

## SUMMARY OF PROCEEDINGS STEERING COMMITTEE

COMMITTEE MEMBERS: *Martin Farrell (Chair), Jeff Nooyen (Vice-Chair), Tom Kautza, Dick Koeppen, David Albrecht (Perm. Alt. for Shiloh Ramos), Donna Kalata, Alice Connors, Jeremy Johnson*

**Date:** Wednesday, June 17, 2020  
**Time:** 10:00 a.m.  
**Place:** East Central Offices (400 Ahnaip Street, Suite 100, Menasha)

**Committee Members Present:**

Martin Farrell (Chair) .....Fond du Lac County  
 Kara Homan (Alt. for Jeff Nooyen (Vice Chair)) ..... Outagamie County  
 Tom Kautza ..... Shawano County  
 Alice Connors..... Calumet County  
 Donna Kalata..... Waushara County  
 Dick Koeppen..... Waupaca County  
 Dave Albrecht (Perm. Alt. for Shiloh Ramos) ..... Winnebago County

**Committee Members Excused:**

Jeremy Johnson (Perm. Alt. for Laure Pecore) .....Menominee County

**Committee Members Unexcused:**

None.

**Staff /Others Present:**

Melissa Kraemer Badtke .....Interim Executive Director  
 Pam Scheibe-Johnson..... Controller

### Agenda

**1) Welcome & Introductions**

Chair Farrell called the meeting to order.

**2) Statement of Compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement**

Ms. Kraemer Badtke stated that the meeting was posted in compliance with Wis. Stats. Sec. 19.84 Regarding Open Meetings Requirement and that it was a legal meeting.

**3) Pledge of Allegiance**

**4) Approval of Agenda/Motion to Deviate**

Ms. Kalata motioned to approve the agenda as printed, Ms. Connors seconded the motion. The motion passed unanimously.

**5) Public Comment**

There were no members of the public present.

**6) Approval of the May 27, 2020 Steering Committee Meeting Summary of Proceedings**

Mr. Koeppen motioned to approve the summary of proceedings, Ms. Kalata seconded the motion. The motion passed with 1 abstention (Ms. Homan).

**7) Announcements / Updates**

**a) Other**

Ms. Kraemer Badtke provided an update that there were two transportation planner positions posted (1 Associate Planner and 1 Transportation Planner). Fourteen applications were received, the selection has been narrowed to three each for interviews and those will be set up for the week of June 29<sup>th</sup>. The associate planner applications are okay and we will see how the interviews go. We may look at doing a couple of additional transportation planner interviews because we have a good selection of candidates. We will see how we do with regard to the interviews and then go from there.

Ms. Scheibe-Johnson provided a Controller position update, there were originally five scheduled phone interviews to take place yesterday and today. One applicant notified us that she has accepted a full-time position elsewhere so she removed herself. Yesterday, we had four phone calls along with Mr. Dan DeBonis on the line from Calumet County. Ms. Kraemer Badtke and Ms. Scheibe-Johnson both readily agree on who the top two candidates would be. Ms. Scheibe-Johnson will be calling Mr. Dan DeBonis this afternoon at 1:30 p.m. to see what his thoughts are on the process. All four interviews went very well, in our opinion, two rose to the top and Ms. Scheibe-Johnson is very excited about both of those. Ms. Scheibe-Johnson also noted that two in-person interviews would be held for the top two candidates. It is hoped to have the new hire on staff no later than the end of July for some cross-training. All candidates asked yesterday what the path forward looked like; Ms. Scheibe-Johnson replied that she will be around to assist as needed.

Ms. Connors asked if the two candidates had a lot of experience or inexperience.

Ms. Scheibe-Johnson replied that they do not have the government experience. They both have public accounting experience which Ms. Scheibe-Johnson felt was a big benefit for her coming into this position. As far as the lack of government experience, it is not something that cannot be learned and they also asked about the Uniform Guidance because it was new to a couple of candidates. There are so many training opportunities that are out there both locally and even at the Madison and Chicago levels and there are great seminars out there now.

