

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, February 24, 2020
Time: 9:30 a.m.
Place: ECWRPC Offices, 400 Ahnaip Street, Menasha WI 54952

Committee Members Present:

Martin Farrell (Chair) Fond du Lac County
 Jeff Nooyen (Vice Chair) Outagamie County
 Jerry Erdmann Shawano 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 Excused:

Jeremy Johnson (Perm. Alt. for Laure Pecore) Menominee 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
 Bob Sivick, Administrator Waushara County
 Kevin Sturn Outagamie County
 Kara Homan Outagamie County
 Thomas Nelson Outagamie County
 Joe Guidote (representing Daniel Rettler) Outagamie County
 Ronald McDonald Valley Transit
 Jim Macy Von Briesen & Roper, S.C.

Agenda

1) Welcome & Introductions

Mr. Farrell welcomed the committee and began introductions.

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

Mr. Fowle stated that the meeting was posted in compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement.

3) Pledge of Allegiance

4) Approval of Agenda

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

5) Public Comment

Mr. Guidote made brief comment in regard to the resolutions and stated that the resolutions were not consistent with the conversations from the previous Steering Committee meeting. To his knowledge, there was no discussion regarding the three matters addressed in the resolution being delayed and referred to ad hoc committees. That will delay the process. This committee is able to make recommendations and he does not understand why an ad hoc committee would have to be formed for each individual issue and then have to report back to this committee. This committee is well aware of what the issues are. It does not make sense to refer to a separate committee that is unaware of what is going on and have them report back to this committee.

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

Mr. Koeppen motioned to approve the summary of proceedings, Mr. Albrecht seconded the motion. The motion passed unanimously.

7) Approval of January 31, 2020 Steering Committee Meeting Summary of Proceedings

Ms. Kalata motioned to approve the summary of proceedings, Mr. Albrecht seconded the motion. The motion passed unanimously.

8) Approval of February 13, 2020 Steering Committee Meeting Summary of Proceedings

Mr. Albrecht motioned to approve the summary of proceedings, Mr. Erdmann seconded the motion. The motion passed unanimously.

9) Announcements / Updates

Mr. Fowle provided Commissioner changes (Neal Strehlow will no longer serve as a Commissioner), staffing updates, and noted that the Nominating Committee date has been set for March 23rd. Mr. Fowle also noted that after receiving the award from the Department of Transportation (DOT) to do the Oshkosh transit study, staff sent an RFP out with the intent to hire a consultant to do the work, responses were received and the cost to do the work was higher than originally budgeted for. Mr. Musson talked with DOT and it does appear that additional allocation of funding will be available from DOT for that project to cover the unanticipated increase from the RFP. That will be brought to Steering Committee later in the year for action on amending the budget.

Mr. Fowle also added that Mr. Raith has alluded through conversations with DOT staff that it looks positive that the Freight Railroad Infrastructure Improvement Program (FRIIP) grant will be awarded. Mr. Raith provided an update on the process of the FRIIP grant which included: completion of the FRIIP application to do a study to determine a location for the intermodal freight facility somewhere in Northeastern Wisconsin, commitments received from partners, and the formation of a steering committee. This will be a joint project between New North, Inc. and East Central. The steering committee will put together an RFP that will go out to freight industry experts that will help identify if there is enough demand for an intermodal facility here.

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

Ms. Kalata motioned to move the resolution to the floor for discussion, Mr. Albrecht seconded the motion.

Mr. Nooyen commented that he approved of the wording of the proposed resolution on the agenda, but the proposed resolution itself does not reflect that. There was no discussion sending this to an ad hoc committee, and the ad hoc committee members are to be made up from representatives from all 8 counties, when only three are metro, and that is the direction that committee tried to take this. Outagamie County wants affirmation that the Commission will initiate and cooperate with the re-designation of the two MPO policy boards, to ensure that they will be governed by local elected officials representing units of government within the metro area after the 2020 Census. None of the other items need to be done that are listed. If it was written that way, Mr. Nooyen stated that he would support it.

