

AGENDA

Meeting of the Capital Area Regional Planning Commission

November 8, 2007 City-County Building Room 310, 210 Martin Luther King Jr. Blvd., Madison WI 7:00 p.m.

1. Roll Call
2. Approval of minutes of the October 25, 2007 meeting
3. Review of agenda
4. Public comment
5. **Consideration of Resolution CARPC No. 2007 - 6 Adopting CARPC Bylaws (*actionable item*)**
6. **Consideration of Resolution CARPC No. 2007 - 7 Adopting the CARPC Personnel Manual (*actionable item*).**
7. **Consideration of terms and conditions of employment for Capital Area Regional Planning Commission employees that have previous service with the Dane County Regional Planning Commission and/or Dane County (CARPC Res. 2007 - 8) (*actionable item*)**
8. Consideration of a motion to convene in closed session, pursuant to §19.85(1) (c) Wis. Stats., to consider offers of employment to Community Analysis and Planning Division staff for 2008.
9. **Consideration of a motion to re-convene in open session, pursuant to §19.85(2) Wis. Stats., to consider offers of employment to Community Analysis and Planning Division Staff members for 2008.**
10. Workshops continued: Discussion of Urban and Limited Service Area and Environmental Corridor policies and Urban and Limited Service Area amendment criteria.
11. **Consideration of approving discussion drafts: CAPRC Goals and Objectives; Urban and Limited Service Area and Environmental Corridor Policies; and Criteria for the Review of Urban and Limited Service Area Amendments. Consideration of the intergovernmental and public review process for discussion drafts. (*actionable items*)**
12. Discussion of Natural Resources Work Program 2008-2013
13. Report of Interim Chair / Discussion
14. Report of Division Administrator / Discussion of Reports
15. Future agenda items
16. Adjournment

Next Commission Meeting: November 29, 2000 7:00 PM

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MINUTES

Capital Area Regional Planning Commission

October 25, 2007

Fitchburg Community Center, 5520 Lacy Rd, Fitchburg

5:00 p.m.

Present: Zach Brandon, Joe Chase, Kristine Euclide, Martha Gibson, Kris Hampton*, Sally Kefer, Harold Krantz, Jeff Miller, Anne Sayers

Absent: Carlton Hamre, George Kamperschroer, Larry Palm, Kurt Sonnentag

Staff Present: Chris Gjestson, Mike Kakuska, Michael King, Kamran Mesbah

* arrived late

1. Roll Call

Interim Chair Miller called the meeting to order at 5:05 p.m.

2. Approval of minutes of the October 11, 2007 meeting

Moved by Mr. Chase, seconded by Mr. Krantz, to approve the minutes of the October 11, 2007 meeting. Ms. Euclide requested that the first paragraph on page 4 of the minutes be corrected to reflect the indication of support by thumb-check. Accepted by Chase and Krantz as a friendly amendment to the motion, with no objection. Motion to approve carried unanimously (8-0). Ms. Gibson asked if the thumb-checks were formal votes; Mr. Miller answered no, formal votes were not anticipated until the public hearing. Ms. Gibson suggested that language which is voted upon or thumb-checked should be specifically indicated in the minutes for clarity.

3. Review of agenda

No changes.

4. Public comment

John Mathews, Dean Otte, and Greg Frutiger, representing Village of Deerfield, P.O. Box 66, registered to comment. Mr. Mathews thanked the Commission for its hard work on developing urban service area amendment policies and criteria, and requested that they expedite the process so that the pending Village of Deerfield USA amendment request could be considered. He briefly described the amendment, which had been submitted in April, and its importance in addressing the declining enrollment in the school district. Mr. Brandon asked if there were concrete deadlines associated with the amendment request. Mr. Otte stated that one of the major issues was the village did not know what the Commission policies were yet, and the amendment area was part of a TIF plan.

5. Update from CARPC Executive Director Recruitment Work Group meeting of October 22, 2007

Ms. Euclide stated that the work group (Euclide, Hamre, Kamperschroer, Miller and Palm) recommended that the interview panel could consist of any Commissioner willing to commit to all the interviews, Mr. Mesbah, Steve Born, and Mr. King. The dates discussed were Monday, November 26 for the three out-of-town candidates, and Tuesday, November 27 for the local candidate. The work group discussed hosting a social event on Sunday,

November 25, where Commissioners, Budget and Personnel Panel members, and staff could meet with the candidates to gain an interpersonal perspective of the candidates. The group thought it appropriate for the RPC to pay hotel expenses for out-of-town candidates. Mr. Brandon suggested that if second interviews were to be conducted, the costs of providing travel expenses should be more closely reviewed. Members discussed the social event, which had been done by the Village of DeForest in its search for an administrator, and discussed paying for travel expenses and interviewing all four candidates on a single day. Mr. Miller suggested that if a social event was not held, it was important for the RPC to hire an independent firm to conduct thorough background checks.

Moved by Mr. Miller, seconded by Mr. Chase, to pay for all travel expenses, interview all four candidates on a single day, provide for staff to interact with the candidates before or after the interviews, and to hire an independent party to conduct background checks of all four candidates. Discussion ensued. Mr. Brandon suggested that some modes of travel could incur prohibitive costs; Ms. Euclide suggested a cap on travel expenses up to \$500 (not including hotel stay). Miller and Chase accepted the cap as a friendly amendment, with no objections. Motion carried.

6. Review / Discussion of draft CARPC Personnel Manual

Mr. King referred to materials in the agenda packet and the draft manual, which was the Dane County RPC manual plus changes as proposed by staff based on updated benefits as provided by Dane County and current practices. He stated that it would be advisable for the Commission to adopt personnel policies prior to extending offers of employment. He stated that Dane County and the City of Madison were currently reviewing job descriptions and pay scale. He suggested that the evaluation process and related forms in the appendix should be updated but could be done after making job offers.

He referred to a memo from staff which supported the creation of a standing Personnel Committee to hear staff grievances and appeals of disciplinary actions, including termination, by the Executive Director ("ED"). He referred to the hiring process of the draft manual, which provided that new hires made by the ED be approved by the Executive Committee; he suggested this allowed hiring staff to be a management determination, so that the ED could be held accountable for those decisions. Commissioners discussed the hiring process. Ms. Gibson proposed that the ED could submit potential hires to the Commission, which could then either approve or delegate the decision to the Executive Committee. Mr. Mesbah stated that under the previous RPC, the ED's day-to-day management of staff was not transparent to the Commission, which was partially responsible for its dissolution. He suggested that a 360-degree review be included in the ED evaluation process. Discussion followed.

Mr. Miller noted that a decision should be deferred, especially since five Commissioners were absent. Mr. King stated that staff could draft language for consideration at the next meeting; Ms. Euclide summarized the two options as: hiring by the Executive Director is 1) subject to Commission approval, or 2) Executive Committee approval.

Members discussed and asked questions of staff about the draft personnel manual. Ms. Euclide asked about the fiscal impact of the proposed benefits; Mr. Gjestson stated that if the Commission agreed to hire former DCRPC/CAPD staff with retained longevity credits and accrued sick leave, the sick leave would potentially represent a \$85,000 liability

which could be incurred for employees retiring from CARPC service, although the costs would not be incurred in a single budget year.

Mr. Gjestson suggested that previous experience had shown that staff workload often required excessive overtime; there was a need to try to prevent this practice to avoid burnout, which might include a formalized compensatory time policy. He asked if staff might draft language for Commission consideration to address this issue. Discussion followed. Mr. Brandon agreed, and suggested that the next agenda include a possible closed session to discuss the personnel manual; Mr. Miller agreed. Members took a brief dinner break.

