counties and Communities. (**Attachment #5**)
 - c) **Proposed Resolution No. 10-20:** Creating a Policy Regarding the Expenditure of Levy Funds on Programs or Activities Outside of Member County / Commission Boundaries (**Attachment #6**)

ECWRPC Steering Committee
Monday, February 24, 2020 – 9:30 a.m.
Agenda, continued

- d) Discussion and Potential Action on Recommendations for Future Levy Adjustments Related to Outagamie County Concerns (**refer to previous meeting materials for scenarios**)
- e) **CLOSED SESSION:** The Committee will convene, if needed, into closed session pursuant to Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of public employees over which the Commission exercises responsibility.
- f) **RECONVENE INTO OPEN SESSION:** The Committee will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes to take action, if necessary, on the above matters.
- i) Action from closed session

11) Next Meeting Date & Agenda

12) Adjourn

Any person wishing to attend this meeting or hearing, who, because of a disability, requires special accommodations should contact the East Central Wisconsin Regional Planning Commission at (920) 751-4770 at least three business days prior to the meeting or hearing so that arrangements, within reason, can be made.

REVISED Summary of Proceedings

STEERING COMMITTEE

COMMITTEE MEMBERS: *Martin Farrell (Chair), Jeff Nooyen (Vice-Chair), Jerry Erdmann, Dick Koeppen, David Albrecht (Perm. Alt. for Shiloh Ramos), Donna Kalata, Alice Connors, Jeremy Johnson*

Date: Monday, January 27, 2020

Time: 10:30 a.m.

Location: Community Foundation of the Fox Valley Region – Community Room
4455 W. Lawrence Street, Appleton, WI 54914

Committee Members Present:

Martin Farrell (Chair)	Fond du Lac County
Jerry Erdmann.....	Shawano County
Jim Lowey (Alt. for Jeremy Johnson (Perm. Alt. for Laure Pecore)).....	Menominee County
Jeff Nooyen (Vice Chair).....	Outagamie County
Todd Romenesko (Alt. for Alice Connors).....	Calumet County
Donna Kalata	Waushara County
Dick Koeppen	Waupaca County
Dave Albrecht (Perm. Alt. for Shiloh Ramos).....	Winnebago County

Committee Members Absent (Excused):

Alice Connors	Calumet County
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Staff /Others Present:

Kevin Sturn, Commissioner.....	Outagamie County
Lori Palmeri, Commissioner.....	Winnebago County
Bob Sivick, Administrator	Waushara County
Eric Fowle.....	Executive Director
Walt Raith.....	Assistant Director
Pam Scheibe-Johnson	Controller
Melissa Kraemer-Badtke	Principal Transportation Planner

1) Welcome & Introductions

Chair Farrell called the meeting to order at 10:32 A.M. and welcomed attendees to the meeting.

2) Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement

Mr. Fowle noted that the agenda was posted/distributed as required and that a quorum of members was present.

3) Pledge of Allegiance

4) Approval of Agenda

Mr. Erdmann motioned to approve the agenda, Ms. Kalata seconded the motion. The motion passed unanimously.

5) Public Comment

There was no public comment. Consensus of the Steering Committee was granted that non-Steering Committee Commissioners attending the meeting be able to speak to specific agenda items rather than under the Public Comment portion of the agenda as they are not considered members of the public.

6) Discussion and Potential Action on Future Levy Adjustments Related to Outagamie County Concerns.

Chair Farrell noted that the closed session was placed on the agenda as an item only to be used if needed to discuss personnel matters.

Chair Farrell facilitated the discussion related to Outagamie County concerns. Mr. Fowle reviewed the levy reduction scenarios, including a new scenario (labeled 'tipping point') which is similar to Scenario 2, but without Outagamie County as a member.

Mr. Nooyen explained Outagamie County's decision to formally withdraw from the Commission and provided a written statement of concerns (attached and included as part of the Summary of Proceedings) noting five key points that need to be addressed prior to the June 30th withdrawal deadline.

Mr. Sivick suggested that an ad hoc committee be formed to address the levy scenarios, but was informed that the Steering Committee has and will be handling the issue.

Discussion ensued on the equalized value formula and state statute provisions regarding the levy and conditions for withdrawal. East Central's function as a regional planning commission (RPC), transportation management area (TMA), and metropolitan planning organization (MPO) was discussed and Mr. Raith provided an overview. Mr. Nooyen stressed that changes to the MPO structure would be critical moving forward, but acknowledged that this is not a condition that has to be met by June 30th.

The levy scenarios were reviewed and a discussion on agency services, particularly the local assistance program, and its value to the other member counties was emphasized. Mr. Nooyen expressed continued concern with Outagamie County levy dollars being spent outside its county.

There was agreement amongst the Steering Committee that options have been looked at and provided to Outagamie County with the request that Outagamie County discuss the content with county staff and supervisors.

Mr. Albrecht made a motion that Outagamie County consider the material presented at the January 27th, 2020 meeting of the ECWRPC Steering Committee and that the County provide a response when it is feasible for Outagamie County to do so for the purpose of continuing the discussion. Mr. Koeppen seconded the motion. The motion passed unanimously.

~~7) **CLOSED SESSION:** The Committee will convene, if needed, into closed session pursuant to Section 19.85(1) of the Wisconsin Statutes to discuss personnel and staffing impact pertaining to potential future levy adjustments.~~

~~8) **RECONVENE INTO OPEN SESSION:** The Committee will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes to take action, if necessary, on the above matters.~~

The Closed Session was not convened at this meeting and will be placed on a future agenda as necessary.

