

MINUTES
BAY-LAKE REGIONAL PLANNING COMMISSION
EXECUTIVE COMMITTEE MEETING

January 8, 2010
Commission Office
Green Bay, WI

COMMITTEE MEMBERS PRESENT: Bill Clancy, Eric Corroy (for Chuck Wagner), Paul DeWitt, Mike Hotz, Cheryl Maxwell, Val Mellon, Lois Trever and Yvonne Van Pembrook

STAFF PRESENT: Brenda Rehberg and Mark Walter

1. Chairperson Cheryl Maxwell called the meeting to order at 10:02 a.m. Everyone in the room introduced themselves.
2. Mark Walter noted that the agenda has been revised to correct a date and to add Item VIII. 2009 Budget Report. **Moved** by Lois Trever and seconded by Paul DeWitt to approve the revised agenda. Motion carried, with all voting aye on a voice vote.
3. **Moved** by Yvonne Van Pembrook and seconded by Lois Trever that the minutes of the October 9, 2009, Executive Committee meeting be approved. Motion carried, with all voting aye on a voice vote.
4. **Moved** by Bill Clancy and seconded by Lois Trever to approve the minutes of the October 30, 2009, Special Meeting. Motion carried, with all voting aye on a voice vote.
5. There was no public input.
6. Mark Walter presented the following communications to the Executive Committee:
 - (a) A December 18, 2009 email from Britney Hinthorne congratulating the Commission on being selected as recipients of the *ESRI and Trimble 2009 Mobile Government Grant Program*. As a result, the Commission will be awarded the Mobile Standard grant which includes: one Trimble Juno SC handheld device, one ArcPad 8 license and one ESRI Virtual Campus training course.

Eric Corroy asked if there are any ongoing costs associated with grant award; Mark Walter responded that if the Commission decides this software is usable, there would be a licensing fee for ArcView at a cost of approximately \$500 that the Commission would need to purchase.

Cheryl Maxwell asked who wrote the grant; Mark Walter responded that Angela Pierce, Josh Schedler and Tony Bellovary wrote the grant. Cheryl Maxwell asked that Mark congratulate the staff for their successful grant award, including transmittal of a letter to Tony Bellovary.
 - (b) A copy of a December 30, 2009, letter from Carlos Pena and David Jolicoeur of the U.S. Dept. of Transportation, Federal Highway Administration to Sandra Beaupre of WisDOT approving the *Sheboygan Metropolitan Planning Area Transportation Planning Work Program, 2010*. Lois Trever asked if the funding amount is the same as last year; Mark Walter stated that funding amount has increased by approximately \$100,000 due to the fact that the Commission will be completing modeling as part of the work program.
 - (c) A copy of an October 20, 2009, letter from Congressman Thomas Petri to Ed Procek thanking Mr. Procek for the letter seeking 2010 funding for the Commission to develop the Interstate Highway 43 Interchange Economic Development and Land Use Plan for the Bay-Lake Region.

Due to the fact that the fiscal year 2010 transportation appropriations bill has already been passed by both the House and Senate, 2010 funding is not available. The letter encouraged the Commission to contact the Congressmen in February 2011 at which time they will have further information on the fiscal year 2011 appropriations process and deadlines for submission of funding requests.

Cheryl Maxwell asked what the Commission's plan is for seeking funding for this project; Mark Walter responded that this issue will be covered under agenda item XI (Commission Marketing and Grant Efforts).

(d) An announcement regarding a Niagara Escarpment workshop being held January 14, 2010, at the University of Wisconsin-Green Bay sponsored by the Niagara Escarpment Resource Network (NERN). Mark Walter noted that he will give the welcoming remarks and introduction to the conference. Cheryl Maxwell asked if the Niagara Escarpment project has been completed; Mark Walter responded that this Niagara Escarpment workshop will kick off 2010 as the *Year of the Niagara Escarpment*, adding that this document will be discussed at a later point in this meeting. In addition to this workshop, Mark Walter discussed additional workshops/conferences NERN will be sponsoring in 2010. Mark Walter will email a list of 2010 NERN workshops and conferences to all Commissioners.

(e) A January 5, 2010, letter from Sandra Beaupre of WisDOT Bureau of Planning and Economic Development, approving the Commission's 2010 Rural Transportation Work Program and authorizing work to proceed with activities designated for FHWA and WisDOT funding.

Cheryl Maxwell asked how this funding amount compares to last year; Mark Walter responded that the funding amount is slightly less than last year by approximately \$8,000.

