



MEETING NOTICE
QUARTERLY COMMISSION MEETING
East Central Wisconsin Regional Planning Commission

Date: Wednesday, January 24, 2024
Time: 10:00 a.m.
Place: Virtual

1. **Call to Order** – Chair Nooyen called the meeting to order with the time noted at 10:00 a.m.

2. **Roll Call**

A. Introduction of Alternates and Guests – Round Robin introductions were completed with Chair Nooyen welcoming Denise Gilane of Menominee County, who was recently appointed to the East Central WI Regional Planning Commission following the resignation of Jane Comstock.

Commission Members Present:

Alice Connors	Calumet County
Nick Kesler.....	Calumet County
David DeTroye (Alt. for Tom Reinl)	Calumet County
Ronald McDonald	Ex-Officio Member
Scott Nelson	Ex-Officio Member
Steve Abel	Fond du Lac County
Brenda Schneider	Fond du Lac County
Joe Moore (Alt. for Keith Heisler)	Fond du Lac County
Jeremy Johnson (Alt. for Elizabeth Moses)	Menominee County
Eugene Caldwell.....	Menominee County
Denise Gilane	Menominee County
Kevin Englebert (Alt. for Thomas Nelson)	Outagamie County
Nadine Miller.....	Outagamie County
Lee Hammen	Outagamie County
Jeff Nooyen.....	Outagamie County
Ken Capelle	Shawano County
Tom Kautza	Shawano County
Aaron Jenson (Alt. for Brian Smith).....	Waupaca County
Dick Koeppen	Waupaca County
DuWayne Federwitz	Waupaca County
Cary Rowe for Jerry Bougie (Alt. for Jon Doemel)	Winnebago County
David Albrecht (Alt. for Tom Egan).....	Winnebago County
Robert Keller.....	Winnebago County
Robert Schmeichel	Winnebago County

Commission Members Excused:

Sam Kaufman	Fond du Lac County
Jake Woodford.....	Outagamie County
Steve Gueths	Shawano County
Mark Rohloff (Alt for Matt Mugerauer).....	Winnebago County

ECWRPC Staff:

Melissa Kraemer Badtke	Executive Director
Craig Moser	Deputy Director
Sara Otting.....	Controller
Joe Stephenson.....	Senior Planner
Kim Biedermann	Principal Planner
Colin Kafka	Associate Planner
Abby Mader	Associate Planner
Chris Colla	Associate Planner
Brice Richardson	Associate Planner

Mike ZuegeGIS Manager
Casey Peters GIS Analyst 1
Leann Buboltz..... Administrative Coordinator

Guests:

Mary Forlenza.....FHWA
Bill Wheeler..... FTA
Matthew Schreiber..... WisDOT

- 3. **Public Comment** – There was no one in attendance for public comment.
- 4. **Approval of Agenda / Motion to Deviate** - A motion was made by Mr. Schmeichel and second by Mr. Hammen to approve of the agenda as presented. Motion carried unanimously.
- 5. **Approval of the Minutes** of the October 27, 2023 Quarterly Commission Meeting. A motion was made by Mr. Keller and second by Mr. Englebert to approve of the minutes as presented. Motion carried.

6. Announcements and Reports

A. Director’s Report – Ms. Kraemer-Badtke shared with the members highlights from the following areas; *list not all inclusive*.

1. **Staffing Updates:**

New hire - East Central recently hired Joe Stephenson as the new Senior Planner for the Water Quality Management Program. Joe recently was the Director of Planning and Community Development with the City of Kaukauna. Prior to working with the City of Kaukauna, Joe worked at the City of Menasha as a Principal Planner in the Community Development Department.

2. **EDA 3-year Planning Partnership Grant:** Ms. Kraemer Badtke shared that the **EDA 3-year Planning Partnership** Grant Award will be modified to a multi-year award with a 3-year period of performance. She noted that previously, the full three years of funding (\$210,000) was obligated up front from the fiscal year appropriation in which the award was made. With a multi-year award, the funding is obligated one year at a time. East Central will be initially awarded \$70,000 for year one of your three-year planning award. Their goal, pending Congressional budgeting approvals, is to obligate the remaining \$140,000 for years two and three at a future date.

3. **Appleton (Fox Cities) MPO Certification Review:** ECWRPC Staff met with FHWA, FTA and WisDOT in December and again earlier this week to discuss the results of the certification review. Ms. Kraemer Badtke noted that there will be a corrective action regarding the policy board structure along with the Congestion Management Process, the Transportation Improvement Program, and the Metropolitan Transportation Plan. Staff will keep the Commission apprised of the progress.