9) Next Meeting Date & Agenda

- a) 9:00 a.m., January 31, 2020 at the Kaukauna Public Library (immediately preceding Quarterly Commission meeting).

10) Adjourn

Mr. Erdmann motioned to adjourn, Mr. Koeppen seconded the motion. The motion passed unanimously.



OUTAGAMIE LEGISLATIVE SERVICES OFFICE

320 South Walnut Street | Appleton, WI 54911

Jeff Nooyen, Board Chairperson

Sara Hickey, Manager

Shelly Tyson, Legislative Specialist

Katherine Ciske, Legislative Specialist

Mark Wadium, Lobbyist

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January 27, 2020

For East Central Steering Committee Meeting:

1. The Finance Committee voted unanimously to send the withdrawal resolution to the County Board. Given the strength of that vote and recommendation, I do not have the discretion to pull that resolution from Board consideration.
2. The fact that we are here at the eleventh hour with proposals for cutting levy dues demonstrates East Central administration's complete disregard for a member's serious concerns and its untimely budget management practices. These issues were brought to East Central's attention in May 2019 and in a face to face meeting between the Executive Director, the Commission Chair and Outagamie County staff in June of 2019 and the full Steering Committee in July. What we heard from the Director was there was nothing that could be done; that the Commission has set the path, and that it was not the Director's place to make policy recommendations to the Commission. Sticking one's head in the sand and blaming commissioners is not a well formed strategy and that has led us to where we are now.
3. Outagamie County, even if it passes the resolution on Tuesday, will continue to negotiate a way to remain in East Central if possible, however, we are not interested in just reducing levy dues for Outagamie County. We are interested in substantive change that will bring regional benefits to all members of East Central. Based on input from Board leaders, staff, and municipal partners, those changes include:
 - A. Dues reductions for Outagamie County means dues reductions for all members on a per capita basis if we stay in;
 - B. Prioritization of core programming that will focus dues equitably on issues such as transportation, sewer service and economic development;
 - C. Getting a handle on fixed costs so that savings can be allocated to identified programming needs;
 - D. Representative governance of core services by stakeholders in the affected area. For example, the Appleton/Fox Cities MPO could continue to be governed by a policy board within East Central, however, that policy board ought to be comprised of the Local Elected Officials of that metropolitan district, not the entire commission. This structure already exists for the Fond du Lac metro, and most other comparable metros throughout the state. A common sense solution that has never been identified by administration.
 - E. Fiscal accountability for technical services so that member counties are not subsidizing technical assistance programs for municipalities not within their county.

These are some of the issues that not only affect Outagamie County; they affect all members of the Commission. All per capita levy dues can be brought down significantly while maintaining quality services to members but it takes resolve, creative thinking, restructuring and tight management of East Central's budget. In other words, we are looking for positive change, not just for us, but for all members as a means of sustaining the viability of this organization in good times and in bad. Treading water is not a long-term option because we will eventually run out of energy and drown. We must have the courage to identify the cause of problematic issues and the ingenuity to find solutions to move forward - for everyone's benefit. "Can't be done" is not an answer our county can live with.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeff Nooyen". The signature is fluid and cursive, with a large initial "J" and "N".

Jeff Nooyen
Board Chair, Outagamie County

DRAFT Summary of Proceedings

STEERING COMMITTEE

COMMITTEE MEMBERS: *Martin Farrell (Chair), Jeff Nooyen (Vice-Chair), Jerry Erdmann, Dick Koeppen, David Albrecht (Perm. Alt. for Shiloh Ramos), Donna Kalata, Alice Connors, Jeremy Johnson*

Date: Friday, January 31, 2020

Time: 9:00 a.m. (Immediately preceding the Quarterly Commission meeting)

Place: Kaukauna Public Library, 207 Thilmany Rd, Kaukauna, WI 54915

Committee Members Present:

Martin Farrell (Chair) Fond du Lac County
 Jerry Erdmann Shawano County
 Jeremy Johnson (Perm. Alt. for Laure Pecore) Menominee County
 Jeff Nooyen (Vice Chair) Outagamie County
 Alice Connors Calumet County
 Donna Kalata Waushara County
 Dick Koeppen Waupaca County

Committee Members Unexcused:

Dave Albrecht (Perm. Alt. for Shiloh Ramos) Winnebago County

Staff /Others Present:

Eric Fowle Executive Director
 Walt Raith Assistant Director
 Pam Scheibe-Johnson Controller
 Melissa Kraemer-Badtke Principal Transportation Planner
 Kim Biedermann Associate Planner – Regional Bicycle & Pedestrian Coordinator
 Bob Sivic, Administrator Waushara County
 Kevin Sturn Outagamie County
 Kara Homan Outagamie County

1) Welcome & Introductions

Chair Farrell called the meeting to order and welcomed attendees to the meeting.

2) Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement

Mr. Fowle noted that the agenda was posted/distributed as required and that a quorum of members was present.

3) Pledge of Allegiance

4) Approval of Agenda

Ms. Connors motioned to approve the agenda, Ms. Kalata seconded the motion. The motion passed unanimously.

5) Public Comment

There was no public comment.

6) Approval of November 18, 2019 and December 20, 2019 Steering Committee Meeting Summary of Proceedings

Mr. Erdmann motioned to approve the Summaries of Proceedings, Mr. Koeppen seconded the motion. The motion passed unanimously.

7) Announcements & Events

Mr. Fowle shared Commissioner news with the Steering Committee.

