



**MISSISSIPPI RIVER  
REGIONAL PLANNING COMMISSION**

1707 Main Street, Suite 435  
La Crosse, WI 54601  
Phone: (608) 785-9396  
Fax: (608) 785-9394  
Email: [plan@mrrpc.com](mailto:plan@mrrpc.com)  
Website: [mrrpc.com](http://mrrpc.com)

*James Kuhn, Cashton, WI  
Chairman*  
*Margaret Baecker, Independence, WI  
Vice Chairman*  
*Vicki Burke, Onalaska, WI  
Secretary & Treasurer*  
*Greg Flogstad, Onalaska, WI  
Director*

**MINUTES**  
**MISSISSIPPI RIVER REGIONAL PLANNING COMMISSION (MRRPC)**  
**BIMONTHLY MEETING**  
**10:00 a.m., August 12, 2015**  
**Best Western Riverfront Hotel, 1835 Rose Street, La Crosse, Wisconsin**

**Call to Order**

Chairman Kuhn called the meeting to order at 10:00 a.m. and asked for the roll call. A quorum was present. The attendance roster is attached. Mr. Flogstad said we have two guests in attendance: Tony Kurtz representing Senator Ron Johnson; and Maureen Kinney, Attorney, Johns, Flaherty & Collins SC.

**Minutes of June 10, 2015 Bimonthly Meeting**

Chairman Kuhn asked for a motion on the June 10, 2015 bimonthly minutes. Commissioner Schroeder made a motion to approve the June 10, 2015 meeting minutes; the motion was seconded by Commissioner Krachey. Mr. Flogstad said Dairyland Power informed us of a change that needs to be made to the June 10, 2015 minutes. The minutes mistakenly referenced "closure of the John P. Madgett Plant" and it should have read "closure of the Alma Station facility". Chairman Kuhn asked if there were any more comments and hearing none, the minutes were unanimously approved with the proposed change.

**Treasurer's Report**

Secretary-Treasurer Burke gave the treasurers report. Ms. Burke said the May 31, 2015 balance in all MRRPC accounts was \$274,783.40 and the June 30, 2015 ending balance was \$250,422.53. She reported the beginning balance in June 30, 2015 was \$250,422.53 and July 31, 2015 ending balance was \$246,222.39.

Ms. Burke said the Business Capital Fund (BCF) began with a May 31, 2015 balance of \$141,737.69. Activity from June 1, 2015 through July 31, 2015 included loan repayments of \$11,717.77 and interest earned of \$49.14 leaving a July 31, 2015 balance on hand of \$153,504.60. The BCF Sequester Account began with a June 1, 2015 balance of \$426,694.08. There was no activity in this account from June 1, 2015 to July 31, 2015 leaving a balance of \$426,694.08.

Ms. Burke said the Business Capital Fund 2 began with a May 31, 2015 balance of \$19,552.35. Activity from June 1, 2015 through July 31, 2015 included loan repayments of \$5,707.19 and interest earned of \$7.03 leaving a July 31, 2015 balance of \$25,266.57. Ms. Burke said the Business Capital Fund 2 Sequester Account began with a June 1, 2015 balance of \$160,562.65. There was no activity in this account from June 1, 2015 through July 31, 2015 leaving a balance of \$160,562.65.

Ms. Burke said the CMV Growth Development Fund began with a June 1, 2015 balance of \$42,084.17. Activity from June 1, 2015 through July 31, 2015 included loan repayments of \$518.50 and interest earned of \$7.35 leaving a July 31, 2015 balance of \$42,610.02. Ms. Burke said the CMV Growth Development Fund Sequester Account began with a June 1, 2015 balance of \$164,038.14. Activity from June 1, 2015 through July 31, 2015 included interest earned of \$28.31 leaving a July 31, 2015 balance of \$164,066.45.

The La Crosse County Business Fund began with a June 1, 2015 balance of \$47,626.28. Activity from June 1, 2015 through July 31, 2015 included loan repayments of \$1,420 and interest earned of \$12.15 leaving a July 31, 2015 balance of \$49,058.43. Ms. Burke said the La Crosse County Economic Development Fund Sequester Account began with a June 1, 2015 balance of \$87,427.31. Activity in this account from June 1, 2015 through July 31, 2015 included interest earned of \$29.22 leaving a July 31, 2015 balance of \$87,456.33.

