

**Minutes – APPROVED – May 28th, 2019**  
University of Wisconsin-Fox Valley Board of Trustees  
Room 1706

Trustees Present: Joy Hagen, Tom Snider, Mike Brunn, Kevin Sturn, Steve Binder

Others Present: William Hanson, Ane Carriveau, Kevin Newhouse, Chuck Hermes, JoAnn Rife, Mary Anne Mueller (Winnebago County Corporate Council), Ray Palonen (Winnebago County Highway Commissioner), Rob Kelly (Winnebago County Facilities Board Chair),

- 1) **Call to Order** - Chair Joy Hagen called meeting to order at 1:00 pm.
- 2) **Public Comment** – William H asked if the fee being discussed would have a name change to eliminate the term parking fee and making it a facilities fee.
- 3) **Introductions** -
- 4) **Approval of Minutes from April 22nd, 2019 Meeting** – Motion made to approve by Mike Brunn, seconded by Tom S. Approved 4-0-0

5) **Presentation of Bills** – Kevin Newhouse presented invoice summary. No comments or issues presented.

6) **Presentation of County Expenditure Report** – Kevin Newhouse presented current County Expenditures.

7) **New Business** –

A) Child Care Center Update – Kevin N explained the modifications that needed to be made to the 2012 plans to include a safe zone for severe weather and eliminate the need for the kids to come across the parking lot to the school. JoAnn R explained that we have a quote from SEH Engineering and Architecture, but are awaiting approval from the Winnebago Facilities Board before being able to proceed. Rob Kelly explained why the budgetary approvals were tabled at the last Winnebago County Facilities Meeting. The members of the committee did not have enough info for the projects at their last meeting. They wanted to read over the MOU signed by both counties. Mike Binder brought up the subject of where the revenue from the Childcare Center went and how much it was? Kevin S explained his want for moving forward with this project because of the liability for the children walking across parking lot. Mary Anne M asked if the daycare was open to the public, or was it strictly for students and staff at UW Fox Valley? Kevin N explained that it is open to the public. Mary Anne then asked if the price was the same for everyone involved for the kids to be enrolled. Kevin N confirmed the price was the same. Joy H asked that the information about the childcare center be brought to the next BOT meeting. Mary Anne asked about the concern that the UW Fox Valley campus might close or merge with UW Oshkosh? Joy H explained that the merger already has taken place, and that the campus will not be shut down. Discussion was had on whether the Childcare Center needed to expand due to growth or just safety and operations expansion. Rob K stated that the why will need to be known for the county board to vote on it. Mary Anne asked if the building was within code for the fire department. Kevin N explained that it did pass the inspection from the fire department. Kevin S explained a bit of the history of the BOT discussions and visits to the Childcare Center. JoAnn R explained that the codes don't require a safe space, as long as there is an emergency procedure in place. Kevin N showed everyone on the map where the child care center was in comparison to the basement where they would be taken.

B) Update from Counties on Parking Fee – Joy H explained she was in contact with Craig Moser at Outagamie County. Craig passed on a statement from the Outagamie County Corporate Council Joseph Guidote, The Statement Reads:

“The UW Fox Valley Board of Trustees supports implementation of a facilities fee, for the purpose of defraying the counties costs, for capital projects related to parking lots, driveways and repair / maintenance thereof and recommendations that University staff implement said fee in advance of fall term 2019.”

Mary Anne explained that she had a phone conversation with Joseph G on April 15<sup>th</sup>, 2019. He expressed two concerns with the 1970 Memorandum of Agreement (MOA). 1<sup>st</sup> concern was that even though the title was agreement, the body talked about memorandum of agreement, and he was concerned that there was essentially a diversion about what the title of the document said and what the actual document said. The 2<sup>nd</sup> item of concern was there was no term referenced in the MOA. She then explained that there is language that allows for the moa to be reviewed, and that termination can be made by the University, Winnebago County or Outagamie County after June 30<sup>th</sup> of any year, provided there is 18 months' notice. Mary Anne explained that Craig Moser would not be bringing this to the Outagamie Board and that it is a BOT issue. The BOT needs to ask UW Fox Valley to agree to implement the facilities fee or not. If UW Fox Valley chooses to not implement the facilities fee, there may be involvement from

the Outagamie County board. Mary Anne then stated that she believes that the 1970 MOA is pretty clear given the fact that costs in excess of \$7,000 will be borne by the counties, along with there being mention of repairs of parking lots. Ray P mentioned that the counties paid for all building renovations and parking lot areas. Mary Anne referenced some documents from UW Fond du Lac that say the same thing. Mary Anne then mentioned the University of Wisconsin System Administration Protocol. It states that The UW System has agreed to provide faculty and support for the programs on the condition that the real estate is locally owned. It then goes on to say that under cooperative arrangement for UW Centers, funding from major repairs and maintenance are provided by the municipality (counties). It further states that the UW Center Facilities will require remodeling and other miscellaneous improvements caused by obsolescence and such projects are a local responsibility. Mary Anne explained that with the verbiage used in the University of Wisconsin System Administration Protocol, along with the MOA, put the onus on the counties to repair any kind of parking lot. Mary Anne stated that agreeing to implement a fee would be undermining what the MOA was created for. Joy H asked for Mary Anne to forward the documents on to her and Joe G. Ray P then explained that the jurisdiction of the parking lot repairs falls under him at the highway department. Mary Anne asked how major capital projects were paid for in the past. Joy explained that it was a 50 / 50 cost to both counties. It was also explained that there have been donations for some of the projects as well. Rob Kelly asked the question about a possible reaffirmation to the MOA, now that the UW Fox Valley is part of UW Oshkosh. JoAnn explained that the Board of Regents sent out a memo stating that the status quo of the MOA will be maintained. Joy H explained the Outagamie County Finance Committee's position that they are looking for some support from the students or they would be hard pressed to continue supporting capital projects.

C) Heirloom Orchard – JoAnn explained that there is a green fund that has been entrusted to a student organization from UW Oshkosh to create an Heirloom Orchard. Martin was looking to possibly have this happen at UW Fox Valley when the tennis courts come out. JoAnn also explained that the orchard would be maintained by the students overall and be part of a biology course.

**8) Old Business – None**

**9) Report from Assistant Chancellor for Access Campuses – None, Martin R on vacation.**

**10) Future Agenda Items – Childcare Center Update, Update from Counties on Parking Fee, Heritage Orchard.**

**11) Schedule Next Meeting – Monday 6/24/2019 at 1pm.**

**12) Adjournment – Steve B made motion to adjourn, seconded by Tom S. Approved 4-0-0.**

Respectfully submitted,

Kevin Newhouse