

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

#### EXECUTIVE COMMITTEE

Thursday, April 28, 2005

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  
Allen L. Morrison  
Adelene Robinson  
Daniel S. Schmidt  
Linda J. Seemeyer  
Paul G. Vrakas  
Gustav W. Wirth, Jr.

Richard A. Hansen

Absent:

Staff:

Philip C. Evenson  
Loretta Watson

Executive Director  
Executive Secretary

#### ROLL CALL

Chairman Buestrin called the meeting to order at 2:05 p.m. Roll call was taken and a quorum declared present. Mr. Evenson noted for the record that Commissioner Hansen had asked to be excused.

#### APPROVAL OF MINUTES OF MARCH 31, 2005, MEETING

On a motion by Mr. Schmidt, seconded by Mr. Wirth, and carried unanimously, the minutes of the Executive Committee meeting held on March 31, 2005, were approved as published.

#### ADMINISTRATIVE COMMITTEE REPORT, MR. VRAKAS REPORTING

(Meeting of April 28, 2005)

Mr. Vrakas 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 2005 Nos. 7 and 8, extending over the period March 21, 2005 to April 17, 2005.
2. Reviewed the Statement of Projected Revenues and Expenditures for the financial reporting period ending April 17, 2005. With about 30 percent of the year completed, the projections indicated a year end surplus of \$472,000, a figure that is expected to decline as the year goes on.
3. Authorized the Commission staff to retain the certified public accounting firm of David L. Scrima, S.C., to conduct the audit of the Commission's calendar year 2005 operations.
4. Received a report that the Commission staff had accepted a bid from Jefferson Pilot Financial to carry the Commission's long term disability insurance program for two years.
5. Received a report that the Commission staff had sold over the eBay internet service, both the John Deere Gator and the Loadmaster Trailer that had been acquired five years ago to help meet a contractual obligation in Walworth County concerning the remonumentation of section and quarter section corners. With the completion this spring of that work program, these items were no longer required. Together this equipment had an acquisition cost of \$9,837. With the addition of \$152 in listing costs on eBay, the Commission had a total investment of \$9,989. The collective selling price of the two items was \$7,575, leaving the Commission with a net five-year cost of \$2,414.

There being no questions or comments, on a motion by Mr. Morrison, seconded by Mr. Drew, 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 four contracts reported on the table. He noted in particular that two of the contracts involved Walworth County, one to provide county surveyor services during 2005, and the other involving Walworth County's financial support of the regional water supply planning program. With this latter contract, he continued, all seven counties have now executed contracts committing funds for the study. The remaining two contracts are paired and involve a major new initiative in Washington County to obtain digital terrain models and digital elevation mapping.

A brief discussion concerning the Commission-sponsored 2005 orthophotography program then ensued. In response to an inquiry by Mr. Wirth, Mr. Evenson indicated that in the case of both Milwaukee and Ozaukee Counties, local mapping efforts dictated a low altitude flight that will yield 6" pixel orthophotography. The remaining counties in the Region were flown at a higher altitude and will have a regional orthophotography product that consists of 12" pixels. Nevertheless, Mr. Evenson indicated that it was his understanding that Ozaukee County desires to pay a modest extra fee to create a 6" pixel product through a re-sampling procedure from the high altitude photography. Mr. Evenson indicated that all of the photography had been completed and production work would begin shortly.

There being no further questions or comments, on a motion by Mr. Schmidt, seconded by Mr. Drew, 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 eleven project applications were provided to the Committee members with the agenda for the meeting. There were no conflicts, he said, between any of the projects and the adopted regional plans.

On a motion by Mr. Drew, seconded by Ms. Robinson, and carried unanimously, the following eleven applications were recommended to the grantor agencies for approval as being in conformance, or not in conflict, with adopted regional plans: one community action program (CAP-2135); and ten conservation programs (CONSER-921 through CONSER-930) (copy of table attached to Official Minutes).

