

SUMMARY OF PROCEEDINGS

East Central Wisconsin Regional Planning Commission
Waushara County World War II Museum, Wautoma
July 27, 2007

The meeting of the East Central Wisconsin Regional Planning Commission was called to order by Chair Merlin Gentz at 10:10 A. M.

- I. **PLEDGE OF ALLEGIANCE**
- II. **MOMENT OF SILENT MEDITATION**
- III. **ROLL CALL**

Roll call was taken showing the following attendance:

Commission Members Present

Merlin Gentz	Calumet County
Patrick Laughrin	Calumet County
Brian Kowalkowski	Menominee County
Ruth Winter	Menominee County
Robert "Toby" Paltzer	Outagamie County
Clifford Sanderfoot	Outagamie County
Bruce Roskom (Alt. for Tim Hanna)	Outagamie County
Marshal Giese	Shawano County
Ken Capelle	Shawano County
M. Eugene Zeuske	Shawano County
Dick Koeppen	Waupaca County
Duane Brown	Waupaca County
Norman Weiss	Waushara County
Neal Strehlow	Waushara County
Mark Harris	Winnebago County
David Albrecht	Winnebago County
Ernie Bellin	Winnebago County
Jim Erdman	Winnebago County
Ken Robl	Winnebago County

Commission Members Excused

Helen Nagler	Outagamie County
Yvonne Feavel	Waushara County
Richard Wollangk (Alt. for Frank Tower)	Winnebago County

Commission Members Absent

Clarence Wolf	Calumet County
Elizabeth Moses	Menominee County
Don Grissman	Outagamie County
Bob Lamers	Outagamie County
Brian Smith.....	Waupaca County
Robert Danielson	Waupaca County

Staff Members Present

Eric Fowle	Executive Director
Walt Raith	Assistant Director

Kathy Thunes	Associate Planner
Jason Kakatsch	Associate Planner
Christine Kaup	Associate Planner
Kara Homan	Planner
Vicky Johnson	Administrative Coordinator

Chair Gentz noted that there were eighteen Commissioners present and one alternate, nineteen or 2/3 is necessary to vote on the budget. (Alternates are unable to vote on the budget.) The budget item will be moved to later in the agenda to accommodate a possible late arrival.

Chair Gentz welcomed Bruce Roskom, alternate for Mr. Hanna. He also welcomed Jim Erdman, new Commissioner from Winnebago County and noted there is also a new Commissioner for Menominee County, Elizabeth Moses, who is not present.

IV. APPROVAL OF AGENDA

Mr. Paltzer moved to approve the agenda, seconded by Mr. Bellin. Motion passed with 19 ayes, 0 nays.

V. MINUTES OF THE APRIL 27, 2007 QUARTERLY/ANNUAL MEETINGS

Mr. Sanderfoot moved to approve the summary of proceedings from the April 27th Quarterly and Annual meetings, seconded by Mr. Weiss. Motion passed with 19 ayes, 0 nays.

VI. ANNOUNCEMENTS AND REPORTS

A. Introduction of new staff, Kara Homan

Mr. Fowle introduced new staff person, Kara Homan and noted that she will be working with demographics and assisting with local contracts. Ms. Homan briefly informed the Commissioners of her background/accomplishments.

Mr. Fowle announced that Kathy Thunes has been promoted to Principal Planner.

Mr. Fowle introduced Sue Richardson from Community Garden Partnership.

B. Commissioner / Commission Announcements (see articles in packet)

Mr. Fowle briefly reviewed with the Commissioners some of the articles in the packet.

VII. BUSINESS

A. Steering Committee

1. Acceptance of the Summaries of Proceedings for the April 26, June 21 and July 19, 2007 Meetings.

Mr. Sanderfoot moved to approve the summary of proceedings from the April 26, the June 21 and the July 19 meetings, seconded by Mr. Koeppen. Motion passed with 19 ayes, 0 nays.

2. 2nd Quarter, 2007 Financial Report

Mr. Fowle stated that he has been working with the Financial Specialist, Ms. Cottrell, to revise the format of the budget and financial information to mirror the format of the

audit. He referred to the income statement for the period ending 06-30-07 and noted that this statement shows the year to date expenditures with comparison to the revised proposed annual budget. Mr. Fowle pointed out that at this period in the year, expenditures and revenues should be at about 50% and there are notes on some of the columns if they do not. In conclusion he stated that the Commission's proposed amended budget is in satisfactory shape.