Mr. Nooyen motioned to postpone the resolution until the next meeting of the Steering Committee or until such time as the resolution can be rewritten. The intention is that the resolution be rewritten to remove the creation of an ad hoc committee. Mr. Nooyen volunteered to generate the edits necessary. Chair Farrell noted that the Steering Committee will decide whether or not to postpone the resolution, if the Steering Committee prefers the resolution as written, then it is not necessary to vote to postpone. Mr. Nooyen reiterated that he wants the resolution to reflect what was discussed at the last meeting. Mr. Albrecht asked if there was an effective date that was needed. Chair Farrell responded no, as no action would be taken until the Census was completed in 2021.

Mr. Erdmann asked if that excluded the rest of the counties so they would have no say in it. Chair Farrell commented that is correct if that were to pass and that it may be problematic as things are being advanced that seem to not recognize the entire concept of regionalism. It seems contradictory that a regional planning commission would move away from the concept of regionalism. Other counties have an interest in what is going on.

Mr. Nooyen motioned to postpone consideration of the resolution until it is rewritten to remove the portion regarding the ad hoc committee and have the Steering Committee and

full Commission support the restructuring of the MPO to have local elected officials from the three metro areas: Winnebago, Calumet and Outagamie Counties. Ms. Kalata seconded the motion. The motion passed with 5 ayes and 2 nays (Mr. Erdmann and Mr. Farrell).

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

Mr. Albrecht motioned to bring the resolution to the floor for discussion, Mr. Koeppen seconded the motion.

Mr. Nooyen noted that in Section 1 regarding the creation of ad hoc committees was not reflective of the conversation at the previous Steering Committee meeting. Mr. Nooyen commented regarding Section 4 that the noted July 1, 2020 date would need to be revised pending Outagamie County withdrawal from the Commission. Mr. Nooyen commented that the wording in this resolution should be changed as well. Mr. Nooyen stated that he is looking for an equitable allocation from the Steering Committee; it is not necessary to go to an ad hoc committee.

Mr. Erdmann noted he was not concerned about the ad hoc committee, however the equitable distribution is determined by state statute and by state statute can we change that? Mr. Fowle commented that there is nothing in the state statutes about the technical assistance program or how communities are assisted with respect to the levy and apportioning it out. Chair Farrell noted that on this particular item, an ad hoc committee may make more sense simply because what is the most equitable way of allocating services of this kind is not necessarily obvious. Equitable means fair and what is fair is in the eye of the beholder. What does this actually mean - equitable or proportionate to the levy? That might take some complex thinking and detailed examination of programs in order to determine what is actually fair. Mr. Nooyen commented that should stay at the Steering Committee level because to hand this off to members that have not been involved in the conversation will prolong the process and make matters more confusing. Mr. Koeppen asked where the ad hoc committees came in? Mr. Fowle commented that it was his interpretation, there was nothing specific that said it should be the Steering Committee, and that there should be different individuals involved that would be affected. Mr. Koeppen commented that he was against the use of ad hoc committees.

Mr. Nooyen motioned to postpone the resolution until the next meeting of the Steering Committee when edits to remove the ad hoc committee and the dates listed changed to earlier in year could be made, Mr. Koeppen seconded the motion. The motion passed with 6 ayes and 1 nay (Mr. Farrell).

Mr. Nelson said that he took exception to the comment about school lunches used in the example made by Chair Farrell. The Steering Committee and Outagamie County representatives have been discussing this issue for eight months. Our representative vice-chair has been patient about this issue and to hear an example portraying Outagamie County as greedy is unrepresentative of the position of Outagamie County.

Mr. Farrell stated that was not really in order because the item has already been discussed but that can be debated when a revised resolution has been brought back to the Steering Committee.

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

Ms. Kalata motioned to bring the resolution to the floor for discussion, Mr. Erdmann seconded the motion. The motion passed unanimously.