7. Review / Discussion of draft CARPC Bylaws

Mr. King referred to the draft bylaws and its unresolved issues, including the need to describe the relationship between the RPC and the Budget and Personnel Panel and the composition of the Executive Committee. Ms. Euclide stated that the Executive Committee section of the draft was consistent with the suggestions of the work group, except for some duplicative language which should be deleted (lines 223-225). Mr. Miller referred to and described suggested corrections and changes proposed by Commissioner Kamperschroer (by e-mail 10/25), and asked members if they had any objections with his proposed changes to the Executive Committee section. There were none.

Mr. King noted that based on Commission discussions, subparagraph (i) of the proposed Personnel Committee section could be deleted, and the termination of staff provision could be added to subparagraph (ii) as part of the disciplinary appeal process. Ms. Euclide suggested that staff termination could be considered for approval by the Personnel Committee, and appeals could be made to the Executive Committee. Discussion followed. Mr. Krantz suggested that firing staff was an important decision which should be made by the full Commission. Mr. Chase suggested that staff terminations could be approved by the Personnel Committee, and appealed to the full body; members express support for the suggestion.

Discussion continued. Ms. Euclide suggested that Article 1 Section 7 subparagraph b(2) which required a Supermajority vote for any amendment or adoption of any regional plan was not needed, since it would require supermajority support for even minor changes to a plan. Mr. Mesbah stated that he had suggested the addition of the subparagraph to ensure that the bases on which plan amendments were made – such as the USA amendment criteria – also required a Supermajority vote. If they didn't, then it could be difficult to approve amendments since there was not supermajority support for the underlying criteria. Ms. Gibson stated that the requirement could be used by the minority to prevent action supported by the majority. Discussion followed. Ms. Euclide questioned what "regional plan" referred to; Mr. Miller asked that staff provide a definition which might be added to the subparagraph. Ms. Gibson asked that the language not be so broad as to require a supermajority vote for everything about every adopted plan, since it might be difficult to progress if eight votes were needed for everything.

Mr. King stated that to be consistent with discussions regarding the personnel manual, the Executive Director section (Article 5 Section 1) should include language describing the ED responsibilities, such as hiring and disciplining staff. Mr. Gjestson asked if Mr. Kamperschroer's comment to add the staff suggested provision to the Personnel

Committee section of the bylaws for the Committee to also administer exit interviews. There were no objections.

Ms. Euclide stated that an attorney should be asked to review if anything is missing; Mr. King stated that David Gault will be provided the final draft for review. Mr. Gjestson stated that the current draft did not provide for changes by the Commission to its personnel manual, as referenced in the manual. Mr. Miller asked staff to include language for Commission review.

8. Workshops continued: Discussion of Urban and Limited Service Area and Environmental Corridor policies and amendment criteria.

Mr. King provided background information, and referred to the staff analysis in the agenda materials. He suggested that after the workshop discussion, staff could bring back a draft USA/LSA/EC policies/criteria document for consideration. The materials in the agenda packet also identified issues which should be addressed by the Commission in the future, since some of the major policy issues identified at the previous meeting (such as needs assessments, agricultural land mitigation, density standards, and flexibility margin) would require additional analysis and a more extensive consultation process.

Ms. Kefer distributed written comments (dated October 25, 2007) for discussion on water quality criteria as referenced in the staff analysis. The comments were based on discussions held at a meeting on October 17 with staff members Mesbah and Kakuska and Commissioners Kefer, Hampton and Sayers. Ms. Kefer stated that some of the water quality issues were important enough that they should be included in the adoption of policies/criteria, rather than deferring to a future date.

Ms. Euclide disagreed with the staff recommendation to only adopt the current policies/criteria, which did not recognize the extensive discussions and general agreement from the previous Commission workshops. Mr. Brandon stated his understanding that previous discussions were conceptually based within short timeframes which did not provide time for feedback by planning staff of local governments; he suggested that a more formal voting procedure such as roll call should be used when considering specific policy language. Commissioners discussed its approach to adopting policies/criteria.

Mr. Brandon suggested that the draft document be provided to staff of the appointing bodies for input prior to scheduling a public hearing, so professional staff could determine the real-world implications and provide feedback. Mr. Miller agreed that local staff should review the policies/criteria prior to public hearing, but expressed concern over the resulting delay on the pending USA amendment requests. He suggested that the Town of Burke amendment appeared uniquely urgent and simple; the other pending requests had spring construction schedules. Discussion followed. Mr. Brandon suggested that the Commission could consider the Burke amendment under current regional plan criteria at its November 29 meeting, and further discuss the new policies/criteria. Ms. Euclide agreed, and requested that staff provide a policies/criteria document with clear language based on previous workgroup discussions. After review by the Commission, it can be distributed to the local jurisdictions for review and comment, after which the Commission will again review the document prior to noticing for public hearing to consider adoption. Mr. Miller expressed the need to provide a clear justification for the RPC to review the Burke amendment, so that other applicants understand its unique status. Discussion continued; Mr. Mesbah stated that the fact that the Burke amendment was existing

development should be sufficient to justify its consideration under current regional plan criteria.

Mr. Miller stated that when staff provides the policy document, rather than doing thumb-checks, the Commission should take formal votes on each section. There were no objections. Mr. Brandon stated his understanding that the thumb-check votes were a form of “straw” votes, and were not final. Ms. Gibson agreed, but the language from previous thumb-checks would be in the draft policy document; Mr. Brandon agreed. Ms. Euclide requested that the draft document be provided no less than a week before the next meeting, so Commissioners can review and suggest changes if needed, and should be a separate document from the staff analysis. Discussion continued. Ms. Sayers requested that the policy document identify those criteria which can’t be changed, similar to how they’re indicated in the staff analysis.

9. Consideration of setting for public hearing on November 29th: adoption of the CARPC Goals and Objectives, Urban and Limited Service Area and Environmental Corridor policies and amendment criteria, and consideration of the Town of Burke CUSA amendment request.

Moved by Mr. Brandon, seconded by Ms. Gibson, to direct staff to schedule a public hearing for November 29 for the Town of Burke CUSA amendment request, and to include a statement as to why the decision had been made by the CARPC. Motion carried unanimously.

10. Report of Interim Chair / Discussion

Mr. Miller referred to the document distributed earlier by Ms. Kefer; Ms. Kefer requested that Commissioners review the document and consider the recommended changes. She stated that the goal was to develop general criteria that could be refined over time, with input by a technical advisory committee. Mr. Mesbah distributed a list of his suggestions for CARPC natural resources work programming from 2008 through 2013; the dates were tied to the progression of work in updating the Water Quality Plan and its appendices. The three staff members of the natural resources division; Ms. Euclide asked that the list be included on the next agenda. Mr. Brandon asked that all materials distributed in hard copy be also provided in electronic form, to reduce the amount of paper used. Mr. Miller stated that in order to maintain compliance with Open Meetings Law, Commissioners with materials to distribute electronically should forward the files to staff for distribution.

11. Report of Division Administrator / Discussion of Reports

None.

12. Future Agenda Items

None.

13. Adjournment

Moved by Ms. Gibson, seconded by Mr. Krantz, to adjourn. Motion carried at 8:40 p.m.

