

👉 **07hr_SC-ENR_Appt_Cole_pt01**



👉 **Preston Cole**

(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate, or Joint)

Committee on ...
Environment and Natural Resources
(SC-ENR)

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... **HR** ... **bills and resolutions** (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (July/2014)

Senate

Record of Committee Proceedings

Committee on Environment and Natural Resources

Cole, Preston, of Milwaukee, as a member of the Natural Resources Board, to serve for the term ending May 1, 2013.

August 22, 2007 Referred to Committee on Environment and Natural Resources.

September 25, 2007 **PUBLIC HEARING HELD**

Present: (4) Senators Miller, Wirch, Kedzie and Schultz.
Absent: (1) Senator Jauch.

Appearances For

- Preston Cole, Milwaukee — himself

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- Samantha Ernest, Madison — Office of Governor Doyle
- Dave Hansen, Green Bay — Senator, 30th Senate District

Registrations Against

- None.

Registrations for Information Only

- None.

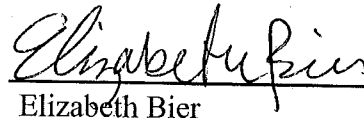
October 11, 2007 **EXECUTIVE SESSION HELD**

Present: (5) Senators Miller, Jauch, Wirch, Kedzie and Schultz.
Absent: (0) None.

Moved by Senator Wirch, seconded by Senator Miller that **Cole, Preston** be recommended for confirmation.

Ayes: (4) Senators Miller, Jauch, Wirch and Kedzie.
Noes: (1) Senator Schultz.

CONFIRMATION RECOMMENDED, Ayes 4, Noes 1

A handwritten signature in cursive script, reading "Elizabeth Bier", written in black ink. The signature is positioned above a solid horizontal line.

Elizabeth Bier
Committee Clerk

Vote Record Committee on Environment and Natural Resources

Date: 10/11/07

Moved by: Wirch

Seconded by: Miller

AB _____

SB _____

Clearinghouse Rule _____

AJR _____

SJR _____

Appointment Preston Cole

AR _____

SR _____

Other _____

A/S Amdt _____

A/S Amdt _____ to A/S Amdt _____

A/S Sub Amdt _____

A/S Amdt _____ to A/S Sub Amdt _____

A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

Passage

Adoption

Confirmation

Concurrence

Indefinite Postponement

Introduction

Rejection

Tabling

Nonconcurrency

Committee Member

Senator Mark Miller, Chair

Senator Robert Jauch

Senator Robert Wirch

Senator Neal Kedzie

Senator Dale Schultz

Aye

No

Absent

Not Voting

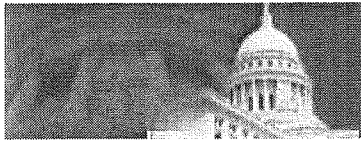
Totals:

4

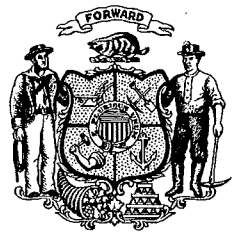
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Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE





JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

August 17, 2007

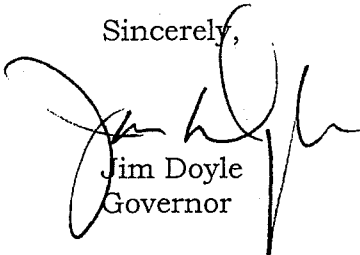
Mr. Preston D. Cole
4808 W. Woodlawn Court
Milwaukee, WI 53208

Dear Mr. Cole:

