

**MINUTES**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**EXECUTIVE COMMITTEE**

Thursday, April 26, 2007

2:00 p.m.

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

Present:

Excused:

Committee Members:

Thomas H. Buestrin, Chairman  
William R. Drew, Vice-Chairman  
James T. Dwyer  
Michael J. Miklasevich  
Daniel S. Schmidt  
David L. Stroik  
Gustav W. Wirth, Jr.

Adelene Greene  
Richard A. Hansen

Absent:

Staff:

Philip C. Evenson  
Loretta Watson

Executive Director  
Executive Secretary

**ROLL CALL**

Chairman Buestrin called the meeting to order at 2:10 p.m. Roll call was taken and a quorum declared present. Mr. Evenson noted for the record that Commissioners Greene and Hansen had asked to be excused.

**APPROVAL OF MINUTES OF MARCH 29, 2007, MEETING**

On a motion by Mr. Stroik, seconded by Mr. Miklasevich, and carried unanimously, the minutes of the Executive Committee meeting held on March 29, 2007, were approved as published.

**ADMINISTRATIVE COMMITTEE REPORT, MR. STROIK REPORTING**

(Meeting of April 26, 2007)

Mr. Stroik reported that the Administrative Committee, at its meeting held just before the Executive Committee meeting, had taken the following actions:

1. Reviewed and approved the Commission disbursements for two financial reporting periods: Year 2007 Nos. 7, and 8, extending over the period March 19 to April 15, 2007.

2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending April 15, 2007. With about 30 percent of the year completed, the projections indicate a year end surplus of about \$198,000.
3. Received a report that the final \$360,000 in funds required to retire in March 2011 the then remaining bonds on the Rockwood Drive building acquisition project had been transmitted to the bond trustee. Accordingly, the Reserve Account established by the Commission for this intended purpose has been eliminated.

There being no questions or comments, on a motion by Mr. Drew, seconded by Mr. Schmidt, and carried unanimously, the Administrative Committee report was approved.

### **REPORT ON CONTRACTS**

Chairman Buestrin asked Mr. Evenson to review the proposed contracts and agreements, noting that the Committee members had received a table listing the contracts and agreements prior to the meeting. Mr. Evenson then briefly reviewed the seven contracts reported on the table. He called attention to the contract with Sheboygan County whereby the Commission will provide the professional staff services necessary to inventory natural areas and critical species habitats in the Milwaukee River watershed portion of that County. Sheboygan County will pay the Commission for this work. The Commission and Sheboygan County have a long history of cooperating on planning and related efforts as regards the Milwaukee River watershed. He also called attention to the contract attendant to the Troy Bedrock Valley, noting that three communities in Waukesha County and one community in Walworth County had collectively asked the Commission staff to identify a way in which the Commission's groundwater simulation model can be densified with the addition of data from well logs and pumping tests. This would permit the model to be of greater use in making detailed decisions concerning the location of new wells in that area. The contract with Dakota Intertek Corporation, he continued, represents the Commission's continuing commitment to Milwaukee County to expend certain funds with disadvantaged business enterprises. The Kilbourn Road Ditch Tributary Enhancement Project involves an arrangement with Wisconsin Department of Transportation to help the Department develop an appropriate streambank restoration project as part of the proposed reconstruction of IH 94 South in Kenosha County. Finally, he commented that the contracts attendant to the 2007 topographic mapping program in Kenosha County represent pass-through funds whereby the Commission serves as an agent for Kenosha County in obtaining the desired end products.

There being no discussion, on a motion by Mr. Schmidt, seconded by Mr. Miklasevich, and carried unanimously, the report relative to the contracts was accepted and placed on file (copy of report attached to Official Minutes).

### **GEO 29 REVIEW**

Chairman Buestrin asked Mr. Evenson to report on the Federal grants and loans and direct Federal development projects submitted to the Commission for intergovernmental review pursuant to the requirements set forth in Gubernatorial Executive Order No. 29.

Mr. Evenson noted that summaries of the seven project applications were provided to the Committee members with the agenda for the meeting. There was no conflict, he said, between any of the projects and the adopted regional plans.

There being no questions or comments, on a motion by Mr. Miklasevich, seconded by Mr. Drew, and carried unanimously, the following seven applications were recommended to the grantor agencies for approval as being in conformance, or not in conflict, with adopted regional plans: three community action programs (CAP-2174 through CAP-2176); and four conservation programs (CONSER-1015 through CONSER-1018) (copy of table attached to Official Minutes).

