

## MINUTES

### SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

#### ADMINISTRATIVE COMMITTEE

Thursday, May 28, 2009

1:30 p.m.

SEWRPC Office Building  
Commissioners' Conference Room  
W239 N1812 Rockwood Drive  
Waukesha, Wisconsin

Present:

Excused:

Committee Members:

Jim Dwyer, Vice-Chairman  
Thomas H. Buestrin  
Nancy Russell  
Daniel S. Schmidt  
David L. Stroik  
Gustav W. Wirth, Jr.

Adelene Greene, Chairman  
William R. Drew  
Richard A. Hansen  
Michael J. Miklasevich

Staff:

Kenneth R. Yunker  
Elizabeth A. Larsen  
Lynn Heis

Executive Director  
Business Manager  
Staff Secretary

#### ROLL CALL

Vice-Chair Dwyer called the meeting to order at 1:30 p.m. Roll call was taken and a quorum declared present. Mr. Yunker noted for the record that Commissioners Greene, Drew, Hansen and Miklasevich had asked to be excused.

#### APPROVAL OF MINUTES OF APRIL 23, 2009, MEETING

On a motion by Mr. Stroik seconded by Mr. Schmidt, and carried unanimously, the minutes of the Administrative Committee meeting held on April 23, 2009, were approved as published.

## **DISCUSSION OF COMMISSION BUSINESS INSURANCE COVERAGE**

Mr. Dwyer then recognized Mr. Ronald R. Knudsen, Vice-President, Johnson Insurance, and invited him to present a summary of the Commission's business insurance. Mr. Knudsen distributed a 2008-2009 coverage analysis (copy attached to Official Minutes), and then reviewed the analysis.

During Mr. Knudsen's presentation, Committee members raised a number of questions and made a number of comments. Ms. Russell noted that Walworth County required drug testing of employees submitting a worker's compensation claim. Ms. Larsen stated that she would examine this policy with Mr. Knudsen.

Mr. Buestrin and Mr. Wirth suggested examination of the total insured value of the Commission building and contents. Ms. Larsen indicated that she would work with Mr. Knudsen to further examine this issue, including the possible conduct of an appraisal. Mr. Knudsen noted that an appraisal may have a cost of \$1,500.

Mr. Wirth suggested that the Commission's procedures for storage of software and data off-site should be examined. Mr. Yunker stated that the Commission procedures will be reviewed.

Mr. Stroik asked that Ms. Larsen and Mr. Knudsen examine the Commission's insurance coverage to assess the potential to reduce the cost of insurance, for example, through higher deductibles. Ms. Larsen and Mr. Knudsen responded that this assessment would be done.

Mr. Knudsen noted that the insurance coverage includes a Westchester Insurance Company Public Officials' Liability and Employment Practices Liability Insurance. It provides \$1,000,000 in coverage due to any misstatement by the Commission that may cause monetary loss by an individual or entity; and coverage in the event the Commission is subject to a harassment, discrimination, or wrongful termination claim. Ms. Larsen stated that this coverage was added upon request and consideration by the Commission a few years ago. Mr. Knudsen added that the general liability coverage under West Bend Insurance Co. also includes employee benefit and practices liability, for example, should staff neglect to complete health insurance paperwork for an employee.

## **APPROVAL OF DISBURSEMENTS**

Vice-Chair Dwyer asked Mr. Yunker to review with the Committee the recent disbursements.

### **2009 Reporting Period No. 9**

Mr. Yunker distributed copies of the Check Register for the 9<sup>th</sup> financial reporting period of 2009, April 13 to April 26, 2009.

In a response to an inquiry by Mr. Dwyer, Ms. Larsen indicated that the payment listed on page 2 of the Register to Gold Star Cleaning, Inc., represented the monthly janitorial costs.

In a response to an inquiry by Ms. Russell, Ms. Larsen indicated that the payment listed on page 1 of the Register to Boardman Law Firm, represented consultant costs for the Pewaukee Consolidation Study. Mr. Yunker stated that the total cost of the study is \$30,000 and is funded by the City and Village of Pewaukee. The Commission staff is acting as facilitator and fiscal agent for the study.

In a response to a second inquiry by Ms. Russell, Ms. Larsen indicated that the payment listed on page 2 of the Register to retired Milwaukee Journal Reporter, Paul Hayes, represented partial payment due to Mr. Hayes for writing a history of the Commission's first 50 years. Mr. Yunker noted that Mr. Hayes reported on the Commission's work in the 1960's and 1970's.