8) Informational/Discussion Items:

a) 4th Quarter, 2019 Financial Report

Ms. Scheibe-Johnson provided an overview of the 4th quarter 2019 financial report. Items included in the overview were as follows: GASB 68 and 75 adjustments, balance sheet, accounts receivable, accounts payable, pass through, cash situation, deferred revenue, debt, total assets, statement of revenue and expenses, federal and state grants, comparison to budget on expenses, direct grant expenses, overhead expenses, annual surplus, previous annual deficit with GASB adjustments, salaries, wages, and adjusted employee fringe benefits.

There was discussion regarding grants, effects of staff vacancy, and effects of GASB.

Ms. Connors motioned to receive the report and place on file, Mr. Johnson seconded the motion. The motion passed unanimously.

b) 4th Quarter, 2019 Work Program Progress Report

Mr. Fowle provided a summary of the 4th quarter work program progress report. Items included in the summary were as follows: sewer service projects, transportation projects, overages, completion of deliverables, contracts, provisions in contracts regarding delays, comprehensive plan process, and carryover.

Mr. Koeppen motioned to receive the report and place on file, Mr. Erdmann seconded the motion. The motion passed unanimously.

c) 2019 Audit Update

Ms. Scheibe-Johnson provided an overview of the 2019 audit. Items included in the overview were as follows: summary of the audit process, RFP, and peer review.

Chair Farrell also initiated discussion regarding changes to the audit process, including a meeting with the auditor, reviewing the Executive Director's expenses and time allocations, staff time allocations, monitoring and safeguards regarding agency financials.

d) Property Insurance Deductible Change

Ms. Scheibe-Johnson explained that the insurance coverage operates on a calendar year basis. Ms. Scheibe-Johnson met with the agent from Valley Insurance Agency and one of the items considered was increasing the deductible and the increase has moved forward to be processed. The new deductible will be \$1,000, which is a \$150 savings.

e) Status of Recommendations on Future Levy Adjustments Related to Outagamie County Concerns

Chair Farrell facilitated the discussion regarding recommendations on future levy adjustments related to Outagamie County concerns. Mr. Fowle provided a brief overview of the scenario materials and Mr. Farrell inquired with each County as to what their position might be moving forward. Ms. Connors stated that Calumet County would like to attempt to keep Outagamie County as a member. Mr. Koeppen agreed in a similar manner for Waupaca County. Ms. Kalata concurred with making attempts to keep Outagamie County as a member but asked if scenarios #1 or #2 would be sufficient to keep them in. Mr. Nooyen felt that Scenario #2 was a good start. Mr. Farrell stated that Fond du Lac County does not want to see Outagamie County leave the organization; however, he and other Fond du Lac County representatives had concerns with cuts being made to the local assistance program as that was the reason they re-joined. Mr. Johnson stated that Menominee County would like to see Outagamie County stay in the Commission but shares concerns on reductions to the local assistance program. Mr. Farrell stated that Fond du Lac County was looking to offset County costs in a number of areas by leveraging East Central's services noting that regionalism is all about avoiding duplication and taking advantage of pooled resources. Mr. Nooyen responded with concerns about Outagamie County essentially sharing the cost of Fond du Lac County and other counties reducing their County costs. Mr. Erdmann shared similar concerns on reductions to the local assistance program from Shawano County's perspective noting that limiting these services might start a downward spiral of dissatisfaction by the other counties.

Mr. Nooyen emphasized that these issues need to be resolved before June 30. Mr. Koeppen agreed but told the Committee that if these are negotiations, then Outagamie County should expect to receive every concession that is asked for and that there need to be some give and take.

The Committee members concurred that additional discussions and negotiations are in order and recommended that the Steering Committee continue to explore scenarios that might be accommodating to Outagamie County.

f) Status Report on 2020-2023 ECWRPC Strategic Plan

Mr. Fowle provided an update regarding the strategic plan status report. Mr. Fowle noted that a summary report will be provided that includes all of the standing committee feedback regarding potential program areas to cut in order to reduce the levy.

9) New Business/Action Items:

a) Proposed Resolution No. 06-20: Adopting the Final 2020 Work Program and Budget for the East Central Wisconsin Regional Planning Commission

Mr. Fowle provided a brief overview of the resolution. Items included in the overview were as follows: no staffing changes for 2020, levy, federal and state commitments, partner commitments on local contracts, budget overall, comparison to previous annual budget, new items, and removal of Economic Development item # 1528 regarding a project for the City of Berlin.

There was discussion regarding the approval of the work program and how that would affect the region with the pending withdrawal of Outagamie County. Mr. Fowle noted that the county IS a member for 2020, so it will not impact the 2020 budget unless specific changes are asked for during the calendar year.

Mr. Johnson motioned to approve the resolution, Ms. Kalata seconded the motion. The motion passed with 5 ayes, 1 abstention (Mr. Nooyen) and 1 nay (Ms. Connors).

b) Proposed Resolution No. 07-20: Adoption of the Annual Affirmative Action Program for Equal Employment Opportunities

Mr. Raith explained that the position of affirmative action officer title would be transitioned to Ms. Biedermann and provided an overview of the purpose of the affirmative action program. Ms. Biedermann provided a brief update regarding the affirmative action program, items included in the overview were as follows: equal employment opportunity policy statement, program for distribution of designation of responsibilities carried out, analysis of the agency's current utilization of minority/female work staff, analysis of personnel policies, establishment of hiring goals, preparation of program achievement goals, development of continuous monitoring system on the implementation of the program, current work composition in comparison to Fox Cities/Oshkosh Metropolitan Statistical Area (MSA), ability to attract job applicants, hiring and promotions, policy on harassment, program to issue the goals, annual analysis of staff changes,

Ms. Kalata motioned to approve the resolution, Mr. Erdmann seconded the motion. The motion passed unanimously.

10) County Issue Sharing / Roundtable Discussion

There was no roundtable discussion.