Mr. Sanderfoot moved to approve the financial statement, seconded by Mr. Paltzer. Motion passed with 19 ayes, 0 nays.

3. **Proposed Resolution No. 11-07: Amending the 2007 Budget for the East Central Wisconsin Regional Planning Commission**

Chair Gentz noted Proposed Resolution No. 11-07 needs two-thirds present to be voted upon, therefore this item was skipped.

4. **Proposed Resolution No. 12-07: Electing to Change the Commission's Enrollment Status in the Wisconsin Public Employers Group Health Insurance Program from "Traditional HMO with Classic Standard Plan" to "Deductible HMO with Deductible Standard Plan"**

Mr. Fowle explained that Proposed Resolution No. 12-07 states that the Commission is electing to change its enrollment in the health insurance program with the State. He noted that this issue has been discussed by the Steering Committee a number of times in accordance with the budget due to increasing health insurance rates over the past five years. The Commission has had the current plan since joining this program a number of years ago. An option that is available is to move to a deductible based plan that according to information and current rates will save about 9 to 10 percent on the Commission's costs of premiums. Mr. Fowle stated that in order to make this change, the Commission needs to approve a resolution changing that program and has to have it submitted to ETF by October 1st. Staff will be responsible for paying a \$500 deductible for an individual plan and \$1,000 for a family plan, but their coverage will stay the same.

Mr. Fowle noted that he did look into changing insurance providers. A private sector agency would have higher rates and retired employees, particularly former Executive Director, Mr. Theine's wife, would be left without any insurance or the ability to obtain insurance.

Mr. Sanderfoot moved for acceptance of Proposed Resolution No. 12-07, seconded by Mr. Koeppen. Motion passed with 19 ayes, 0 nays.

5. **Approval of Final Lease Document for Gilbert Mill Development Co., LLC**

Mr. Fowle stated that a new version of the lease agreement was handed out prior to the meeting. The lease still needs the approval of both the attorneys. He noted that the resolution from 2006 was included in the packet as a reminder that when the Commission was looking at locating in the boilerhouse, the Commissioners approved a lease contingent on addressing adequately the thirty-two points brought up by the attorney, Chris Dodge from Boardman Law Firm.

The Menasha City Council recently approved the developer's agreement with Randy Stadtmueller for the construction of a new building on the same site as the boilerhouse and approved a developer's financed TIF District that will assist in funding the project. Mr. Fowle noted that although the City did not received the brownfield grant from the

Department of Commerce, the developer's agreement was written in a manner that the City will reapply for those funds in 2008 and if awarded the funds would go back into the financing package with the developer.

Mr. Fowle indicated that the Commission had previously approved the basic lease with the caveat of addressing the points of concern. Also approved at that time was a revised letter of intent updating the lease for a new building structure with a landlord name change. Mr. Fowle noted that to move the project forward in the terms of Mr. Stadtmueller's financing, a final lease must be approved. He stated that the majority of the points of concern have been addressed to the attorney's satisfaction and that there were only a couple of areas that still needed to be clarified. Mr. Fowle indicated that the lease in front of the Commissioners came directly from the Commission's attorney with the attorney's deletions and additions to the language. The document has been forwarded to Mr. Stadtmueller and to his attorney for review. Mr. Fowle stated that the Commission's attorney has requested a copy of the title insurance for the property before his final approval.

Mr. Fowle requested that the lease be approved contingent on the title insurance being received within the next thirty days and also on the contingencies that concur with both attorneys on the modifications.

Chair Gentz stated that the Steering Committee voted unanimously to bring forth the lease with the contingencies to the full Commission for approval.

Mr. Sanderfoot moved for approval of the final lease agreement contingent upon the satisfaction of the conditions requested by the Commission's attorney, seconded by Mr. Weiss.

Mr. Fowle noted that upon approval of the contingencies of the final lease, an earnest payment of \$10,000 would be made to Mr. Stadtmueller. That payment will be credited back in terms of rent when occupancy occurs.