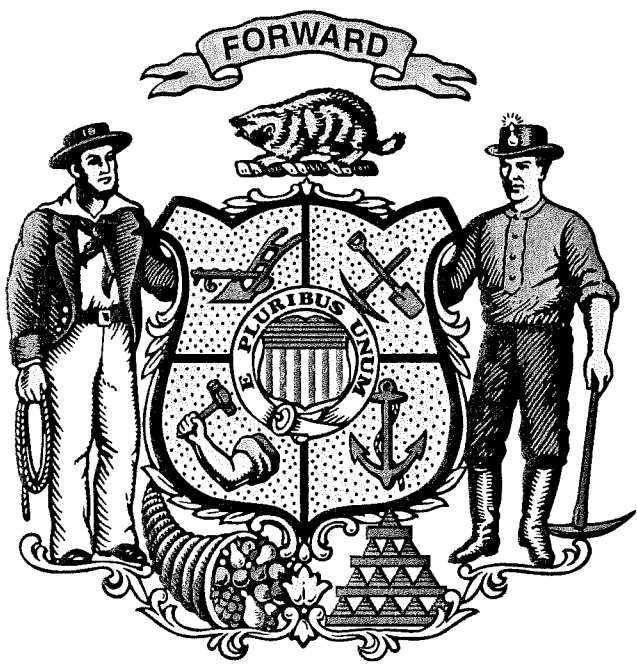
I am pleased to appoint you to the Natural Resources Board, effective August 17, 2007. Your experience, knowledge, and dedication will be a true asset to my administration and a great benefit to the people of Wisconsin.

I look forward to working with you to find creative ways of delivering services and implementing positive change for the citizens of our state.

Sincerely,



Jim Doyle
Governor





JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

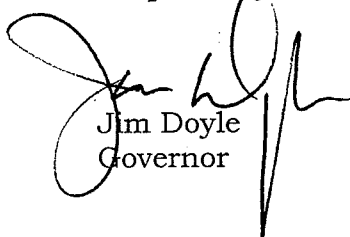
August 17, 2007

To the Honorable, the Senate:

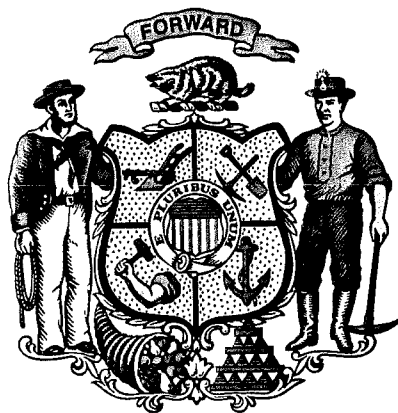
I am pleased to nominate and with the advice and consent of the Senate, do appoint Preston Cole to be a Southern Area Representative on the Natural Resources Board to serve a term expiring May 1, 2013.

Mr. Cole will be available to the Senate for hearings and my staff will assist in any way they can.

Respectfully submitted,



Jim Doyle
Governor





JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

GOVERNOR'S APPOINTMENT

NAME: Preston Cole

MAILING ADDRESS: 4808 W. Woodlawn Court
Milwaukee, WI 53208

E-MAIL ADDRESS: preston.cole@milwaukee.gov

RESIDES IN: Milwaukee, WI

TELEPHONE: (414) 476-4808 (h)

OCCUPATION: Environmental Services Superintendent
City of Milwaukee

APPOINTED TO: Natural Resources Board
Southern Area Representative

TERM: A term to expire May 1, 2013

SUCCEEDS: Dan Poulson

SENATE CONFIRMATION: Yes

DATE OF APPOINTMENT: August 17, 2007

DATE OF NOMINATION: August 17, 2007

NR



STATE OF WISCONSIN
ETHICS BOARD

James R. Morgan
Chairman
Paul M. Holzem
Dorothy C. Johnson
Richard Warch

On the capitol square at:
44 EAST MIFFLIN STREET, STE 601
MADISON, WISCONSIN 53703-2800
phone: 608/266-8123
fax: 608/264-9319
ethics@ethics.state.wi.us
<http://ethics.state.wi.us>

Roth Judd
Director

8/23/2007

Senate Committee Members:

The attached Statement of Economic Interests is provided with regard to the individual's nomination to a State Public Office by Governor Jim Doyle.