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***•Land Use Planning and Zoning Assistance •Transportation Planning •Economic Development Planning •Recreation Planning •Business Lending  
•Grant Writing •Economic Data Dissemination •Assisting Local Interests in Responding to State, Federal and Private Programs •Advisory  
Services on Planning and Development Issues •Coordinator for Programs and Activities •Advocate on Issues Affecting the Region***

Commissioner Twidt made a motion to approve the treasurer's reports as presented. The motion was seconded by Commissioner Ehram and approved unanimously.

Director Flogstad reported that La Crosse County recently approved a \$75,000 loan to Pearl Street Brewery. He said the CMV Growth Development Fund Board of Directors will be meeting on August 20<sup>th</sup> to review a \$60,000 loan proposal from a local Day Care Center and Montessori pre-school in Viroqua.

Chairman Kuhn asked how everyone liked the new report format for the revolving loan funds. Commissioner Schroeder said the new report format saves paper. Commissioner Nickelatti added the condensed format is good. The general consensus was the new report format is an improvement and easier to follow than the old format.

### **Decision on Forming a Regional Nonprofit to Assist the MRRPC in Accessing Federal, State, Local, and Private Funding Sources**

Mr. Flogstad said the purpose of forming a regional nonprofit is to give the MRRPC more options. He explained many funding organizations solicit for applications from nonprofits and many of these organizations want their grant funds used for things that are consistent with the MRRPC's purpose. He explained that the MRRPC not being a nonprofit makes us ineligible for some funding and in some cases requires the MRRPC to provide extensive information or to get an attorney's opinion that the MRRPC legally exists. Mr. Flogstad said the regional nonprofit could be used when it is not practical for the MRRPC. He said forming the regional nonprofit could also serve as a vehicle to combine the four EDA revolving loan funds (RLFs) administered by the MRRPC. He said combining the RLFs will take some persuasion. The Nonprofit Corporation could serve as an umbrella and the four RLFs would still have their present boards and committees to review and approve loan proposals.

Mr. Flogstad said to avoid conflicts the nonprofit would have the same Board as the MRRPC. He said this is a more efficient use of Board members and staff. He explained the meetings for the nonprofit could be held the same time as regular commission meetings. Mr. Flogstad said the MRRPC is trying to be proactive in that down the road there will likely be more cuts in federal funding.

Mr. Flogstad said at the June meeting, an amount was approved for attorney fees to look into setting up the regional nonprofit 501(c)(3). Mr. Flogstad said that attorney Maureen Kinney is in attendance today to answer any questions. Mr. Flogstad said Ms. Kinney served on the MRRPC Board of Commissioners in the past. Ms. Kinney went on to explain why forming a nonprofit makes sense. She said the MRRPC and the nonprofit would be two separate entities, two separate bodies. She gave some good examples of nonprofits currently in operation. Ms. Kinney said MRRPC could apply for the 501(c)(3) nonprofit corporation status through an "EZ" application form. She explained that the first step is incorporating in Wisconsin and then filing the 501(c)(3) application.

Commissioner Barr asked about forming the nonprofit and the cost benefit. Ms. Kinney said the out-of-pocket costs for filing the application would be about \$500. She said IRS form 990 would need to be filed; it is a simple form the MRRPC's accounting firm could complete. Commissioner Borreson asked if the IRS would have a problem with having the same boards. Ms. Kinney said that shouldn't be a problem. She said the nonprofit would have its own EIN Number and a separate bank account. Commissioner Barr said right now there are constraints with funds and this could be a vehicle to get money out and working. Commissioner Leys asked if the same restrictions would remain on RLF accounts. Mr. Flogstad said yes, we would still have to follow current regulations. Commissioner Folcey asked about combining the funds in the RLFs. Mr. Flogstad said combining the La Crosse EDA RLF and the CMV Growth Development funds may be easier. He explained the Business Capital Fund however may be more of a problem because banks, utilities, and local governments contributed monies to establish that fund with most (75%) coming from EDA. Mr. Flogstad said EDA would like the MRRPC to combine the funds. Commissioner Leys asked if the CMV funds would stay segregated. Mr. Flogstad said that the Nonprofit Corporation would serve as an umbrella and that all funds would have the Boards they do now. There was some discussion about term limits for the boards. Mr. Flogstad said the Nonprofit Board member term limits would parallel the MRRPC Board terms and that a board member would continue to serve until their term expires or they terminate their term. A board member also continues to serve if a reappointment is not made in a timely manner by the Governor or County Board.

