

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

#### QUARTERLY MEETING

December 5, 2007

3:00 p.m.

Milwaukee Intermodal Station  
Executive Conference Room 301  
433 West St. Paul Avenue  
Milwaukee, Wisconsin

Present:

Excused:

Commissioners:

Thomas H. Buestrin, Chairman  
Richard A. Hansen, Vice-Chairman  
Charlene S. Brady  
William R. Drew  
James T. Dwyer  
Anita M. Faraone  
Adelene Greene  
Gregory L. Holden  
Michael J. Miklasevich  
Allen L. Morrison  
Robert W. Pitts  
Daniel S. Schmidt  
David L. Stroik  
Paul G. Vrakas  
Gustav W. Wirth, Jr.

Susan S. Greenfield  
Lee Holloway  
William E. Johnson  
Mary A. Kacmarcik  
Anselmo Villarreal

Absent:

Staff:

Philip C. Evenson  
Kenneth R. Yunker  
Michael G. Hahn  
Loretta Watson

Executive Director  
Deputy Director  
Chief Environmental Engineer  
Executive Secretary

Guests:

Dewayne J. Johnson  
Scott J. Kozlik  
Randall E. Wade

WisDOT Southeast Region Director  
WisDOT, Statewide Traffic Operations Center  
WisDOT, Transportation Infrastructure Management

## **ROLL CALL**

Chairman Buestrin called the 219<sup>th</sup> meeting of the Commission to order at 3:00 p.m. Roll call was taken and a quorum declared present. Mr. Evenson indicated for the record that Commissioners Greenfield, Holloway, Johnson, Kacmarcik, and Villarreal had asked to be excused.

## **WELCOME**

Chairman Buestrin recognized the District Director of the Wisconsin Department of Transportation, Dewayne J. Johnson, the site host for this meeting and asked Mr. Johnson to provide welcoming remarks. Mr. Johnson welcomed the Commission to the newly remodeled Milwaukee Intermodal Station and the site of the State Traffic Operations Center. He noted that while the State of Wisconsin owns the Milwaukee Intermodal Station, the redevelopment of the facility was undertaken on a partnership basis with a private sector firm, with that firm responsible for leasing commercial space on the upper floors of the building. The Department of Transportation, he said, occupies the third floor, having moved the State Traffic Operations Center to the building from another Milwaukee downtown location. The Department sees its investment in the Milwaukee Intermodal Station as a commitment to helping the Milwaukee downtown area grow and prosper. He wished the Commission well in its meeting and indicated that Department staff would be available to conduct tours of the State Traffic Operations Center and the Intermodal Station facility following the meeting.

Mr. Buestrin thanked Mr. Johnson for his remarks and for the willingness of the Wisconsin Department of Transportation staff to provide tours of the newly remodeled facility.

## **APPROVAL OF MINUTES OF SEPTEMBER 12, 2007, MEETING**

On a motion by Mr. Wirth, seconded by Ms. Greene, and carried unanimously, the minutes of the Quarterly Meeting of September 12, 2007, were approved as published.

## **TREASURER'S REPORT**

Chairman Buestrin asked Mr. Drew to present the Treasurer's report. Mr. Drew noted that a copy of the report had been provided to all Commissioners for review at the meeting. In commenting on the report, he called attention to the following items:

1. Based upon disbursements through November 11, 2007, it is projected that total disbursements for the year will approximate \$7.47 million. Revenues are projected at about \$7.67 million, exclusive of interest income and miscellaneous revenues.
2. The total amount of funds held by the Commission in the various operating, liability, and reserve accounts approximates \$2.62 million. The various accounts are identified on the second page of the report.
3. As of November 11, 2007, the Commission had in investments and cash on hand about \$2.89 million. About \$2.34 million are invested in the State of Wisconsin Local Government Pooled Investment Fund. As of November 11, 2007, that fund was yielding 4.85 percent interest. Other funds are held in savings and checking accounts and in certificates of deposits at several banks.

After a brief discussion relative to the investment practices of the State of Wisconsin Investment Board as regards the local government pooled investment fund in light of the recently reported problems concerning a similar pooled fund in the State of Florida, on a motion by Mr. Drew, seconded by Mr. Miklasevich, and carried unanimously, the Treasurer's Report for the period ending November 11, 2007, was approved (copy attached to Official Minutes).