Sincerely,
STATE OF WISCONSIN ETHICS BOARD

Nominee: **Cole, Preston**
Nomination Date: 8/17/2007

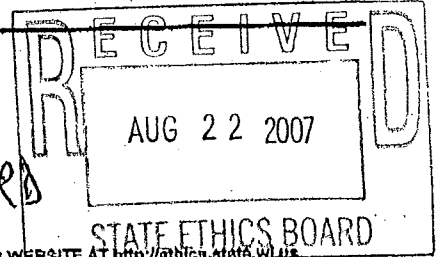
Mail or fax to: Wisconsin Ethics Board, 44 E. Mifflin St., Suite 601, Madison, WI 53703-2800; Fax: (608) 264-9319

Statement of Economic Interests

Filed in 2007 for calendar year 2008

Name: COLE, PRESTON D.
(last name, first name & initial)

State position: NATURAL RESOURCES BOARD
(held or sought) (include agency, division, branch or district, if applicable)



FOR EXPLANATIONS, EXAMPLES AND EXCEPTIONS SEE THE INSTRUCTIONS OR VISIT OUR WEBSITE AT <http://ethics.state.wi.us>
Still have questions? For priority service send an e-mail to: ethics@ethics.state.wi.us; otherwise leave a detailed message at (608) 266-8115.
Attach additional pages as needed.

Part A Information current as of _____

1. INVESTMENTS.

a) **Wisconsin Deferred Compensation Program.** If you held investments in funds within the Wisconsin Deferred Compensation Program, please place a checkmark next to the funds in which you held \$5,000 or more, whether held privately or through the Program.

Profile Series	one		Small Cap	one		Bond	one	
	\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000		\$5,000 to \$50,000	More than \$50,000
Vanguard Retirement 2045 Fund			BGI Russell 2000 Index - Collective T			BGI US Debt Index Fund - Collective W		
Vanguard Retirement 2035 Fund			DFA US Micro Cap Fund			Federated US Government Securities 2-5 Yr.		
Vanguard Retirement 2025 Fund			Mid Cap			Vanguard Long-Term Investment Grade Adm		
Vanguard Retirement 2015 Fund			BGI Mid Cap Equity Index - Collective W			Money Market		
Vanguard Target Retirement Income Fund			T. Rowe Price Mid Cap Growth Fund			Vanguard Admiral Treasury Money Market		
International			Large Cap			Fixed Return for the Quarter		
American Funds Euro Pacific R5			Calvert Social Investment Equity I			Stable Value Fund		
BGI EAFE Equity Index - Collective W			Fidelity Contra Fund			FDIC Bank Option		
			Vanguard Institutional Index Fund Plus					
			Vanguard Wellington Fund - Admiral					

b) **Other Investments.** List stocks, bonds, limited partnerships, Wisconsin governmental securities, and mutual and money market funds in which you and your family's interest was valued at \$5,000 or more.

Name of security	Type of security - "one"					Amount - "one"	
	Stock/option/futures	Bond	Limited partnership	Wisconsin governmental security	Mutual or money market fund	\$5,000 to \$50,000	More than \$50,000
SBC		✓					✓
LINCOLN STATE BANK					✓	✓	
MILWAUKEE DEFERRED COMP.							

2. BUSINESS ACTIVITIES. List businesses, farms, rental, commercial, and income-producing real estate; and business activities in which you or your family had at least a 10% or greater interest.

a) Enterprise(s) operating under a business or trade name, list here.

Name of business	Municipality or Town	County	State	Describe nature of business
AALA REED	MILW	MILW	WI	MEN'S CLOTHING
BLACK OAK ENTERPRISE	BENTON HARBOR	BERRIEN	MI	DRY CLEANERS (SOLD 7/22/05)

b) Enterprise(s) NOT operating under a business or trade name, list here.

Street address or fire number	Municipality or Town	County	State	Describe nature of business

3. COMMERCIAL CUSTOMERS, CLIENTS, AND TENANTS. For each unincorporated business, subchapter S corporation, service corporation (SC), limited liability company (LLC), partnership, or income-producing real estate reported in Item 2, list businesses, organizations, and lobbyists that paid the enterprise \$1,000 or more in calendar year 2006.

Check if the organization authorized you to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative.

Businesses, organizations, lobbyists that were customers, clients, or tenants	City	State	Y/N

4. BUSINESS PARTNERS. For each enterprise reported under Item 2, list its co-owners, partners, officers, and directors (other than yourself), unless the information is already registered with the Wisconsin Department of Financial Institutions.