Chairman Kuhn asked for a motion on approving the Articles of Incorporation of the Mississippi River Regional Development Corporation, Inc. (Nonstock Corporation). Commissioner Mary Anne McMillan made a motion to approve the Articles of Incorporation of the Mississippi River Regional Development Corporation Inc., Nonstock Corporation. The motion was seconded by Commissioner Baecker and approved unanimously. Chairman Kuhn then asked for a motion on approving the bylaws for the Non-Stock Corporation. Commissioner Twidt made a motion to approve the Bylaws of the Mississippi River Regional Development Corporation, Inc. Nonstock Corporation. That motion was seconded by Commissioner Ehram. Mr. Flogstad said he would like to propose a change to the bylaws

in Section 2.2 (Specific Purpose). He said it should be added that the Non-Stock Corporation could be involved in Hazard mitigation, business and community development, natural resource conservation, and workforce development etc. Commissioner Twidt made a motion to approve the Bylaws for the Mississippi River Regional Development Corporation Inc. Nonstock Corporation with the proposed changes. Commissioner Burke seconded the motion. Chairman Kuhn asked if there was any discussion on the motion and amendment and hearing none the bylaws were approved unanimously with the proposed amendment.

### **Report on State and Federal Funded Vehicle Use and Sharing Opportunity Study in Crawford, Vernon, and La Crosse Counties**

Mr. Fletcher said MRRPC staff just completed the Vehicle Use and Sharing Study for Crawford, Vernon and La Crosse counties. He said the purpose of the study was to analyze the number and utilization of vehicles purchased for public transportation with assistance of state/federal funding and to evaluate the feasibility of vehicle sharing in the three county area. Mr. Fletcher said the vehicles inventoried were 5310, 5311, and 85.21 vehicles. He said the data compiled on the vehicles included: vehicles ages, miles driven, days and hours of use, and location of vehicles.

Mr. Fletcher said 5310 vehicles have a sharing requirement stating that during the period the vehicle is used to serve the project or program needs for which it was acquired, the recipient or subrecipient shall make it available for use on other projects or programs, as long as such other use does not interfere with the service for which the vehicle was originally acquired. He said this is an often ignored requirement with no consequences. Mr. Fletcher went on to list who has 5310 (elderly/disabled), 5311 (Shared Ride-SMRT Bus), and 85.21 (state-funded) vehicles. He said there are a total of 105 vehicles in these counties. He said one key thing with these agencies is that transportation is not usually their primary function. The mission of the agency may be so serve the elderly and disabled and transportation is often secondary.

Mr. Fletcher said a relevant study *“Vehicle Sharing Among Human Service Providers in Minnesota: Steps to Address Barriers”* was reviewed when preparing the vehicle inventory study. He said the vehicle sharing issues and barriers identified in the study provided information and insight relevant to Vehicle Inventory Study for Crawford, La Crosse and Vernon counties. He went on to discuss some of the issues identified in the Minnesota Study. Mr. Fletcher said a successful example of vehicle sharing was also identified in the Minnesota study. Mr. Fletcher said as part of our study a vehicle sharing survey was also conducted. The survey asked these questions: 1) Has your agency/organization ever had a request from another agency/organization to use/share your federal/state funded vehicle(s); 2) Has your agency/organization ever shared your federal/state funded vehicle(s) with another agency/organization; 3) Has your agency/organization developed a vehicle use agreement for sharing of federal/state funded vehicle(s); 4) What would you see as the greatest barrier to sharing vehicles with another agency/organization; and (5) If a vehicle use agreement would be developed that addressed cost/fees, maintenance, driver certification, liability, etc. would your agency consider sharing your vehicle(s) with other agencies/organizations upon request. He reviewed the survey results and said the survey identified the following vehicle sharing issues: information on who has vehicles, insurance and liability, establishing vehicle operating costs, lack of a vehicle rental agreement, vehicle sizes, on call vehicles, and vehicle locations. He said even with these issues there are opportunities for sharing in the region.