Recorded by Chris Gjestson

Re: Consideration of Resolution CARPC No. 2007-6 adopting CARPC Bylaws

Decision Item:

1. Adoption of Resolution CARPC No. 2007-6 adopting CARPC Bylaws

This draft reflects as its base language the text of the 9/4/07 draft. Changes made at the October 25, 2007 Commission meeting are identified with strikeouts and underlining, and are the following (line numbers refer to the attached 11/8/07 draft):

- Line 55: The Commission requested that a “regional plan” be described in a more specific manner so that minor changes to plans did not require 8 votes.
- Line 72: Reference correction, as identified by Mr. Kamperschroer.
- Line 162: Change made to more clearly identify the authority of the Executive Committee, as suggested by Mr. Kamperschroer.
- Line 175: Deleted redundant sentence, as identified by Ms. Euclide.
- Line 183: Commission has discussed delegating hiring oversight to Executive Committee and termination oversight to the Personnel Committee. Decisions of the Personnel Committee may be appealed to the full Commission (line 188).
- Line 187: Staff recommended including exit interview function to the PC; Commissioners did not object.
- Line 209: Language refinement, per Mr. Kamperschroer
- Line 213: Reference added to the Executive Director section, as recommended by Mr. King without objection. Employee hiring oversight will rest with the Executive Committee.
- Line 272: Language simplification, per Mr. Kamperschroer
- Line 286: Language refinement, per Mr. Kamperschroer

Materials provided with item:

1. Draft CARPC Bylaws, dated 11/8/07
2. Resolution CARPC No. 2007-6 Adopting CARPC Bylaws

This draft reflects as its base language the text of the 9/4/07 draft. Changes made at the October 25, 2007 Commission meeting are identified with strikeouts and underlining.

**Bylaws
of the
Capital Area Regional Planning Commission**

Adopted _____, 2007

**Capital Area Regional Planning Commission
210 Martin Luther King Jr. Blvd., Room 362
Madison, Wisconsin 53703
(608) 266-4137**

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NOT UPDATED: Page references will be updated after adoption

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47 Section 7. **Commission Action on Matters Requiring a Supermajority Vote of Eight (8) or**
 48 **More Members.**

- 49 a. Any decision of the Commission that requires a vote of at least eight (8) Commissioners
 50 pursuant to these Bylaws or by law is defined to be a “Supermajority Decision” for purposes
 51 of these Bylaws, and shall be subject to the procedure set forth in this Section.
- 52 b. A Supermajority Decision shall be required for the following actions:
- 53 (1) All delineations and modifications to urban and limited service areas; ~~and~~
 - 54 (2) The amendment or adoption of any regional plan; ~~for the purposes of this section,~~
 55 ~~“regional plan” shall include the Dane County Water Quality Plan and be further defined~~
 56 ~~as set out in the state regional planning commission law, §60.0309, Wis. Stats., and in~~
 57 ~~state smart growth laws §66.1001(2), Wis. Stats.; Smart growth plan elements are Issues~~
 58 ~~and Opportunities; Housing; Transportation; Utilities and Community Facilities;~~
 59 ~~Agricultural, Natural and Cultural Resources; Economic Development;~~
 60 ~~Intergovernmental Cooperation; Land Use and Implementation;~~
 - 61 (3) All decisions to delay the filling of officer vacancies until the next annual meeting (see
 62 Article 2 Section 4); ~~and~~
 - 63 (4) The appointment of the Executive Director (see Article 5 Section 1); and
 - 64 (5) All amendments to these Bylaws.
- 65 c. All Supermajority Decisions shall be stated as motions to approve or accept a matter, rather
 66 than as a motion to disapprove, deny or reject a matter. Negative motions shall be out of
 67 order.
- 68 d. In the event a Supermajority Decision fails to receive eight (8) or more aye votes, the motion
 69 shall be placed on the agenda and taken up again at the next regularly scheduled Commission
 70 meeting, or at a special meeting called for that purpose, if:
- 71 (1) At least one Commission member was absent from the meeting at which the
 72 Commission voted on the Supermajority Decision; and
 - 73 (2) The number of Commission members who voted in favor of a Supermajority Decision
 74 plus the number of Commission members who were absent from the meeting at which
 75 the Commission voted on the Supermajority Decision is eight (8) or more.
- 76 e. ~~This The~~ process established in Paragraph ~~c-d, if initiated by Paragraph b(1),~~ will not occur if
 77 the application is withdrawn at the request of the applicant with the consent of the
 78 Commission.
- 79 f. A Supermajority Decision that does not receive eight (8) votes and does not satisfy the criteria
 80 of Paragraph c shall be deemed a final action on the motion that was voted upon.

81
 82 Section 8. **Removal of Members.** Any member of the Commission may be removed from the
 83 Commission for cause by his/her appointing authority. Cause shall be defined as inefficiency,
 84 neglect of duty, official misconduct, or malfeasance in office. The determination of cause by an
 85 appointing authority is final and binding.

86
 87 **ARTICLE II — OFFICERS**

88
 89 Section 1. **Designation of Officers.** The Officers of the Commission shall be a Chairperson, a Vice
 90 Chairperson, a Secretary and a Treasurer. There shall be such additional officers or assistant officers

91 as the Commission deems necessary from time to time. Only Commissioners shall be eligible to
92 serve as officers of the Commission.

93

94 Section 2. **Selection and Term.** The Commission shall elect its officers at the commencement of
95 each of its annual meetings. The officers so elected shall take office immediately and conduct the
96 annual meeting at which they are elected. They shall hold their offices until the next annual meeting
97 of the Commission or until they resign or have been removed in the manner hereinafter provided.

98

99 Section 3. **Removal of Officers.** Any officer of the Commission may be removed by a majority vote
100 of all Commissioners. Removal of an officer shall be added to the next regular meeting agenda upon
101 written request by any two Commissioners.

102

103 Section 4. **Vacancies.** If any office of the Commission becomes vacant for any reason, the
104 Commission shall elect a successor to serve until the next annual meeting of the Commission, unless
105 by at least eight members of the Commission, it is decided to wait until the next annual meeting to
106 fill such vacancy.

107

108 Section 5. **Chairperson.** The Chairperson of the Commission shall preside, with full voting rights, at
109 all meetings of the Commission and the Executive Committee. The Chairperson shall be responsible
110 for seeing that the agenda for each meeting of the Commission is prepared. The Chairperson is
111 authorized to sign or execute documents on behalf of the Commission. The Chairperson shall
112 perform such other duties as are required of him/her by law or these Bylaws and as are assigned to
113 him/her from time to time by the Commission. The Chairperson shall present to the Commission
114 such matters as, in his/her judgment, require its attention.

115

116 Section 6. **Vice Chairperson.** In the absence of the Chairperson or in the event of his/her inability
117 to act, or in the event of a vacancy in the position of Chairperson, the Vice Chairperson shall
118 perform the duties of the Chairperson. The Vice Chairperson shall also perform such other duties as
119 are required of him/her by these Bylaws and as are assigned to him/her from time to time by the
120 Commission.

121

122 Section 7. **Secretary.** The Secretary of the Commission shall cause all records of the Commission,
123 including its resolutions, transactions, findings, determinations and any other records required by
124 law, these Bylaws and the Commission to be maintained as required by law. The Secretary shall
125 execute all documents and papers of the Commission required to be countersigned. The Secretary
126 shall also perform such other duties as are required of him/her by these Bylaws and as are assigned
127 to him/her from time to time by the Commission.

128

129 Section 8. **Treasurer.** The Treasurer of the Commission shall cause the keeping of an accurate
130 record of all receipts and disbursements of the Commission. The Treasurer shall also perform such
131 other duties as are required of him/her by these Bylaws and as are assigned to him/her from time to
132 time by the Commission.

