

**MINUTES**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION  
INTERGOVERNMENTAL AND PUBLIC RELATIONS COMMITTEE**

Thursday, February 24, 2005

10:30 a.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, Wisconsin

Present:

Excused:

Commissioners:

Allen L. Morrison, Chairman  
Kenneth C. Herro, Vice-Chairman  
Robert A. Brooks  
Thomas H. Buestrin  
Lee Holloway  
Leonard R. Johnson  
Michael J. Miklasevich

Richard A. Hansen  
Kenneth F. Miller

Absent:

Staff:

Philip C. Evenson                      Executive Director  
Loretta Watson                         Executive Secretary

**ROLL CALL**

Chairman Morrison called the meeting to order at 10:30 a.m. Roll call was taken and a quorum declared present.

**APPROVAL OF MINUTES OF MARCH 5, 2003, MEETING**

On a motion by Mr. Brooks, seconded by Mr. Herro, and carried unanimously, the minutes of the Intergovernmental and Public Relations Committee held on March 5, 2003, were approved as published.

## **CONSIDERATION OF POTENTIAL IMPACTS OF “TAX FREEZE” LEGISLATION ON COMMISSION BUDGETING PROCEDURES**

Mr. Evenson commented that the subject of placing restraints on tax levy increments at the county and local government level has been a subject of debate for some time now in Madison. Various proposals have been put forth, some of which are proposed statutory changes and others which would be embedded in the State’s Constitution. While regional planning commissions in general, and this Commission in particular, have taken no positions relative to the merits of the debates concerning this issue, he indicated that he wanted to bring to the attention of the Commission the potential ramifications attendant to the tax levy restraint requirements as they may relate to regional planning commissions. He then distributed a set of notes and tables relative to this matter and reviewed these materials with the Committee members (copy of materials attached to Official Minutes).

The essential problem attendant to any type of property tax levy restraint or cap is created by the fact that the Commission’s regional tax levy is apportioned to the seven counties based upon each county’s proportion of the total equalized valuation of the Region. Each county’s proportion of that valuation changes annually because of differential rates of growth in the property tax bases of individual counties. Consequently, if each county were to observe at the county level a given property tax levy increment restraint, and if the Commission were also to abide by that restraint, the counties would be differentially impacted by the Commission’s levy request because of differential changes in property tax bases. Some counties likely would be on the receiving end of a regional planning property tax increase less than the cap amount, while others that are growing relatively faster would be on the receiving end of a regional planning property tax increase greater than the cap amount. The only way to avoid this situation and the issues and problems that might develop over time is for regional planning commissions to be separately treated in any property tax levy restraint legislation, imposing on such commissions their own caps while at the same time discounting from county cap computations the property taxes that are levied by counties on behalf of regional planning commissions.

A lengthy discussion concerning this potential issue then ensued. Mr. Buestrin commented that he and Mr. Evenson had discussed this situation with State Senator Glenn Grothman in a recent meeting. While Senator Grothman grasped the essence of the issue, to him the potential differences in dollar amounts being assessed by regional planning commissions to counties likely would be relatively small. He indicated that regional planning commissions probably would be well advised to discuss this matter with their individual county members and get the counties to understand and accept the situation, rather than attempting to draw attention to regional planning commissions as legislation concerning the tax freeze issue moves along. In response, Mr. Herro indicated that State legislators don’t seem to grasp the intensity of the competition for increasingly scarce county tax levy dollars. Should, for example, Waukesha County be required to exceed its cap amount to SEWRPC by \$10,000, it would require that such funds be taken away from, for example, an important human services program that directly effects people. Such a situation could become very controversial at the county level of government, with supervisors and staff failing to understand why a regional planning commission is seemingly allowed to exceed a cap level. In effect, Mr. Herro continued, regional planning could be viewed as another unfunded mandate.

As the discussion proceeded, Mr. Holloway indicated that regional planning commissions probably should not directly employ a lobbyist to lobby legislators concerning this potential issue. Rather, he indicated that a lower-key approach that would educate individual legislators through staff discussions and that would perhaps call upon county-based lobbyists to look into this matter might be far preferable.