7. Mark Walter presented the following contract additions for the committee's approval.

BLRPC Approval Date	Organization	County	Contract Number	Budget			Work Element	Project	Comment	Period	
				Contract Amount	Contract Reimbursement	BLRPC Match				start	end
1/8/2010	WisDOT	Region	10002-09	\$ 74,775	\$ 67,298	\$ 7,478	1100	2010 Rural Transportation Work Program	Project is in 2010 Budget and 2010 2012 Work Program	01/01/10	12/31/10
1/8/2010	FHWA	Sheboygan	10003-10	\$ 211,436	\$ 181,071	\$ 30,365	1200	Sheboygan 2010 MPO Work Program	Project is in 2010 Budget and 2010 2012 Work Program	01/01/10	12/31/10
1/8/2010	EDA	Region	10004-10	\$ 309,768	\$ 154,884	\$ 154,884	1300	EDA District Continuation Planning Grant	Project is in 2010 Budget and 2010 2012 Work Program; 3-Year Funding Cycle	01/01/10	12/31/12
Total				\$ 595,979	\$ 403,252	\$ 192,727					

Moved by Yvonne Van Pembroke and seconded by Paul DeWitt to approve the above contracts. Motion carried, with all voting aye on a voice vote.

8. Mark Walter reviewed the 2009 budget report with committee members, including the A/R Aging Summary, Balance Sheet, 2009 Expense Report and 2009 Final Estimated Budget Revenues. Mike Hotz asked for clarification on payment for contract 0701809 (WCMP Niagara Escarpment Model Ordinance) and contract 0801909 (WDNR Sheboygan Sewer Service Plan Update). Mark Walter responded that payment for contract 0701809 is due from the Wisconsin Coastal Management Program, and payment from contract 0801909 is due from the WDNR, adding that there is no reason to hold up payment. Cheryl Maxwell asked, given the outstanding balances in question, is there any question to the workmanship or the work being completed by the Commission; which Mark Walter responded no to.

With respect to the Balance Sheet as of December 31, 2009, Cheryl Maxwell asked how much the Commission is carrying over into 2010; Mark Walter responded that the Commission has a carryover of \$24,745. Val Mellon asked for clarification on the low amount that is being carried over; Mark Walter explained that the Commission has invoiced for its 2010 levy that is expected to be collected in January and February 2010 in addition to the accounts receivable from WDNR, WisDOT and the

MPO. Mark Walter noted that the Commission's 2010 assets are down by approximately \$150,000 from 2009.

Cheryl Maxwell requested that for the February Commission meeting, all accounts receivable for 2009 be separate from 2010 to get a better understand of the Commission's budget.

Mark Walter reviewed the 2009 Expense Report and 2009 Budget Revenues with committee members, noting that the Commission has a 2009 budget deficit of \$63,727.

9. Mark Walter reviewed the 2010-2012 Estimated Expense Report. Compared to 2009 Expenses, the Commission's 2010 Expenses are approximately \$259,000 less. Mike Hotz asked what projection factor was used to calculate 2011 and 2012 budget for payroll expenses; Mark Walter responded that for 2011, a six percent increase was used and for 2012, a three percent increase was figured, adding that 2011 and 2012 does include an elimination of furloughs. Mike Hotz commented that the 2010 Budget figures 28 weeks of unemployment but believed that required employer unemployment compensation has been extended and has not been included in the 2010 Budget. Cheryl Maxwell and Eric Corroy expressed concerns that if the required employer contribution of unemployment compensation has been extended, that amount has not been included in the Commission's 2010 Budget.

Mark Walter distributed a draft Commission Furlough Policy for the committee's review and approval. Eric Corroy asked how the Commission will operate on a furlough day; Mark Walter responded that Commission employees may not work on furlough days.

Eric Corroy asked that if, according do the draft furlough policy, an employee is being allowed to work 40 hours (when they should only be working 32 hours during a furlough week), where is the furlough benefit for the Commission; Mark Walter stated nonexempt employees would not get overtime and exempt employee, under the Fair Labor Standards Act, would lose his or her exempt status and would be entitled to overtime if he or she works more than 40 hours in the week.

Committee members discussed working and payment of wages during a week of a furlough for exempt and nonexempt employees. Mark Walter recommended that exempt employees be paid twice each month in 24 equal payments throughout 2010 based on their annualized salary and non-exempt employees be paid for actual hours worked in each pay cycle. Mike Hotz asked what payment schedule is required for exempt employees; Mark Walter responded that he has discussed this with the Commission's auditors, Schenk Associates, and they indicated that salaried employees may be paid twice each month in 24 equal payments. Cheryl Maxwell recommends that both exempt and non-exempt employees be paid uniformly.