133

134

ARTICLE III — BUDGET & PERSONNEL PANEL

135

136 Section 1. **Budget and Personnel Panel.**

- 137 a. The Budget and Personnel Panel shall be composed of
 138 1. the Mayor of the City of Madison;
 139 2. the Dane County Executive;
 140 3. the President of the Dane County Towns Association;
 141 4. the President of the Dane County Cities and Villages Association; and
 142 5. the Chairperson of the Commission, who shall serve as a non-voting member.
- 143 b. The Panel shall have, on behalf of and with advice of the Commission, the following powers:
 144 1. to establish the levy and user fees and adopt the annual operating budget for the
 145 Commission. The Panel may adopt a levy less than the statutory maximum;
 146 2. to hire the Executive Director from a list of three candidates selected by the Commission;
 147 and
 148 3. to remove the Executive Director, at pleasure;
- 149 c. The Panel may act on the business referred to in paragraphs b1. through b3. of this Section
 150 only at a meeting at which all four voting members of the Panel are present.
- 151 d. At any time after the Commission has been in existence for one year following its creation by
 152 the Governor of Wisconsin, the Panel may, by a vote of three of its four members, change or
 153 transfer to the Commission its responsibilities referred to in paragraphs b2. and b3. of this
 154 Section.

155 156 ARTICLE IV — COMMITTEES

157
 158 Section 1. **Designation of Committees.** The Commission shall have an Executive Committee,
 159 Personnel Committee, and such additional standing committees and other committees and
 160 subcommittees as it deems necessary for the accomplishment of its purposes. The responsibilities
 161 and authority of the Executive Committee and Personnel Committee shall be as set forth in these
 162 Bylaws, and responsibilities and authority of other committees shall be as assigned from time to time
 163 by the Commission.

164
 165 Section 2. **Executive Committee.** The purpose of the Executive Committee is to provide advice
 166 and counsel to the Executive Director on management, budget, and personnel matters ~~to the extent~~
 167 ~~specified in this section and act on certain of those matters.~~ The Executive Committee is not
 168 intended to make recommendations on policy matters. The Executive Committee shall be appointed
 169 by the Commission. The Chairperson of the Commission shall serve as Chairperson of the
 170 Executive Committee. The Executive Committee (i) shall be responsible for seeing that a proposed
 171 annual budget is presented to each Commissioner on or about June 1st of each year, and the Budget
 172 and Personnel Panel on or about July 1st of each year; (ii) shall have the authority to approve or
 173 disapprove disbursements on behalf of the Commission; (iii) shall have the authority to approve
 174 transfers between expenditure line items of the adopted Commission budget; (iv) shall lead the
 175 performance evaluations of the Executive Director; and (v) shall have only such additional powers
 176 and responsibilities as may be specified from time to time by the Commission. In no event shall the
 177 powers of the Executive Committee extend to adoption of the annual budget, the amendment of
 178 any urban or limited service area, the voting of any appropriation, the adoption of any part of any
 179 plan for the Commission's region or the rendering of planning advice on regional problems. ~~The~~
 180 ~~Executive Committee shall be responsible for seeing that a proposed annual budget is presented to~~
 181 ~~each Commissioner on or about June 1st of each year, and the Budget and Personnel Panel on or~~
 182 ~~about July 1st of each year.~~ The Executive Committee shall report its action on all matters to the

183 Commission at the next meeting of the Commission following the taking of such action. A majority
 184 vote of the members when a quorum is present shall be controlling on any matter voted upon.

185
 186 Section 3. **Personnel Committee.** The Personnel Committee shall be appointed by the
 187 Commission. The Personnel Committee ~~(i) shall review and approve or deny the hiring and~~
 188 ~~termination of Commission staff, as proposed by the Executive Director;~~ (ii) shall review appeals
 189 made by Commission staff of disciplinary actions, ~~including terminations,~~ taken by the Executive
 190 Director; ~~and (iii) shall review appeals made by Commission staff of decisions made by the~~
 191 ~~Executive Director regarding employee grievances; and (iii) shall administer exit interviews of~~
 192 ~~employees who are leaving Commission employment. Decisions made by the Personnel Committee~~
 193 ~~may be appealed to the full Commission upon request by the Executive Director or employee.~~ A
 194 majority vote of the members when a quorum is present shall be controlling on any matter voted
 195 upon.

196
 197 Section 4. **Advisory Committees.** The Commission may seek the advice and cooperation of
 198 interested individual citizens, public officials and agency administrators. The Commission may
 199 appoint such citizen and technical advisory committees as it deems necessary to the effective
 200 fulfillment of its purposes. Any local unit of government within the Commission's region which
 201 does not currently have an individual residing in its jurisdiction serving on an existing advisory
 202 committee may request that such an individual be so appointed.

203
 204 Section 5. **Appointment to Other Boards, Commissions and Committees.** Appointment of
 205 Commission representatives to Boards, Commission and Committees of other entities shall be made
 206 by the Commission.

207 208 ARTICLE V — STAFF PERSONNEL

209
 210 Section 1. **Executive Director.** The Commission shall have an Executive Director, whose
 211 appointment shall be made by the Budget and Personnel Panel under the provisions of Article III
 212 Section 2 of these Bylaws or, if the hiring authority of the Budget and Personnel Panel has been
 213 transferred to the Commission, ~~must be approved by~~ shall be made by the Commission and such act
 214 shall require a Supermajority vote of 8 Commissioners. The Executive Director shall be the chief
 215 administrative officer of the Commission and shall serve at the pleasure of the Budget and
 216 Personnel Panel, or if the hiring authority of the Budget and Personnel Panel has been transferred to
 217 the Commission, at the pleasure of the Commission. ~~The Executive Director shall be responsible for~~
 218 ~~the hiring of staff, subject to Executive Committee approval, and the termination of staff, subject to~~
 219 ~~Personnel Committee or Commission approval.~~ The Executive Director shall (i) supervise, direct,
 220 and oversee the conduct and performance of staff; (ii) plan, organize and prioritize the activities of
 221 the Commission; (iii) develop and manage an annual budget and work plan to implement the goals
 222 and objectives of the Commission; and (iv) perform duties as assigned by the Commission and as
 223 described in the Executive Director position description.

224
 225 Section 2. **Other Personnel.** The Commission shall establish such employee positions as it deems
 226 necessary for the fulfillment of the Commission's purposes and set the rate of pay and other
 227 compensation and benefits for such employee positions under the Executive Director. At no time
 228 shall any employee serve as a member of the Commission while working as a Commission

229 employee. No Commission employee may be terminated by the Executive Director without the
230 concurrence of the Personnel Committee.

231

232

ARTICLE VI — CONTRACTS

233

234 Section 1. **Nature of Contracts.** The Commission may enter into such contracts as are necessary to
235 carry out its purposes and responsibilities and are not inconsistent with its authority under the laws
236 of Wisconsin.

237

238 Section 2. **Execution of Contracts.** The Commission may designate from time to time the officers
239 and agents who shall have authority to execute any contract or other instrument on behalf of the
240 Commission, and such authorization may be general or limited to specific instances. Whenever the
241 execution of any contract or other instrument has been authorized by the Commission without
242 specification as to who is to execute it, the Chairperson (or in his/her absence the Vice Chairperson)
243 shall execute the same on behalf of the Commission. The Secretary is authorized to countersign
244 where countersignature is required.

245

246

ARTICLE VII — BUDGET AND FINANCES

247

248 Section 1. **Annual Budget.** As provided elsewhere in these Bylaws, the Executive Director shall
249 work with the Executive Committee in the preparation of a proposed annual budget, which shall be
250 presented to the Commission for review on or about June 1 of each year, and subsequently
251 forwarded to the Budget and Personnel Panel on or about July 1 for final approval and adoption.
252 The Commission Annual Budget shall be adopted by the Commission and the Budget and
253 Personnel Panel prior to October 1st of each year. Adoption of the budget shall require a majority
254 vote of all members of the Commission.