11) Next Meeting Date & Agenda

The next meeting of the Steering Committee will be Thursday, February 13th at 1:00 p.m.

12) Adjourn

Mr. Nooyen motioned to adjourn, Mr. Koeppen seconded the motion. The motion passed unanimously.

Any person wishing to attend this meeting or hearing, who, because of a disability, requires special accommodations should contact the East Central Wisconsin Regional Planning Commission at (920) 751-4770 at least three business days prior to the meeting or hearing so that arrangements, within reason, can be made.

DRAFT Summary of Proceedings

STEERING COMMITTEE

COMMITTEE MEMBERS: *Martin Farrell (Chair), Jeff Nooyen (Vice-Chair), Jerry Erdmann, Dick Koeppen, David Albrecht (Perm. Alt. for Shiloh Ramos), Donna Kalata, Alice Connors, Jeremy Johnson*

Date: Thursday, February 13, 2020

Time: 1:00 p.m.

Place: ECWRPC Conference Room – 400 Ahnaip Street, Menasha, WI

Committee Members Present:

Martin Farrell (Chair)	Fond du Lac County
Jeff Nooyen (Vice Chair)	Outagamie County
Jerry Erdmann	Shawano County
Jeremy Johnson (Perm. Alt. for Laure Pecore)	Menominee County
Todd Romenesko (Alt. for Alice Connors)	Calumet County
Donna Kalata	Waushara County
Dick Koeppen	Waupaca County
Dave Albrecht (Perm. Alt. for Shiloh Ramos)	Winnebago County

Committee Members Unexcused:

None

Staff/Others Present:

Eric Fowle	Executive Director
Walt Raith	Assistant Director
Pam Scheibe-Johnson	Attachment #3 Controller
Melissa Kraemer-Badtke	Principal Transportation Planner
Kim Biedermann	Associate Planner – Regional Bicycle & Pedestrian Coordinator
Bob Sivic, Administrator	Waushara County
Kevin Sturn	Outagamie County
Kara Homan	Outagamie County
John Julius	Town of Greenville
Joe Guidote (representing Daniel Rettler)	Outagamie County
Ronald McDonald	Valley Transit

1) Welcome & Introductions

Chair Farrell welcomed attendees to the meeting.

2) Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement

Mr. Fowle noted that the agenda was posted/distributed as required and that a quorum of members was present.

3) Pledge of Allegiance

4) Approval of Agenda

Mr. Albrecht motioned to approve the agenda, Ms. Kalata seconded the motion. The motion passed unanimously.

5) Public Comment

Mr. Julius briefly addressed the Steering Committee regarding his concern over the reconsideration of Outagamie County membership with East Central Wisconsin Regional Planning Commission stating that the assistance and guidance East Central has provided the Town of Greenville is invaluable and that without having guidance higher than the town and the county, Mr. Julius noted the uncertainty of how some of the players would act on the big picture how all communities fit in to the state and the nation. Mr. Julius also expressed his appreciation for Mr. Fowle as Executive Director of ECWRPC and apologized if he was speaking out of turn as he was not fully aware of the content of items to be discussed on the agenda.

6) Approval of January 27, 2020 Steering Committee Meeting Summary of Proceedings

Mr. Nooyen requested that the summary of proceedings be held until the next meeting as they were vague and while they do not need to be word for word, this was an emergency meeting of the Steering Committee and more detail should be added. Furthermore it was noted that the statement provided from Outagamie County outlining its concerns should be part of the summary.

Mr. Nooyen motioned to postpone the summary of proceedings until the next meeting of the Steering Committee when corrections and additions could be made, Mr. Albrecht seconded the motion. The motion passed unanimously.

7) New Business / Action Items:

a) Status Report on 2020-2023 ECWRPC Strategic Plan – Standing Committee Prioritization Report

Mr. Fowle provided an overview of the strategic plan status report. Mr. Fowle noted that the Steering Committee had a lot of conversation at the December 20th meeting regarding the need for them to have more information about programs before looking at cuts. A meeting was attempted to be scheduled in February or March to do a more detailed program review; however, there have been changes in regard to the timing. Nevertheless, attempts to obtain feedback from the Standing Committee were made in January. The survey results were put forward and each committee was ask to do the following: 1) offer any comments on the preliminary draft strategic plan; 2) each committee was to look at their own activities and select items for consideration to remove, and; 3) each committee was to identify items outside of their jurisdiction that could be removed. Mr. Fowle noted that there was not a definite consensus of items to be removed, items included for

consideration were as follows: sewer service area planning (reducing overmatch), Fox-Wisconsin Heritage Parkway, Navigation Authority Property Committee, Neighborhood Partners, and Winnebago/Waupaca extraction ordinance, Niagara Escarpment Management, Winnebago Pool Lakes, Lake Michigan Stakeholders, health in planning activities, and educational mini-conferences. It is hoped that this feedback will be entered into the conversation by the Steering Committee moving forward in preparing the strategic plan and resolving the levy reduction issue.

Mr. Fowle noted that a list was not available at this time, most of the programs identified seemed to fall in line with ongoing discussion items within the Steering Committee and identified in the scenarios as options for consideration.

b) Discussion and Potential Action on Recommendations for Future Levy Adjustments Related to Outagamie County Concerns

Mr. Fowle initiated the discussion regarding the recommendations for future levy adjustments. Mr. Fowle provided an overview of the materials provided which included the following: new additions to the program list, listing of directly affected counties, total 2020 budget work effort from adopted work program, overview of discussion regarding East Central's role, overview of levy scenarios previously discussed, and addition of one scenario which increased the technical assistance program by \$20k based on previous committee discussion and feedback.