Motion passed with 19 ayes, 0 nays.

6. Proposed Resolution No. 13-07: **Adoption of the 2008 Budget and Tax Levy for the East Central Wisconsin Regional Planning Commission**

Chair Gentz noted Proposed Resolution No. 13-07 needs two-thirds present to be voted upon, therefore this item was skipped.

B. Economic Development Committee

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the July 11, 2007 meeting.

Mr. Kowalkowski stated the Chairman's Report and the Summary of Proceedings are included in the packet, and moved for approval. Seconded by Mr. Zeuske, the motion passed with 19 ayes, 0 nays.

3. Proposed Resolution No. 10-07: **In Support of the Community Garden Partnership, A Program of Goodwill Industries of North Central Wisconsin, Inc., and their Promotion of Diversity, Collaboration, Leadership Development, Healthy Lifestyles, Self-Sufficiency and Sustainability Through the Development, Management and Support of Affordable Garden Rental Sites.**

Ms. Kaup introduced Sue Richardson, Coordinator of the Community Garden Partnership. Ms. Richardson explained to the Commissioners what community gardens are and the economic and environmental advantages of the program.

Chair Gentz explained that Proposed Resolution No. 10-07 states that the Commission supports the efforts of the Community Garden Partnership.

Mr. Kowalkowski moved for adoption of proposed resolution No. 10-07, seconded by Mr. Paltzer. Motion passed with 19 ayes, 0 nays.

4. Proposed Resolution No. 14-07: **Opposing the 2007-2009 Biennial Budget Senate Amendment which Limits the Ability of Local Wineries to Sell Products Directly to Retailers.**

Mr. Fowle stated that this item came through the Economic Development Committee, but was not on their agenda because of the timing. Therefore, it was recommended by the Committee to be put on the full Commission agenda for consideration. He noted that through media coverage the Commission was made aware of a proposed budget amendment by the Senate that essentially would inhibit the ability of small scale wineries in the State to sell directly to retailers and would force them to go through the wholesale process.

Mr. Fowle noted although, there is only one winery in the region, (Kerrigan Brothers, Outagamie County) that would be affected, he is looking at viticulture as a future prospective for economic development. The Niagara Escarpment in Calumet County with its geological features and landscape make it suitable for growing grapes. He stated that the basis for this resolution is how this bill can affect an industry and the ability of the region ultimately to look at alternative forms of agriculture, and alternative forms of economic development.

Recently, the Commission was involved in an application for a federal designated American Viticultural Area (AVA) that has been submitted to the federal government. The AVA designation is essentially a stamp of quality. Calumet County Board approved a resolution at their last meeting supporting that application. A student from Lawrence University is working on an internship through East Central that is focusing on Calumet County and will be creating a GIS mapping suitability project for growing grapes. There have been several landowners interested in starting grape growing businesses. Currently there are about 100 acres in production across the escarpment corridor and this is expected to double to 200 acres this year and to continue growing beyond that. This is a project that other counties can look at for the suitability of growing grapes.

Mr. Fowle noted that this resolution is fairly generalized and per his conversation with State program staff this morning, it is not too late to have input. The senate assembly just convened yesterday and will be together the next couple of days to look at this bill. He indicated that if the Commission chooses to take a position on this, the resolution will be forwarded to the appropriate people as soon as possible.

Mr. Fowle noted that at the Economic Development Committee, Helen Nagler a member of the Committee, had some level of concern on whether it was appropriate for the Commission to address an item like this, simply because of the fact that many of the counties spend significant dollars annually dealing with social problems including alcoholism. He reiterated that the Commission is strictly focusing on the economic development advantages and agricultural preservation standpoint.

A brief discussion followed regarding what the economic impact would be and why this bill was being introduced at this time.

Mr. Bellin moved to adopt Proposed Resolution No. 14-07, seconded by Mr. Paltzer.

Mr. Kowalkowski stated that due to the fact the materials were handed out prior to the meeting, and he did not have time to review them, he would oppose adoption of the resolution. Mr. Fowle stated that he had searched the web for hours in an attempt to obtain the details on this bill, and was finally able to find a knowledgeable person prior to leaving for the meeting this morning.