255

256 Section 2. **Deposits.** Subject to the provision for investments in Section 3 of this Article, all funds
257 of the Commission, not otherwise employed, shall be deposited in such depository or depositories as
258 are designated for this purpose by the Commission.

259

260 Section 3. **Investments.** Funds of the Commission not immediately needed for expenditure may be
261 invested by the Executive Director, with the approval of the Treasurer, to the extent and in
262 investments permitted the Commission under the law.

263

264 Section 4. **Execution of Checks.** All checks, drafts or other orders for the payment of Commission
265 funds may be signed by the Executive Director and such other officers or agents as the Commission
266 designates from time to time.

267

268 Section 5. **Authorization of Disbursements.** The disbursement of Commission funds for its
269 ordinary and necessary operating expenses shall be approved by the Executive Committee, except
270 that this Committee may delegate authority for the approval of such disbursements or certain of
271 them to the Executive Director. When the Executive Committee does not meet, approval of
272 disbursement of funds may be made by the Commission Chairperson or in his/her absence the Vice
273 Chairperson of the Commission. No disbursements for items outside the ordinary and necessary
274 operating expenses of the Commission or for payments on consulting contracts may be made unless

275 approved by ~~a majority vote of the quorum present at a meeting of~~ the Commission.

276

277 Section 6. **Compensation and Expenses of Commissioners.** Commissioners shall be reimbursed
278 by the Commission for actual, reasonable and necessary expenses incurred as members of the
279 Commission in carrying out the work of the Commission. They shall also receive a per diem
280 compensation for a maximum of one meeting per day, regardless of the number of meetings
281 attended in the service of the Commission. The per meeting compensation and mileage
282 reimbursement of Commissioners shall be determined by the Commission.

283

284 Section 7. **Accounting Year.** The accounting year of the Commission for all purposes shall be the
285 calendar year.

286

287 **ARTICLE VIII - MISCELLANEOUS**

288

289 Section 1. **Public Meetings.** Section 19.83 ~~of the Wisconsin Statutes~~ shall apply to all meetings of
290 the Commission and its committees and subcommittees.

291

292 Section 2. **Meeting Procedural Rules.** Except where inconsistent with these Bylaws, Robert's
293 "Rules of Order" shall govern the conduct of all meetings of the Commission and its committees
294 and subcommittees.

295

296 Section 3. **Legal Compliance.** In the event that any part of these Bylaws should in any manner be
297 contrary to or inconsistent with any provision of law or that of the resolutions adopted by the local
298 units of government petitioning for Commission creation , such provision of law or resolutions shall
299 prevail and these Bylaws shall be ineffective to the extent of such contradiction or inconsistency.

300

301 Section 4. **Seal.** The Commission shall have an official seal, which shall contain the following
302 legend: "CAPITAL AREA REGIONAL PLANNING COMMISSION."

303

304 **ARTICLE IX - AMENDMENT OR REPEAL**

305

306 Section 1. **Procedure.** Any proposal for amendment or repeal of these Bylaws is a Supermajority
307 Decision and must be first considered at a meeting of the Commission at which no action shall be
308 taken on the proposal ("Introductory Meeting"). Action on the proposal, including any amendment
309 thereof, shall be taken at the Commission meeting next following the meeting at which the proposal
310 was first considered ("Actionable Meeting"). Amendments to the proposal introduced at the
311 Actionable Meeting shall be considered at the following meeting.

312

313 The Bylaws adopted by the Commission on _____.

314

315

316

317

318 _____
/s/ Jeff Miller, Interim Chair

/s/ Kristine Euclide, Interim Secretary

Resolution CARPC No. 2007-6

Adopting CARPC Bylaws

WHEREAS, the Capital Area Regional Planning Commission (“CARPC”) was created on May 2, 2007, by Executive Order #197 of the Governor of the State of Wisconsin, pursuant to §66.0309, Wis. Stats., and in response to resolutions of local governmental units in Dane County, representing the majority of the county’s population and property valuation, petitioning for creation of the CARPC; and

WHEREAS, the CARPC is required to establish rules of procedure, pursuant to §66.0309 (5), Wis. Stats., and the adoption of Bylaws is an effective means of doing so; and

WHEREAS, the CARPC has reviewed and discussed at its public meetings a proposed set of Bylaws.

THEREFORE, BE IT RESOLVED that the Capital Area Regional Planning Commission hereby adopts the attached Bylaws dated November 8, 2007.

November 8, 2007

Date Adopted

Jeff Miller, Interim Chairperson

Re: Consideration of Resolution CARPC No. 2007 - 7 Adopting the CARPC Personnel Manual

The Commission was provided a draft CARPC Personnel Manual on October 11 ("10/11/07 draft"), and was discussed as an agenda item on October 25. The attached 11/1/07 draft Manual incorporates the changes proposed in the 10/11/07 draft, in addition to the changes proposed at the October 25 meeting. The changes proposed at the October 25 meeting are indicated by strikethrough and underline for easy identification. Additionally, staff has proposed three changes, as identified on the next page by asterisk.

The four appendices (job descriptions, employee and ED evaluation materials, and layoff guidelines) are not included in the attached Manual because they are unchanged from the previous draft, but should be reviewed and amended in the near future.

The following describes the strikethrough/underline changes as proposed October 25.

- Line 86: Recommended additional language as referenced in the October 25 meeting materials. Language added to reflect the retention of longevity, seniority, salary history, and all leave credits of initial staff as accrued under Dane County RPC and Dane County service.
- Line 232: Recommended language as presented in the October 25 meeting materials. This provides clarity for instances in which an employee meets the longevity requirements for Extended Merit Step increase, but does not meet performance expectations.
- Line 272: Recommended language from October 25 meeting materials; added in order to ensure that supervisors cannot unduly prevent employees from using vacation time which may be lost.
- Line 279: Based on staff discussion with Commission on October 25, recommended by staff to maintain flexibility in taking time off when work requirements prevent vacation leave from being taken, resulting in the loss of earned leave.
- Line 426: Because CARPC will be allowed to participate in the Dane County group disability policy, this benefit currently offered by Dane County could be made available to CARPC employees. This addition would be consistent with the Dane County RPC policy of following Dane County benefits.
- Line 705: See Line 87 explanation above.
- Line 840: Based on staff discussion with Commission on October 25. Because of the relatively high work requirements on a small staff, staff proposes providing a formalized compensatory time policy for FLSA-exempt employees. The implications of this should be discussed in full by the Commission. Prior to considering adoption of this policy, Commissioners should be sure that there

is minimal risk of any FLSA-based claims by exempt employees for unpaid overtime wages.

- Line 867: As discussed October 25, the Personnel Committee provision is consistent with CARPC discussion on its bylaws.
- Line 1661: Added language to indicate the role of the Disability Insurance provision in the CARPC Wellness Policy.
- Line 1707: Rather than amending the CARPC Bylaws to describe a process to amend the Personnel Manual, staff suggests that making the reference in the Manual might be sufficient.

The following describes additional Manual changes proposed by staff, and are also indicated by strikethrough/underline.

- Line 379: This reflects the latest information on 2008 premiums.
- *Line 547: This was NOT discussed at the October 25 meeting. An intent of the bus pass subsidy is to encourage the use of the public bus system as a sustainable mode of transit. However, because Dane County (and RPC) employees are provided parking in the County ramp for \$15 per month, which is over \$100 less per month than market value, the incentive is greater for the employee to drive. Staff recommends that rather than providing \$15 for a \$47 monthly bus pass, the CARPC should provide a monthly subsidy to make the cost of the bus pass *at least* the equivalent of ramp parking. This would equate to a \$32 monthly subsidy, or \$17 a month more than the old DCRPC policy.
- *Line 726: Dane County policy provides for “professional” employees to serve 1 years’ probation, rather than 6 for “clerical.” Staff recommends following this policy, rather than the DCRPC 6-month policy for all employees. A longer probationary period recognizes the longer period of time needed to fairly evaluate the work of a professional employee.
- *Line 1709: Proposed change to allow for the ED to update the Manual to reflect current costs of benefits, after those costs have been approved in the annual budget, or otherwise approved by the Commission.

