

MINUTES
BAY-LAKE REGIONAL PLANNING COMMISSION
COMMISSION MEETING
March 11, 2011
Commission Office
Green Bay, Wisconsin

MEMBERS PRESENT: Jim Abrahamson, Alice Baumgarten, Eric Corroy (for Chuck Wagner), Paul DeWitt, Mike Hotz, Ed Kelley, Tom Kussow, Don Markwardt, Cheryl Maxwell, Ron McDonald, Val Mellon, Mary Meyer, Ed Procek, Lois Trever and Yvonne VanPembrook

MEMBERS EXCUSED: Bill Clancy

MEMBERS ABSENT: Don Glynn and Bruce Osterberg

STAFF PRESENT: Richard Heath and Jeff Agee-Aguayo

- I. Chairperson Cheryl Maxwell called the meeting to order at 10:15 a.m.
- II. **Moved** by Tom Kussow and seconded by Don Markwardt that the Commission approve the agenda. Motion carried, with all present voting aye on a voice vote.
- III. **Moved** by Lois Trever and seconded by Yvonne VanPembrook that the Commission approve the minutes of the December 10, 2010, meeting. Motion carried, with all present voting aye on a voice vote.
- IV. Chairperson Cheryl Maxwell asked if there was any public input; none was received.
- V. An overview of the Finance Committee meetings held on January 14 and 28, 2011 was provided by Mike Hotz and Cheryl Maxwell. The primary item of discussion centered on getting a workable amendment to the Commission's existing lease with NeighborWorks Green Bay. The minutes from the January 28, 2011, Finance Committee meeting were included in the Commission packet.
Moved by Tom Kussow and seconded by Mary Meyer to approve the minutes from the January 28, 2011, Finance Committee meeting. Motion carried, with all voting aye on a voice vote.
The minutes from the January 28, 2011, Executive Committee meeting were included in the Commission packet. As written in the minutes, the Executive Committee approved the conditions of the lease amendment put forth by the Finance Committee.
Moved by Yvonne VanPembrook and seconded by Lois Trever to approve the minutes from the January 28, 2011, Executive Committee meeting. Motion carried, with all voting aye on a voice vote.
- VI. Rich Heath presented the following communications to the Full Commission:
 - A. A letter from Brenda Rehberg announcing she was leaving the Commission after 15 years of service. Her last day with the Commission is March 11, 2011. Rich Heath has contacted a temporary employment agency to find someone to replace for Brenda Rehberg on a part-time (20 hour per week) basis.
Moved by Ed Kelley and seconded by Lois Trever to accept Brenda Rehberg's resignation with regret. Motion carried, with all voting aye on a voice vote.
 - B. A copy of a correspondence from Julie Heuvelman, Calumet County Planning Director, encouraging the Commission to include the Niagara Escarpment on its website.
 - C. A copy of the 7th Annual Sustainable Forestry conference brochure to be held April 14, 2011,

at the Encore on Central in downtown Florence.

- D. A copy of the brochure for the upcoming “Small Wind in Your Community?” workshop scheduled for March 25, 2011, at Renewegy in Oshkosh. There was some discussion on the impacts of wind energy.
 - E. A copy of the obituary for Leona Gilligan. Jim Gilligan was a longtime Commissioner from Sheboygan County and served as Commission Chair for a number of years.
 - F. Copies of transit articles were provided to inform the Commissioners on impacts that the proposed Budget Repair Bill may have on local transit operations. Ron McDonald provided a brief update on what the bill would mean for Sheboygan’s transit operation.
 - G. Discussion on the lease amendment proposed by NeighborWorks was postponed until the report is given on the budget later in the agenda.
- VII. Staff from Schenck Business Solutions has completed the Commission’s audit. Mike Konecny met with Rich Heath to review the preliminary audit and to discuss the indirect rate charged to contracts. The final audit and indirect rate calculations will be presented to the Executive Committee at its April 15, 2011, meeting.

VIII. Rich Heath presented the following contracts to the Commission for review and approval:

BLRPC Approval Date	Organization	County	Contract Number	Budget			Work Element	Project	Comment	Period	
				Contract Amount	Contract Reimbursement	BLRPC Match				start	end
3/11/2011	C. of Marinette	Marinette	11005-06	\$ 2,400	\$ 2,400	\$ -	RT	C. Marinette Shared Ride Taxi Admin.	Ongoing Project	4/1/2011	03/31/12
3/11/2011	WisDOT	Marinette	11006-09	\$ 36,874	\$ 36,874	\$ -	RT	USH 141 Corridor Study (STH 64 to Crivitz)	Working with WisDOT and Jewell Consulting staff to prepare a preservation plan.	01/01/11	05/01/13
3/11/2011	T. Casco	Kewaunee	09015-04	\$ 2,500	\$ 2,500	\$ -	CA	Town Zoning Code	Extended Contract	1/1/2011	12/31/11
Total				\$ 41,774	\$ 41,774	\$ -					

Moved by Don Markwardt and seconded by Alice Baumgarten to approve the above contracts. Motion carried, with all present voting aye on a voice vote.

- IX. The Commission has been approached by the East Central Regional Planning Commission to do some project work for the Menominee Nation. The East Central RPC does not have staff capacity to complete an updated land use plan or long-range transportation plan for the Menominee Nation, and would like Bay-Lake RPC to complete these tasks. None of the project details have been discussed nor the fact the Menominee Nation is outside of our region and not a member of the Commission. The Commission would have to determine if the Menominee Nation would pay a temporary membership in order to proceed with the projects.