### **CONSIDERATION OF CREATION OF TECHNICAL ADVISORY COMMITTEE ON THE REVIEW OF THE REGIONAL CONTROL SURVEY PROGRAM**

Mr. Evenson recalled that at the March 29, 2007, meeting, the Executive Committee had given approval to the conduct of a strategic planning exercise whereby the Commission's long-established set of recommendations attendant to the development and maintenance of a control survey network would be reexamined. A copy of the proposed roster of a Technical Advisory Committee to oversee this project later in the year was provided to all Committee members with the agenda for the meeting. The subject matter of concern, he said, is very technical in nature and of professional interest to a very narrow group of individuals. Accordingly, he said, the Committee roster is made up predominately of civil engineers and registered land surveyors. He noted that he was suggesting that the Committee be Chaired by the Commission's Executive Director Emeritus, Dr. Kurt W. Bauer, who is both a registered professional civil engineer and a registered land surveyor.

Following a brief discussion, on a motion by Mr. Stroik, seconded by Mr. Wirth, and carried unanimously, the Technical Advisory Committee on the review of the regional control survey program was created and the initial roster Committee members approved (copy of Committee roster attached to Official Minutes).

### **WORK PROGRAM REPORTS**

Mr. Evenson reported that he had been requested by the Walworth County Administrator to attend a meeting of the Executive Committee of the Walworth County Board on April 17, 2007. At that meeting, the Executive Committee requested that the Commission staff undertake the task of preparing a plan for 11 supervisory districts for the County, as mandated by the electorate of the County at the election held on April 3, 2007. On behalf of the Commission, Mr. Evenson said, he had indicated that the Commission staff would be willing to accept this assignment as part of the Commission's Community Assistance Planning program. The Walworth County Executive Committee, he said, desired that an outside party with the requisite skills and geographic information systems capability accomplish this task. Mr. Evenson said that he indicated to the Executive Committee of the Board that he would personally take responsibility for designing a set of proposed districts, being assisted in developing the requisite database and maps by personnel in the Commission Land Use Planning and Geographic Information Systems Divisions. The structure for the work calls for adoption of a final district map by the County Board early in November. These districts would take effect for the forthcoming spring 2008 elections.

A discussion then ensued. Mr. Dwyer commented that mid-census redistricting tasks are very difficult, as Waukesha County found out last year in dealing with a similar task. The process, he said, requires that now seven-year-old census population data be used with no ability to redefine wards within a local civil division. Noting that Walworth County presently has 25 supervisory districts, he indicated that going to 11 will inevitably result in significant criticism from a number of sources. He suggested that the existing Board members be queried as to what criteria they want used in the redistricting process. In response, Mr. Evenson indicated that the Walworth County Corporation Counsel had already set forth criteria to be used in the redistricting process. In addition to those criteria, which relate to such things as population balance and school district boundaries, Mr. Evenson said that he explicitly inquired of the Walworth County

Executive Committee as to whether or not the Commission staff was to attempt to minimize re-election conflicts between existing supervisors. In response, he said, it was the Executive Committee's determination that the Commission staff should pay no mind to the home residency locations of the 25 existing county board supervisors. In addition, Mr. Evenson continued, he inquired as to whether or not any special effort should be made to be sure that at least one and perhaps two of the 11 districts consist entirely of unincorporated territory so that the towns would be assured of one or perhaps two representatives on the Board. He reported that the Walworth County Executive Committee said that unincorporated territory should not be a factor to be explicitly considered in the makeup of the 11 districts.

Mr. Dwyer indicated that this assignment should be viewed as an important one for the Commission and it would be quite positive if the Commission is asked to come back in 2011 and recreate district boundaries in Walworth County with the new census data. Such an experience, he said, might create a new model in Wisconsin whereby regional planning commissions are given responsibilities dealing with reapportionment. In response to an inquiry by Mr. Dwyer, Mr. Evenson indicated that the new districts in Walworth County must be submitted to the State by the Board by November 15<sup>th</sup>, and that much of the staff work entailed will be undertaken before mid-July.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Evenson called attention to the letter received by the Commission dated March 15, 2007, from Karl J. Ostby, Chair of the Southeastern Wisconsin Regional Transit Authority (RTA) (copy of letter attached to Official Minutes). A copy of the letter had been provided to all Committee members with the agenda for the meeting. He noted that the RTA Board has made a determination to sponsor and operate the proposed Kenosha-Racine-Milwaukee (KRM) Commuter Rail service and has asked the State Legislature for permission to do so and for an increase in the present source of funding of the RTA – car rental fees – to provide the local funds necessary for the proposed service. The RTA Board, Mr. Evenson said, is working hard to submit a draft Environmental Impact Statement attendant to the proposed service and a request for Federal funding for the service to the Federal Transit Administration this coming June in order to meet an annual deadline for such matters.