Motioned passed with 18 ayes, and one nay (Mr. Kowalkowski).

C. Open Space and Environmental Management Committee

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the July 10, 2007 meeting.

Mr. Paltzer stated that the Chairman's Report and the Summary of Proceedings were included in the packet, and moved for their acceptance. Mr. Sanderfoot seconded the motion. Motion passed with 19 ayes, 0 nays.

3. Proposed Resolution No. 15-07: **In Support of the Great Lakes Restoration Coalition's Position Statements as a Framework for the Future Great Lakes Water Quality Agreement (GLWQA) Revisions.**

Mr. Fowle stated that this item came before the Open Space and Environmental Management Committee, but was not on their agenda; therefore the only action taken was the recommendation to present this resolution to the full Commission for consideration.

Mr. Fowle noted that this resolution supports in some fairly generalized statements the Great Lakes Restoration Coalition – a group of entities that had convened to try and develop a framework for the eventual formal review and revision of the Great Lakes Water Quality agreement. Approximately 95 percent of the region falls within the drainage basin of the Great Lakes and the Coalition will be dealing with a lot of issues that could affect the region as they look at the international agreement between Canada and the U.S. He indicated that the document that was handed out prior to the meeting provides generalized statements as to how the group would recommend that the formal entities reviewing the agreement would look at the concepts.

The general concern among Committee members was the lack of time to digest the proposal from a local perspective. To a local community or municipality, and to an extent a County, the proposal may appear to be rather open ended making it difficult to endorse given the unknown result. Mr. Fowle also noted it does not commit the Commission to the ultimate revisions and what is being proposed today. Upon

approval and given the proper support, Mr. Fowle felt the review process would ultimately be more focused and expeditious.

Mr. Weiss moved for approval of Proposed Resolution No. 15-07, seconded by Mr. Laughrin.

A brief discussion followed regarding government restrictions, water rights and protection of fresh water lakes. Mr. Brown noted that the comment deadline was July 10, which has passed. Mr. Fowle stated that any support provided even at this point in time would be effective.

Motion passed with 18 ayes and one nay (Mr. Erdman).

D. Community Facilities Committee

1. Chairman's Report.
2. Acceptance of the Summaries of Proceedings for the April 27, May 16 and July 17, 2007 meetings.

Mr. Sanderfoot moved to approve the Chairman's Report and the Summaries of Proceedings from the Community Facilities Committee, seconded by M. Bellin. Motion passed unanimously.

Mr. Fowle stated that he recommended that the approval of the July 17th Summary of Proceedings of the Community Facilities Committee be removed from Mr. Sanderfoot's motion specifically due to the fact that there is a controversial issue under the sewer service area amendment that may come back to the full Commission under appeal and that the Community Facilities Committee has not yet reviewed the draft summary of proceedings.

Mr. Sanderfoot revised his motion to exclude the July 17th Summary of Proceedings, seconded by Mr. Bellin. Motion passed with 19 ayes, 0 nays.

E. Transportation Committee

1. Chairman's Report.
2. Acceptance of the Summary of Proceedings for the April 27 and July 10, 2007 meetings.

Mr. Strehlow moved for acceptance of the Chairman's Report and the Summary of Proceedings of the Transportation Committee, seconded by Mr. Albrecht. Motion passed with 19 ayes, 0 nays.

3. Update on Regional Transportation Authority (RTA) Enabling Legislation – Jason Kakatsch

Mr. Kakatsch updated the Commissioners on the new developments regarding the RTA enabling legislation. He noted that there has been a lot of discussion in the Madison, Dane County area as well as the Milwaukee metro area on the abilities of the RTA enabling legislation. It is causing a lot of confusion in other areas of the State. The Madison and Milwaukee areas are trying to skew the proposal to make it more beneficial to them. The City of Madison supports having RTA legislation for the bus transportation, the county wants to use it for light commuter rail, but there were

discussions between the Mayor and Dane County Executive on how they would utilize funds cooperatively. Mr. Kakatsch noted that those entities actually have gotten a few steps ahead by trying to define how an RTA may operate, although statewide enabling legislation does not exist. Most of the work and discussions will need to occur after statewide enabling legislation is in place.

