

MINUTES
of the Executive Committee
of the Capital Area Regional Planning Commission

May 7, 2018

CCB Rm 321, 210 Martin Luther King Jr Blvd, Madison WI

4:30 PM

Commissioners Present: Ken Golden, Kris Hampton, Peter McKeever, Larry Palm (Chair)
Commissioners Absent: Maureen Crombie, Mark Geller
Staff Present: Linda Firestone, Mike Rupiper, Steve Steinhoff
Others Present: 1 member of the public

1. Roll Call

Chair Palm called the meeting to order at 4:32 PM. Quorum was established.

2. Approval of Minutes

a. **Minutes of the April 9, 2018, Executive Committee Meeting (*actionable item*)**

Mr. Hampton moved to adopt the minutes of the April 9, 2018, Executive Committee meeting: Mr. Golden seconded. The motion passed on a voice vote.

3. Public Comment

No members of the public wished to speak.

4. Presentations and Discussions

a. Revisions to CARPC Personnel Manual

(1) Paid Time Off

Mr. Steinhoff stated that Commissioners asked during the April meeting to see paid time off (PTO) and payout balances for all employees. He also explained the current PTO carry over policy. Mr. Steinhoff noted that PTO liability needs to be weighed against assets available to cover it. He presented information from the 2016 agency audit showing sufficient reserves over and above PTO liability.

The discussion included:

- (a) Procedure for the approval of staff vacations;
- (b) A suggestion to allow a one-time carryover of more than one year of PTO hours in the event an employee has a catastrophic illness;
- (c) A suggestion to combine all types of PTO into one category (PTO) or two categories (vacation and health) for ease of record keeping and to make PTO more understandable for Commissioners;
- (d) When accrual of paid time off hours occurs (beginning of the year; at some point during the year; or each pay period);
- (e) Disability insurance;
- (f) How and when PTO hours are accrued;
- (g) Possible end of year payout for unused paid time off;
- (h) A suggestion that CARPC pay for all employees to have short-term/long-term disability and then limit the amount of carry over hours; and
- (i) There could be extraordinary circumstances, for instance, if there are vacancies that would not allow an employee to take all of his/her vacation, then the employee should be allowed to carry over PTO hours for the benefit of the organization. The Commission would need to approve any carried over PTO hours.

Commissioners asked staff to prepare the following information:

- (a) Implications of CARPC providing short-term/long-term disability for all employees; then severely limiting the amount of carry-over hours of sick time so that sick hours match the amount of time until short-term disability begins, and the corresponding length of time to accumulate those sick hours, plus dollar amounts;
- (b) Implications of sick/personal/wellness being awarded to all employees at the same time, and how does that affect both employee accruals and CARPC's budgets; and
- (c) Assess any dissatisfaction by Agency staff of the current PTO plan.

(2) Conflict of Interest:

Mr. McKeever wanted to see the following in CARPC's conflict of interest:

- (a) Identify who is affected by a conflict;
- (b) Define what are conflicts;
- (c) What are the actions that need to be taken if there is a conflict;
- (d) How to avoid conflicts; and
- (e) Disclosure.

Members of the public have argued that, if a Commissioner had a relationship with a municipality, it is a conflict of interest if the Commissioner votes on Commission items that involve that municipality. CARPC's legal counsel has stated it is not a conflict if a Commissioner votes on an urban service area amendment for the municipality in which that Commissioner lives. CARPC's policy needs to reflect that.

Two issues need to be addressed:

- (a) If someone has a monetary interest in something, meaning land or stock ownership, or ownership or employment interest in a company so there is a monetary connection; or
- (b) Organizational affiliation (the person is on the board of an organization or owns the organization, etc.).

Chair Palm would prefer to tease out more sufficiently those conflicting types of organizations that Commissioners are associated with (something related to land use, agriculture, wildlife habitat, etc.)

A common theme throughout the three examples is a person using his/her position for personal gain as defined as monetary gain for either yourself or someone in your family.

A part of this is the perception that there is a conflict of interest because it has to do with the credibility of the organization.

Staff was asked, on the basis on this discussion and on some of the handouts, to produce a conflict policy as simple as possible with two parts: (1) A definition of what is a conflict (there may be sub parts of that) clearly including financial, ownership, economics, and some form of relationship of the type; and (2) remedies, which could be basically disclosure and recusal. Once written, the Commissioners will edit the policy.

The difference between disclosure and recusal for commissioners needs to be articulated. There are some things a Commissioner should disclose but then move on. There are some things for which a Commissioner needs to recuse himself/herself. Recusal is when a Commissioner does not participate in the discussion and does not influence the Commissioner's decision.