Mr. Evenson then distributed to Committee members photocopies of page 373 of SEWRPC Planning Report No. 49, *A Regional Transportation System Plan for Southeastern Wisconsin: 2035*, pertaining to this matter. He called attention to the potential commuter rail lines identified in the map on this page and in particular to the note on the map that indicates that such commuter rail services would be added to the regional plan by the Commission at such time as an appropriate sponsor completes the requisite studies and submits a formal plan amendment request. The letter from RTA Board Chair Ostby, he said, fulfills that requirement. Accordingly, Mr. Evenson continued, it is the staff's intention to bring forward to the full Commission at the forthcoming June 20, 2007, Annual Meeting an appropriate resolution that would amend the regional transportation plan to place into that plan recommended commuter rail service in the Kenosha-Racine-Milwaukee corridor.

A brief discussion then ensued. In response to an inquiry by Mr. Buestrin, Mr. Evenson indicated that by placing the commuter rail service into the recommended plan the Commission would not be endorsing any particular kind of local funding to implement that plan. In response to an inquiry by Mr. Dwyer, Mr. Evenson indicated that the regional transportation plan typically is updated on a ten-year cycle about mid-decade, and that the present plan amendment request comes about out of the updating cycle because of the need to demonstrate to the Federal Government that this proposed relatively large expenditure of funds would be directed at a project specifically included in the plan. In response to an inquiry by Mr. Miklasevich, Mr. Evenson indicated that while the three-county RTA Board is considering possible

recommendations to the Governor and the State Legislature relative to the funding of local bus transit systems, RTA Board Chairman Ostby's letter does not deal with that issue. Mr. Evenson then indicated that this matter would first be presented to the Planning and Research Committee at its meeting on June 7, 2007, with a staff presentation on this matter scheduled for the full Commission meeting in West Bend on June 20, 2007.

Mr. Evenson then called attention to a letter dated April 20, 2007, from a representative of the Wisconsin Onsite Wastewater Recycling Association, Inc. (copy of letter attached to Official Minutes). In that letter, the Association sets forth an objection to the Commission's recommendation set forth in the adopted regional water quality management plan relative to public ownership of large onsite sewage disposal systems that require a waste discharge permit from the Wisconsin Department of Natural Resources. Mr. Evenson then distributed to the Committee members copies of a letter dated February 10, 2006, relative to a project in the Town of Richfield which illustrates the situation referred to in the Wisconsin Onsite Wastewater Recycling Association's letter (copy of letter attached to Official Minutes). Mr. Evenson then discussed with the members of the Committee the public policy reasons why the regional water quality management plan was adopted the way it was, noting that the plan framework allows for these types of relatively large onsite wastewater disposal systems to serve necessary individual land users in more rural areas of the Region with private ownership and operation, while at the same time calling for public ownership and operation of such systems when true urban development involving many individual landowners is concerned. The example in the Town of Richfield involving a 125-unit subdivision illustrates this situation quite well.

A brief discussion then ensued, with Mr. Evenson noting that he was not asking for any Commission action at this time but rather bringing this matter to their attention so that they are informed should they be queried about it at some other time. Mr. Buestrin commented that while such onsite wastewater treatment and disposal systems might work well in the private sector when an individual landowner is concerned, such as a Boy Scout or church camp, when many individual residential homeowners are concerned it is important that a government agency have oversight responsibilities to ensure proper continued operation and maintenance of a relatively large and complex sewage collection and treatment system. At the conclusion of this discussion, it was the consensus of the Committee that the Commission's current plan recommendation is sound and in the long-term public interest.

#### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting adjourned at 3:15 p.m., on a motion by Mr. Miklasevich, seconded by Mr. Drew, and carried unanimously.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

PCE/lw

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