Mr. Kakatsch stated that the Commission did support the Wisconsin Alliance of Cities statewide RTA enabling proposal through a resolution at the April Commission meeting. This proposal would give a county, town, village or city the ability to propose a local sales tax to generate money for public transportation. The Wisconsin Alliance of Cities had its annual meeting in Ashland, in which Mr. Hanna attended. Mayor Hanna reported that the leadership of the Wisconsin Alliance of Cities is anticipating bipartisan sponsorship from the Assembly and Senate in the near future and that they also plan to release a statement acknowledging that political battles in the Madison and Milwaukee areas are negatively impacting RTA opportunities across the State. Mr. Kakatsch also explained that one unit of government would be classified as a transit authority, while multiple units of government could form a regional transit authority. He noted that since this proposal is constantly changing the Commission may want to support the concept not necessarily the proposal. Mr. Kakatsch noted that he would keep the Commission posted at future meetings with new information.

Mr. Kakatsch noted that there is a Senate Bill and a House Bill at the federal level that would make urbanized areas with 200,000 or more people that utilize 100 operating vehicles or less exempt from loss of federal operating funds. Senator Feingold, who is a co-sponsor of the Senate bill, and Senator Kohl have replied to a letter written by Mr. Kakatsch indicating their support for the bill and that the proposal has been sent to the Committee on Banking, Housing and Urban Affairs. Mr. Kakatsch also noted that has received a letter of support from Congressman Steve Kagen regarding the House Bill.

Mr. Kakatsch stated that he did have a discussion with Valley Transit and that the loss of those federal funds may be sooner than anticipated because the state is in the process of changing funding formulas.

A discussion ensued regarding the financial impacts on Valley Transit and Outagamie County's concerns regarding an authority imposing a sales tax on its citizens.

F. Regional Comprehensive Planning Committee

1. Chairman's Report.

Mr. Weiss moved to approve the Chairman's Report, seconded by Mr. Harris. Motion passed with 19 ayes, 0 nays.

VIII. **OTHER BUSINESS**

A. 2007/2008 Mini-Conference Planning

Mr. Fowle indicated that staff will be meeting with the UW-Extension Agents in August to select topics for the upcoming mini-conferences. He stated that this year the staff was going to take advantage of some of the expertise of Valley Home Builders Association. They have been out in the public making statements that pretty much mirror some of the concerns that are indicated in the regional comprehensive plan relating to issues on sprawl, housing density, and transit. Mr. Fowle noted that he hopes to partner with Valley Home

Builders Association on a series of mini-conferences for the next year that address issues of mutual concern.

Mr. Fowle stated that another change regarding mini-conferences, is that when the new office is complete, the new conference room should have the ability to accommodate up to 75 people, so mostly likely the mini-conferences will be held there.

Mr. Fowle informed the Commissioners that recently the Commission received communication stating that the A-95 Clearinghouse Review process, which the Commission has been a part of for many years, no longer exists. Mr. Fowle stated that no one from the DOA Office contacted him that this change was being discussed at the State level.

Mr. Fowle noted that the Calumet County Planning and Zoning Committee will have an item on their agenda for next week's meeting regarding their membership with the Commission.

A brief discussion followed regarding Valley Home Builders Association potential involvement in the upcoming mini-conferences and the Valley Home Builders Association issues with planning agencies and various entities.

IX. ESTABLISH TIME AND PLACE FOR NEXT COMMISSION MEETING

Chair Gentz stated that a special Commission meeting will have to be held in order to adopt the Commission's amended 2007 budget and the 2008 budget as a quorum was not present. Possible dates for a special meeting were discussed. It was decided that Mr. Fowle and Chair Gentz would select several dates and times and forward them to the Commissioners to choose a date when the majority could attend. A suggestion was made to change the by-laws at the April Meeting to alleviate the issue of two-thirds vote on the budget by changing the by-laws to read majority of present.

Quarterly Commission Meeting, 1:15 P.M., Friday, October 26, 2007 at La Sure's, Oshkosh.

X. ADJOURNMENT

Chair Gentz motioned for adjournment, seconded by Mr. Bellin. Meeting adjourned at 11:32 A.M.