Mr. Fowle noted the generation of two additional tables that provide an estimate of each of the work program items and looked at calculating the return/use of levy and outside funds by county. Mr. Fowle reviewed the assumptions for apportioning these amounts.

For those instances, when viewing the levy itself, the argument that some of the larger counties are subsidizing work in in other counties is true and that is not something that has been objected to or defended, this is typical of how the Commission has operated for at least the last 15-20 years or more. The funds have been used to do work in the region.

There are some counties that potentially get more benefit than what they put in when looking at just the levy. However, when looking at the second table of the value of the total outside leveraged funds, the results are that each County receives at least an equal amount of services compared to what it contributes in levy dollars. Mr. Fowle noted that this only reflects 2020 and each year can be very different in terms of projects.

Chair Farrell noted that in regard to procedure, while the committee is contemplating potential action for future levy and program adjustments, it would take the form of a recommendation to the Commission. Mr. Fowle stated that would be the case.

Mr. Nooyen suggested that the Steering Committee not move any recommendations forward until after a few different items are considered in closed session as they will have an impact on services and staffing.

Mr. Johnson stated "that the biggest question is what can everyone live with, what can Outagamie County be happy with? There are a variety of scenarios and information available but it is not known where Outagamie County stands as far as where you need to be. That is a huge question that we do not know, so how can we move forward unless we get a feeling of how much a cut in your levy are we looking at?"

Mr. Koeppen stated that he agreed, however if we move into closed session it will be discussing certain staff cuts that can all be one conversation. We need to know about staff and other items, it all goes together.

Ms. Kalata stated that the committee could not move forward on any of this until the committee moved into closed session for further discussion.

Chair Farrell and the committee members clarified the procedures noting that actions can still be taken outside of closed session on the matters listed on the agenda.

Chair Farrell asked regarding the Safe Routes to School Program and the total 2020 budget effort, \$340,542. How do we know how much of that comes from levy versus how much comes from grants? Ms. Kraemer Badtke responded that East Central will be receiving \$274,000 approximately from WisDOT and federally funded grant program dollars, and \$68,509 will be local levy funded. Some of that is offset by private donations that have been received through different sources, that may be offset and vary a little bit based on the donations received. Mr. Koeppen asked what that figure for local donations would be at a guess. Ms. Kraemer Badtke responded that would be approximately \$5,000-\$10,000.

Mr. Farrell noted that looking at the Technical Assistance Program, \$93,547. How much of that is levy funded and how much is other sources? Mr. Fowle responded that the figure reflects only levy funds. Those funds are used for either small projects outside of other programs; transportation, EDA, etc.; to either conduct small projects at no cost to the communities or counties and/or some of the funding is used to subsidize some of the contract planning services. The figure provided 'contract planning services' shows essentially the revenue that is projected from the individual municipalities or entities that East Central is contracting from. In total, there is over \$200,000 in the total work effort, of which 85-90 percent of it being levy funded. Mr. Fowle noted the guidance used to determine "free" vs. "contract" is usually based on looking at efforts that take more than 3 to 5 days of staff time which depending on the staff, is somewhere between \$3,000-\$5,000.

Mr. Fowle also pointed out that the push/pull factors here as shown in scenario two that the technical assistance program was eliminated and the \$93,000 levy funds were either put towards reduction in the levy or put to something else, the impact of that is that East Central would not be as competitive in getting contracts and the assumption would be made that there would not be the capacity to do contract work. By eliminating the \$93,000, it will likely eliminate the \$124,000 in additional revenue.

Mr. Erdmann noted that technical assistance was rated as one of the highest items out of the strategic planning process and asked why that program is suggested for total elimination? Mr. Fowle replied that there have been multiple mentions by Outagamie County that they are not interested in subsidizing work in their communities or others in the region. Mr. Erdmann replied that it did not have to do with the overall strategic planning as far as Commission members rating their items, it was an Outagamie County focused cut. Mr. Erdmann commented that regarding his county and the items that are valued, the technical assistance program and what you get from that is probably one of the highest valued and Commission members rated it as the highest.

- c) **CLOSED SESSION: The Committee will convene, if needed, into closed session pursuant to Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of public employees over which the Commission exercises responsibility. The closed session will consist of two parts:**

Mr. Nooyen motioned to move into closed session, Mr. Albrecht seconded the motion. The motion passed unanimously via roll call vote.

a. **To consider, with the assistance of the Executive Director, personnel and staffing impacts and possible scenarios pertaining to potential future levy adjustments.**

b. **To consider, among Steering Committee members only, specific concerns which have been raised regarding the performance of particular Commission employees.**

- d) **RECONVENE INTO OPEN SESSION: The Committee will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes to take action, if necessary, on the above matters:**

1. Action from closed session discussions

Chair Farrell summarized the closed session actions regarding the drafting of three resolutions:

1. After the 2020 Census, the possible restructuring of the metropolitan planning organization in line with statutory requirements be investigated.
2. Propose the development of a more equitable manner of allocating technical assistance funds more proportionate to county levies.
3. Develop a policy in which East Central Commission funds would not be expended on projects outside the territorial lines/borders of member counties of the Commission.

Chair Farrell noted that regarding a fourth item concerning levy reductions, there was no consensus was reached and this item should be placed on the next agenda for continued discussion.

Mr. Sivic added that the Census 2020 numbers, contingent upon approval of Item #1 will not be completed until 2021 and how would that come into play with the departure of Outagamie County? Mr. Nooyen responded that it would not be done by 2020, but that Outagamie County would like assurance that once the Census process has been completed that a review and re-working of the MPO Policy Board structure be considered. Chair Farrell replied that the Commission cannot commit today that the Commission of 2021 to do something specific but they can certainly say that a good faith effort is supported to reconsider the MPO structure.