4. **Sewer Service Area Plans:** It was shared that East Central staff will start the updating process to the Village of Sherwood SSA Plan in 2024. It was shared that once the Village of Sherwood hires an administrator, staff will begin the updating process of the SSA Plan.

B. **SERDI Board Assessment – Survey.** Mr. Craig Moser, Deputy Director shared with the members that East Central staff has been working with Jim Youngquist from SERDI on the board assessment for the Commission. He noted that the assessment will consist of a survey, one-on-one meetings, and focus group discussions. This information will be gathered and then shared with the Commission Board. Mr. Moser reported that this Survey will be sent out to the Commission Board in February.

7. Special Order of Business

A. Appleton (Fox Cities) Metropolitan Planning Organization Certification Review – Ms. Mary Forlenza, Federal Highway Administration (FHWA) and Mr. William Wheeler, Federal Transit

Administration (FTA) presented to the Commissioners the findings and status of the Certification Review. Mr. Wheeler shared that action is needed to correct various procedures within the organization. Ms. Forlenza complimented staff proactive response and shared that they are actively working on redesignation. She noted that they would meet on a quarterly and be available to offer technical assistance. The deadline is September 3, 2024 for East Central to submit a progress report to FHWA/FTA with deadlines for completion of various deliverables.

8. Business

A. Executive Committee –

1. Approval of the minutes for the October 27, 2023 and November 29, 2023. A motion was made by Mr. Kautza and second by Mr. Koeppen to approve of the minutes for the October 27, 2023 and November 29, 2023 as presented. Motion carried unanimously.
2. 4th Quarter – 2023 Financial report presented by Sara Otting-Controller. An overview was given to the members of the 2023 Financial Report for the Fourth Quarter. A motion was made by Mr. Federwitz and a second by Ms. Miller to receive and to place on file the 4th Quarter – 2023 Financial Report. Motion carried unanimously.
3. 4th Quarter, 2023 Work Program Performance Report. Ms. Otting gave an overview of the 2023 Work Program Performance Report. Amongst other items, she noted that the accounts are all on track. A motion was made by Mr. Schmeichel and a second by Mr. DeTroye to receive and to place on file the 4th Quarter, 2023 Work Program Performance Report. Motion carried unanimously.
4. Resolution 57-23 Adopting the 2024 Cost Allocation Plan, Indirect Cost Rate, and Certificate of Lobbying for the East Central Wisconsin Regional Planning Commission. Ms. Sara Otting gave a brief overview of the Indirect Cost and how it relates to securing the fixed rate. She noted that the audit for 2022 was used to calculate an adjustment to the rate that will be effective for 2024. The Cost Allocation Plan, the Indirect Cost Proposal, and the Certificate of Lobbying acknowledges that the methodology used to determine East Central's costs are following federal requirements and standards regarding lobbying costs.

A motion was made by Mr. Abel and a second from Ms. Miller to approve of Resolution 57-23 Adopting the 2024 Cost Allocation Plan, Indirect Cost Rate, and Certificate of Lobbying for the East Central Wisconsin Regional Planning Commission. Motion carried unanimously.

5. Resolution 01-24 Adopting the Final 2024 Work Program and Budget for East Central Wisconsin Regional Planning Commission. Ms. Kraemer Badtke gave a brief over of the 2024 Work Program and Budget. She highlighted areas of the Staffing Plan as well as the Transportation, Economic Development, Sewer Service Area Programs. Ms. Kraemer Badtke also shared that two local contracts (Open Space Recreation Plan for the Town of Buchanan and the City of Shawano Open Space Recreation Plan) along with the Broadband Mapping contract extension with New North are included. (The Work Program and Budget can be reviewed at the following link: <https://www.ecwrpc.org/wp-content/uploads/2024/01/Draft-2024-Work-Program-and-Budget.pdf>).

A motion was made by Mr. Johnson and a second from Mr. Kesler to approve Resolution 01-24 Adopting the Final 2024 Work Program and Budget for East Central Wisconsin Regional Planning Commission. Motion carried unanimously.

6. Resolution 06-24 Adopting the Comprehensive Safety Action Plan for the Appleton (Fox Cities) and Oshkosh Metropolitan Planning Organizations. Mr. Colin Kafka reported to the members that East Central staff has been working with local municipalities and counties regarding the Plan. He highlighted that the completion of this Plan is required prior to applying for safer streets for all grants.

A motion was made by Mr. Kautza and a second from Ms. Miller to approve of Resolution 06-24 Adopting the Comprehensive Safety Action Plan for the Appleton (Fox Cities) and Oshkosh Metropolitan Planning Organizations. Motion carried unanimously.