Mr. Herro agreed, noting that perhaps regional planning would be viewed as a consolidated government services effort and its activities be considered exempt under the legislation now being considered. Mr. Holloway also indicated that he would be willing to discuss this matter with the Wisconsin Counties Association on whose governing board he sits.

At the conclusion of the discussion, on a motion by Mr. Johnson, seconded by Mr. Miklasevich, and carried unanimously, it was agreed that no formal lobbying effort would be mounted with respect to this matter, but rather the Commission staff would work with individual county lobbyists and perhaps the Wisconsin Counties Association in pursuing a responsible approach to avoiding the problem that would be created if regional planning commissions are ignored as the several attempts to enact tax freeze legislation move forward.

### **FURTHER CONSIDERATION OF CONTINUED PROVISION OF COUNTY SURVEYOR SERVICES**

Mr. Evenson recalled that at the March 3, 2003, Committee meeting there had been an initial discussion about the county surveying function in the Region and whether or not the Commission should continue to offer to provide county surveyor services to its constituent counties. With the aid of a Memorandum dated February 25, 2003, concerning this matter (copy attached to Official Minutes), Mr. Evenson then reviewed the reasons why the Commission had become involved in the county surveyor function, the functions performed annually by county surveyors, and the essential importance to the counties of maintaining the survey monuments and control survey system that have been put in place by each of the seven counties based on Commission recommendations over the past forty years. The Commission, Mr. Evenson concluded, needs to determine whether or not to continue to provide this function under contract to counties, noting that the time has come to consider succession in staff leadership in performing this function and to consider updating the vehicles and equipment necessary to perform this function.

A lengthy discussion ensued relative to the Commission's responsibilities attendant to county surveyor services. In response to inquiries by Mr. Holloway, Mr. Buestrin indicated that while the Commission could maintain its staff capabilities in this area, the Commission is not required to do so and the individual counties that presently contract with the Commission for such work may want to perform that work in a different way. Mr. Buestrin indicated that one of the major concerns if the Commission were to discontinue providing county surveyor services is that the major investments made over the past several decades in re-establishing the system of survey monuments – numbering about 11,800 – will be lost as the system of monuments deteriorates over time, owing to indifference on the part of individual counties. Mr. Herro indicated that from the Waukesha County perspective, it should be less expensive if all seven counties collectively work through the Commission in carrying out the county surveyor function. Such an approach, he said, would help ensure high quality services and the upkeep of the system of monuments over time.

In response to a question by Mr. Holloway, Mr. Evenson indicated that the Commission provides Milwaukee County surveying services for a flat fee of \$60,000 a year. Mr. Evenson indicated that from the staff's perspective, the right thing for the seven counties to do is to collectively perform the county surveyor function. If the Commission continues to do that, however, the staff capability will need to be rebuilt following pending retirements and replacement vehicles and equipment acquired. In order for these things to happen, he said, the Commission should obtain a relatively long-term contractual commitment from at least four to five of the seven counties. Mr. Holloway suggested that the staff develop a definitive proposal for the Commission to continue to provide county surveying services. The

proposal should include staff and equipment needs, a multi-year budget, and a fair cost allocation among the several counties. That proposal, he continued, could then be discussed by and among the seven county officials. Mr. Brooks commented that the proposal should also address convenient access to individual county surveyor records.

At the conclusion of the discussion, it was the consensus of the Committee that the Commission staff should put together a firm proposal for the continued provision of county surveyor services, addressing all of the issues that were raised in the discussion and providing a basis for moving this matter forward on a county-by-county basis.

### **CORRESPONDENCE**

Mr. Buestrin called the attention of the Committee members to an editorial published in the Wednesday, February 23, 2005, issue of the Milwaukee Journal Sentinel. While the editorial recognizes the critical need for regional planning, the editors suggest that perhaps the governance of the Commission needs to be reviewed and changed. Mr. Buestrin asked Mr. Evenson to send a copy of the editorial to all Commissioners (copy of editorial attached to Official Minutes).

### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 11:55 a.m. on a motion by Mr. Miklasevich, seconded by Mr. Johnson, and carried unanimously.

Respectfully submitted,

Philip C. Evenson  
Executive Director

PCE/lw  
Attachments  
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