## **STANDING COMMITTEE REPORTS**

### **Planning and Research Committee**

Noting that the Planning and Research Committee met twice since the Commission Quarterly meeting on September 12, 2007, Committee Chairman Schmidt reported the following items:

On November 20, 2007, the Committee took the following actions:

1. Reviewed and acted to recommend to the Commission for adoption an amendment to the regional water quality management plan pertaining to the sanitary sewer service area for the Village of Wales, which is connected to the City of Waukesha sanitary sewerage system for treatment purposes. That amendment, scheduled for action later in this meeting, involves the addition of 115 acres of land, most of which is already developed for urban uses, in the Village so that infill development can take place and that any problems with onsite sewage disposal systems can be properly addressed. In addition, the amendment adds an 80 acre site in the Town of Delafield to the sewer service area. The site is owned by the Kettle Moraine School District and is intended to accommodate a new school building. The proposed amendment was found to be consistent with the adopted regional land use plan.
2. Reviewed and approved for publication Chapters 8 and 12 of SEWRPC Planning Report No. 50, **A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds**. These chapters set forth information relative to anticipated growth and change in the watershed area and to a summary description of the findings and recommendations coming out of a multi-year planning process. The Committee also acted to recommend to the Commission for adoption as an amendment to the regional water quality plan, the update for the greater Milwaukee watersheds set forth in the entirety of SEWRPC Planning Report No. 50. That action is scheduled for later in this meeting.
3. Reviewed and approved for publication Chapters 1 through 10 of SEWRPC Planning Report No. 53, **A Regional Broadband Telecommunications Plan for Southeastern Wisconsin**. In so doing, the Committee also recommended that the Commission formally adopt the regional broadband telecommunications plan, thereby completing work on the Commission's regional telecommunications planning effort. That action is also scheduled for later in this meeting.
4. Reviewed and acted to recommend to the Commission for approval the Commission's proposed 2008 Overall Work Program. That program will be considered for adoption by the Commission later in this meeting and was found by the Committee to be consistent with the Commission's adopted 2008 budget

On December 5, 2007, the Committee took the following action:

1. Reviewed and acted to recommend to the Commission for adoption an amendment to the regional water quality management plan pertaining to the sanitary sewer service area for the City of Muskego. That service area is tributary to the Milwaukee Metropolitan Sewerage District system. The amendment, scheduled for action later in this meeting, is very minor in nature, adding about 13 acres

of land part of which is already developed and served by septic tank systems or sewage holding tanks. This proposed amendment also was found to be consistent with the adopted regional land use plan.

There being no questions or comments, on a motion by Mr. Vrakas, seconded by Mr. Pitts, and carried unanimously, the Planning and Research Committee report was approved.

#### **Administrative Committee**

Noting that the Administrative Committee had met three times since the Commission Quarterly meeting on September 12, 2007, Committee Chairman Stroik reported the following items:

On September 27, 2007, the Committee took the following actions:

1. Reviewed and approved the Commission disbursements for three financial reporting periods: Year 2007 Nos. 17, 18, and 19, extending over the period August 6 to September 16, 2007.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending September 16, 2007. With about 75 percent of the year completed, the projection indicated a year end surplus of about \$195,000.
3. Continued to review the Commission Personnel Regulations, focusing on those sections of the Regulations dealing with family leave, other leaves of absence, pay schedules, and outside employment practices. The Committee approved a series of relatively minor changes to these sections in order to conform both with current practices and State and Federal regulations; to clarify that in those rare situations where 27 Friday paydays occur in a calendar year, employee annual salaries will be paid out in 27 equal biweekly checks instead of the usual 26 biweekly checks; and to clarify that employees on medical, family, or disability leaves shall not engage in outside employment or consulting work.

On October 25, 2007, the Committee took the following actions:

1. Reviewed and approved the Commission disbursements for two financial reporting periods: Year 2007 Nos. 20 and 21, extending over the period September 17 to October 14, 2007.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending October 14, 2007. With about 80 percent of the year completed, the projection continued to indicate a year end surplus of about \$195,000.
3. Continued to review the Commission Personnel Regulations, focusing on those sections of the Regulations dealing with travel procedures, attendance at professional meetings, work related training, appeals to the Regulations, discrimination, and delegation of authority. A few minor changes attendant to those sections of the Regulations were approved. In addition, the Committee revisited that portion of the Personnel Regulations dealing with the conversion of unused sick leave to health care purchase credits upon retirement. Changes were made to eliminate the option allowing retirees to cash-out such sick leave. The Committee also approved the creation of a trust fund for such retirement credits, placing such funds with the ICMA Retirement Corporation. That Corporation would administer a retirement health savings plan under rules approved by the Internal Revenue Service. Under such a plan, retirees are able to use the accumulated credit amount to pay for health insurance premiums and for other qualified medical expenses.
4. Authorized the Commission staff to replace two aging vehicles in the Commission's fleet. These vehicles are to be purchased off of the State contract for automobile purchases awarded to the Ewald

Automotive Group in Oconomowoc unless the Commission staff, working with the Commission Chairman, is able to find more advantageous pricing.