Chair Farrell asked Ms. Scheibe-Johnson if she was still planning on remaining with East Central until September 1<sup>st</sup>. Ms. Scheibe-Johnson replied that was correct.

Chair Farrell replied that an extra month approximately will be helpful. Chair Farrell commented that he was relieved that we are as far along in that process and having as good of results as we are. Chair Farrell added that he was not sure if that would be the case.

Ms. Scheibe-Johnson stated that she agreed and that she was surprised because when she interviewed for this position 9 years ago that apparently some of the candidates wanted full time work and it was a bit of a concern versus Ms. Scheibe-Johnson who was looking for part-time. The candidates that were interviewed yesterday found the part-time at 32 hours per week very appealing. Which is heartening to hear the attitude of the younger generation is that time with family is what they are valuing. Ms. Scheibe-Johnson found that encouraging.

Chair Farrell added that he had reviewed the applications; he did not weigh in on it. As Chair of the Commission he wanted to get a feel of what we were looking at and Mr. Farrell was impressed with quantity and quality.

Ms. Scheibe-Johnson added that she really appreciated Dan's help. He suggested a website that the position was posted on and we got a number of good responses from that website and that was very helpful.

Chair Farrell asked for clarification regarding the transportation planner positions that there are two separate positions open and they differ in level. Ms. Kraemer Badtke replied that was correct. Chair Farrell asked what differentiated those levels. Ms. Kraemer Badtke replied the responsibilities and the skill sets that we would be looking for. The Associate Planner is overseeing programs such as our regional mobility manager program, transit, and specialized transportation pieces. The entry level transportation planner is going to be working with all of the associate level planners, they help out where they need to. With the associate level planner, we were hoping for more of that higher level skill set. Ms. Kraemer Badtke has talked to the team and if we feel that the candidates that we have are not what we are looking for we have a couple of things that we kind of floated around which would be: 1) to leave the position open until filled and see what we can get; 2) we have two really good qualified entry level planners, do we hire two of those and then distribute some of the additional work to Mr. Moesch and Ms. Biedermann to work through those processes. We will see what comes about and see how we move forward with it. We will have a better sense of that after we do the interviews.

Chair Farrell asked why good candidates were not being attracted at the upper level. Ms. Kraemer Badtke responded that she was not sure.

Ms. Homan replied that she just hired a planner at the county for land use and she had to keep the position open for five months. There used to be a lot of people that graduated from planning programs or planning related and then in 2008 the market crashed and the UW systems started cutting those programs so there are not as many mid-range career professionals because of the 2008 recession. They either completely left the profession and chose a different career, and then they stopped educating as many too.

Chair Farrell asked that in the state is it still the case that UW-Stevens Point and UW-Milwaukee have offered degrees in planning. Ms. Kraemer Badtke replied yes, and UW-Madison as well. There are quite a few that came out of that graduate program with UW-Madison. Ms. Kraemer Badtke also added that those were the two areas that when she sent out the job applications to contact the universities, they were grateful that East Central was hiring because of all of the new graduates coming through. We did receive a couple that had just graduated.

## **8) Informational/Discussion Items:**

### **a) Update on 2020 Budget**

Ms. Kraemer Badtke began the update on the 2020 budget and noted that both she and Ms. Scheibe-Johnson wanted to be up front and transparent about where the agency was sitting in relation to the 2020 budget. After June and we do quarter close for the second quarter we will have a better handle on that, but Ms. Scheibe-Johnson started analyzing where we are sitting after May.