Mr. Erdmann stated that this resolution noted that funding would not be expended outside of member boundaries. Chair Farrell noted that was correct. Chair Farrell questioned how services would be determined to be given to communities on member county borders.

Mr. Nooyen recommended adding wording that this was regarding technical assistance programs only and did not include items from the Transportation, SSA, and economic development areas as they were federally and state governed.

Mr. Fowle commented that is where the struggle is because even if it is through one of the state or federal programs there still is the local levy dollars being used as the match so a portion of the activities is using levy funds. The previous meeting and conversation takeaways were that any involvement was not good. For example under EDA we had a contract to do a marketing brochure for the industrial lands within the member county sections and based on some of the conversations that was a concern. That is why the resolution was prepared this way so that the community, whether it was entirely within the some work in a few of these communities

Mr. Nooyen stated that he thought that the City of Berlin was a member at one point based on information provided by a former city manager. Mr. Fowle stated the Green Lake portion of the City has never been a member of the Commission. Ms. Kalata stated the City of Berlin is not a member of the Commission now. Mr. Nooyen replied that maybe if the municipality would like services from the Commission, that they could join and be a member. Mr. Fowle stated that that is the basic policy right now. Municipalities that are not within member counties do not receive services.

Mr. Sivick asked if there are any municipalities that are partly in a county that are not eligible for membership with another Regional Planning Commission. Chair Farrell stated that Dodge County does. The committee agreed that would need to be considered as part of this policy. The committee discussed the listing of municipalities within the policy where that are partly in a member county.

Mr. Raith stated that the Metropolitan Planning Organization and the Transportation Management Area regulations from the Federal Highway Administration and one of the emphasis areas is regional models of cooperation. Federal Highway Administration wants us to look across county, state, and MPO boundaries to do regional planning.

Ms. Kalata stated that she would like to see the steering committee have some input and final approval on these projects. The Waupun project would have benefited the entire state. Chairman Farrell stated under Section 3 within the draft policy states the following criteria would be evaluated on a case by case basis with the following criteria being evaluated by the Executive Director upon receipt of request for assistance. Chairman Farrell asked the committee if they would like to have the policy written to say – ‘Following criteria being evaluated by the Executive Director with the approval of the Steering Committee.’ There was committee consensus to make this change. Mr. Fowle

noted that after the listing of the six points it is listed that the Executive Director would bring that to the Steering Committee, the item is already indicated. The committee briefly continued to discuss the draft language and edits to be made.

Mr. Nooyen made the motion to postpone Proposed Resolution 10-20 until there is wording to clarify the language in this policy, this would not apply to sewer services, transportation, or economic development programs. Those programs may have projects that are outside of the regional boundary. Ms. Kalata seconded the motion. The motion unanimously passed with 7 ayes.

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

Chairman Farrell asked if there were any motions or discussions on this matter. Chairman Farrell asked Mr. Fowle if he had anything to add or any updates. Mr. Fowle stated that a lot of information has been provided and some discussion but there has not been a decision on the materials. Chairman Farrell asked if there was discussion regarding the scenarios that were handed out at the previous meeting. Mr. Erdmann stated he discussed the materials with his administration and there were no concerns with the materials. Mr. Erdmann stated that the levy structure the way it is, is fair to all of the counties based on the equalized value of each county. Chairman Farrell stated the county levy is based proportional to their share of the equalized value by state statute. Mr. Nooyen suggested that if action is not in order, to move into item 'd' after 'a', 'b', and 'c', are addressed at the next meeting. Chairman Farrell stated that an additional motion was not needed and if there was not further discussion the committee can move on to item 'e'.

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.

Motion made by Mr. Koeppen and Mr. Nooyen seconded the motion. The motion passed unanimously via roll call.

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

There was no action taken after closed session.

11) Next Meeting Date & Agenda

The next meeting date was not set at this time.

12) Adjourn

Ms. Kalata made a motion to adjourn and Mr. Albrecht 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.