Rich Heath explained the necessity to expand the Commission’s customer base to include businesses, non-profit organizations, and other entities in addition to its traditional counties and local communities. There may be a need to establish a non-profit or a private entity that would allow the Commission to serve non-traditional customers and to work outside of the region. There are several questions to be answered before pursuing a non-profit or private component to the Commission. There are advantages and disadvantages of each, so it is important to move cautiously on either one.

The Commissioners asked Rich Heath to investigate the establishment of a non-profit or a for-profit entity and bring back more information for discussion at the June full Commission meeting. There may be more state budget information available by June that would allow Commissioners to make better decisions going forward regarding the structure of the overall Commission.

- X. Rich Heath distributed an updated summary of the Commission’s budget and related notes. The

Commission has cut costs, streamlined processes, and secured new projects in order to continue meeting its financial obligations. With some projects billed bi-monthly and quarterly, it has been hard to generate enough revenue each month to cover average monthly expenses. New projects are needed to help continue cash flow for the latter part of 2011. It is important to resolve the lease issue in order to appropriately budget for the remainder of 2011 as well as the next few years. The lease, in combination with the financial uncertainties at the state, counties, and local levels, will heighten how member counties view the Commission during their 2012 budgeting processes.

Moved by Mike Hotz and seconded by Yvonne VanPembrook to convene in Closed Session under exemption provided in Sec. 19.85(1)(i) of the *Wisconsin State Statutes* for considering any and all matters related to acts by businesses under s. 560.15 which, if discussed in public, could adversely affect the business, its employees or former employees. Motion carried, with all voting aye on a roll call vote. The Full Commission convened in Closed Session at 11:35 a.m.

Moved by Mike Hotz and seconded by Don Markwardt to reconvene in Open Session. Motion carried, with all voting aye on a voice vote. The Full Commission convened in Open Session at 11:53 p.m.

Moved by Yvonne VanPembrook and seconded by Don Markwardt to concur with the Finance Committee's recommendations on the lease amendment which comprised the following conditions:

- \$2,400 per month lease payment freeze for 2011 and 2012 with a review of the Commission's financial condition in late 2012 to determine a monthly per month lease rate for 2013 and annually thereafter;
- a \$6,000 payment in early May 2011 for outstanding back rent; no repayment of accumulated rent for 2011 and 2012;
- give NeighborWorks Green Bay the current phone system;
- work with NeighborWorks Green Bay to sublease open office space to compatible entity with those rent payments being paid directly to NeighborWorks Green Bay;
- the Commission will not agree to any lease payout clause for terminating the lease prior to the 10 year lease period;
- the Commission will not pay for any litigation costs assumed by NeighborWorks Green Bay regarding the lease;
- NeighborWorks Green Bay will provide a response to the Commission by March 31, 2011 regarding this proposal; and
- the Commission reserves the right to vacate the premises by April 30, 2011. Motion carried, with all voting aye on a voice vote.

XI. Jeff Agee-Aguayo presented information on Resolution 1-2011. **Moved** by Ron McDonald and seconded by Ed Procek to approve Resolution 1-2011: Resolution of the Bay-Lake Regional Planning Commission endorsing the update to the *Year 2035 Sheboygan Area Transportation Plan (SATP)*. Motion carried, with all voting aye on a voice vote.

XII. Rich Heath distributed copies of the draft version of the Commission's Amended Bylaws. The Executive Committee recommended that the Full Commission approve the changes noted in "bold type." The changes to Article II, Section 6 and Article III, Sections 1 and 2 address non-member and member status as well as voting privileges of member and non-member counties.

Moved by Alice Baumgarten and seconded by Ron McDonald to approve revisions to Article II, Section 6 and Article III, Sections 1 and 2 as written in the Bylaws. Motion carried, with all voting aye on a voice vote.

XIII. There are four Governor's appointments to the Commission that need to be finalized. Tom Kussow, Oconto County, and Mike Hotz, Sheboygan County, have indicated an interest to remain

on the Commission. They will need to submit paperwork to the Governor's Appointment Secretary for consideration of such appointment to the Commission. Rich Heath had contacted both Kewaunee and Manitowoc counties in early February regarding their Governor's appointments to the Commission; Rich Heath has not heard anything further regarding either of these appointments.

Moved by Ron McDonald and seconded by Ed Procek to table action on Committee Appointments until the June full Commission meeting due to these pending appointments. Motion carried, with all voting aye on a voice vote.

XIV. Rich Heath noted that a copy of the Bills and Receipts was distributed prior to the meeting; they cover the months of January and February 2011. **Moved** by Alice Baumgarten and seconded by Mary Meyer to accept the bills and receipts. Motion carried, with all voting aye on a voice vote.

XV. The next meeting of the Executive Committee is April 15, 2011, in Brown County. The next meeting of the full Commission is June 10, 2011.

XVI. Commission Chair Cheryl Maxwell adjourned the meeting at 12:10 p.m..

After lunch, Paul Jadin, Secretary of the Wisconsin Department of Commerce, provided a brief update on what is happening with the new Wisconsin Economic Development Corporation and how the Commission can be a part of that new organization.

Respectfully submitted,

Richard Heath
Recording Secretary