

MINUTES  
BAY-LAKE REGIONAL PLANNING COMMISSION  
EXECUTIVE COMMITTEE MEETING  
November 12, 2010  
Kewaunee County Administration Center  
Kewaunee, WI

COMMITTEE MEMBERS PRESENT: Paul DeWitt, Mike Hotz, Ed Kelley (for Yvonne Van Pembroke), Cheryl Maxwell, Val Mellon, Lois Trever, and Chuck Wagner

COMMITTEE MEMBERS ABSENT: Bill Clancy

STAFF PRESENT: Rich Heath and Brenda Rehberg

OTHERS PRESENT: John Blaha (City of Kewaunee Mayor) and Robert Weidner (Kewaunee County Board Chair)

- I. Chairperson Cheryl Maxwell called the meeting to order at 10:00 a.m. Those in attendance introduced themselves.
- II. **Moved** by Lois Trever and seconded by Chuck Wagner to approve the agenda. Motion carried, with all voting aye on a voice vote.
- III. **Moved** by Val Mellon and seconded by Mike Hotz that the minutes of the June 18, 2010, Executive Committee meeting be approved. Motion carried, with all voting aye on a voice vote.
- IV. Cheryl Maxwell asked if there was any public input; Robert Weidner, Kewaunee County Board Chair welcomed everyone to Kewaunee County and thanked the Commission for the work performed in Kewaunee County. Most recently the Commission assisted Kewaunee County with customizing an Emerald Ash Borer plan for the county and thanked Angela Pierce for the work done on the plan. Mr. Weidner stated he empathized with the Commission's current budget situation stating he hoped Kewaunee County would work with the Commission for mutual benefit.

John Blaha, City of Kewaunee Mayor, thanked the Commission for the work they are doing in the City of Kewaunee, such as the zoning ordinances and outdoor recreation plan and for the city's comprehensive plan.

V. Rich Heath presented the following communications to the Executive Committee:

- (a) A November 8, 2010, email from the FEMA HMA Program initially identifying Angela Pierce of the Commission to participate in the FY2011 HMA National Evaluation in Washington D.C. January 16 – January 21, 2011. Rich Heath explained that Ms. Pierce's participation has a benefit to the Commission and recommends approval of her travel and attendance at this event. All expenses associated with this event will be paid for by FEMA.

**Moved** by Chuck Wagner and seconded by Val Mellon to approve Angela Pierce's travel and attendance at the FY2011 HMA National Evaluation January 16-21, 2011. Motion carried, with all voting aye on a voice vote.

- (b) A November 11, 2010, email from Ed Procek expressing concern with the Commission using its line of credit and having only \$750 in contingency for 2011. Rich Heath discussed the need for

the Commission to use \$10,000 of the line of credit and may need to use additional credit this year but the goal is to not burden the 2011 budget with 2010 debt obligations. Mr. Heath explained that since the drop in levy by approximately \$100,000 from 2010 to 2011, that amount will be made up through an increase in projects.

VI. Rich Heath 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
11/12/2010	C. of Marinette	Marinette	10020-06	\$ 2,250	\$ 2,250	\$ -	2500	Shared-Ride Taxi Application	Provide assistance to the city annually to prepare the app.	09/01/10	01/31/11
11/12/2010	Florence County	Florence	10021-03	\$ 22,337	\$ 22,337	\$ -	2200	Multi-Hazards Mitigation Plan Update	An update to the 2005 Plan completed by the Commission	05/01/11	05/31/13
11/12/2010	C. of Sheboygan	Sheboygan	10022-08	\$ 23,829	\$ 23,829	\$ -	2200	Multi-Hazards Mitigation Plan Update	An update to the 2007 Plan completed by the Commission	09/16/10	09/30/13
11/12/2010	WDNR	Sheboygan	10023-09	\$ 15,585	\$ 15,585	\$ -	1600	Sheboygan Sewer Service Area Plan Update Phase II	WDNR is providing funding to complete the plan.	09/01/10	06/30/11
Total				\$ 64,001	\$ 64,001	\$ -					

With respect to subcontracts being included on the contract list, Rich Heath asked the committee if subcontracts should be included; an example of subcontractor would be a GLRI subcontractor. Cheryl Maxwell stated that subcontracts should be illustrated on the contract list.