Business	Partners, or officers and directors	City	State

5. NON-COMMERCIAL REAL ESTATE. List the specific location of WISCONSIN REAL ESTATE in which you or your family had an interest (except your principal residence and real estate whose location you listed in item 2).

LOCATION OF PROPERTY			NATURE OF INTEREST (own, lease, option, easement, land contract)
Street address or fire number	Municipality Or Town	County	
1492 PROSPECT AVE	MILWAUKEE	MILWAUKEE	PART-OWNER
7 LARK LUTHER COLE			

6. OFFICERS AND DIRECTORS. List organizations of which you or a family member was an officer or director (unless listed in item #2.)

Business or organization	City	State	Position
NATIONAL ARBOR DAY FOUNDATION	LINCOLN	NE	TRUSTEE

7. AGENT, REPRESENTATIVE OR SPOKESPERSON. List each organization that authorized you or a family member to represent it in its dealings with others as an attorney-at-law, agent, spokesperson, or representative (unless listed in Item 2, 3, or 6.)

Business or organization	City	State

8. CREDITORS. List creditors to which you or your family owed \$5,000 or more.

Creditor	City	State	"✓" one	
			\$50,000 or less	More than \$50,000
U.S. BANK	Milwaukee	WI		✓
LINCOLN STATE BANK	"	"		✓
ENTERPRISE CREDIT	"	"	✓	
VISA-	Milwaukee	WI	✓	

Part B

For calendar year 2006

9. EMPLOYERS. List your and your family's EMPLOYERS (\$1,000 or more of income) in 2006.

Name of employer (If State of Wisconsin, identify agency or institution)	City	State	Nature of employer's business
CITY OF MILWAUKEE	Milw	WI	GOVERNMENT
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT	Milw	WI	SEWERAGE TREATMENT
AALA REED	Milw	WI	CLOTHING STORE

10. ADDITIONAL SOURCES OF INCOME. List other sources from which you or your family received income of \$1,000 or more in 2006.

Source of income	City	State

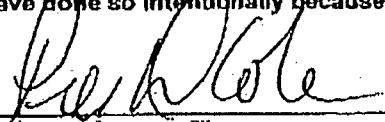
11. ENTERTAINMENT AND GIFTS. List individuals and organizations that provided you with entertainment or gifts (more than \$50) in 2006.

Name of provider	City	State

12. HONORARIA AND EXPENSES. List, for 2006, sources of honoraria and payment of expenses related to your state government duties (more than \$50) not previously reported to the Ethics Board.

Payer	Approximate value of expenses	Amount of honorarium	Circumstances of receipt

I certify that the information contained in this Statement of Economic Interests is true, complete, and correct to the best of my knowledge, information, and belief. In the event this Statement of Economic Interests is filed prior my nomination or appointment, I certify that I will amend it within ten days of my nomination or appointment date if amendment is necessary to bring it into conformity with the true statement of my economic interests as of the date of my nomination or appointment. If any part has been left blank, I have done so intentionally because there is nothing to report.


 Signature of person filing

7/27/07
 Date

Daytime phone # 414 286-3671
 E-mail address PRESTON.COLE@Milwaukee.GOV

The information sought in this form is required by §§19.43 and 19.44, Wisconsin Statutes. Failure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Ethics Board will notify you of the identity of any person who examines your Statement. In accordance with §15.04(1)(m), Wisconsin Statutes, the Ethics Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

BIOGRAPHY

PRESTON D. COLE

Preston D. Cole is currently the Environmental Services Superintendent for the City of Milwaukee Department of Public Works Operations Division. As such, Preston manages the city's Forestry operations (street trees, boulevards, streetscaping) and Sanitation operations (solid waste collection, street sweeping, recycling program, snow and ice control), and has been employed by the City of Milwaukee since October, 1991. Before coming to Milwaukee, Preston was Parks Superintendent for the City of St. Louis, where he managed 60 parks, athletic fields, and city rights-of-way.

