

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.....	Controller
Melissa Kraemer-Badtke	Principal Transportation Planner
Kim Biedermann.....	Associate Planner – Regional Bicycle & Pedestrian Coordinator
Bob Sivick, 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. Sivick 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.