## **CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH CHICAGO RTA**

Mr. Evenson asked that the matter of executing a Memorandum of Understanding with the Chicago Regional Transportation Authority concerning coordination of transportation planning across the Wisconsin-Illinois State Line be laid over once again, since the Wisconsin Department of Transportation desires to be a party to the Memorandum of Understanding. The final draft of the Memorandum of Understanding is now under consideration by legal counsel for the Department. Mr. Evenson indicated that he would bring this matter back to the Executive Committee just as soon as all parties concerned have reviewed the draft document.

## **CONSIDERATION OF AMENDMENTS TO 2005-2007 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM**

Mr. Evenson noted that the Committee members had been provided in advance of the meeting a copy of Resolution 2005-05 and a series of tables that seek to amend the 2005-2007 Regional Transportation Improvement Program. Encompassed within the proposal, he said, are 18 amendments, all of which involve highway projects under the jurisdiction of the Wisconsin Department of Transportation. Going through the exhibits, Mr. Evenson called attention to the fact that projects B, C, D, E, F, G, H, I, L, M, N, O, P, and R represent proposed street and highway rehabilitation or reconstruction projects that are to be added to the regional program. Projects A, J, K, and Q represent revisions to projects already in the program, such revisions reflecting changes in scope and costs. None of the new projects, he said, involve street or highway widenings or new arterial street facilities. The projects are consistent with the adopted regional transportation plan; moreover, the projects have been approved by the Commission's advisory committees governing these matters by a postcard ballot.

After a brief discussion, it was moved by Mr. Morrison, seconded by Mr. Schmidt, and carried unanimously, to adopt Resolution 2005-05 (copy attached to Official Minutes).

## **CONSIDERATION OF SPONSORSHIP OF APPLICATIONS FOR CMAQ FUNDING ON BEHALF OF BICYCLE FEDERATION OF WISCONSIN AND WISCONSIN WALKS**

Mr. Evenson reported that the Commission staff had been approached by leaders from two non-profit organizations – The Bicycle Federation of Wisconsin and Wisconsin Walks – with requests that the Commission serve as the public sponsor for grant applications being submitted by these two organizations. Both grant applicants seek Federal Congestion Mitigation Air Quality (CMAQ) grant

funds. In discussing these requests with representatives of the concerned organizations, they made the point that in many metropolitan areas of the nation the federally recognized metropolitan planning organization (MPO) itself took on substantial responsibilities for projects designed to promote alternative forms of transportation to the automobile, and in particular, walking and bicycling. Mr. Evenson noted that many MPO's across the nation are not exclusively planning agencies like SEWRPC, but rather are councils of government which do tend to take on operational responsibilities of various types. The activities proposed to be undertaken with the aid of CMAQ grants in both cases are consistent with the Commission's regional transportation plan, involving promotional efforts that include the development of marketing materials and websites as well as strengthened educational and enforcement efforts. In both cases the organizations are not seeking SEWRPC local match funding. The law requires that the projects be sponsored by a public agency. The Commission is such a public agency and represents a logical organization to sponsor these initiatives which would be conducted over the six southeastern Wisconsin counties that are eligible for CMAQ funded projects. In both cases, Mr. Evenson continued, the Commission staff is familiar with the individuals and organizations concerned and is very comfortable in recommending to the Commission that SEWRPC serve as the public sponsor for these efforts. The Commission would be responsible for oversight and disbursement of all funds. Should the projects be successful in the competitive CMAQ process, contractual arrangements would be put in place between the Commission and these two organizations.

A discussion then ensued relative to these two proposals and, in particular, to any liability that the Commission may have in serving as a public sponsor for these non-profit agencies. In response to a specific inquiry by Mr. Wirth, Mr. Evenson indicated that the Commission would be responsible for ensuring that the Federal funds are properly spent in accordance with any approved grant proposals; hence, the Commission could be liable for repayment of misspent Federal funds. Consequently, Mr. Evenson continued, there would be a need for the Commission staff to closely monitor work progress and expenditure activities. Ms. Robinson, Ms. Seemeyer, and Mr. Vrakas all indicated that there would be a substantial administrative burden that would have to be properly met and that, accordingly, the Commission would be entitled to at least partial reimbursement of funds expended in carrying out its administrative duties. Mr. Evenson noted that these matters would have to be dealt with in any contract negotiations with the two agencies should one or both of the applicants be funded.