After graduation from the University of Missouri-Columbia with a BS in Forest Management, Preston was employed by the Missouri Department of Conservation. Preston was the first African/American forester hired by the department. He had responsibility for private land management, state forest, and urban forestry management requests.

Preston is a member of many civic and community-based organizations. He is often called upon to educate these organizations on natural resource management, solid waste, recycling and the urban ecosystem management.

Preston is the past Chair of the Board of Trustees for the National Arbor Day Foundation, which has a membership of well over one million individuals and organizations. Preston has served as a Director for the Wisconsin Center District, which oversees the management of the Midwest Express Center, the Cellular One Arena, and the Auditorium.

Additionally, Preston currently serves as the Operations Committee Chair for the Milwaukee Metropolitan Sewerage District, where he provides financial and policy direction for Wisconsin's largest waste water treatment plant.

In 2005, Preston was appointed by Mayor Tom Barrett as a steering committee member of the Mayor's Milwaukee Green Team. This committee advises the Mayor on storm water reduction practices, energy conservation, waste reduction initiatives, and the creation of green jobs in the City of Milwaukee.

Currently, Preston is working on developing regional water strategy for the City of Milwaukee. This includes coordination with federal, state and local jurisdictions. This strategy is intended to solve many water quality and water supply issues that exist so that the Milwaukee region can use its water assets for global competition.

Preston D. Cole
4808 West Woodlawn Court
Milwaukee, WI 53208
414 – 476-4808

Objective

To secure a leadership position with a public/private organization involved in public works, natural resource management, and integrated water resource management.

Experience

◆ ***City of Milwaukee – Department of Public Works Operations Division***

Environmental Services Superintendent **January 1, 2003 - present**

Appointed position directing operations for the Forestry and Sanitation sections. These two sections are responsible for snow/ice control operations, garbage collection, recycling, urban forest management, streetscaping, and boulevard management. Approximately 600 employees with combined budget of 50 million dollars.

◆ ***Milwaukee Metropolitan Sewerage District***

Commissioner **July 2000 to Present**

Appointment to 11 member commission responsible for review and oversight of wastewater/stormwater management agency with a combined operation, maintenance, and capital budget of approximately 265 million dollars.

City Forester **November 1998 to December 2002**

Appointed position directing the planning, administrative, and fiscal management responsibilities for the nation's most progressive municipal urban forestry organization. The Forestry Division is one of four Public Works divisions with an eleven million dollar budget, 200 full-time, and 50 part-time employees. Right-of-way management as it relates to coordination of forestry facilities (trees, boulevards) and their impact on paving, sidewalks, street lighting, and permit activities.

City Forestry Services Manager **September 1994 to November 1998**

Appointed position responsible for directing administrative and field operations for the nation's most progressive municipal urban forestry organization. Eleven million dollar budget, 200 employees, 160-acre nursery, and Forestry maintenance shop.

**Forestry Operations Supervisor
October 1991 to September 1994**

Responsible for the direction of tree maintenance activities. Including tree planting, maintenance, removal construction damage abatement, and research and development. Prepare and monitor expenditures for operations and management/Capital accounts.

◆ ***City of St. Louis – Department of Parks, Recreation, & Forestry Parks Division***

**Parks Superintendent
July 1989 to October 1991**

Responsible for grounds and tree maintenance in city parks, boulevards, medians, and city easements. Supervise/train park employees/citizens on proper urban forestry and grounds maintenance activities. Responsible for budget preparation and monitoring. Set priorities, and scheduling.

◆ ***Missouri Department of Conservation, St. Louis, Missouri Forestry Division***

**Resource Forester
June 1987 to July 1989**

Provide technical assistance to municipalities, businesses, and homeowners on urban tree and landscape care. Develop woodland management plans for landowners. Prepare and administer continuing educational seminars for professional urban tree and grounds maintenance associations.