Mr. Albrecht motioned to move forward the creation of three resolutions as described previously and that the levy reduction topic be further considered at a future meeting to be set by the committee. Mr. Johnson seconded the motion. The motion passed unanimously.

2. Possible engagement of legal counsel

Mr. Nooyen motioned to engage Atty. James Macy to facilitate consideration of the legal matters regarding human resource issues. Mr. Albrecht seconded the motion. The motion passed unanimously. The motion passed unanimously.

8) Next Meeting Date & Agenda

The next meeting of the Steering Committee will be determined at a later date for a time in late February or early March. An additional date of April 16th, 1:00 p.m. was set for the Steering Committee to meet as well.

9) Adjourn

Mr. Albrecht motioned to adjourn, Mr. Koeppen seconded the motion. The motion passed unanimously.

PROPOSED RESOLUTION NO. 08-20

COMMITTING TO AN EVALUATION OF THE RESTRUCTURING OF THE APPLETON METROPOLITAN PLANNING ORGANIZATION (MPO) AND OSHKOSH METROPOLITAN PLANNING ORGANIZATION (MPO) POLICY BOARDS UPON RELEASE OF 2020 CENSUS URBANIZED AREA BOUNDARIES

WHEREAS the Commission is a public entity authorized by Wisconsin State Statutes 66.0309, and;

WHEREAS, the East Central Wisconsin Regional Planning Commission has been designated by the Governor as the Metropolitan Planning Organization (MPO) for the purpose of carrying out cooperative, comprehensive and continuing urban transportation planning in the Appleton and Oshkosh Urbanized Areas as outlined in 23 CFR Parts 450 and 771 and 49 CFR Part 613 ; and

WHEREAS, the entire Commission Board, consisting of the eight counties of Calumet, Fond du Lac, Menominee, Outagamie, Shawano, Winnebago, Waupaca, and Waushara, currently serve in the role of acting as the MPO Policy Board for both the Appleton MPO (TMA) and the Oshkosh MPO, as outlined in 23 CFR 450.310, and;

WHEREAS, changes to the representation of the MPO Policy Board are desired by one or more current member counties of the Commission, and;

WHEREAS, all current member counties of the Commission have agreed to evaluate MPO policy board structure options in concert with the potential re-designation of the Urbanized Area boundaries after the 2020 Census is complete, now therefore;

BE IT RESOLVED BY THE EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

Section 1: The Commission Chair (at the time of the release of the 2020 Census data and updated Urbanized Area boundaries) will create and appoint a special ad hoc committee drawn from the current eight member counties and local municipalities within the MPO, to review, evaluate and make recommendations to the Steering Committee on the MPO Policy Board structure with input from Federal Highway Administration and Wisconsin Department of Transportation, and which complies with 23 CFR 450.310.

Section 2: The ad hoc committee shall be created within three (3) months after the release of the 2020 Census data and the updated Urbanized Area boundaries for the Appleton MPO and Oshkosh MPO.

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Section 3: Should the updated 2020 Urbanized Area boundaries be combined after the 2020 U.S. Census, the ad hoc committee shall work with the Federal Highway Administration, WisDOT, MPOs, and all affected counties to identify and establish MPO Planning Area Boundaries.

Effective Date: April 24, 2020

Submitted By: Steering Committee

Prepared By: Eric W. Fowle, Executive Director

Martin Farrell, Chair – Fond du Lac Co.

Donna Kalata – Waushara Co.

Jeff Nooyen, Vice-Chair – Outagamie Co.

Alice Connors – Calumet Co.

Dick Koeppen - Waupaca Co.

Jerry Erdmann – Shawano Co.

Dave Albrecht - Winnebago Co.

Jeremy Johnson – Menominee Co.

23 CFR 450.310 Metropolitan planning organization designation and redesignation.

(a) To carry out the metropolitan transportation planning process under this subpart, an MPO shall be designated for each urbanized area with a population of more than 50,000 individuals (as determined by the Bureau of the Census).

(b) MPO designation shall be made by agreement between the [Governor](#) and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable [State](#) or local law.

(c) The FHWA and the FTA shall identify as a TMA each urbanized area with a population of over 200,000 individuals, as defined by the Bureau of the Census. The FHWA and the FTA shall also designate any urbanized area as a TMA on the request of the [Governor](#) and the MPO designated for that area.

(d) TMA structure:

(1) Not later than October 1, 2014, each metropolitan planning organization that serves a designated TMA shall consist of:

(i) Local elected officials;

(ii) Officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and

(iii) Appropriate [State](#) officials.

(2) An MPO may be restructured to meet the requirements of this paragraph (d) without undertaking a redesignation.

(3) **Representation.** (i) Designation or selection of officials or representatives under [paragraph \(d\)\(1\)](#) of this section shall be determined by the MPO according to the bylaws or enabling statute of the organization.

(ii) Subject to the bylaws or enabling statute of the MPO, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(iii) An official described in paragraph (d)(1)(ii) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in [paragraph \(d\)\(1\)](#) of this section.

(4) Nothing in this section shall be construed to interfere with the authority, under any [State](#) law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities -

(i) To develop the plans and TIPs for adoption by an MPO; and

(ii) To develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to [State](#) law.

(e) To the extent possible, only one MPO shall be designated for each urbanized area or group of contiguous urbanized areas. More than one MPO may be designated to serve an urbanized area only if the Governor(s) and the existing MPO, if applicable, determine that the size and complexity of the urbanized area make designation of more than one MPO appropriate. In those cases where two or more MPOs serve the same urbanized area, the MPOs shall establish official, written agreements that clearly identify areas of [coordination](#), and the division of transportation planning responsibilities among the MPOs.