Ms. Kraemer Badtke acknowledged staff, Colin Kafka and Casey Peters for a job well done on the Plan.

(The Comprehensive Safety Action Plan (CSAP) can be reviewed at the following link: <https://www.ecwrpc.org/wp-content/uploads/2024/01/Draft%20Comprehensive%20Safety%20Action%20Plan.pdf>)

7. Resolution 07-24 Amending the Employee Manual for Staff Employed by East Central Wisconsin Regional Planning Commission. Ms. Kraemer Badtke shared with the members the proposed amendments made to the Employee Manual. She noted that staff worked with Ms. Becky Olejniczak-HR Consultant and Atty. Jim Macy on the updates to the manual. These updates included:
- Pregnant Workers Fairness Act (PWFA) and Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP)
 - Increased Telecommute Availability
 - Increased Vacation Time
 - Added 3 Floating Holidays
 - Paid Parental Leave – Staff added language to include that the Commission is able to request reimbursement if an employee voluntarily or involuntarily leaves the Commission prior to 6 months of service after the end of the paid parental leave period.

A motion was made by Mr. Englebert and a second from Ms. Schneider to approve of Resolution 07-24 Amending the Employee Manual for Staff Employed by East Central Wisconsin Regional Planning Commission as presented. Motion carried unanimously.

8. Resolution 09-24 Authorizing the Executive Director to Enter into an Agreement for Professional Services with Venable LLP. Briefly, Ms. Kraemer Badtke share with the members the redesignation process. She noted that the Commission will need to engage with legal counsel to review the redesignation agreement along with the bylaws document. East Central staff reached out to the Association of Metropolitan Planning Organizations for recommendations regarding a legal counsel that may have worked with Metropolitan Planning Organizations (MPOs) on items similar to this; they recommended Venable LLP.

Ms. Kraemer Badtke shared that Venable LLP worked with Rio Grande Valley MPO in Texas in 2019 on their own redesignation process. She reported that the engagement letter has been updated and noted that Venable LLP removed the advance waiver of the conflict of interest. As a public entity, ECWRPC could not agree and would need notification if there was a conflict.

A motion was made by Mr. Koeppen and a second by Mr. Abel to approve. Discussion took place regarding the high \$725.00 hourly wage. Ms. Kraemer Badtke explained that redesignation of the MPO Policy Board Structure does not occur very often and staff would need legal counsel that has expertise in redesignation, which is a very unique process. Staff added that conversation with Rio Grande Valley MPO and the Association of Metropolitan Planning Organizations both which included recommendation to contact with Venable LLP. Motion carried unanimously.

B. Economic Development Committee

1. Approval of the Minutes for October 4, ~~2024~~ 2023 Meeting. A motion was made by Vice Chair Connors and second by Ms. Miller to approve of the minutes for the October 4, 2023 as presented with the date correction duly noted. Motion carried unanimously.

C. Environmental Management Committee

1. No Business Items

D. Transportation Committee

1. Approval of the Minutes for October 17, 2023 Meeting. A motion was made by Mr. Keller and a second by Mr. Hammen to approve of the Minutes for October 17, 2023 Meeting as presented. Motion carried unanimously.

2. **Resolution 02-24** Adopting WisDOT Transportation Performance Measures and Targets for PM1: Safety for the Appleton Metropolitan Planning Organization. Ms. Kim Biedermann reported that this resolution is to establish the new safety targets for the Appleton-Fox Cities MPO, which are the same that are established by the State. She noted that On August 31, 2023, the Wisconsin Department of Transportation (WisDOT) established 2024 targets (five-year rolling averages) for Performance Measure One (PM1) Safety. Metropolitan Planning Organizations (MPOs) are to establish PM1 targets in their 2024 Transportation Improvement Programs (TIPs) and submit them to WisDOT's Bureau of Planning and Economic Development by February 28, 2024 (180 days after August 31, 2023). Ms. Biedermann shared that in Wisconsin, most MPOs have chosen to follow and support WisDOT and their performance measure targets.

A motion was made by Mr. Hammen and a second by Mr. Englebert to approve of **Resolution 02-24** Adopting WisDOT Transportation Performance Measures and Targets for PM1: Safety for the Appleton Metropolitan Planning Organization. Motion carried unanimously.

3. **Resolution 03-24** Adopting WisDOT Transportation Performance Measures and Targets for PM1: Safety for the Oshkosh Metropolitan Planning Organization. Ms. Kim Biedermann reported that this resolution is to establish the new safety targets for the Oshkosh MPO, which are the same that are established by the State. She noted that on August 31, 2023, the Wisconsin Department of Transportation (WisDOT) established 2024 targets (five-year rolling averages) for Performance Measure One (PM1) Safety. Metropolitan Planning Organizations (MPOs) are to establish PM1 targets in their 2024 Transportation Improvement Programs (TIPs) and submit them to WisDOT's Bureau of Planning and Economic Development by February 28, 2024 (180 days after August 31, 2023). Ms. Biedermann shared that in Wisconsin, most Metropolitan Planning Organizations (MPOs) have chosen to follow and support WisDOT and their performance measure targets.