Ms. Scheibe-Johnson continued the discussion and noted that this is through May and there is no revenue activity included for April and May against the expenses because of quarterly billings. Certainly with the two transportation planner vacancies, which were effective the month of May, Ms. Scheibe-Johnson is worried about the transportation billing and whether or not we will be able to meet the deliverables and exhaust the funding for that by the end of the year. Once the billing for second quarter is complete we will be able to take a better look at it; it would not be surprising if we fall short of the 50 percent mark after that June billing. We have had vacancies and in conversations with the Wisconsin Department of Transportation (DOT), you can request an extension of the funding availability period if there is a valid reason. Ms. Scheibe-Johnson does not see any reason, especially in light of COVID, why they would not consider the vacancies of those two positions as being valid reasons for making an extension request at the end of the year. There is a potential for that. In addition, our contract billings are not where they need to be, we had a gap that we needed to fill in the original budget and we have not been able to close that gap and in addition, some of the comprehensive plans are struggling because the municipalities will not meet because of COVID-19. There is a very good likelihood that some of those that were intended to wrap up in 2020 are not going to wrap up which means that there will not be a final billing in 2020. Once we get through mid-year and get those billings in, we will have a better sense for it. Ms. Scheibe-Johnson thinks that we will fall short on those two line items. From an expense standpoint, the news is certainly better. We have a savings of about \$10,000 for fringe benefits and that would be the result of the permanent layoff of Ms. Thunes. However the salary line item is over-budget through May because Mr. Fowle's salary and severance payments went through May. There was no deduction there. Ms. Thunes had a one month severance payment and that was through the month of May. There was also an increase to pay the Interim Executive Director position. We are actually \$5,000 over-budget on the salary line item. However, now with June and the removal of those two severance payments we will now start to see the savings in comparison to the budget. In addition, for overhead expenses we have seen savings because there were numerous conferences that were cancelled. Ms. Scheibe-Johnson noted that the utilities item was a surprise; we closed the office but needed to run the heat, granted at a lower temperature, and now air conditioning. Through the month of May, we had a savings in utilities of \$3,000 compared to budget. \$600 of that alone came from the month of May. However we are

over-budget on professional legal services with hiring the services of Mr. Macy. Overall, we are going to be fine because savings on expenses will now start to be recognized.

Chair Farrell asked if East Central had applied for any of the federal or state funds to offset unanticipated expenses due to COVID-19.

Ms. Scheibe-Johnson replied that the agency had not because local governments were excluded from the ability to save money under the PPP loans; there was a provision that excluded local governments from those particular plans which is the one where you can take the FICA expense, the Social Security tax, and not turn that money over. Ms. Homan asked if that was the CARES Act funding because the counties were allocated based on per capita and some of the communities did too, but she was not sure if special service units received anything. Ms. Scheibe-Johnson replied that they did not. Cities over 500,000 got direct distributions from the government under the CARES Act, the rest of it went to the Governor, and then the Governor determined how the rest of those funds were going to be distributed. In the State of Wisconsin, only two cities received direct money from the federal government. The rest of it was all flowing through Madison.

Ms. Connors replied that she had listened to several of the webinars from Wisconsin Counties Association (WCA) and they indicated any government that had any un-budgeted expense due to COVID was eligible for this funding. Ms. Scheibe-Johnson added that she watched one yesterday where they were talking about that and there are still some funds available so she will certainly reach out to WCA. Ms. Connors added that this was right from the Governor's office.

Chair Farrell asked that the agency please look into that and make sure that we are not missing any opportunity. He realizes that different types of organizations have different eligibilities. Ms. Connors added that there is a lot that is permissible. Chair Farrell added that we try to make sure that we exhaust any possibilities there.

Ms. Kraemer Badtke added that in regard to transportation, there is a mid-year review with Wisconsin DOT and Federal Highway and Federal Transit Administration on June 30<sup>th</sup>. We will be discussing with them where we are sitting on the budget and project deliverables along with the 2021 budget and work program for transportation.

Ms. Connors asked if East Central had its meeting with the DNR. Ms. Kraemer Badtke replied yes, on June 16<sup>th</sup>.

**b) County Issue Sharing/Roundtable**

Items of discussion included the following: reopening of county government; county sales tax; county conference in September; in-person meetings for upcoming Commission dates; remote meeting attendance; and cost of living, salary increases and merits for the 2021 budget.