On November 29, 2007, the Committee took the following actions:

1. Reviewed and approved the Commission disbursements for two financial reporting periods: Year 2007 Nos. 22 and 23, extending over the period October 15, 2007 to November 11, 2007.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending November 11, 2007. With nearly 90 percent of the year completed, the projection continued to indicate a year end surplus of about \$195,000, although capital expenditures for automobiles and print shop equipment will impact that projection by year's end.
3. Received a report on employee enrollment in the 2008 group medical insurance program. A total of 59 Commission employees elected to obtain medical insurance coverage, paying at a minimum 20 percent of the premium cost. Nine Commission employees declined medical insurance coverage. The adopted 2008 budget of about \$734,000 for medical insurance premiums will be adequate.
4. Completed its review of the Commission Personnel Regulations, focusing on those sections of the Regulations dealing with miscellaneous policies. A few minor changes attendant to the Appendices of the Regulations were approved, thereby completing work on this project.

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

#### **Executive Committee**

Noting that the Executive Committee had met three times since the Commission Quarterly meeting on September 12, 2007, Chairman Buestrin reported the following items:

On September 27, 2007, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Reviewed and approved one contract for planning work. The contract pertains to an initiative by Kenosha County to take the first steps toward implementing the Commission's regional wireless broadband recommendations that are scheduled for your consideration later in this meeting. The details of the contract are set forth in a table included with the agenda for this meeting.
3. Approved a series of 18 amendments to the 2007-2010 Regional Transportation Improvement Program. Those amendments involve intersection reconstruction, roadway rehabilitation, and safety-oriented transportation projects.
4. Received a report that, as part of a 2007 orthophotography program being funded primarily by the Federal government, the Commission had obtained a product sample of oblique aerial photography for an approximate 20 square mile area centered on the intersection of County Line Road and Wausaukee Road. Such specialized aerial photography is proving to be particularly useful in carrying out government functions attendant to assessing and emergency management.
5. Received a report that the Commission staff remains heavily engaged in helping most of the counties in the Region complete new comprehensive plans and thereby meet the State's deadline of January 1, 2010, for such planning efforts. In most cases, the county-based planning efforts are cooperative in

nature and involve many of the local units of government in the county. Work in Ozaukee and Washington Counties is farthest along, with new comprehensive plans for those two counties to be presented to the County Boards for adoption this coming April. Similar planning efforts in Walworth, Kenosha, and Racine Counties are scheduled for completion in mid-2009.

6. Received a report that the Commission was a non-financial co-sponsor of the 2007 Community Development Symposium held on November 6, 2007. The event is financially supported by the Metropolitan Builders Association of Milwaukee, with other co-sponsors including the Wisconsin Counties Association, the Wisconsin League of Municipalities, and 1,000 Friends of Wisconsin.

On October 25, 2007, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Received a report that the Commission's transportation planning staff is now following up with work efforts to update each of the county jurisdictional highway system plans in the Region. This work will be undertaken first in Washington County and will get underway in other counties over the next 12 months. These county jurisdictional plans help to refine and detail the regional transportation plan and assign an appropriate jurisdiction – State, county, or local – to each segment of an arterial street and highway.
3. Received a report that the Wisconsin Department of Natural Resources will allow the Town of Cedarburg to effectively compete with the City of Cedarburg in providing centralized public sanitary sewer service to development in certain portions of the Town provided that the Town can establish the cost-effectiveness of its proposed course of action that would serve the concerned areas with municipally owned and operated onsite wastewater disposal systems serving multiple landowners.
4. Received a report that the State Legislature and Governor did not provide to the Southeastern Wisconsin Regional Transit Authority either the authority to own and operate the proposed KRM commuter rail service or a source of local funds to support that service. The Commission staff will continue to work with the RTA Board throughout 2008 as that Board readies its report to the State Legislature and the Governor regarding transit funding issues in the three-county Region.