A motion was made by Mr. Schmeichel and a second by Mr. Keller to approve of **Resolution 03-24** Adopting WisDOT Transportation Performance Measures and Targets for PM1: Safety for the Oshkosh Metropolitan Planning Organization. Motion carried unanimously.

4. **Resolution 04-24** Amending the 2024 Transportation Improvement Program for the Appleton (Fox Cities) Metropolitan Planning Organization. Mr. Casey Peters reported that following the approval of the 2024 Transportation Improvement Program (TIP) for the Appleton (Fox Cities) Metropolitan Planning Organization, the Wisconsin Department of Transportation (WisDOT) has provided updates on several projects in the 2024-2027 funding cycle. He noted that the projects need to be amended in the TIP to assign TIP ID numbers and ensure fiscal constraint. A full breakdown of all the projects being amended can be found below;

Table 1: Appleton (Fox Cities) MPO – Amendment Project Listing (2024-2027).

- TIP #252-22-053: Buchanan Rd. at Apple Creek Bridge – Corrected funding amounts and year
 - TIP #252-22-057: IH 41 Expansion – Significant increase in project funding
 - TIP #252-23-053: Racine Street WCL RR Xing Sig/Gate – Corrected funding amount
- WisDOT has requested new TIP ID numbers for the following projects.
Inclusion of these projects into the TIP also require a major amendment
- TIP #252-24-024: STH 76 from STH 15 to S. Junction to CTH S – New Project

- TIP #252-24-025: USH 10 from Fire Lane 7 to CTH N – New Project
The updated performance measures for PM1: Safety, as adopted by the Appleton (Fox Cities) MPO, must be amended for inclusion in the 2024 TIP. The TIP will utilize these values to determine progress towards meeting these safety targets within our region.

A motion was made by Mr. Miller and a second by Mr. Hammen to approve of **Resolution 04-24** Amending the 2024 Transportation Improvement Program for the Appleton (Fox Cities) Metropolitan Planning Organization. Motion carried unanimously.

5. **Resolution 05-24** Amending the 2024 Transportation Improvement Program for the Oshkosh Metropolitan Planning Organization. Mr. Casey Peters shared with the members that the updated performance measures for PM1: Safety, as adopted by the Oshkosh MPO, must be amended for inclusion in the 2024 TIP. The TIP will utilize these values to determine progress towards meeting these safety targets within our region.

A motion was made by Mr. Johnson and a second from Mr. Keller to approve of **Resolution 05-24** Amending the 2024 Transportation Improvement Program for the Oshkosh Metropolitan Planning Organization. Motion carried unanimously.

9. Other Business

- A. Appointment of Nominating Committee – Chair Nooyen gave a brief overview of the Nominating Committee’s duties and responsibilities to the members. He reported that the nominating committee will meet in March to discuss the standing committee appointments and will meet in May to reaffirm committee appointments along with Chair and Vice Chair appointments for the Commission. Mr. Nooyen also noted that the Commission Board members will continue to serve on their respective committees as well as the Commission board through March. At the Commission’s Annual meeting in May, the nominating committee will be presenting standing committee appointments which includes the proposed appointments for Commission Chair and Vice Chair.

The following individuals are proposed to be appointed to serve on the ECWRPC Nominating Committee.

- Calumet County – Nick Kesler
- Fond du Lac County – Sam Kaufman
- Menominee County – Gene Caldwell
- Outagamie County – Jake Woodford
- Shawano County – Tom Kautza
- Waupaca County – DuWayne Federwitz
- Winnebago County – Mark Rohloff

A motion was made by Mr. Abel and a second by Ms. Miller to approve of the appointment to the Nominating Committee as presented. Motion carried unanimously.

10. Establish Time and Place for Next Meeting.

- A. The next Quarterly Commission Meeting will be held at 10:00 a.m. on ~~Wednesday, March 27,~~ 2024 Thursday, March 28, 2024. The meeting will be held in person at The Hillside, at Plamman Park 1375 Broadway Drive, Appleton.

11. **Adjourn** – A motion was made by Mr. Kautza and second by Mr. Koeppen to adjourn with the time noted at 11:42 a.m.

Respectfully submitted by
Leann Buboltz – Administrative Coordinator
ECWRPC