Following that discussion, it was moved by Mr. Wirth, seconded by Mr. Schmidt, and carried unanimously, to authorize the Executive Director to apply for CMAQ funding on behalf of The Bicycle Federation of Wisconsin and Wisconsin Walks subject to Commission approval of contracts with these two non-profit agencies consistent with the foregoing discussion should the applicants be successful in securing Federal funds.

#### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Evenson noted for the record that by letter dated March 31, 2005, the Commission had received the final report of the U.S. Department of Transportation relative to the 2004 Metropolitan Planning Certification Review of the Metropolitan Planning Process in the Milwaukee, Wisconsin Transportation Management Area (TMA). As previously reported, the Commission's transportation planning process was found to be fully compliant with all Federal laws, and no corrective actions were noted in the report.

Mr. Evenson reported that by letter dated April 4, 2005, Gathering Waters Conservancy, a Statewide land conservancy organization that serves many local land conservancy organizations in the State, on behalf of itself and a number of other conservancy organizations and groups in the Upper Milwaukee River Watershed, formally asked that the Commission consider a work effort in the relatively near future to update SEWRPC Planning Report No. 42, *A Regional Natural Areas and Critical Species Habitat*

*Protection and Management Plan for Southeastern Wisconsin.* That report, issued in 1997, has proven to be very useful and helpful not only to the State Department of Natural Resources and county and local governments, but also to a growing number of private sector land conservation organizations focusing on preserving and protecting environmentally significant lands. Mr. Evenson indicated that he had discussed this request with Dr. Donald M. Reed, the Commission's Chief Biologist, and that Dr. Reed concurred in the intent of the request, noting that it would be useful to many parties to update the plan, including the plan implementation responsibilities assigned to various agencies and organizations. The best time to begin such an updating effort would be this fall when field work activities somewhat diminish. Mr. Evenson noted that such an effort should be guided by a reconstituted advisory committee for this purpose. The Committee indicated concurrence with this course of action.

Mr. Evenson announced that the Commission's Deputy Director, Mr. Kenneth R. Yunker, was scheduled to be a featured speaker on May 11, 2005, at a conference sponsored by Keep Greater Milwaukee Beautiful, Inc. Mr. Yunker has been paired with Mr. Rocky Marcoux, the Commissioner of the Milwaukee Department of City Development. Together, Messrs. Yunker and Marcoux will address broad issues relating to sustainable development. The program will be held at the Marquette University Alumni Memorial Union.

Ms. Seemeyer inquired as to the reaction to the water supply forum held the prior day by the Milwaukee-based Public Policy Forum in cooperation with the Waukesha Chamber of Commerce. In response, Mr. Evenson indicated that he and Chairman Buestrin had attended the luncheon session of the event, with Mr. Robert P. Biebel of the Commission staff participating in the entire event including briefing the attendees at the luncheon on the Commission's recently undertaken regional water supply planning program. The event, he said, was well attended by about 150 individuals. There is substantial growing interest in ensuring that there be a sustainable water supply in place for those communities in the Region that must rely on groundwater. Dr. Douglas S. Cherkauer, a University of Wisconsin-Milwaukee-based scientist, suggested that increased attention be given to replenishing the supply of the shallow aquifer by injecting into that aquifer treated sewage treatment plant effluent. This is an alternative which will need to be evaluated in the Commission's planning effort, along with greater efforts to infiltrate stormwater runoff into that aquifer. Mr. Evenson indicated that he would keep the Commission apprised of developments as the regional water supply program moved forward over the next two years.

## **ADJOURNMENT**

There being no further business to come before the Committee, the meeting adjourned at 2:45 p.m., on a motion by Mr. Drew, seconded by Mr. Wirth, and carried unanimously.

Respectfully submitted,

Philip C. Evenson  
Deputy Secretary

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Attachments