There being no questions or comments, on a motion by Mr. Schmidt, seconded by Mr. Stroik and carried unanimously, the Commission disbursements for the 9<sup>th</sup> reporting period of 2009 were approved.

Vice-Chair Dwyer, Mr. Stroik, and Mr. Yunker then affixed their signatures to the Check Register for the 9<sup>th</sup> reporting period of 2009 (copy attached to Official Minutes).

### **2009 Reporting Period No. 10**

Mr. Yunker distributed copies of the Check Register for the 10<sup>th</sup> financial reporting period of 2009, April 27 to May 10, 2009.

In a response to an inquiry by Ms. Russell, Ms. Larsen and Mr. Yunker indicated that the payment listed on page 1 of the Register to Aero-Metric was for surveying work attendant to the development of bidirectional transformation of State Plane Coordinates based upon the 1927 and 1983 North American datums, and of elevations based upon the 1929 and 1988 North American vertical datums.

Ms. Russell also inquired as to the separate charges reported on Mr. Kurt W. Bauer's payment listed on page 1 of the register and the same for the University of Wisconsin-Extension listed on page 4 of the register. Ms. Larsen indicated these amounts represent a specific project's share of the payment total.

In a response to a question by Mr. Schmidt, Ms. Larsen indicated the payment listed on page 4 of the Register to Kenneth Schlager was his final payment due for the completed regional telecommunications study and pilot programs for the Town of Wayne and Kenosha County.

There being no further questions or comments, on a motion by Mr. Stroik, seconded by Mr. Wirth and carried unanimously, the Commission disbursements for the 10<sup>th</sup> reporting period of 2009 were approved.

Vice-Chair Dwyer, Mr. Stroik, and Mr. Yunker then affixed their signatures to the Check Register for the 10<sup>th</sup> reporting period of 2009 (copy attached to Official Minutes).

### **REVIEW OF STATEMENT OF REVENUES AND EXPENDITURES FOR PERIOD ENDING MAY 10, 2009**

Copies of the Statement of Projected Revenues and Expenditures for the period ending May 10, 2009, were distributed for Committee review. Vice-Chair Dwyer asked Ms. Larsen to review with the Committee the financial status of the Commission accounts as of the end of that period.

In reviewing the Statement with the Committee, Ms. Larsen commented that the period covered represented nearly 35% percent of the calendar year. She then called attention to the following items:

1. The revenue entries on the Statement, with the exception of Service Agreements, reflect the budgeted amounts set forth in the Commission's Overall Work Program approved in late 2008.

2. With respect to federal and state revenues, \$125,000 of the Wisconsin Department of Natural Resources funding is now secure. The balance, \$55,000, is expected to be secured later this year, with the possibility of receiving an additional \$40,000 as a result of due to the American Recovery and Reinvestment Act.
3. Service agreement revenues reflect an overall increase of \$160,000 more than stated in the April report. The majority of the increase is due to local smart growth plans to be completed this year.
4. The liability and operating accounts have no adjustments from the April report.
5. The Commission had on hand as of May 10, 2009, about \$4,000,000 million. This includes about \$107,000 of unearned revenue provided to the Commission in advance of expenditures. The funds on hand are invested in the State of Wisconsin Local Government Investment Pool, which is presently paying .67 percent interest; in several certificates of deposit; and in savings and checking accounts at Johnson Bank.

In response to an inquiry by Mr. Dwyer at the April 23, 2009, meeting, Ms. Larsen distributed a summary spreadsheet of cash on hand and unearned revenue for the calendar years 2006, 2007, 2008 and through April 2009 (copy attached to Official Minutes).

On a motion by Mr. Stroik, seconded by Mr. Wirth and carried unanimously, the Statement of Projected Revenues and Expenditures for the period ending May 10, 2009, was accepted to be placed on file (copy attached to Official Minutes).

#### **SELECTION OF AUDITOR FOR CALENDAR YEAR 2009**

Vice-Chair Dwyer asked Mr. Yunker to review a staff memorandum setting forth a recommendation that the certified public accounting firm of David L. Scrima, S.C. be retained by the Commission to conduct the audit of the Commission's calendar year 2009 operations (copy attached to Official Minutes). Mr. Yunker noted that the staff memorandum was provided to the Committee members with the agenda for the meeting. Mr. Yunker reported that given the Commission had gone through a selection process several years ago relative to auditing services, and further given that the Scrima firm was selected for the 2008 audit and performed well, the staff recommends that the Commission engage the Scrima firm again at a cost not to exceed \$13,500.