On November 29, 2007, the Committee took the following actions:

1. Received and approved a report from the Administrative Committee relative to its meeting that day.
2. Reviewed and approved two contracts for planning and related work. The details pertaining to those contracts are set forth in a table included with the agenda for this meeting.
3. Approved a resolution to endorse the Wisconsin Department of Transportation as the designated recipient of certain Federal Transit Administration funds granted to the Milwaukee Urbanized Area. Those funds are targeted to provide specialized transit services that enable individuals to reach job locations and that provide transit services to disabled persons over and above those required by law.
4. Received a report that Commission environmental engineering staff efforts in 2008 will focus on updating flood hazard maps in the Milwaukee area to reflect recently completed flood mitigation projects undertaken by the Milwaukee Metropolitan Sewerage District. This body of work also includes compiling and certifying all of the engineering data lying behind the new maps, working with the City of Milwaukee and other local governments to secure changes to the Federal flood

insurance maps and thereby remove the flood insurance purchase burden that remains in place on some property owners.

5. Received a report that efforts are underway to prepare a scope-of-work for updating the regional housing plan. It is expected that early in the next year an advisory committee will be created to guide that project.
6. Received a report from Commissioner Greene that the Commission's Environmental Justice Task Force had recently met and had discussed, and was beginning to react to, three topics:

First, techniques that the Commission uses to outreach to minority and low-income communities;

Second, the appointment processes to Commission advisory committees and the fact that these committees typically do not include persons of color in proportion to their numbers in the general population; and

Third, Commission planning efforts now underway relative to the preparation of a regional water supply plan, focusing on the environmental justice aspects of any plan alternative that might recommend increased delivery of Lake Michigan water by Milwaukee to suburban areas.

There being no questions or comments, on a motion by Mr. Wirth seconded by Mr. Dwyer, and carried unanimously, the Executive Committee report was approved.

#### **ADOPTION OF AMENDMENTS TO REGIONAL WATER QUALITY MANAGEMENT PLAN**

##### **Village of Wales/City of Waukesha Sewer Service Area (Resolution No. 2007-19)**

Chairman Buestrin asked the Commission to consider Resolution No. 2007-19, noting that the Resolution would revise the Village of Wales/City of Waukesha sewer service area. He asked Mr. Schmidt to present the resolution.

Mr. Schmidt noted that all Commissioners had received for review prior to the meeting a copy of Resolution No. 2007-19, together with a copy of a SEWRPC staff memorandum dated December 2007. He recalled that the proposed amendment had been reviewed by the Planning and Research Committee at a meeting held on November 20, 2007, and was recommended for adoption by the Commission subject to receiving a report from the Executive Director at this meeting relative to formal action on this proposal by the Common Council of the City of Waukesha. Mr. Evenson indicated that the Waukesha Common Council formally approved the proposed plan amendment at its meeting held on November 20, 2007.

There being no questions or comments, on a motion by Mr. Schmidt, seconded by Mr. Stroik, and carried unanimously, Resolution No. 2007-19 was approved (copy of Resolution No. 2007-19) attached to Official Minutes).

##### **City of Muskego Sewer Service Area Plan (Resolution No. 2007-20)**

Chairman Buestrin asked the Commission to consider Resolution No. 2007-20, noting that the Resolution would revise the City of Muskego sewer service area plan. He asked Mr. Schmidt to present the resolution.

Mr. Schmidt noted that all Commissioners had received for review prior to the meeting a copy of Resolution No. 2007-20, together with a copy of a SEWRPC staff memorandum dated December 2007 documenting the proposed amendment. He recalled that the proposed amendment had been reviewed by the Planning and Research Committee at its meeting held on December 5, 2007, and was recommended for adoption by the Committee.

There being no questions or comments, on a motion by Mr. Schmidt, seconded by Mr. Miklasevich, and carried unanimously, Resolution No. 2007-20 was approved (copy of Resolution No. 2007-20 attached to Official Minutes).

**CONSIDERATION OF ADOPTION OF REGIONAL WATER QUALITY MANAGEMENT PLAN UPDATE FOR THE GREATER MILWAUKEE WATERSHEDS, SEWRPC PLANNING REPORT NO. 50**

Chairman Buestrin noted that the next item of business was consideration of Resolution 2007-21 relative to adoption of a regional water quality management plan. He then called upon Mr. Michael G. Hahn to present a briefing on the plan to the Commission.

With the aid of a handout (copy attached to Official Minutes), Mr. Hahn then briefed the Commission on the recommendations included in SEWRPC Planning Report No. 50, *A Regional Water Quality Management Plan Update for the Greater Milwaukee Watersheds*, copies of which had been provided to the Commissioners in advance of the meeting.

