

**MINUTES**  
**BAY-LAKE REGIONAL PLANNING COMMISSION**  
**COMMISSION MEETING**

December 9, 2016

The Ravine, 2633 Manitowoc Rd, Green Bay, Wisconsin

**MEMBERS PRESENT:** Ed Kelley, Tom Kussow, Dennis Kroll, Mary Meyer, Ed Procek, Marc Holsen, Eric Corroy, Virginia Haske, Ronald Paider, Chuck Hoffman, Mike Hotz, Larry Neuens, Dan Koski and Terry Brazeau

**MEMBERS EXCUSED:** Tom Sieber, Rich Wolosyn, Brian Yerges and Shirley Kaufman

**MEMBERS ABSENT:** Ken Fisher

**STAFF PRESENT:** Cindy Wojtczak, Jeff Agee-Aguayo, Brandon Robinson, Angela Kowalzek-Adrians, Josh Schedler and Richard Malone

**OTHERS PRESENT:** Don Markwardt, Former Commissioner; and MaryAnn Lippert, Director of Governor Walker's Northern District Office

- I. Chairperson Mike Hotz called the meeting to order at 10:14 a.m.
- II. **Moved** by Chuck Hoffman and seconded by Ed Kelley that the Commission agenda be approved. Motion carried, with all present voting aye on a voice vote.
- III. **Moved** by Ed Kelley and seconded by Larry Neuens that the Commission approve the minutes of the September 9, 2016, meeting as amended. Amendment consisted of replacing Ken Fisher with Ronald Paider in the "Members Present" section of the minutes. Motion carried, with all present voting aye on a voice vote.
- IV. MaryAnn Lippert, Director of Governor Walker's Northern District Office, commented that the Northern Economic summit held earlier in Minocqua was a success. Ms. Lippert mentioned that future meetings would be scheduled in smaller areas in northern Wisconsin to reach more people. Ms. Lippert reported that the state has money for broadband expansion and that the Public Service Commission (PSC) was increasing its funding for manure digesters. Ms. Lippert noted that she brought copies of the new edition of *Growing Wisconsin* magazine to the meeting, which would be left for anyone to take, if interested.
- V. Mike Hotz reported on the October 28, 2016, **Executive Committee** meeting that took place at the Commission office. Mr. Hotz noted that there was a new Commissioner from Manitowoc County, Marc Holsen, who replaced Don Markwardt, and indicated that Mr. Holsen was present at the meeting today. An update on the status of the loan from Sheboygan County to pay off the Commission's unfunded pension liability was provided. Other items discussed included the 2017 Sheboygan MPO Work Program, the 2017-2020 Sheboygan Metropolitan Planning Area Transportation Improvement Program (TIP), the Commission's Affirmative Action Plan, the 2017 Regional Transportation Planning Work Program, and the Gold Shovel Ready certification program. Ms. Wojtczak explained what the Gold Shovel Ready program involved.

Larry Neuens reported on the November 4, 2016, Personnel Committee meeting. Mr. Neuens reported that the meeting included discussions on the existing Step System used by the Commission as its pay scale. The upcoming January review for the Executive Director and the hiring of a new planner in 2017 were also discussed. The Personnel Committee recommended a change in the Employee Handbook that increased the probationary period for a new hire from three months to six months.

**Moved** by Chuck Hoffman and seconded by Larry Neuens that the Employee Handbook be

revised to change the probationary period for a new hire from three months to six months. Motion carried, with all present voting aye on a voice vote.

**Moved** by Terry Brazeau and seconded by Virginia Haske that both reports be approved as presented. Motion carried, with all present voting aye on a voice vote.

- VI. New binders were distributed to all Commissioners present. Binders included all governing documents of the Commission, as well as contact information for both Commissioners and staff. Cindy Wojtczak explained the items included in the binders and asked Commissioners to discard their old binders to avoid confusion as to what was most current.
- VII. Mike Hotz acknowledged two correspondence items that Donald Markwardt received from Governor Walker's office. A thank you note and a certificate of appreciation from the Governor were both discussed. Mr. Hotz also presented Mr. Markwardt with a plaque of appreciation from the Bay-Lake Regional Planning Commission for his many years of service to the Commission. Mr. Markwardt closed by thanking the Commission and commenting on the many projects that were accomplished in Manitowoc County with the help of the Commission.