At the meeting, staff will provide an overview of the financial implications of all the changes proposed beyond those in the DCRPC Personnel Manual.

Materials provided with item:

1. Draft CARPC Personnel Manual dated 11/1/07 (not including appendices)
2. Resolution CARPC No. 2007-7 Adopting the CARPC Personnel Manual

Draft

**Capital Area
Regional Planning Commission
Personnel Manual**

11 / 1 / 07

Text with strikethrough or underline indicate changes proposed at the CARPC meeting of October 25 and in materials presented for the meeting of November 8.

**Capital Area Regional Planning Commission
Personnel Manual Draft**

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1 **A. The Regional Planning Commission**

2 The Capital Area Regional Planning Commission is the comprehensive areawide planning
3 organization for the Dane County region. Created on May 2, 2007 by Executive Order #192 of the
4 Governor through a petition of a majority of local units of government in the county, the
5 Commission consists of thirteen members: four appointed by the Mayor of the City of Madison
6 from the area of and representing the City of Madison; three appointed by the Dane County Cities
7 and Villages Association from the area of and representing small cities and villages; three appointed
8 by the Dane County Towns Association from the area of and representing towns; and three
9 appointed by the Dane County Executive, one each from the City of Madison, small cities and
10 villages, and towns. The RPC, staffed by professional planners, is anticipated to be the designated
11 water quality management planning agency for the region that is Dane County, and is responsible for
12 creating and adopting a master plan for the physical development of the region. It is also the census
13 information clearinghouse, providing decennial census information to local governments and other
14 interested parties.

15
16
17
18

18 **B. Staff Organization**

19 **B-1. Organization Chart**

20 The staff of the Capital Area Regional Planning Commission is organized into two divisions
21 operating under the direction of the Executive Director and Deputy Director. The Executive Director
22 is hired by and serves at the pleasure of the RPC Budget and Personnel Panel, and staff serves under
23 the direction of the Executive Director. Staff persons usually undertake program responsibilities
24 within their own division. However, from time to time special projects may draw persons from the
25 other division to work on an assignment.

26
27 The two units of the staff organization are:

- 28
29 1) **Division of Community and Regional Planning and Administrative Support.** Program
30 areas within this division include local planning assistance, technical assistance to Dane
31 County for subdivision administration and other activities, project notification and review
32 activities, human resources planning, housing and community development, and other
33 community service planning activities. Program areas also include land use planning, park and
34 open space planning, basic studies and analysis of population and economic data. Also
35 included within the division are all clerical, bookkeeping, public information and
36 administrative activities of the RPC.
37
- 38 2) **Division of Environmental Resources and Technical Support.** Program areas in this
39 division include planning for water resources management, solid waste management, air
40 quality management, energy management and conservation, and other environmental studies.
41 The division also includes all GIS-related functions, and graphics and website production and
42 maintenance.
43

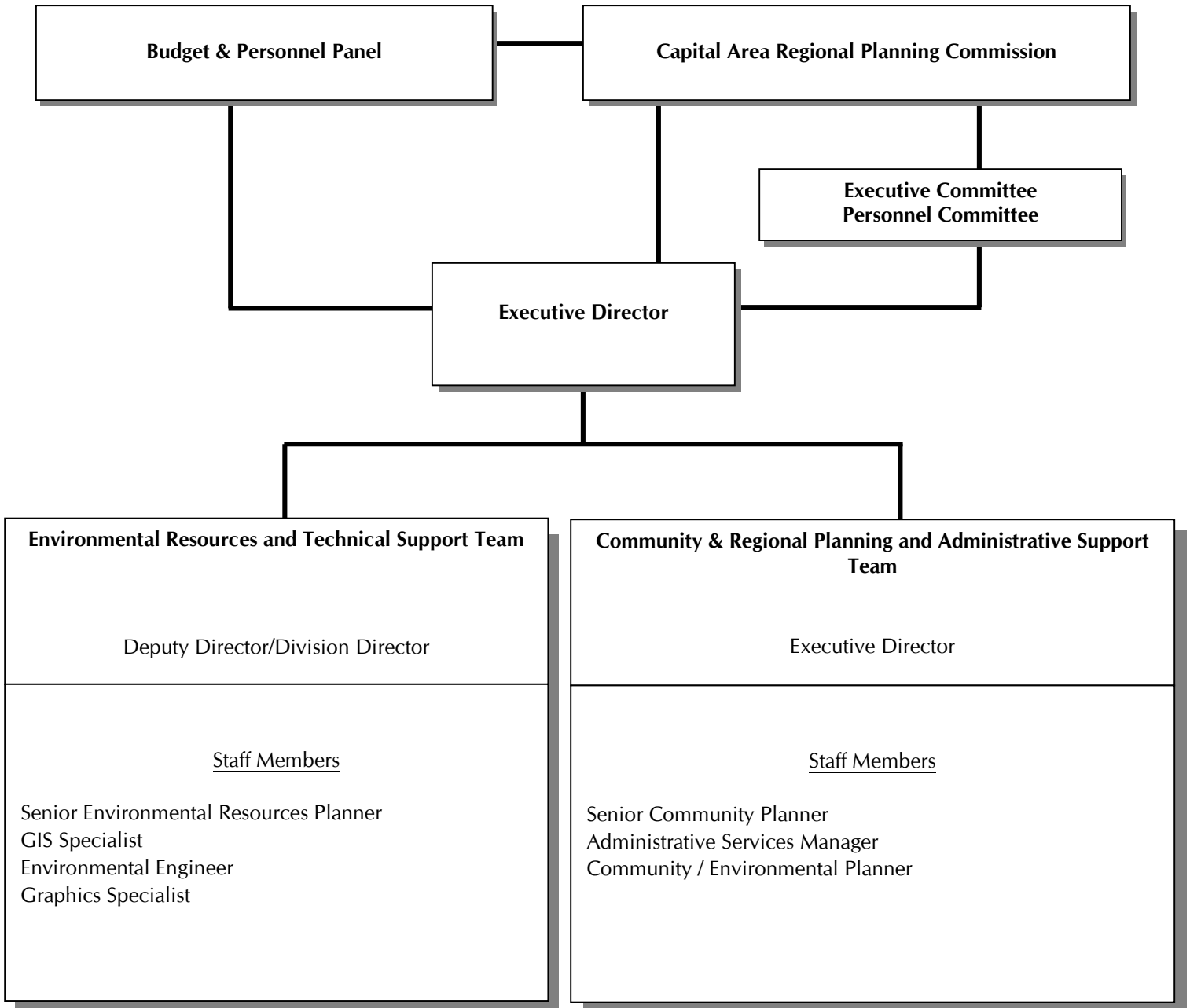
44 **B-2. Position Survey**

45 A position survey of authorized RPC staff positions is approved each year as part of the RPC budget
46 for the subsequent calendar year. This includes regular RPC employees, and staff positions classified
47 as project-term employees and limited-term employees (see Section B-3, Definition of Positions).
48

48

49 **Capital Area Regional Planning Commission**
50 **Organization Chart with Staff Positions (1/1/08)**

51



51 **B-3. Definition of Positions**

52 **Regular Full-Time Employee.** An employee hired to work a 40-hour week on a continuing basis.
53 These employees accrue full benefits of the agency.