**Moved** by Mike Hotz and seconded by Lois Trever to approve the above contracts. Motion carried, with all voting aye on a voice vote.

VII. Rich Heath provided committee members with a budget report. To date, the Commission has used \$10,000 of its line-of-credit with 12 percent interest totaling approximately \$40 per month. The Commission is currently paying \$2,104 /month in rent since June 2010; the unpaid rent balance totals approximately \$14,728 with an increase in rent beginning December 1 (from \$4,208 to \$4,293 month). Mike Hotz asked if the unpaid rent balance has been factored in to the debt going into 2010; Rich Heath stated that the unpaid rent of approximately \$14,728 has been factored into 2011 and encouraged Commissioners involvement with finding a permanent resolution to the Commission's current lease situation. The Commission, with assistance from NeighborWorks, is working on subleasing its office space. Mike Hotz asked how much per month the Commission could expect to receive in leasing its vacant office space; Rich Heath responded that the Commission could expect to receive approximately \$1,000 per month if it subleases the office spaces. Cheryl Maxwell stated that the Commission can not sustain the current lease situation and a permanent resolution on this matter will assist in moving the Commission forward. Mike Hotz recommended appointing a committee to review and discuss the office space lease. Val Mellon concurs with establishing a committee to review the Commission office space lease. Paul DeWitt asked what would the cost would be to break the current lease; Rich Heath responded that the cost to break the lease is unclear.

Chairperson Cheryl Maxwell established a special meeting of the Commission to review the Commission's current office space lease agreement and appointed the following Commissioners to the Commission's special Finance Committee: Mike Hotz, Cheryl Maxwell, Val Mellon and Chuck Wagner.

VIII. Discussion of Community Development and Planning Kewaunee occurred under agenda item no. IV.

IX. Rich Heath provided the Executive Committee with an update on the Commission's *Preliminary 2011 Budget and 2011-2012 Work Program*.

Rich Heath reviewed the Table 9: BLRPC Estimated 2011 Expenses with committee members and recommended the following changes to employee benefits for 2011: removing the 10-days of furlough as approved for in 2010, an increase in employee contribution to health insurance premiums from 7.5 percent to 9 percent and discontinuing the Commission providing supplemental dental insurance to employees. Rich Heath distributed a spreadsheet on the current and proposed Employee Salaries and Benefit Budget Impacts for the committees review. The recommended changes to employee benefits

were reviewed by and agreed to by staff. Mike Hotz asked if the wages for 2011 are equivalent to 2010 if there were no furloughs; Rich Heath responded that the wages are equivalent to 2010 wages. Val Mellon stated the Commission employees professional staff with the expertise needed and we need to give employees a good faith stipend.

The Commission's 2011 Projected Revenue by Source (Table 8) was reviewed; Rich Heath encouraged commissioners advocating for the proposed projects that are listed on the spreadsheet.

The Preliminary 2011-2012 Work Program & 2011 Annual Budget is for discussion purposes only and will be approved by the full Commission at the December Commission meeting.