Jeffrey Agee-Aguayo then reviewed the following communications to the Commission:

- (a) A letter to Cindy Wojtczak from Michael Davies, Administrator of the Wisconsin Division, Federal Highway Administration (FHWA), dated October 28, 2016, indicating that the FHWA and the Federal Transit Administration (FTA) "jointly determine the Sheboygan 2017 – 2020 TIP to be in conformance with the transportation planning requirements of Titles 23 and 49 U.S.C., the Clean Air Act Amendments (CAAA), and related regulations."
- (b) A copy of a letter to John Mooney, USEPA Region 5, from Gail Good, Director, Air Management Program, WDNR, dated November 4, 2016, acknowledging that the "2045 Regional Transportation Plan (RTP) and the 2017 – 2020 TIP for the Sheboygan metropolitan area conform to Wisconsin's 2008 ozone national ambient air quality standard (NAAQS) state implementation plan (SIP) for transportation conformity purposes."
- (c) A letter to Jeff Agee-Aguayo from Mary Robb, Title VI Program Coordinator, Office of Business Opportunity and Equity Compliance, Wisconsin Department of Transportation, dated November 18, 2016, providing a final copy of the updated Title VI/Non-Discrimination Assurances and Agreement signed by the Commission's Executive Director and by WisDOT's Senior Title VI Coordinator.
- (d) A note of appreciation to Angela Kowalzek-Adrians for being part of a recent congressional tour regarding the Great Lakes Restoration Initiative (GLRI) and use of the grants that are being provided in that program in Wisconsin.

**Moved** by Eric Corroy and seconded by Mary Meyer to accept the communications and place them on file. Motion carried, with all present voting aye on a voice vote.

- VIII. Ms. Wojtczak discussed the current financial status of the Commission. Accounts payable and receivables were discussed. The Commission budget looks good going into 2017. The quarterly work program activity report was distributed and briefly reviewed by Ms. Wojtczak, who highlighted the newer projects being worked on during the period from September through November. Mr. Hotz thanked Ed Procek for his assistance with the unfunded pension liability loan from Sheboygan County.

- IX. Ms. Wojtczak reported on the status of the loan from Sheboygan County for the payoff of the unfunded pension liability. Ms. Wojtczak noted that because of the 7.2% interest rate the Commission was paying and the interest that accrues, in 10 years the debt would have been over \$98,000, even when making the quarterly payments required by the state. The promissory note was in the file for signing today, and will be sent back to Sheboygan County after being signed. The Sheboygan County Finance Director stated that a check would be cut on December 22<sup>nd</sup> for the amount requested. That loan will be at 3.0% for ten years. The first payment will be made on March 1, 2017, and will be paid with the funds from the levy increase in addition to what was being paid prior to the loan. Tom Kussow asked if Ms. Wojtczak had heard any reaction to the levy increase; Ms. Wojtczak responded by saying that no complaints had been made. No action was needed on this issue. Ed Procek thanked his fellow Sheboygan County Board supervisors for their assistance on this matter.
- X. Brandon Robinson presented on both agenda items X and XI, the Town of Riverview and the Town of Manitowoc Rapids comprehensive plans. Mr. Robinson noted that these plans were actually poster plans that met the requirements of a comprehensive plan. Both plans were shown to those present. Mr. Robinson stated that the updates to the comprehensive plans are not as aggressive as the original plans developed between 2000 and 2010. He noted that there was less residential growth taking place, and added that the provision of services and agricultural preservation are key themes for these two plans. Mr. Robinson mentioned the need for the approval of the resolution of adoption of both plans, and noted that all local and county comprehensive plans are considered part of the development of the regional comprehensive plan. Mr. Robinson noted that the plans could be reviewed after the meeting or if they visited the Commission's website. Dennis Kroll asked about the cost of a poster plan; Brandon Robinson responded that they would run about \$6,000 to \$8,000 compared to the \$15,000 to \$20,000 it would cost to develop the older plans in "book" form that were completed in the past decade. Tom Kussow stated that the Commission needs to make sure that it gets adequately compensated for the plans and that the Commission should not sell itself short. Eric Corroy asked if there might be other ways to print the plans; Mr. Robinson responded that the plans could be printed differently, but it all depends on what information needs to be portrayed and how it fits on the pages.

**Moved** by Dennis Kroll and seconded by Terry Brazeau to approve Resolution 9-2016 adopting the *Town of Riverview 20-Year Comprehensive Plan Update* as part of the master plan for the region. Motion carried, with all present voting aye on a voice vote.

- XI. (See agenda item X)

**Moved** by Chuck Hoffman and seconded by Marc Holsen to approve Resolution 10-2016 adopting the *Town of Manitowoc Rapids 20-Year Comprehensive Plan Update* as part of the master plan for the region. Motion carried, with all present voting aye on a voice vote.

- XII. Jeff Agee-Aguayo discussed the *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* with all Commissioners in attendance. (The document was e-mailed to the Sheboygan County Commissioners in advance of the meeting).

Jeff Agee-Aguayo briefly reviewed the *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* with Commissioners in attendance. Emphasis was placed on MPO responsibilities in Article II, although all portions of the agreement were reviewed.

Jeff Agee-Aguayo stated that the Sheboygan Transit Commission approved and signed the

*Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* at its meeting on November 22, 2016. Jeff Agee-Aguayo also noted that the Sheboygan MPO Technical and Policy Advisory Committees reviewed the *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* at their joint meeting on December 8, 2016. Jeff Agee-Aguayo indicated that WisDOT Secretary Gottlieb would sign the *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* once it has been signed by the Sheboygan Transit Commission and by the Bay-Lake Regional Planning Commission.