(f) Nothing in this subpart shall be deemed to prohibit an MPO from using the staff resources of other agencies, non-profit organizations, or contractors to carry out selected elements of the metropolitan transportation planning process.

(g) An MPO designation shall remain in effect until an official redesignation has been made in accordance with this section.

(h) An existing MPO may be redesignated only by agreement between the [Governor](#) and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).

(i) For the purposes of redesignation, units of general purpose local government may be defined as elected officials from each unit of general purpose local government located within the metropolitan planning area served by the existing MPO.

(j) Redesignation of an MPO (in accordance with the provisions of this section) is required whenever the existing MPO proposes to make:

(1) A substantial change in the proportion of voting members on the existing MPO representing the largest incorporated city, other units of general purpose local government served by the MPO, and the State(s); or

(2) A substantial change in the decisionmaking authority or responsibility of the MPO, or in decisionmaking procedures established under MPO by-laws.

(k) Redesignation of an MPO serving a multistate metropolitan planning area requires agreement between the [Governors](#) of each [State](#) served by the existing MPO and units of general purpose local government that together represent at least 75 percent of the existing metropolitan planning area population (including the largest incorporated city, based on population, as named by the Bureau of the Census).

(l) The following changes to an MPO do not require a redesignation (as long as they do not trigger a substantial change as described in [paragraph \(j\)](#) of this section):

(1) The identification of a new urbanized area (as determined by the Bureau of the Census) within an existing metropolitan planning area;

(2) Adding members to the MPO that represent new units of general purpose local government resulting from expansion of the metropolitan planning area;

(3) Adding members to satisfy the specific membership requirements described in [paragraph \(d\)](#) of this section for an MPO that serves a TMA; or

(4) Periodic rotation of members representing units of general-purpose local government, as established under MPO by-laws.

(m) Each [Governor](#) with responsibility for a portion of a multistate metropolitan area and the appropriate MPOs shall, to the extent practicable, provide coordinated transportation planning for the entire MPA. The consent of Congress is granted to any two or more States to:

(1) Enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under [23 U.S.C. 134](#) and [49 U.S.C. 5303](#) as the activities pertain to interstate areas and localities within the States; and

(2) Establish such agencies, joint or otherwise, as the [States](#) may determine desirable for making the agreements and compacts effective.

[[81 FR 34135](#), May 27, 2016, as amended at [81 FR 93470](#), Dec. 20, 2016; [82 FR 56543](#), Nov. 29, 2017]

PROPOSED RESOLUTION NO. 09-20

SUPPORTING MEASURES TO CREATE A FUTURE POLICY AND PROCEDURE TO ADDRESS THE EQUITABLE DISTRIBUTION OF THE LEVY SUPPORTED LOCAL ASSISTANCE PROGRAM PROVIDED TO MEMBER COUNTIES AND COMMUNITIES

WHEREAS the Commission is a public entity authorized by Wisconsin State Statutes 66.0309, and;

WHEREAS, Wis. Stats. 66.0309(14)(e) states that “by agreement between the regional planning commission and a local governmental unit, special compensation to the commission for unique and special services provided to the local governmental unit may be arranged, and;

WHEREAS, the Commission has historically provided levy-funded “local assistance” (technical assistance and/or contract services) to towns, villages, cities, counties and other entities, within East Central’s member counties, and;

WHEREAS, the member counties of the Commission wish to continue the provision of such services in a manner that is more equitable in terms of usage, benefit, and cost-allocation as they relate to counties’ proportionate levy contributions, and;

WHEREAS, a formal policy and procedure does not exist for the provision of services under the “local assistance” program, now therefore;

BE IT RESOLVED BY THE EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

Section 1: That the Commission Chair appoint, at the April 24, 2020 Quarterly Commission meeting, an ad hoc committee that will review, develop and provide recommendations to the Steering Committee on a new, more equitable local assistance program (technical assistance and contract assistance).

Section 2: That the ad hoc committee shall take into consideration the ongoing or completed discussions regarding future levy reductions, program reductions, and the development of the 2021 budget and establishment of the 2021 levy.

Section 3: That the ad hoc committee shall take into consideration the potential impacts of segregating funds for these purposes and the subsequent audit requirements and complications.

Section 4: That the recommendations of the ad hoc committee are provided to the Steering Committee no later July 1, 2020 for incorporation into the 2021 levy establishment and preliminary budget.

Effective Date: April 24, 2020
Submitted By: Steering Committee
Prepared By: Eric W. Fowle, Executive Director

Martin Farrell, Chair – Fond du Lac Co.

Donna Kalata – Waushara Co.

Jeff Nooyen, Vice-Chair – Outagamie Co.

Alice Connors – Calumet Co.

Dick Koeppen - Waupaca Co.

Jerry Erdmann – Shawano Co.

Dave Albrecht - Winnebago Co.

Jeremy Johnson – Menominee Co.