It was agreed that legal counsel should be involved but not at the basic level.

The difference between conflicts for staff and for Commissioners was also discussed.

The current Code of Conduct/Conflict of Interest should be separated. All new Commissioners and staff persons need to sign the new document, plus once a year an acknowledgement document also needs to be signed.

b. Revisions to the CARPC Bylaws

Commissioners agreed to the following changes:

- (1) Article II Section 7 Quorum: Add the sentence: In the event that a Commissioner recuses himself/herself from voting, that Commissioner shall still count for the purpose of quorum, as long as the Commissioner remains present at the meeting.
- (2) Article II Section 9.c.: Delete entire sentence.
- (3) There are two Article II Section 9s. Renumber Article II (second) Section 9 to be Article II Section 10 Reconsideration, which also rennumbers Article II Section 10 Rescinding and Section 11 Meeting Procedural Rules to become Section 11 Rescinding and Section 12 Meeting Procedural Rules respectively.
- (4) Article II Section 10 Reconsideration: The paragraph was revised to read:
A Commissioner on the prevailing side of a decision can move for reconsideration of an action, including Supermajority Votes, after the vote is taken. The Chairperson shall receive a request in writing to reconsider by two (2) Commissioners no less than seventy-two (72) hours prior to the next Commission meeting. The requests shall include the reasons to justify reconsideration of action and will be included with the agenda item for deliberation. To determine if an item is in order, a majority vote of the Commission will be

necessary. Once the item has been placed on the agenda, if the item falls under Article II Section 9, a Supermajority vote is needed to pass the item. Regardless of the outcome, no further reconsideration of that action will be allowed.

- (5) Article II Section 11 Rescinding: Delete the entire section, which will renumber Article II Section 12 Meeting Procedural Rules to become Article II Section 11 Meeting Procedural Rules.
- (6) Article III Section 1 Designation of Officers. Delete the second sentence.
- (7) Article V Section 2 Executive Committee: Replace the entire third paragraph with this new paragraph: The Executive Committee shall be appointed by the Commission and shall consist of officers of the Commission and up to two (2) additional Commissioners. The Executive Committee shall be comprised of not less than one (1) representative from each appointing authority. The Chairperson serves as the Chairperson of the Executive Committee.

The above changes should be made and then submitted to the entire Commission. Once all of the changes have been approved by the Commission, the spacing of the document needs to be corrected and the table of contents updated.

c. Review of Preliminary CARPC 2019 Budget and Five-Year Budget Outlook

Mr. Steinhoff reviewed the 2019 budget.

Discussion items included:

- (1) AGMV donations;
- (2) The need for staff to document lessons learned and what worked well;
- (3) Digitalization of saved hard copy documents;
- (4) Colocation, including health care insurance options; and
- (5) The need for increased revenue because of increased expenses.

The five-year budget outlook needs to account for an increased rate of inflation.

5. Action Items and Authorization to Execute Agreements

- a. **Consideration of Approval of Agreement to Provide Water Quality Management Planning Assistance to the Wisconsin Department of Natural Resources (*actionable item*)**
- b. **Consideration of Approval of Agreement with Town of Verona for Comprehensive Planning Assistance (*actionable item*)**
- c. **Consideration of Approval of Policy Regarding Responding to Requests for Assistance from Local Communities (*actionable item*)**
- d. **Consideration of Approval of Agreement with U.W. Madison for Waubesa Wetlands Watershed Research Project (*actionable item*)**

Mr. Golden moved to approval all items in items #5; Mr. Hampton seconded.

Item 5.e. was separated from the combined approval.

The motion to approve items 5.a. through 5.d. passed on a voice vote.

e. **Consideration of Approval of an Open Data Policy (*actionable item*)**

Mr. Hampton moved to approve item 5.e. with no edits; Mr. Golden seconded. The motion passed on a voice vote.

6. Financials

a. **Approval of May 2018 Disbursements and Treasurer's Report for April 2018 (*actionable item*)**

Mr. Golden moved to approve the May 2018 disbursements and Treasurer's Report for April 2018; Mr. Hampton seconded. The motion passed on a voice vote.

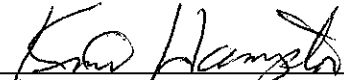
7. Future Agenda Items (Next meetings: June 11 and July 9: both meetings at 4:30pm in Room 321, CCB: June's CARPC meeting will be at 6:15pm on June 11 in Room 321 CCB)

8. Adjournment

Mr. Golden moved to adjourn: Mr. Hampton seconded. The motion passed on a voice vote. The meeting adjourned at 5:58pm.

Minutes taken by Linda Firestone

Respectfully Submitted:



Kris Hampton, Secretary