Commissioner Leys asked if vehicles could be shared across county lines and Mr. Fletcher replied they could be with a vehicle sharing agreement in place. He said the biggest issue is the ignored requirement to share 5310 vehicles. There are many reasons given for not sharing these vehicles. These have been accepted and nothing has been done. He said of the 105 vehicles identified, 77 are federal 5310 vehicles. He displayed a table showing the number and type of vehicles in each county. Mr. Fletcher listed the agencies within the three-county region with 5310, 5311 and 85.21 vehicles. Commissioner Leys asked if the City of Prairie du Chien’s taxis are required to be shared. Mr. Fletcher said there is no vehicle sharing requirement for 5311 vehicles such as the City of Prairie du Chien’s taxis but short term agreements could still be worked out. He gave some examples of where vehicle sharing would be feasible. Mr. Fletcher said some vehicles are classed as on call vehicles and are driven less than 5,000 miles a year. He said location can be an issue in sharing some of these vehicles. You have to look at location and proximity but there is still opportunity for sharing some of these vehicles.

Mr. Fletcher said as part of the project MRRPC created a database of the vehicles. Commissioner Schroeder asked who was in charge of the vehicle database and mentioned the use of GPS and dash cams as tools in sharing vehicles. Mr. Fletcher said the database would ideally be maintained at the Department of Transportation. Commissioner Leys asked if school buses were included. Mr. Fletcher said they weren’t. There was some discussion on sharing vehicles and who could share these vehicles. Mr. Fletcher said if agreements can be worked out the vehicles can be shared. Commissioner Borreson said we are not talking about individual consumers here, right? Mr. Fletcher said that was correct, we are talking about other agencies with like missions or have the same purpose. He said in this study we only looked at the agencies that have vehicles; there are a lot of other nonprofits out there that have the same purpose that don’t have vehicles. Mr. Fletcher said if information was available, there would be more requests for vehicles to be utilized. Mr. Fletcher then reviewed the recommendations and actions identified during the planning process: 1) Improved WISDOT Records and

Public/agency Accessible Database of Vehicles; 2) Agency Awareness of the 5310 Vehicle Sharing Requirement; 3) 5310 Vehicle Sharing; 4) Assistance in Establishing Vehicle Operating Costs; and 5) Vehicle Rental Agreement – Template. Mr. Fletcher said he has a couple of recommendations on 5310 vehicles sharing. One recommendation is that DOT require shared vehicle rental agreements in place before grant funds are released to purchase those vehicles. The other recommendation is to incentivize vehicle sharing. It's a competitive process so if an agency demonstrates in a grant application they have shared vehicles they should get credit for that. He said there are hurdles to vehicle sharing but there are more opportunities than not. Mr. Fletcher said there is an example of a vehicle sharing agreement included in the study.

There was more discussion on sharing vehicles and when it makes sense to do so. Commissioner Leys said a barrier to sharing is human nature and people become protective over what they have. Commissioner Purdy mentioned that the life time of a vehicle is an issue and a reason not to share. Mr. Fletcher said with vehicle sharing agreements in place an agency would be compensated for use of their vehicle. Commissioner Jaekel commented it would be more like vehicle renting if agencies are compensated for the use of their vehicles. Ms. Jaekel said that as a taxpayer she would like to see all these vehicles utilized. Mr. Fletcher mentioned an example of where the SMRT bus was shared. Commissioner Leys asked who is going to make the decision to do this. Mr. Fletcher said the report was sent down to the Department of Transportation. Commissioner Borreson asked if DOT has a vehicle counsel so this report could become the recommendation of this Planning Commission. Mr. Fletcher said we will wait to hear back from DOT after they review the study. There was some more discussion on the recommendations made in the report and implementation of the recommendations made. Commissioner McMillan asked if there was any set standard rates when sharing vehicles. Mr. Fletcher said as far as he knew there were none. Mr. Fletcher said he knows DOT is aware of issues with their database and they are working on that. More discussion occurred on pros and cons of vehicle sharing and Chairman Kuhn asked the question if someone would like to make a motion on the study. Commissioner Leys made a motion to encourage the staff to continue to pursue the recommendations made in the Vehicle Sharing Study. The motion was seconded by Commissioner Barr and approved unanimously. Mr. Fletcher stated the Department of Transportation funded the study. Commissioner Folcey suggested MRRPC staff contact other RPCs regarding this issue.