PROPOSED RESOLUTION NO. 10-20

CREATING A POLICY REGARDING THE EXPENDITURE OF LEVY FUNDS ON PROGRAMS OR ACTIVITIES OUTSIDE OF THE MEMBER COUNTY / COMMISSION BOUNDARIES

WHEREAS the Commission is a public entity authorized by Wisconsin State Statutes 66.0309, and;

WHEREAS, Wis. Stats. 66.0309(14)(e) states that “by agreement between the regional planning commission and a local governmental unit, special compensation to the commission for unique and special services provided to the local governmental unit may be arranged.”, and;

WHEREAS, the Commission has historically provided levy-funded “local assistance” (technical assistance and/or contract services) to towns, villages, cities, counties and other entities within East Central’s member counties, and;

WHEREAS, a number of individual villages, cities, school districts and tribal entities have boundaries which lie partially within and partially outside of East Central’s member counties, and;

WHEREAS, a formal policy and procedure does not exist for the provision of services to such communities, now therefore;

BE IT RESOLVED BY THE EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

Section 1: That the attached “Levy Expenditure Policy for Work Program Activities Outside of Member County/Commission Boundaries”, which is made part of the Resolution, be approved and implemented effective May 1, 2020.

Section 2: That the Steering Committee monitor and report to the Commission on the implementation of this Levy Expenditure Policy and any exceptions provided therein, on a regular basis in conjunction with the approval of the Annual Work Program and Budget.

Effective Date: April 24, 2020

Submitted By: Steering Committee

Prepared By: Eric W. Fowle, Executive Director

Martin Farrell, Chair – Fond du Lac Co.

Donna Kalata – Waushara Co.

Jeff Nooyen, Vice-Chair – Outagamie Co.

Alice Connors – Calumet Co.

Dick Koeppen - Waupaca Co.

Jerry Erdmann – Shawano Co.

Dave Albrecht - Winnebago Co.

Jeremy Johnson – Menominee Co.

EAST CENTRAL WI REGIONAL PLANNING COMMISSION

**LEVY EXPENDITURE POLICY FOR WORK PROGRAM
ACTIVITIES OUTSIDE OF MEMBER COUNTY /
COMMISSION BOUNDARIES**

DRAFT – FEBRUARY, 2020

Adopted: _____, 2020

**LEVY EXPENDITURE POLICY FOR WORK PROGRAM ACTIVITIES OUTSIDE
OF MEMBER COUNTY / COMMISSION BOUNDARIES**

- I. Background
- II. Levy Expenditure Policy
- III. Policy Exceptions & Procedures
- IV. Policy Monitoring

SECTION I. BACKGROUND

The Commission has historically provided local assistance, in the form of free or low-cost technical assistance or through contract for services arrangements to local units of government that fall within the boundaries of its member counties for the East Central Region. Based on current county membership, six (6) different entities (excluding School Districts) straddle the border of a member county and a non-member county (or non-region county). The following entities within the East Central Region's member counties fit this situation based on their geography:

- Calumet County – City of Kiel
- Fond du Lac County – City of Waupun
- Shawano County – Village of Pulaski
- Outagamie County – Village of Wrightstown, Oneida Nation
- Waushara County – City of Berlin

All or parts of another 55 local School Districts fall within the eight member counties of the East Central Region. Thirteen (13) of these Districts have their main Administration Building falling outside one of the eight member counties. Historically, the Commission has not provided Safe Routes to School (SRTS) services to the eleven (11) School Districts as listed below:

- Antigo School district
- Almond-Bancroft School District
- Gillett School District
- Lomira School District
- Kiel School District
- Kewaskum School District
- Pulaski School District
- Rosholt School District
- West De Pere School District
- Wrightstown School District
- Waupun School District

This new policy establishes if and how the Commission will work with these, or other communities/entities, and under what circumstances.

SECTION II. LEVY EXPENDITURE POLICY

The Commission will generally adhere to a policy of NOT providing ANY services to communities that straddle member county borders. This includes services that apply to ANY portion of the community/entity whether or not it lies within a member county's borders.

SECTION III. POLICY EXCEPTIONS & PROCEDURES

Exceptions to this policy may be made on a case by case basis with the following criteria being evaluated by the Executive Director upon receipt of a request for assistance:

1. Whether or not the specific project/activity is within the part of the community/entity that lies within the member county;
2. Whether or not the project fits within the stated objectives of the Wisconsin Department of Transportation's Transportation Planning Program, the Economic Development Administration's Economic Development Program, or the Wisconsin Department of Natural Resources' NR-121 Sewer Service Area Program.
3. Whether or not the project has immediate (or near-term) positive economic impacts to the affected County and/or Region (i.e. job creation, business creation/retention/expansion, talent attraction/retention, etc.).
4. Whether or not the project will leverage additional outside revenues to the Commission as a result of putting forth levy funds as a source of local match.
5. For School Districts, whether or not their main Administration Building is located within a member county of the East Central Region.
6. Whether or not the community/entity is willing to pay the full price for a project under a contractual, non-levy cost-shared, arrangement.

The Executive Director shall bring forth to the Steering Committee any request for levy-funded local assistance services, or any request which would utilize levy funds by virtue of state or federal program funding, with a brief written report and evaluation of the project against the criteria listed above. Transportation, Economic Development, or Sewer Service Area related projects will be reviewed for conformance through the Annual Work Program and Budget development/approval process.

If quick, “day-to-day” requests for such services are made (i.e. demographic data, a quick GIS map, etc.), the Executive Director shall seek an exception by contacting directly and seeking the approval of the affected County’s Board Chair.

The Steering Committee will use the criteria in gauging its decision to award an exception, however; it reserves the right to deny any project which fits the geographic situation described.

SECTION IV. POLICY MONITORING

The Steering Committee shall monitor the use and application of this policy and shall, at least once per year, provide a report to the full Commission on the implementation of this Policy and any exceptions provided therein.

The report shall be drafted by the Executive Director in the month of January of each year in conjunction with the approval of the Annual Work Program and Budget. The MPO Director will also provide a report of possible projects that are outside of member counties/the region which are included in the Transportation Work Program in October of each year. The reports will be submitted to the Steering Committee for review and consideration prior to being presented to the Commission.