- X. Committee members reviewed proposed revisions to the Commission By-Laws presented for discussion at the September 10<sup>th</sup> Full Commission meeting. Revisions to the Commission By-Laws are necessary to address the meeting attendance by Commissioners; the Commission's standing committees; Commission meeting schedule, and representation from non-member counties. Committee members recommended reviewing and recommending approval of each item independently:

Meeting Attendance

Revisions are necessary to Article III, Section 5-Meeting Attendance to address excessive absences by Commissioners at Commission meetings. Committee members recommended modifying the section to the following:

*Commissioners who do not attend and fail to inform the Commission of their intended absence or assign an alternate to serve in their place for any two (2) consecutive scheduled Full Commission, Executive Committee and/or Special committee meetings will be sent a letter signed by the Commission Chairperson requesting in writing their intentions on continuing to serve as a Commissioner. A copy of the letter will be sent to the represented county and/or Governor for their files. If no written response is received within 30-days of notification, the Commissioner will be notified in writing their position as Commissioner will be discussed at the next scheduled Full Commission or Executive Committee meeting and a vote taken on their continued involvement as a Commissioner of the Commission. A majority vote of the Full Commission or Executive Committee will need to be secured in order to remove a Commissioner from their position as a Commissioner. Upon removal, the county and/or Governor of the State of Wisconsin will be notified in writing of the decision and the process to seek a replacement will begin immediately. For those individuals who have stated in writing their desire to continue as a Commissioner, any further unexcused absence will result in a vote for their removal.*

Ed Kelley asked if there is an issue using alternates in place of Commissioners; Mike Hotz responded that he does not feel that this is an issue noting that Article III Section 4 addresses Commissioner Alternates.

**Moved** by Chuck Wagner and seconded by Lois Trever to recommend approving Article III Section 5-Meeting Attendance (as written above) to address excessive absences by Commissioners. Motion carried, with all voting aye on a voice vote.

### Composition of Commission and Non-Member Counties

To address the fact that there are two counties in the Bay-Lake Region that withdrew their paid membership from the Commission; it is also necessary to address representation on the Commission from non-paying counties. Rich Heath recommended that the representation would be appointed by the county board.

Cheryl Maxwell stated that representation from non-paying counties should continue and recommends continuing to have three representatives without voting privileges from non-paying counties. Mike Hotz respectfully disagreed stated that only paying members should have voting privileges; Chuck Wagner and Paul DeWitt concurred. Cheryl Maxwell explained that without voting privileges, there won't be an incentive for the Commissioner to remain involved adding that the objective of the Commission is to bring back the non-paying counties. Lois Trever stated that it is also the responsibility of the Commissioner from the non-paying county to encourage the county to rejoin the Commission.

Committee members recommended incorporating the following language to address representation from non-paying counties on the Commission:

*Any county within the Bay-Lake Region that withdraws their paid membership in the Commission as stated in s. 66.0309, Wisconsin Statutes will be reduced to one non-voting Commissioner at the beginning of the following calendar year. The Commission shall maintain one (1) Commissioner from any non-member county who is elected or appointed by the County Board. The Commissioners serving as joint representatives from the County Board and Governor of the State of Wisconsin and the Governor's appointment will have their appointments terminated on December 31st of the year in which the withdraw proceedings occurred. A written letter signed by the Commission Chairperson will be sent to the affected Commissioners, the respective county, and Governor explaining the withdrawal of their county as a member of the Commission and subsequent policy on representation of non-member counties on the Commission.*

**Moved** by Mike Hotz and seconded by Chuck Wagner to recommend approving Article III Section 2-Non-Member Counties (as written above) to address representation from non-paying counties on the Commission. Motion carried, with 3-ayes, 1-nay (Ed Kelley) and 1-abstaining (Paul DeWitt) on a voice vote.

Mike Hotz asked if a non-voting representative on the Commission would receive reimbursement for expenses; Cheryl Maxwell responded yes.

### Meeting Quorum

With respect to meeting quorums, Brenda Rehberg asked for clarification on what constitutes a meeting quorum. Mike Hotz recommends a majority of the voting Commissioners quorum constitute.

**Moved** by Mike Hotz and seconded by Lois Trever to recommend modifying Article II Section 6-Meeting Quorum include a majority of the voting Commissioners of the Commission shall constitute a quorum. Motion carried, with all voting aye on a voice vote.