54 **Regular Part-Time Employee.** An employee hired to work at least 20 hours but less than 40 hours
55 per week on a continuing basis. These employees accrue benefits in proportion to hours worked.

56 **Project Term Employee (PTE).** A full- or part-time employee hired for the length of a particular
57 project or assignment. These employees are subject to the same obligations and benefits as regular
58 full- or part-time employees including Wisconsin Retirement if they are expected to work at least
59 one year and at least 600 hours in that year. If the employee participates in Wisconsin Retirement,
60 they are eligible for group life insurance. If a PTE becomes a regular Commission employee, the
61 time spent in service as a PTE is eligible for extended merit step calculating purposes.

62 **Limited-Term Employee (LTE).** An employee hired for a limited duration to provide a needed
63 staff service of limited scope. LTE appointments are reviewed at 6-month intervals. These
64 employees may choose to participate in that part of the RPC benefit package for which they are
65 eligible: health insurance, sick leave, vacation, holiday pay, worker's compensation, unemployment
66 compensation, if eligible under state law, and bus pass assistance program. Wisconsin Retirement if
67 they are expected to work at least one year and at least 600 hours in that year. If the employee
68 participates in Wisconsin Retirement, they are eligible for group life insurance. Provisions may be
69 made for other leaves. If an LTE employee becomes a regular Commission employee, the time spent
70 in service as an LTE is eligible for extended merit step calculating purposes.

71 **Extra Hire Employee.** An employee hired on a short-term basis and paid hourly. These employees
72 participate in Social Security. These employees participate in Wisconsin Retirement if they are
73 expected to work at least one year and at least 600 hours in that year. If the employee participates in
74 Wisconsin Retirement, they are eligible for group life insurance.

75 **B-4. Position Descriptions**

76 Position descriptions consist of two parts:

- 77 1) A **generic description** of each level, applying to all positions within that level. These
78 descriptions are included in Appendix 1.
- 79 2) A **specific description** of each job, reflecting the actual tasks and the specific skills of the
80 person filling that position. These descriptions are written by the Division Director after
81 employees are hired or promoted. They are kept in the employee's personnel file and may be
82 changed as duties change.

83 The salary ranges, as shown in each generic job description, refer to the salary schedule shown in
84 Section C-1 of the manual.

85 **C. Compensation and Personnel Benefits**

86 CARPC employees hired effective January 1, 2008, shall enter CARPC employment with all
87 longevity, seniority, salary history, vacation and sick leave credits as accrued from prior service with
88 the Dane County Regional Planning Commission and Dane County Community Analysis and
89 Planning Division.

90 **C-1. Salary Ranges and Step Increases**

91 The Capital Area Regional Planning Commission has established and maintains salary ranges and a
92 salary schedule. The table on the following page presents the current salary schedule; the salary
93 range for each position is shown in the generic position descriptions provided in Appendix 1.

- 94
- 95 1) Employees shall be hired at no less than the first or minimum step of their classification and
96 shall be advanced to the second step or the next higher step effective as of the first day of the
97 first month following six full months. Following satisfactory performance and completion of
98 each subsequent year of employment, an employee shall be advanced one step within the salary
99 range of that position. Determination of satisfactory performance shall be made by the
100 Executive Director with the recommendation of the employee’s immediate supervisor and
101 Division Director and shall be based on the personnel evaluation (see Section D-1). The written
102 evaluation shall give the reasons for the denial and shall be appealable.
- 103 2) With approval of the Executive Committee, the Executive Director may hire employees at steps
104 above Step 1 in which case they will be advanced to steps above as is provided in 1) of this
105 section.
- 106 3) Employees who are reclassified shall be advanced not less than one step upon advancement,
107 which shall not be below the first step of the range of their new classification.
- 108 4) Employees who are transferred laterally to another position carrying the same salary range shall
109 receive the same salary increment steps as though they had remained in their formerly held
110 position.
- 111 5) Employees who transfer laterally from an hourly paid position to a monthly paid position or
112 from a monthly paid position to an hourly paid position shall receive the same step in the same
113 range as they previously held and shall receive annual increment increases as provided in 1) of
114 this section.

115

116 **C-2. Concerns About Pay**

117 The Capital Area Regional Planning Commission follows the federal and state wage and hour laws
118 (Fair Labor Standards Act). Those laws have a variety of provisions, including differing
119 requirements for wages, overtime, vacation, absences, etc., for hourly and salaried “exempt”
120 employees. That is why you will find some differing policies on these issues in the handbook, based
121 upon salary and hourly status. If you have any concerns about your pay, or believe there have been
122 errors in payment amount, in withholding or in deductions in pay for absences or other issues, please
123 promptly inform your supervisor or the Administrative Services Manager. Please be specific in
124 identifying your concern or the error. The Commission will review the concern and will correct any
125 errors as quickly as possible.

126

127 You have the right to raise concerns. The Regional Planning Commission appreciates your concerns
128 because it allows the Commission to be aware of and correct pay issues before they continue and
129 become “accounting” issues. No employee will suffer retaliation for raising a concern about pay.

130

130 Salary schedule (effective 6/24/07)

Range	Step									
	A	B	C	D	E	F	G	H	I	J
M-5	17.16	18.00	18.88	19.78	20.72					
M-5-6	17.15	17.91	18.74	19.62	20.57	20.85	21.84			
M-5-9	17.15	17.91	18.74	19.62	20.57	22.46	23.54	24.68	25.86	27.09
M-6	18.12	18.99	19.89	20.85	21.84					
M-6-8	18.11	18.97	19.83	20.69	21.59	22.73	23.80	24.94		
M-7	19.22	20.16	21.12	22.12	23.18					
M-8	20.67	21.65	22.70	23.80	24.94					
M-9	22.46	23.54	24.67	25.86	27.09					
M-10	24.34	25.52	26.73	28.02	29.35					
M-11	26.37	27.64	28.55	30.32	31.79					
M-12	28.34	29.72	31.15	32.63	34.20					
M-13	30.52	31.99	33.52	35.16	36.82					
M-14	32.66	34.26	35.90	37.63	39.42					
M-15	34.95	36.63	38.40	40.23	42.17					
M-16	37.41	39.20	41.09	43.07	45.12					
M-17	40.04	41.96	43.97	46.08	48.30					
M-18	42.81	44.87	47.03	49.29	51.64					
M-19	45.82	48.03	50.34	52.73	55.26					
G-6	15.67	15.87	16.14	16.44	16.80					
G-7	15.87	16.14	16.44	16.80	17.07					
G-8	16.14	16.44	16.80	17.07	17.41					
G-9	16.44	16.80	17.07	17.41	17.80					
G-10	16.80	17.07	17.41	17.80	18.17					
G-11	17.07	17.41	17.80	18.17	18.56					
G-12	17.41	17.80	18.17	18.56	18.99					
G-13	17.80	18.17	18.56	18.99	19.40					
G-14	18.17	18.56	18.99	19.40	19.85					
G-15	18.56	18.99	19.40	19.85	20.29					
G-16	18.99	19.40	19.85	20.29	20.86					
G-17	19.40	19.85	20.29	20.86	21.37					
G-18	19.85	20.29	20.86	21.37	21.97					
G-19	20.29	20.86	21.37	21.97	22.60					
G-20	20.86	21.37	21.97	22.60	23.21					

131 **C-3. Promotion**

132 The agency would like to retain valuable employees by providing some opportunities for
133 advancement if possible. However, promotions are not an automatic entitlement. Such factors as
134 limited financial resources, the need to have some balance between higher and lower positions, and
135 decisions about what programs, activities and skills should be emphasized all must be considered in
136 establishing, reclassifying or regrading positions. The agency policy is to permit employees and their
137 supervisors to initiate proposals for upgrading, as outlined below. However, the Executive Director
138 is ultimately responsible for recommendations to the Executive Committee concerning establishment
139 of new positions, or reclassification and regrading of current positions.