#### **Transit Study Involving Service Demand Between La Crosse, Trempealeau County, and La Crosse and Monroe County**

Mr. Fletcher said he met with Charlie Handy and Brian Fukuda on the feasibility of a bus (like the SMRT bus) serving La Crosse and Monroe County and La Crosse and Trempealeau County. He said La Crosse County has contacted the Department of Transportation and have made application for a planning grant to study the feasibility of this. He said the study should be done by the end of the year. Mr. Fletcher said he has met with the Monroe County Transportation Coordinating Committee (TCC) on this issue and will be meeting with the Trempealeau County (TCC) tomorrow.

#### **Report on Buffalo County's Grant Application for Federal Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) Initiative Program Due to Negative Impacts of the Alma Coal Power Plant Closure**

Mr. Flogstad reported the grant application was submitted mid June for Buffalo County for Federal Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) Initiative Program grant funds. The county was eligible to apply for these funds due to the negative impacts of the Alma Coal Station Facility closure. Mr. Flogstad briefly summarized the scope of work for this project if grant funds are awarded. He explained the MRRPC is the applicant and would be working cooperatively with Buffalo County, UW-Madison, and UW-Extension on this project. Commissioner Barr asked about funds available. Mr. Flogstad said the current application made was for \$50,000 for planning grant funds that will be matched with another \$50,000 from the County, MRRPC and UW-Extension for a total of \$100,000. The funds will be used to prepare an in depth Economic Development Strategy for the County involving several public meetings. He said there would also be \$35 million available nationwide for implementation funds.

#### **Report on New Zoning Ordinance for Buffalo County**

Mr. Fletcher said Buffalo County secured the planning services of the MRRPC to update their county zoning ordinance. Mr. Fletcher said staff has met with the Buffalo County zoning committee several times and held the first sub-area meeting on August 4th in the Town of Buffalo. Four additional sub-area meetings are scheduled on August 26<sup>th</sup> and 31<sup>st</sup> and September 9<sup>th</sup> and 15<sup>th</sup>. Mr. Fletcher said everyone should have in their packets a copy of the PowerPoint presented at these sub-area meetings. Mr. Fletcher said after these meetings, in October, staff will begin looking at the actual ordinance and working on the revisions. Another round of public meetings will be held next summer.

#### **Report on the Lakeview Business Park Being Designated a Golden Shovel Ready Business Site**

Mr. Bonifas explained the Golden Shovel Ready Business Site Program involves identifying business sites in the region that can be closed on quickly. He said there is a whole list of things that have to be done before hand so a business can quickly buy a site. Mr. Bonifas said in July MRRPC staff certified the Lakeview Industrial Park in West Salem as being Golden Shovel Ready. He

said as part of the process staff had to review 13 different exhibits. He said that staff is also working with the Village of Holmen on certifying a site.

**Old and New Business**

Mr. Bonifas announced that FEMA officially approved both the La Crosse County and Jackson County All Hazard Mitigation plans.

Commissioner Schroeder asked what happens to a revolving loan fund loan if a company gets bought out. Mr. Flogstad said the new company would assume the loan or pay it off.

Commissioner Kuhn mentioned the Cashton Hwy 33 study and that the street curve designs in the plan may be controversial. He said it's just food for thought.

Mr. Flogstad asked if it was alright to list the Commissioners present at today's meeting in the Articles of Incorporation for the Mississippi River Regional Development Corporation Inc., Nonstock Corporation as Incorporators. He said "you are an impressive group with diverse backgrounds". There was no objection made to Mr. Flogstad's request to list MRRPC Commissioners present as incorporators in the Articles of Incorporation for the Mississippi River Regional Development Corporation Inc., Nonstock Corporation.

Mr. Flogstad said in the meeting packets there is a notice from the Small Business Development Administration that there has been an unprecedented demand for SBA funds and that they may have to suspend 7(a) small business lending until the start of the new fiscal year.

Chairman Kuhn then asked for a motion to adjourn. A motion was made and seconded, and unanimously approved to adjourn the meeting.

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Vicki Burke, Secretary-Treasurer