### Management

Currently the Commission has three standing committees including the Personnel Committee, Intergovernmental Affairs and Work Program. After reviewing the number of committees the Commission has it is recommended to reduce the number of standing committees by eliminating the Intergovernmental Affairs and Work Program Committees and retain the Personnel Committee (and meet as needed).

**Moved** Cheryl Maxwell and seconded by Val Mellon to recommend eliminating the Intergovernmental Affairs and Work Program Committees from the Commission's standing committees. Motion carried, with all voting aye on a voice vote.

### Commission Meetings

Rich Heath provided a tentative meeting schedule for the Commission for 2011:

2011 Date	Type	Location
January 28	Executive Committee	Brown County
March 11	Full Commission	Bay-Lake Offices
April 29	Executive Committee	TBD
June 10	Full Commission	Bay-Lake Offices
July 29	Executive Committee	TBD
September 9	Annual Commission Meeting	Bay-Lake Offices
October 28	Executive Committee	TBD
December 9	Full Commission	Bay-Lake Offices

Committee members agreed with changes to the Executive Committee schedule (meeting on the last Friday of each month as opposed to the 2<sup>nd</sup> Friday of the month) and would like to continue to rotate its meeting locations throughout the region – including meeting in those counties that are not members of the Commission.

**Moved** by Lois Trever and seconded by Val Mellon to recommend approval of the above noted modifications to Article II Section 2-Commission Meetings. Motion carried, with all voting aye on a voice vote.

- XI. **Moved** by Mike Hotz and seconded by Val Mellon to approve Resolution 43-2010: Resolution of the Bay-Lake Regional Planning Commission to adopt the *2011 Sheboygan Metropolitan Planning Area Transportation Planning Work Program*. Motion carried, with all voting aye on a voice vote.
- XII. **Moved** by Mike Hotz and seconded by Val Mellon to approve Resolution 44-2010: Resolution of the Bay-Lake Regional Planning Commission endorsing an administrative modification to the *Sheboygan Metropolitan Planning Area Transportation Improvement Program (TIP): Calendar Years 2008-2011*. Motion carried, with all voting aye on a voice vote.
- XIII. Rich Heath provided a brief overview on the *2011 Regional Transportation Work Program* noting that Brandon Robinson of the Commission will now become the point-of-contact for Regional Transportation planning. Final review of the work program by WisDOT is scheduled for November 16, 2010.
- XIV. The Commission's *2009 Annual Report* was distributed to each committee member. Brenda Rehberg noted that the design and artwork of the Annual Report was completed by Amber Christian, the Commission's Intern. Ms. Rehberg explained that due to printing and mailing costs, the number of reports previously produced in the past had to be dramatically reduced. This report is being distributed to all Commissioners as well as all local units of government in the Region. Cheryl Maxwell asked if County Board Supervisors will be receiving a copy of the report as has been done in previous years; Brenda Rehberg responded that County Board Supervisors would not be receiving a hard copy; however, this report will be available on the Commission's website.

XV. Rich Heath noted that a copy of the Commission's monthly activity report for September and October 2010 was mailed to all Commissioners as well as emailed to county clerks in the region.

XVI. A copy of the bills and receipts for November 2010 was mailed to all Commissioners. **Moved** by Chuck Wagner and seconded by Ed Kelley to approve the bills and receipts. Motion carried, with all voting aye on a voice vote.

XVII. The next meeting of the full Commission will be December 10, 2010, at the Commission offices.

The next meeting of the Executive Committee will be held on January 28, 2011, at a place to be determined.

XVIII. Prior to adjournment, Mike Hotz requested that a decision on the status of the Commission's Interim Executive Director be placed on the December agenda of the full Commission meeting.

**Moved** by Chuck Wagner and seconded by Lois Trever that the Executive Committee adjourn. Motion carried, with all voting aye on a voice vote. The Committee adjourned at 12:25 p.m.

Respectfully submitted,

Brenda Rehberg  
Recording Secretary