Following Mr. Hahn's presentation, Chairman Buestrin asked if there were any questions or comments concerning the proposed regional water quality management plan. In response to an inquiry by Mr. Hansen, Mr. Hahn indicated that there are indeed Federal and State programs to help retire from active agricultural use marginal farmlands, returning those lands to a more natural vegetative state. Unfortunately, substantial available Federal funds are not being used under the Conservation Reserve Program and county and State land resource managers are trying to find ways to interest more farmers into taking advantage of this program. In response to a question by Mr. Vrakas, Mr. Hahn indicated that typically as many as one-half of county and local governments who are requested to formally adopt watershed-based plans do act to adopt or endorse those plans. In response to an inquiry by Mr. Holden, Mr. Evenson indicated that it may take as much as six months for the water quality management plan update to be approved by the Wisconsin Natural Resources Board and then be certified by the Governor to the Environmental Protection Agency. In response to a comment by Mr. Drew concerning the relative importance of urban stormwater runoff in contributing pollutants to the waterways as compared to the relative amount of funds being allocated to deal with the remaining pollution from point sources, such as the Milwaukee area sewerage system, Mr. Hahn agreed with Mr. Drew's assessment that we are not necessarily prioritizing the expenditure of public funds in terms of pollution abatement cost effectiveness. Mr. Evenson commented that the Federal and State regulatory requirements attendant to pollution abatement do not necessarily result in making the most cost effective improvements in achieving clean water goals.

At the end of the discussion, Mr. Buestrin called on Mr. Schmidt as Chairman of the Planning and Research Committee, to offer an appropriate motion. It was then moved by Mr. Schmidt, seconded by Mr. Dwyer, and carried unanimously to approve Resolution 2007-21 adopting the recommended regional water quality management plan (copy of Resolution 2007-21 attached to Official Minutes).

**CONSIDERATION OF ADOPTION OF REGIONAL BROADBAND TELECOMMUNICATIONS PLAN, SEWRPC PLANNING REPORT NO. 53**

Chairman Buestrin noted that the next item of business was consideration of Resolution 2007-22 relative to adoption of a regional broadband telecommunications plan. He then called upon Mr. Evenson to present a briefing on the plan to the Commission.

With the aid of a handout (copy attached to Official Minutes), Mr. Evenson then briefed the Commission on the recommendations included in SEWRPC Planning Report No. 53, *A Regional Broadband Telecommunications Plan for Southeastern Wisconsin*, copies of which had been provided to the Commissioners in advance of the meeting.

At the end of a brief discussion concerning public safety communications needs, Mr. Buestrin called on Mr. Schmidt as Chairman of the Planning and Research Committee, to offer an appropriate motion. It was then moved by Mr. Schmidt, seconded by Mr. Wirth, and carried unanimously to approve Resolution 2007-22 adopting the recommended regional broadband telecommunications plan (copy of Resolution 2007-22 attached to Official Minutes).

**CONSIDERATION OF APPROVAL OF THE 2008 OVERALL WORK PROGRAM**  
(Resolution No. 2007-23)

Chairman Buestrin asked the Commissioners to consider Resolution 2007-23 adopting the Commission Overall Work Program (OWP) for calendar year 2008. He asked Mr. Evenson to briefly comment on the program.

Mr. Evenson noted that the Planning and Research Committee, at its meeting on November 20, 2007, had reviewed and recommended approval of the 2007 Overall Work Program. He further indicated that the work program had been informally approved by the Federal and State transportation funding agencies at a meeting held on October 2, 2007. Given that approval and given the recommendations of the Planning and Research Committee on this matter, formal action by the Commission on Resolution 2007-23, would now be in order.

On a motion by Mr. Schmidt, seconded by Mr. Vrakas, and carried unanimously, Resolution 2007-23 was approved, said resolution providing for the adoption of the Overall Work Program for calendar year 2008 (copy of Resolution No. 2007-23 attached to Official Minutes).

**CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Evenson reported that he had placed on each Commissioner's desk today an item that reflects well on the Commission staff efforts in carrying out the Commission's overall work program (copy attached to Official Minutes).

**CONFIRMATION OF DATE, TIME, AND PLACE OF MARCH QUARTERLY MEETING**

Chairman Buestrin indicated that the next meeting of the Commission will be scheduled for 3:00 p.m. on Wednesday, March 5, 2008, probably at a location to be selected in Walworth County.

**ADJOURNMENT**

There being no further business to come before the Commission, on a motion by Mr. Stroik, seconded by Mr. Drew, and carried unanimously, the meeting adjourned at 4:40 p.m.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

PCE/lw  
Attachments  
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