Education

University of Missouri, School of Forestry, Fisheries, and Wildlife

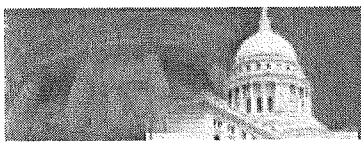
Bachelor of Science – Forest Management, May 1987

Honors/Awards/Organizations

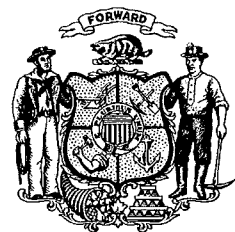
Governor's Task Force on Waste Reduction 2006
Public Policy Forums – "Solving the Water Puzzle"
Mayor Tom Barrett's Green Team
Co-author: National Research Council – Forested Landscapes in Perspective
First African American Forestry Graduate – University of Missouri
1992 National Urban Forester Medal of Honor
National Arbor Day Foundation Board of Trustees (present)
Wisconsin Center District Board of Directors (2000)

References

Available upon request



WISCONSIN STATE LEGISLATURE





Preserving The Environment •
Improving Water Quality

Kevin L. Shafer, P.E.
Executive Director

*Legal Services
Division*

September 5, 2007

Director:
Michael J. McCabe
225-2101
mmccabeta@mmsd.com

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Facsimile Number:
225-0167

The Honorable James E. Doyle, Jr.
Governor of Wisconsin
Office of the Governor
P.O. Box 7863
Madison, WI 53707

Re: Appointment of Preston Cole to the Natural Resources Board

Dear Governor Doyle:

Commissioner Preston Cole has asked us to address the question of whether he can serve on the Natural Resources Board while simultaneously serving as a Commissioner for the Milwaukee Metropolitan Sewerage District. He asked that we address our response to you. The District's opinion, based on a review of the relevant statutes, is that Mr. Cole may do so lawfully.

Wisconsin Statute §19.46(1) provides that, except in certain circumstances specified in subparagraphs (2) and (3) of that section, no state public official may:

- (a) [t]ake any official action substantially affecting a matter in which the official . . . or an organization with which the official is associated has a substantial financial interest.
- (b) [u]se his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official . . . or an organization with which the official is associated.

A Natural Resources Board member is a "state public official" within the meaning of the statutes. See §§19.42(13)(a), 19.42(14), 15.07(1) and 15.34(1).

milwaukee metropolitan sewerage district
260 W. Seeboth Street, Milwaukee, WI 53204-1446
414-272-5100 • www.mmsd.com

The Honorable James E. Doyle, Jr.
Governor of Wisconsin
September 5, 2007
Page 2

The conflict of interest rules stated in §19.46(1) would not prevent Mr. Cole from serving as a member of the Natural Resources Board. Section 19.46(1) is a general provision prohibiting every state public official from taking official actions substantially affecting the financial interest of organizations with which the official is associated, or from otherwise using his or her position to substantially benefit an organization with which he or she is associated. It does not prevent Mr. Cole's appointment to the Natural Resources Board due to his association with the District. Further, §19.46 would not prohibit Mr. Cole from taking official action with respect to any proposal to modify the state administrative code, despite his association with the District. Subparagraph (3) of that section makes clear that §19.46 does not "prohibit a state public official from taking official action with respect to any proposal to modify state law or the state administrative code."

Specific statutory sections prohibiting the appointment of Natural Resources Board members in certain situations would not prohibit Mr. Cole's appointment. Those sections deal specifically with financial conflicts of interest. That consideration it is not present here because Mr. Cole does not receive a significant portion of his income from the District for serving as a Commissioner and does not otherwise have any financial interest in the District.

Specifically, neither §15.34(2)(c) or (d) prevents Mr. Cole from being appointed to the Natural Resources Board. First and foremost, §15.34(e) provides that the restrictions in subparagraphs (c) and (d) of that section "do not apply with respect to permits or licenses held or applied for by agencies, departments, or subdivisions of this state." The District is a subdivision of the state.