**9) New Business/Action Items**

**a) Discussion and potential action on requesting a one year extension on the agreement with Clifton Larson Allen for the 2021 audit**

Ms. Kraemer Badtke began the discussion regarding the 2021 audit. The agreement with Clifton Larson Allen expires this year and normally we would go out for an RFP process to select a new audit firm for the next three years. However with the changes in the Executive Director and the Controller, Ms. Scheibe-Johnson had recommended that we could potentially do a one-year extension with the agreement for Clifton Larson Allen then next year go out and do an RFP process.

Ms. Scheibe-Johnson continued the discussion and noted that the last engagement under contract was for 2019 and the cost of the audit was \$9,900. It is time for the three year RFP, but at this point in time Ms. Scheibe-Johnson does not want to go out for an RFP because she would like to see continuity with Clifton Larson Allen for one year just in light of the circumstances, then publish an RFP after there is an Executive Director who has been on board for a while and a Controller who has been on board for a while. Ms. Scheibe-Johnson would like to contact Ms. Danielski and inquire what the cost for a one-year extension would be. Typically, each year it went up \$200. Hopefully, it will be in the \$10,100 range, Ms. Scheibe-Johnson did not want to approach Ms. Danielski unless it was okay with the Steering Committee.

Ms. Connors asked the reason for going out every three years. Ms. Scheibe-Johnson replied that it was a very good practice to do that because there is validity in making a change (new set of eyes) and it is being a good steward of federal, state and local dollars. Ms. Scheibe-Johnson stated when ECWRPC switched to what was Schenck, now Clifton Larson Allen, the agency saved money because Schenck came in with a lower bid than Kerber Rose. It is always good to get a new set of eyes and a new set of accountants who are taking a look at things. From a due diligence standpoint, the Controller can have an established relationship with the auditing firm and the Enron situation was provided as an example.

Ms. Kalata made a motion to arrange the request of the one year extension on the auditing agreement with Clifton Larson Allen, Mr. Kautza seconded the motion. The motion passed unanimously.

## **b) Discussion on the Governor's Appointments**

### **i) Memo**

Ms. Kraemer Badtke noted that a couple of meetings back the committee requested a timeline in relation to the potential removal of the gubernatorial appointment process. Ms. Kraemer Badtke did reach out to the state contact and she said she would be willing to work with us on this process moving forward. Ms. Kraemer Badtke did take a look at the materials from SWWRPC. Their director said it took about seven to nine months. They did engage legal counsel to look at their bylaws and the state statutes to ensure that things align properly. The legal counsel also helped draft resolutions. The resolution for the Commission, and then each of the counties would have to also adopt a resolution for the removal of the governor appointments. The bylaws along with the draft timeline and appointments are included in the packet materials. Ms. Kraemer Badtke did talk to Mr. Nooyen from Outagamie County last week. He is working with Mr. Nelson on the county board appointees for Outagamie County. The term dates for each of the Commissioners is included as well for each of the counties. A draft timeline is included, it is anticipated that everything will wrap up in April, however we would have to engage legal counsel. There is one piece of

this that SWWRPC did not have and that is the Metropolitan Planning Organization Policy Board and 75 percent of the population must be represented on the board at all times. In the reorganization, we did talk about redesignating that policy board to have local policy makers on there and that would have to be a shift, but we will not know how to do that or when to do that until we get the U.S. Census numbers and we go through the adjustments on the urbanized area boundary and the metropolitan planning boundary. That is one piece that we are still working through to make sure that we have the 75 percent representation and once we have received the Outagamie County representation for their County Board, we will be able to populate that and see what we have for numbers. With regards to cost for legal counsel, those were not included in the 2020 budget. As Ms. Scheibe-Johnson had alluded to in the 2020 budget we are already overspent in those legal costs. Ms. Kraemer Badtke wanted to bring that forward to the committee for consideration. We could wait until we have the U.S. Census information, or we could just try to foresee that we did not have a lot of those pieces in place given that the term of the Governor Appointees that we have on the board expire within this year and next year. Ms. Kraemer Badtke added that she would appreciate any guidance or thoughts on this process and how the committee would like to move forward.