Due to the fact that payroll needs to be completed by January 13, 2010, a decision on employee pay needs to be made at this meeting. Mike Hotz recommended that the Executive Committee approve the format for payment and have the Personnel Committee approve the Commission's Furlough Policy. **Moved** by Mike Hotz and seconded by Lois Trever that Commission employee pay will vary depending on the day the furlough is assigned. Motion carried, with all voting aye on a voice vote. Brenda Rehberg asked if this applies to both exempt and non-exempt employees which Mike Hotz responded yes to. **Moved** by Mike Hotz and seconded by Lois Trever to authorize the Executive Committee to approve the format for employee pay and to authorize the Personnel Committee to review and implement the Commission's Furlough Policy on February 12, 2010, to become effective immediately. Motion carried, with all voting aye on a voice vote.

Mike Hotz requested that the furlough policy be reviewed by a human resources agency. Mike Hotz asked if the Commission can have employees sign an agreement to not work on the 10 assigned furlough days; Mark Walter responded that we can not require an employee not to work on a furlough day adding that there will be employees that have meetings to attend on a scheduled furlough day. Mike Hotz stated that it is important that an employee not work on a scheduled furlough day to avoid litigation. Cheryl Maxwell requested that the Personnel Committee review overtime that has accumulated and asked Mark if there is someone who approves overtime; Mark Walter replied that he approves all overtime hours.

Mark Walter reviewed 2010 Potential Budget Revenue with committee members. To date, the Commission has applied for 14 grants in which announcements have yet to be made. Of the 14 grants applications the Commission has submitted, it is expected that the Commission will be awarded seven of those grants.

Mark Walter reviewed the 2010 Expenses. Mark Walter updated committee members on the Commission's Supplemental Dental Insurance and requested that the Commission pay the entire premium for its laid off employees; if the Commission does not pay the entire premium, Mark Walter indicated that he would pay the premium for the laid off employees. Paul DeWitt asked if the Commission would be setting a precedent by paying for the supplemental dental insurance premium for the Commission's laid off employees. **Moved** by Bill Clancy and seconded by Yvonne VanPembrook that the Commission pay for the supplemental dental insurance costs for the unemployed employees for up to six months as a one-time only expenditure on a non-precedent setting basis. Motion carried with 5 voting aye and 3 voting nay on a voice vote.

10. The 2010 Executive Committee schedule was approved: April 9 in Florence County; June 11 in Oconto County; November 12 in Kewaunee County.
11. Mark Walter distributed and reviewed a Strategic Funding Plan for the Commission. At the direction of the Commission Chair, Mark Walter prepared this plan which contains a list of activities the Commission must take to avoid future layoffs and secure a more stable source of funding. A short-term timeline of activities for 2010 was reviewed by committee members with one of the activities being a Commissioner Training day that will take place at the February Commission meeting.

Mark Walter discussed projects for which the Commission has been requesting funding for including: 1) I-43 Interchange Economic Development and Land Use Plan; 2) USH 41 Highway and Access Management Plan; 3) USH 141 Highway and Access Management Plan; 4) Regional Non-Motorized Transportation Plan; and 5) the Regional Dredging Study. Val Mellon and Cheryl Maxwell requested a sample resolution that communities could use to advocate for the noted projects.

This report will be distributed to Commission staff for their review and comment. Cheryl Maxwell recommended that this report be continually reviewed by the Commission on a quarterly basis; Mark Walter agreed.

12. Mark Walter distributed the Commission's monthly activity report for December 2009 to committee members.
13. Mark Walter distributed the bills and receipts to committee members. Mike Hotz asked for clarification on the vacation payout amount for Tony Bellovary; Mark Walter reported that Tony Bellovary was paid out for 278 hours of vacation. **Moved** by Mike Hotz and seconded by Bill Clancy to approve the bills and receipts. Motion carried, with all voting aye on a voice vote.

14. (a) The next meeting of the full Commission will be February 12, 2010, at the Commission offices in Green Bay, WI.

(b) The next meeting of the Executive Committee will be held on April 9, 2010 in Florence County.

15. **Moved** by Mike Hotz and seconded by Yvonne Van Pembroke that the Executive Committee adjourn. Motion carried, with all voting aye on a voice vote. The Committee adjourned at 12:37 p.m.

Respectfully submitted,

Brenda Rehberg
Recording Secretary