Additionally, §15.34(c) does not prohibit Mr. Cole from being appointed to the Natural Resources Board because there is no financial conflict of interest. Under subparagraph (c), a Natural Resources Board member may not receive or have received during the previous two years a "significant portion of his or her income directly or indirectly from holders of or applicants for permits issued by the department under ch. 283." While the District holds a permit issued by the Department under ch. 283, Mr. Cole does not receive and has not during the previous two years received a significant portion of his or her income directly or indirectly from the District. Although Mr. Cole receives \$10,000 a year in compensation for serving as a Commissioner, this compensation does not qualify as "a significant portion of his or her income." Although that term is not defined by the Wisconsin Statute, it is defined in the federal regulations governing the state's permitting program. The state's permit program for discharges into navigable waters is authorized under 33 U.S.C. §1342 and regulated by federal guidelines promulgated under 33 U.S.C. §1314(i)(2)(D). The federal guidelines require that, under the state program, any board or body that approves permits shall not include as a member "any person who receives, or has during the previous 2 years received, a significant portion of income directly or indirectly from permit holders or applicants for a permit." 40 C.F.R. §123.25(c). Wisconsin Statute §15.34(2)(c) mirrors this requirement. The federal guidelines define the term "significant portion of income" to mean "10 percent or more of gross personal income for a

The Honorable James E. Doyle, Jr.
Governor of Wisconsin
September 5, 2007
Page 3

calendar year.” 40 C.F.R. §123.25(c)(1)(ii). Here, the \$10,000 annual compensation that Mr. Cole receives as a Commissioner does not constitute 10 percent or more of his gross personal income for a calendar year. Therefore, because the compensation he receives from the District is not a “significant portion” of his income, Wisconsin Statute §15.34(2)(c) does not prohibit Mr. Cole from being appointed to the Natural Resources Board.

Likewise, §15.34(2)(d) does not prohibit Mr. Cole from serving as a member of the Natural Resources Board. Under that subparagraph, the majority of members of the Board may not derive a “significant portion of their incomes from persons who are subject to permits or enforcement orders under ch. 285.” Although the District is subject to a permit under ch. 285, Mr. Cole does not derive a “significant portion” of his income from the District.

Nor does §299.23, which prohibits the Secretary of Natural Resources and “any other person in a position of administrative responsibility in the department” from having a financial interest in “any enterprise which might profit by weak or preferential administration or enforcement of the powers and duties of the department” disqualify Mr. Cole from serving on the Natural Resources Board. A member of the Natural Resources Board is not a “person in a position of administrative responsibility in the department” within the meaning of §299.23. Under §15.05(1)(b), the powers and duties of boards that supervise state departments are “regulatory, advisory and policy-making, and not administrative.” Therefore, §299.23 does not apply to members of the Natural Resources Board, but rather only to persons with administrative responsibilities.

In summary, the District’s opinion is that Mr. Cole may lawfully serve as a member of the Natural Resources Board while simultaneously serving as a Commissioner for the District.

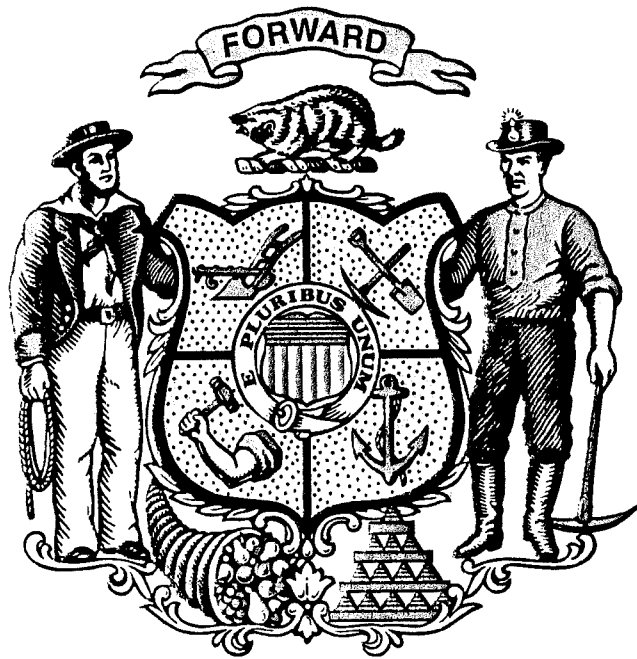
Please feel free to contact me with any questions.

