

# VILLAGE OF ALLOUEZ

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## Department of Public Works

Planning, Development, and Transportation Committee  
Brown County

July 19, 2016

RE: Proposed County Ordinance 6.14  
Village of Allouez Comments

Dear Sir;

The following comments are provided on behalf of the Village Board of the Village of Allouez regarding the development of an ordinance modifying the administration and cost-sharing of joint road projects between Brown County and the local municipal governments.

The Village of Allouez comments are as follows.

1. The development of a new road construction and cost allocation ordinance should be a joint effort of Brown County and the municipalities. It is important that all parties have input and both parties reach an acceptable agreement. We appreciate the opportunity to input at the July 25<sup>th</sup> meeting, but further discussion will be needed to reach a workable approach for all parties.
2. The legal interpretation of Wis. Stats. 83.05 needs to be discussed further. Allouez does not concur with the interpretation of this ordinance as presented by Brown County. Legal counsel for Brown County and the municipalities should be involved in development of the county ordinance. Allouez legal counsel is reviewing Wis. Stats. 83.05 but additional time is needed for this review.
3. Further clarification of the municipality “authority” is needed, and this is to the benefit of Brown County as well as the municipalities. The “authority” seems to include:
  - a. The municipality can retain an engineering firm for design of the project, so engineering may not be performed by the county as is the present case.
  - b. The municipality can supervise the construction, which means that a consultant can be retained by the municipality. This may be a cost-share task with the county that is presently not incurred on county projects.
  - c. The municipality can publicly bid the construction work for a project, which means that county work forces may not be used on these joint municipal/county projects. This is a significant change from current projects.

4. The development of the ordinance should include the cost allocations between the parties, and the process for negotiating the cost-share agreement. This process should be defined and assigned to appropriate the individual/committee. It is important that the process include reasonable and appropriate cost sharing, and a method to discuss and define acceptable terms.
5. One topic to address is allocation of stormwater collection and treatment costs. County projects include storm conveyance and treatment costs (ditches, culverts, swales for treatment) in rural areas. In a municipal project stormwater conveyance and treatment costs are also incurred and the county should share a reasonable cost. The interpretation of Wis. Stats. 83.05 is important in this issue. Past practice has been that the county shares in its share of the stormwater system costs.
6. Should county bridge projects also be addressed in this ordinance?

These are a few of the questions and concerns that should be addressed during the development of the Brown County ordinance. Please consider these items as this proceeds.

Sincerely,

James Rafter  
Village President

Craig Berndt, P.E.  
Director, Public Works