Mr. Kautza replied that there would not be any census numbers available until early next year. Ms. Kraemer Badtke replied that even that Census process has been pushed back a little bit just with how they are going out in the field, so it may be the middle of next year depending on things are with the U.S. Census.

Mr. Kautza replied that unless it was way out of line, you should proceed with the process and get some of the preliminary steps done.

Ms. Connors added that she had talked to the Calumet County appointee, Mr. Gentz and he thought it was a very good idea to do as it was getting too political. Ms. Connors also commented that she thought Mr. Gentz's appointment was the only one that went out to 2021.

Ms. Kraemer Badtke noted the gubernatorial appointments going into 2021: Mr. Sivick (Waushara County), Mr. Bellin (Winnebago County), and Mr. Dallas (Shawano County).

Ms. Connors asked why do we have to take those bylaws to the board, this is a separate entity and we never took the bylaws to our board before. Chair Farrell added that they were revised quite a few times. Ms. Connors continued that the bylaws have been revised quite a few times and that she had talked to the administrator in her county and he said that it did not have to come to their board. We are a separate entity and that would be the Commission's duty to approve the bylaws.

Ms. Kraemer Badtke explained that the Commission would approve the change in the bylaws. The resolution that would be taken to the member counties would be that they were accepting of the change in the bylaws and removing the governor appointee process. It is Ms. Kraemer Badtke's understanding from the director at Southwest WI RPC. Ms. Kraemer Badtke noted that she could look into that more but they went to each individual member county and director at Southwest WI RPC did a presentation to the county board regarding what the changes were, they talked

about it and then the board voted on the resolution to approve that change as a member county.

Ms. Homan replied that it was her understanding of how the governance was set up for a regional planning commission when the RPC is formed, each of the member counties needed to pass a resolution indicating how the membership is structured because the statutes do give each member county some discretion about the base statutory requirement. To undo the membership, each member county needs to agree.

Chair Farrell commented because this change would affect how the counties are represented, as opposed to other changes that did not affect that. At the beginning of the bylaws it shows all of the times that they have been amended. Those did not affect the county membership or representation.

Ms. Scheibe-Johnson noted that it's member County's representation that is changing so it is conceivable that they'd each need to approve that.

Mr. Kautza added that would put it all the way back to when it was formed and that is why it would have to go back through each county.

Chair Farrell added that it was still worth pursuing because we want to streamline the organization and having been Chair for a couple of years now 35 is pretty big. Chair Farrell added that he did not think it needed to be that big and that counties can still have adequate representation. Chair Farrell realizes that some counties would go down to two representatives, but the percentage should be fairly similar.

Mr. Koeppen commented that in Waupaca County, Mr. Nygaard was the appointee from the board two years ago, after Mr. Barrington passed away from cancer. However Mr. Federwitz was then a governor's appointee for some years now. Mr. Koeppen took care of that by abolishing the governor's representative and put Mr. Federwitz back in Mr. Nygaard's spot, Mr. Koeppen asked him to resign or not to be appointed. It is just Mr. Federwitz and Mr. Koeppen in Waupaca County now. Mr. Federwitz will be the regular representative in place of Mr. Nygaard and there will be Mr. Koeppen. Ms. Homan commented that the position was just vacant. Mr. Koeppen replied yes.

Ms. Connors asked if there was a requirement by any of the county boards that when it is time to have appointees to East Central that one of them has to be a member of Land and Water. Mr. Kautza replied that for Shawano County it states preferably a member from the Planning Development and Zoning. Ms. Connors replied that she noticed in the bylaws though on the governor's appointment that it said something about a private citizen or something and that it was desirable to have these particular qualifications, but it is not a rule of your county. Mr. Koeppen replied that Mr. Nygaard was a member of Land and Water and he is not any longer on the committee. Ms. Connors commented that her county has that as a rule and she is wondering where that came from.

Chair Farrell commented that we will continue to look into that and no immediate action is needed at this time.