In response to an inquiry by Mr. Wirth, Ms. Larsen noted that proposals were obtained last in 2004. After a brief discussion, on a motion by Mr. Wirth, seconded by Mr. Schmidt and carried unanimously, the firm of David L. Scrima, S.C. was retained to conduct the calendar year 2009 audit given that in a solicitation of proposals in 2004, the firm's costs were about one-quarter of the costs of the only other proposal, and given that the firm is able to conduct the single annual audit that is required by federal law for all agencies that receive monies from multiple federal agency sources.

#### **CONSIDERATION OF BUDGET ASSUMPTIONS FOR 2010**

Vice-Chair Dwyer asked Mr. Yunker to lead the Committee through a discussion of possible budget assumptions for calendar year 2010. Noting that materials had been provided to Committee members with the agenda for this meeting (copy attached to the Official Minutes), Mr. Yunker made the following major points:

1. Under the regional planning enabling legislation, the Commission must prepare and adopt a budget and certify the regional tax levy to the counties by August 1, 2009. As a practical matter, this means that the budget needs to be adopted at the Commission's June 17<sup>th</sup> Annual Meeting. The Regional Planning Commission, he said, sets the property tax rate needed to support regional planning activities for the ensuing calendar year. That rate, which is capped under present legislation at 0.003 percent of the equalized valuation of the Region, is then applied to the regional tax base and the resulting levy apportioned to each of the seven counties on the basis of each county's proportion of the total equalized valuation of the Region. The Commission uses the most recent available equalized value data in preparing its budget. That data was made available in August 2008. The Wisconsin Department of Revenue is scheduled to release updated valuation data in mid-August 2009, too late for use in the Commission's 2010 budget.
2. There is no reason to believe that federal revenues for transportation planning will change over the amounts made available in 2009. Additional revenue from USGS is anticipated for the conduct of the 2010 Regional Aerial Orthophotography Program.
3. State revenues for transportation planning are expected to decrease by 10% over the 2009 amounts. The state revenues for water quality and coastal management planning are not expected to change over the 2009 funding amounts.
4. A series of assumptions led to a \$391,000 decline in service agreement revenue. A substantial decrease in community assistance planning is anticipated due to the completion of the County and Local Smart Growth Plans. A minor decrease is anticipated in Water Quality Planning and Land Information Programs. Offsetting some of the decrease is anticipated new service agreement revenue for the 2010 Orthophotography Program, and an increase in storm water management planning due to the completion of Metropolitan Milwaukee Sewerage District (MMSD) and Milwaukee County contract flood hazard mapping projects in 2010. There is also a slight increase in expected rental income.
5. It is proposed that the budget amount for regional tax levy support remain at its present level of \$2.37 million. Owing to relative differences in tax base increments among the seven counties during the past year, some counties will see an increase in regional planning tax levy support while other counties will see a decrease in such support. For example, Walworth County would see an increase of 3.6 percent again next year, with Milwaukee, Ozaukee, Racine and Waukesha Counties seeing decreases. The proposed 2010 Budget reflects the fourth straight year of a no increase or decreased tax levy.
6. On an overall basis, the potential year 2010 operating budget would call for a total revenue and expenditure level of about \$6.95 million, an increase of about \$137,000, or 2.0 percent, from the adopted 2009 budget. The increase is resulting from the 2010 Regional Orthophotography Program.
7. Key expenditure assumptions proposed to be made in preparing the budget include an authorized full-time staffing level of 62 positions, 5 fewer than in 2009; a reduction in part-time staff; staff salary adjustments not to exceed an average of 3 percent; a 10 percent increase in health insurance costs; an increase in retirement system rates to 11.2 percent of base salary; and an increase in consultant expenditures owing to expenses related to the 2010 Orthophotography Program.

A discussion then ensued. In a response to a series of questions by Mr. Buestrin, Mr. Yunker indicated there is not a budget shortfall with the staffing level set at 62 full-time employees; however, the staff size would shrink by five positions.

In a response to a question by Ms. Russell, Mr. Yunker indicated the reduction in the over-time and part-time line item is due to a decrease in part-time staff and a reduction in over-time pay.

Mr. Yunker then asked the Commissioners if it was reasonable for the Commission Staff to propose a flat tax levy budget. Commissioners Schmidt, Russell, Wirth and Dwyer stated that a flat tax levy budget would be a reasonable assumption. Mr. Dwyer and Mr. Buestrin, expressed concern over the longer term impacts on the Commission of continuing flat budgets with respect to maintaining staff expertise and responding to county and local needs.

