

RESOLUTION NO. 20-75

AUTHORIZING THE ESTABLISHMENT OF A TRUST FUND ACCOUNT FOR
SPECIALIZED TRANSPORTATION GRANT FUNDS

WHEREAS, Ozaukee County receives annual funding from the State of Wisconsin for Specialized Transit through the Specialized Transportation Assistance Program pursuant to § 85.21 of the Wisconsin Statutes; and

WHEREAS, the 2020 grant award of \$300,835.00 to Ozaukee County included a County matching contribution of \$45,954.00 for which the County's required contribution has been met; and

WHEREAS, § 85.21(3)(c) of the Wisconsin Statutes authorizes counties to hold aid received in trust for "acquiring or maintaining equipment used for services authorized" and Trans 1.05(2) of the Wisconsin Administrative Code also states that a County may retain and hold in trust all or part of the allocated aid which it receives "for the purchase or maintenance of transportation equipment"; and

WHEREAS, the State Department of Transportation has interpreted § 85.21(3)(c) and Trans 1.05(2) broadly to allow the expenditure of trust funds on projects, such as pilot studies, that demonstrate long-term county investment in the Specialized Transportation Assistance Program; and

WHEREAS, Counties with trust arrangements are required to follow specific rules set forth in Trans 1.05(2)(a) through (f) governing management and use of trust funds; and

WHEREAS, pursuant to the rule in Trans 1.05(2)(a), the county board of supervisors must "by resolution authorize the establishment of an account in which aids retained in trust shall be deposited and accounted separately from current aids and receipts from other sources" and such resolution "shall be provided to the department"; and

WHEREAS, pursuant to the rule in Trans 1.05(2)(b), the balance of aid held in trust "may not exceed an average daily balance on a quarterly basis of \$80,000"; and

WHEREAS, Ozaukee County is expected to have an excess of \$85,000 in § 85.21 funds at the end of 2020 and is eligible to create a § 85.21 Trust for which funds are expected to be used in 2021 and 2022 for the Shared Ride Taxi Cross County Pilot Program and the average daily balance on a quarterly basis will be less than \$80,000 in 2021; and

WHEREAS, Section 2.01(2)(d) and 2.03(1)(a)4.f. of the Ozaukee County Policy and Procedure Manual states that any transfers in excess of \$25,000 from unreserved, undesignated fund balances or retained earnings shall be made upon the recommendation of the appropriate standing committee and by resolution adopted by a vote of 2/3 of the Board members elect; and

WHEREAS, Section 2.01(2)(e)(3) of the Ozaukee County Policy and Procedure Manual states that Grant Acceptances involving Public works expenditures requiring formal specifications, public notices or bids per § 59.52(29)(a), Wis. Stats., require the approval of the appropriate Standing Committee and full County Board.

NOW, THEREFORE, BE IT RESOLVED by the Ozaukee County Board of Supervisors that this Board authorizes the creation of a § 85.21 trust fund and authorizes the transfer of 2020

excess Specialized Transportation Assistance Program aids to the fund.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State of Wisconsin Department of Transportation along with a plan outlining the proposed use of the funds placed in trust.

Dated at Port Washington, Wisconsin, this 3rd day of February 2021.

SUMMARY: The State of Wisconsin Department of Transportation requires a resolution creating a trust be passed by a recipient's County Board of Supervisors to maintain access to allocated funds not used in any fiscal year.

VOTE REQUIRED: Two-Thirds of Members Elect.

PUBLIC WORKS COMMITTEE

RESULT: APPROVE AND FORWARD [UNANIMOUS]Next: 1/28/2021 8:30 AM

MOVER: P. Marchese, Supervisor District 20

SECONDER: D. Henrichs, Supervisor District 23

AYES: Wolf, Grabow, Haas, Henrichs, Marchese

FINANCE COMMITTEE

RESULT: APPROVED [UNANIMOUS]

MOVER: J. Strom, Supervisor District 21

SECONDER: T. Winker, Supervisor District 1

AYES: Melotik, Richart, Larson, Strom, Winker

RES. 20-75

Authorizing the Establishment of a Trust
Fund Account for Specialized Transportation
Grant Funds

 **Passed With 2/3 of Full Member**

Winker	YES
Haas	YES
Jobs	YES
Schlenvogt	YES
Clark	YES
Nelson	YES
Becker	YES
Larson	YES
Grabow	YES
Melotik	YES
Wolf	YES
Richart	YES
Korinek	YES

Herro	YES
Geracie	M YES
Duecker	YES
Irish	YES
Wirth	YES
Ross	YES
Marchese	EXCUSED
Strom	S YES
Holyoke	YES
Henrichs	EXCUSED
Braverman	YES
Read	YES
Minkel-Dumit	YES