Ms. Kraemer Badtke asked if it would be preferred to move forward with legal counsel to take a look at the bylaws; Ms. Scheibe-Johnson and Ms. Kraemer Badtke can take a look at where we think adjustments are needed in the bylaws and then have legal counsel review to reduce some of the costs along with the resolution draft as best we can. Ms. Kalata commented that was a good idea.

Chair Farrell commented that we will still save money in the long run.

**ii) Draft Timeline**

See above discussion in agenda item #9-b-i.

**iii) Legal Counsel**

See above discussion in agenda item #9-b-i.

**c) CLOSED SESSION: The Committee will convene, if needed, into closed session pursuant to Section 19.85(1)(c) of the Wisconsin Statutes to consider personnel matters, compensation, and hiring of a new Executive Director and Controller.**

Ms. Connors motioned to move into closed session, Ms. Kalata seconded the motion. A roll call vote was taken to move into closed session, the roll call vote passed unanimously. Closed session began at 11:05 a.m.

**d) RECONVENE INTO OPEN SESSION: The Committee will reconvene into open session pursuant to section 19.85(2) of the Wisconsin Statutes to take action, if necessary, on the above matters.**

A roll call vote was taken to reconvene into open session. The vote passed unanimously. The committee reconvened into open session at 11:45 a.m.

**i) Action from closed session discussions**

Ms. Connors motioned to proceed with Option 1 in the reorganization plan and direct administration to work with staff to streamline the SSA process and work toward the Recreation Program as a self-sustaining program. Mr. Kautza seconded the motion. The motion passed unanimously.

Chair Farrell commented that this is something that can be presented to the Full Commission and they will understand what we are trying to do and we are trying to improve the organization, but also comply with our legally binding agreement. Abandoning a lot of the non-core services which Chair Farrell has heard for a lot of years from different folks, that is all in Option 1 and they are all listed there.

Ms. Connors thanked Ms. Scheibe-Johnson and Ms. Kraemer Badtke and noted that they were doing an outstanding job to keep us in line and moving in the right direction. Chair Farrell added that he agreed, despite all of the obstacles, we have seen tremendous progress in just a few months.

Ms. Connors asked where we are at on the Nomination of Officers. Ms. Kraemer Badtke replied that she had a Doodle scheduler sent out for the Nominating

Committee and it will likely be the first full week in July and it will be put on the agenda for the July Commission meeting.

Ms. Kalata asked Chair Farrell if there was any chance that he would stay in his position. Chair Farrell replied that he was asked that and he replied that he would maybe handle it for one more year to ease the transition.

Ms. Kalata replied that was a good idea. There was consensus amongst the Steering Committee to that effect.

Chair Farrell commented that there were openings on the Nominating Committee because some of those members were not reelected and new people had to be asked.

Ms. Kraemer Badtke added that Mr. Thomas (Outagamie County) and Mr. Gentz (Calumet County) have both agreed to fill the vacant positions and we are moving forward to this effect.

#### **10) Discussion on July Quarterly Commission Meeting**

The July 31<sup>st</sup> Quarterly Commission meeting will be held at Fond du Lac County at 10:00 a.m.

At the October Commission meeting, the mini-conference will be cancelled and the meeting time will be moved to a 10:00 a.m. start time. The location is likely to be in Calumet Co.

The July 7<sup>th</sup> Transportation Committee meeting will be held virtually at 1:30 p.m.

Ms. Kalata asked how much money would be saved by discontinuing the mini-conferences. Ms. Scheibe-Johnson replied that the budget was \$4,000.

Mr. Kautza noted that new Commissioners will not be on the standing committees in July and asked for verification.

Ms. Kraemer Badtke replied that new Commissioners will be on the same standing committee that the previous Commissioner that they are replacing held for now. As we go through the Nominating Committee process, we will take a look at that moving forward.

#### **11) Next Meeting Date & Agenda Items**

The next meeting date and time is to be determined and will be held before the July 31<sup>st</sup> Quarterly Commission Meeting.

#### **12) Adjourn**

Mr. Koeppen motioned to adjourn, Ms. Kalata seconded the motion. The motion passed unanimously. The committee adjourned at 11:55 a.m.