At the conclusion of the discussion, it was moved by Mr. Schmidt, seconded by Mr. Wirth and carried unanimously to direct the Commission staff to prepare a year 2010 budget consistent with the assumptions presented and discussed, and to present that budget to the full Commission for formal consideration at the Annual Meeting of the Commission in Washington County on June 17, 2009.

#### **CONSIDERATION OF WEBSITE UPDATE**

Mr. Yunker stated the Commission staff had been directed to evaluate options for upgrading the SEWRPC website. He stated that the staff recommendation is to acquire a software package generically termed "Content Management System" (CMS). Such content management systems enable an organization to assign responsibility for website content and upgrade to any number of individuals, as specialized programming skills are not needed. Those individuals can create website content at their desktop, forward draft updates to others for review and approval, and then activate the updated material directly without need for any intervention by SEWRPC's limited information technology staff. Mr. Yunker noted that there are two types of CMS software packages available: open source and proprietary. While open source systems are essentially free, they are probably best suited for organizations with strong information technology staff capabilities. It is the staff recommendation that SEWRPC should obtain a proprietary CMS package. While such proprietary packages require an initial license fee and an annual maintenance and support fee, it will likely be more efficient to pay for information technology expertise rather than trying to develop and maintain that expertise in-house.

With regard to CMS proprietary package vendors, Mr. Yunker stated that staff research led to a determination that a Brown Deer based software firm—Northwoods—would provide the best fit for the Commission's needs. Northwoods has developed and marketed the Titan CMS software product to both public and private sector clients in the Milwaukee area. That product is made available to public sector entities at a substantial discount. Northwoods offers a strong support program, including help in site design and development, content migration, and training, and sponsors ongoing and informal user group discussions. Northwoods was selected by both the city and County of Milwaukee and other public and private sector organizations. Mr. Yunker stated that the cost of the proposed website upgrade would be about \$40,000 with \$7,100 for initial license, \$27,000 for website design and development \$2,400 for content migration support and \$3,500 for training with an annual maintenance fee of \$2,400.

A discussion then ensued. In a response to an inquiry by Ms. Russell, Mr. Yunker indicated a number of existing users of the Titan CMS Software were contacted and their websites were reviewed, all with positive feedback. Mr. Wirth noted his concern that the website has sufficient capacity. He stated that user interaction with the website may be limited without adequate capacity. He also recommended that

software source code be obtained, or at least be provided to the Commission should Northwoods go out of business. He suggested that this be outlined in the contract with Northwoods.

Mr. Yunker then stated, Commission staff will work with Northwoods Software Development, Inc. to double the capacity, and obtain the source code or have the source code placed in an electronic depository.

### **CORRESPONDENCE/ANNOUNCEMENTS**

Mr. Yunker reported that the Governor has appointed County Board Supervisor, John F. Weishan, Jr. to replace County Board Chairman Lee Holloway as a member of the Commission from Milwaukee County. This appointment is from a list supplied by the County Board. Supervisor Weishan, who has been attending Commission meetings for County Board Chairman Lee Holloway, will be formally seated at the June meeting.

Mr. Yunker also stated that Brian Dranzik, Director of Administration for the Milwaukee County Department of Transportation and Public Works has been appointed to the Commission by the Milwaukee County Executive and confirmed by the Milwaukee County Board. Replacing George Torres on the Commission, Mr. Dranzik will be formally seated on the Commission on June 17.

Mr. Yunker also reported on the status of the two pending ACLU complaints. The first complaint the ACLU filed is on behalf of Good Jobs and Livable Neighborhoods Coalition. This complaint was filed for action the Commission took to amend the Transportation Improvement Program to add construction funding to the project converting the half interchange of IH 94 with CTH P to a full interchange in Waukesha County. The complaint is being considered by the Federal Transit Administration in Washington, D.C. The Federal Transit Administration has requested a response from the Commission within 30 days.

The second complaint the ACLU filed is on behalf of the Milwaukee Branch of the NAACP regarding the hiring of the Executive Director and the potential hiring of a new Assistant Director. This complaint was filed with the Equal Employment Opportunity Commission. Commission staff has responded to the complaint and was recently asked whether we desire to enter into mediation. The Commission's Counsel, James R. Sommers, responded the staff would need to be made aware of the name of the individual who filed the complaint, prior to considering mediation.

### **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 4:00 p.m. on a motion by Mr. Wirth, seconded by Mr. Stroik, and carried unanimously.

Respectfully submitted,

Kenneth R. Yunker  
Deputy Secretary

KRY/lgh/dad  
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Attachments