Very truly yours,



Michael J. McCabe
Director of Legal Services

cc: Mr. Preston Cole (via email and U.S. First-Class Mail)





Preserving The Environment •
Improving Water Quality

September 18, 2007

Marjorie Stahl
Commission Secretary
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, WI 53204

Re: Refusal of District Salary

Dear Secretary Stahl:

Recently Governor James Doyle announced my appointment to the Natural Resources Board. State Senator Mark Miller has raised a question as to whether under Wisconsin Statute §13.625 I may continue receiving the \$10,000 annual salary, and expense reimbursements the District provides to Commissioners. Section 13.625 generally prohibits a lobbying principal from furnishing money or any other thing of pecuniary value to a state agency official. I understand that the District is considered a lobbying principal under the statute.

In an abundance of caution and to avoid even the appearance of a conflict, I have determined it would be in the best interests of both the District and the State that I no longer accept my District salary or any reimbursement from the District for expenses I might incur in the performance of my duties as a Commissioner. Therefore, I write to notify you that, as of the date of this letter, I refuse my salary, any such reimbursement, any other thing of pecuniary value, while I am serving as a member of the Natural Resources Board. Please instruct staff to discontinue payment of such items to me.

Very truly yours,

Preston Cole
Commissioner

cc: Commissioners, Milwaukee Metropolitan Sewerage District
Kevin L. Shafer, P.E., *Executive Director*

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WISCONSIN STATE LEGISLATURE



Comments of Preston D. Cole, Nominee- Natural Resources Board
To the Senate Committee on Environment and Natural Resources
September 25th, 2007

Thank you for the opportunity to come before you and relate my educational background, training and experience to my ability to perform the essential duties of a Natural Resources Board member.

Raised in Berrien County Michigan, a small farming community, I was a Future Farmer of America in the Benton Harbor School District. Our family is involved in leasing farming rights of our property in Southwestern Michigan. We have done so for over forty five years.

I attended the University of Missouri where I began my college career in Agronomy (Field Crops). I then completed my degree in Forest Management in 1987.

My professional career began with the Missouri Department of Conservation, as a Resource Forester on the St. Louis Forest District. I had responsibility of state forest management, rural and urban forest request for service. I also taught hunter safety and assisted in the coordination of Goose camp on Swan Lake Wildlife refuge in Northern Missouri.

Following the Conservation Department, I was Parks Superintendent for the City of St. Louis, managing the Parks system for North side parks section. Managing activities like the Urban Fishing programs with my former colleagues at the Conservation Department.

In 1991, I accepted a management position with the Milwaukee Forestry Division and became City Forester in 1997. Coordinating activities related to forest health, invasive species control and production. We merged our Sanitation Division and I became the Superintendent of this new DivisionEnvironmental Services.

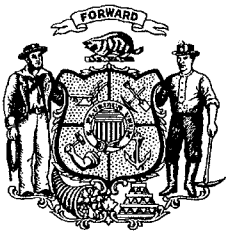
Along with my responsibilities of the Forestry section, I assumed additional management responsibilities for garbage collection, managing the state largest recycling program, street sweeping, snow and ice control, household hazardous waste, and electronic waste programs.

Additionally, I am a Commissioner with the Milwaukee Metropolitan Sewerage District until my term ends in 2009, and a trustee for the National Arbor Day Foundation.

I believe my education, training and experience has prepared me for the challenge of serving the great State of Wisconsin as a Natural Resources board member. I am humble by the opportunity to serve, and look forward the working with citizen groups, associations and others, to work toward the betterment of our natural resources.



WISCONSIN STATE LEGISLATURE



Session Day Briefing
10.30.07

APPOINTMENTS

Preston Cole, Natural Resources Board

- Has strong background in urban forestry
- Currently the director of the Department of Public Works Operations Division in the City of Milwaukee
 - Oversees forestry and sanitation (recycling, etc)
- Serves as MMSD Commissioner
 - Some issues with conflict of interest
 - Has requested NOT to receive the \$10,000 salary from MMSD or any other reimbursement
 - Clear sign that he is committed to his appointment
 - You feel any questions about conflict of interest have been answered completely.
- Preston serving on the NRB makes is a stronger body and brings important experience – you are fully supportive of his appointment.