Jeff Agee-Aguayo commented that this was the first time that the *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area* had been updated in over 10 years. The agreement reflects the most current Federal transportation legislation (MAP-21 and the FAST Act).

**Moved** by Ed Procek and seconded by Marc Holsen to adopt Resolution 11-2016 authorizing approval and signing of the updated *Cooperative Agreement for Continuing Transportation Planning for the Sheboygan, Wisconsin, Metropolitan Area between State of Wisconsin, Department of Transportation and the Bay-Lake Regional Planning Commission and the Shoreline Metro Transit System*. Motion carried, with all present voting aye on a voice vote.

XIII. Jeff Agee-Aguayo discussed the *2016 Public Participation Plan Update* for the Sheboygan Metropolitan Planning Organization (MPO) with all Commissioners in attendance. (The document was e-mailed to the Sheboygan County Commissioners in advance of the meeting).

Jeff Agee-Aguayo briefly reviewed the *2016 Public Participation Plan Update* for the Sheboygan MPO with Commissioners in attendance. Emphasis was placed on changes made to the plan since it was last approved in 2012, particularly in regard to public participation stakeholders required to be included in the metropolitan transportation planning process due to recent Federal surface transportation legislation (MAP-21 and the FAST Act).

Jeff Agee-Aguayo discussed the 30-day consultation period that ran from late June through early August and the 45-day public comment period that ran from early October through late November on the *2016 Public Participation Plan Update* for the Sheboygan MPO. Jeff Agee-Aguayo commented that the Sheboygan MPO Technical and Policy Advisory Committees worked on this plan over several meetings, and recommended approval of the plan at their joint meeting on December 8, 2016.

**Moved** by Ed Procek and seconded by Mary Meyer to adopt Resolution 12-2016 approving the *2016 Public Participation Plan Update* for the Sheboygan MPO. Motion carried, with all present voting aye on a voice vote.

XIV. Angela Kowalzek-Adrians presented the Commissioners with an update on the phragmites project that took place in 2016. Because additional work was going to take place in 2017 with the same contractors, discussion of various concerns with the work done in 2016 were reviewed. Two amendments to increase the acreage treated in 2016 were presented by Ms. Kowalzek-Adrians: one for Applied Ecological Solutions and one for Wildlife and Wetland Solutions. Before and after pictures were passed around for everyone to see the impact the treating and mowing of phragmites has made.

**Moved** by Chuck Hoffman and seconded by Ed Procek to approve contract amendments with both contractors for the treatment of additional acres in 2017 over what was initially planned. Motion carried, with all present voting aye on a voice vote.

XV. Ms. Wojtczak reported that everyone in attendance should have received a new binder at the meeting, and added that the final version of the Commission's *2017 Budget and 2017-2018 Work Program* could be found in that binder under Tab 2. Ms. Wojtczak noted that the full Commission had approved the preliminary version of the document in September, but since that time, a few changes have been made to the document. Those changes included additional funding from EDA in the amount of \$20,000, and an increase in expenses due to increasing the expected salary of a new hire for 2017 and for paying unemployment compensation to a former limited term employee (LTE) that was unexpected. Overall, the bottom line is now expected to be approximately a \$40,000 surplus instead of a deficit of approximately \$1,500 as reported in September. Much discussion regarding the paying of unemployment compensation to LTEs followed.

**Moved** by Ron Paider and seconded by Larry Neuens to approve the *2017 Budget and 2017-2018 Work Program*. Motion carried, with all present voting aye on a voice vote.

XVI. Cindy Wojtczak noted that a copy of the Bills and Receipts for October 2016 was in the mailed packets and that a copy of the November 2016 Bills and Receipts was distributed prior to the meeting.

**Moved** by Terry Brazeau and seconded by Ed Procek to approve the Bills and Receipts for October 2016 and November 2016, as presented. Motion carried, with all present voting aye on a voice vote.

XVII. Commissioner reports included the following:

- Ed Procek briefly discussed the Taylor Drive bicycle and pedestrian trail being opened, with a ribbon cutting held before Thanksgiving. Ed Procek also discussed the new shed that was going to be built by the Sheboygan County Transportation (Highway) Department in the Town of Plymouth, or central portion of that county.
- Tom Kussow commented that this was his last Commission meeting due to the fact that he was going to be moving to Brown County. Mr. Kussow complimented the staff and the Commissioners on the work they do in the region.

XVIII. The next meeting dates were reported. The Executive Committee is tentatively scheduled to meet on January 27, 2017, and there will be a Personnel Committee meeting held at the Commission office on January 6, 2017. The next full Commission meeting will be held on March 10, 2017, at a location yet to be determined.

XIX. **Moved** by Chuck Hoffman and seconded by Tom Kussow to adjourn the meeting at 11:47 a.m. Motion carried, with all present voting aye on a voice vote.

Respectfully submitted,  
Cindy Wojtczak  
Recording Secretary