140
141 Depending on the amount of attrition and on agency growth, some career advancement within the
142 agency is possible and is encouraged. However, it should also be recognized that some career
143 advancement will probably have to be outside of the agency.

144
145 Promotion may be initiated by an employee's supervisor, or by the Executive Director. An employee
146 may also seek to upgrade his/her employment status by applying for a vacant position or by seeking
147 reclassification or regrading of the employee's current position.

148
149 1) **Filling Vacant Positions.** When a position becomes vacant, the Executive Director and
150 Division Director shall examine both the generic and specific position description. If it is
151 determined that the level and specific tasks will be continued, the position will be advertised at
152 the same level. The Executive Director may advertise internally only, or both internally and
153 externally.

154
155 If a position is vacated and the decision is made to change the level or eliminate the position,
156 generic and specific position descriptions within that division shall be reviewed and, if
157 necessary and appropriate, revised to reflect changes in work programs and agency needs. If the
158 position is to be retained, but at a different level than that vacated, it shall be advertised at the
159 new level, either internally or both internally and externally.

160
161 Qualified employees may seek promotion by applying and competing for such vacant positions.
162 Should the employee be chosen to fill the vacant position, his/her original position will be
163 considered vacant, and will be subject to the same procedure as described above.

164
165 2) **Reclassification.** Reclassification occurs when an employee and the position are advanced to a
166 higher position level. Reclassification is considered a substantial promotion, in contrast to one-
167 step merit increases following satisfactory completion of the annual review process (see C-1
168 and D-1). The circumstances under which a reclassification may be initiated include the
169 following:

170 a) Due to changes in the work program, the Executive Director has determined that additional
171 duties and responsibilities will be required of the employee, meriting promotion to a higher
172 level. The employee will normally in such circumstances have demonstrated increasing
173 skills, accumulation of experience, favorable evaluations, and work accomplishments which
174 make the employee more valuable for the agency to retain.

175 b) An employee has, on a continuing basis, performed increasingly complex and/or sensitive
176 tasks and assumed a greater level of responsibility than normally expected for his/her
177 current position level. This factor, with other considerations such as personnel evaluations,
178 accumulation of experience and special accomplishments, merits review of the employee's
179 position classification.
180

181 If an employee believes that his/her position should be reclassified, the employee may take up
182 the matter with the supervisor and the Executive Director. In addition, the supervisor or
183 Executive Director may initiate a reclassification request.
184

185 Formal reclassification requests to the Executive Director by employees or by supervisors
186 should be made in writing, stating the changes in duties and responsibilities which in the
187 opinion of the employee or supervisor merit the reclassification. The Executive Director's
188 response may be detailed in a personal meeting, but a summary of the reasons for granting or
189 denying the request shall be placed in the employee's personnel file. A copy of a reclassification
190 request initiated by the Executive Director shall also be placed in the employee's personnel file,
191 with reference to the criteria stated under part a) or b) above.
192

193 If the Executive Director recommends the reclassification, it will be included in the personnel
194 program proposal and proposed salary schedule which is presented to the Executive Committee
195 as part of the Commission's annual budget process. If the reclassification is approved by the
196 Commission, it will take effect on the date specified in the personnel program proposal, which
197 is generally January 1 of the following year.
198

199 If an employee is reclassified, the generic description of the higher position level will apply, and
200 a new specific description of his/her job will be written.
201

202 3) **Regrading.** Regrading occurs when all employees in a particular job classification are advanced
203 to a higher salary range. Regrading may also entail the renaming of the job classification.
204

205 A job classification is regraded in order to acknowledge increased complexity of the work
206 performed by the persons within that classification. Regrading may also occur in cases where
207 the salary range for the classification is low in comparison with other job classifications with
208 similar responsibilities, either within the agency or in the market in general.
209

210 The procedure for initiation and approval of a regrading request is the same as for
211 reclassification (see the preceding subsection). If the regrading request is approved, the generic
212 and specific job descriptions of the affected employees will be reviewed and revised
213 accordingly.
214

215 **C-4. Extended Merit Step Increase**

216 1) In addition to step increases provided for in Section C-1, all regular full-time employees and
217 regular part-time employees who are classified and paid according to the Capital Area Regional
218 Planning Commission Budget and Salary Schedule may receive extended merit step increases as
219 follows:

- 220 a) Three percent of all wages earned beginning at the time the employee starts his/her 49th
221 month of continuous RPC employment (after 4 years).
- 222 b) An additional three percent (total 6%) of all wages earned beginning at the time the
223 employee starts his/her 109th month of continuous RPC employment (after 9 years).
- 224 c) An additional three percent (total 9%) of all wages earned beginning at the time the
225 employee starts his/her 156th month of continuous RPC employment (after 13 years).
- 226 d) An additional three percent (total 12%) of all wages earned beginning at the time the
227 employee starts his/her 205th month of continuous employment (after 17 years).
- 228 2) Such increases shall be based on written evaluation made by the employee's supervisor and
229 approved by the Executive Director as provided for in Section D-1. In addition to satisfactory
230 performance by the employee, the evaluation shall consider whether the employee has acquired
231 increased knowledge, skills or education that would help carry out his/her work of the
232 Commission. If an extended merit step increase is denied based on the supervisor's evaluation
233 (as concurred by the Executive Director), a second evaluation shall be held six months after the
234 first evaluation to measure the employee's progress in meeting the standards set forth in the first
235 evaluation. Successful completion of the follow-up evaluation will result in the extended merit
236 step increase. A failed evaluation shall preclude the extended merit step increase until re-
237 consideration at subsequent annual reviews. Extended merit step increases which are ultimately
238 granted shall not be retroactive.
- 239 3) Extended merit step increase pay earned or to be earned during the calendar year, January 1
240 through December 31, shall be payable to those who qualify as part of each payroll check.
- 241 4) Beginning the first month of employment, extended merit step increase credits shall be earned
242 monthly with a qualified employee earning such extended merit step increase credits for any
243 calendar month in which he has been compensated for at least 13 days. Extended merit step
244 increase payments shall be earned effective on the first full pay period following the satisfactory
245 completion of the required length of time as provided in (1) a), b), c), or d), above.
- 246 5) No extended merit step increase service credits shall be given to individuals for previous
247 employment prior to their re-employment date unless they were subject to layoff from the RPC,
248 resign and are reinstated on the RPC staff within one year of the date of resignation, or are
249 granted extended merit step increase credits by the Executive Committee at the time of
250 reemployment.
- 251 6) "Wages earned" as referred to in (1) a), b), c), and d), is defined as to include actual gross
252 amounts in payroll checks written to each employee prior to the taking of any deductions except
253 for vacation, sick leave, etc., taken in excess of credit earned.

C-5. Annual Vacation and Personal Holidays

- 255 1) **Hours Earned.** All regular RPC employees, except part-time hourly and seasonal employees or
256 employees who are on per diem basis, shall be entitled to annual vacation and personal holidays
257 each calendar year, pro-rated based on their FTE classification. Such vacation time shall be
258 earned on a pro-rated basis each bi-weekly pay period according to the schedule below. The
259 calendar month of compensated service shall be any month in which an employee shall be
260 compensated for at least 13 days of work during the month.

261

Years of Employment	G Range	M Range
1 through 5	2 weeks	3 weeks
6 through 10	3 weeks	4 weeks
11 through 14	3 weeks, 4 days	4 weeks 2 days
15 through 20	4 weeks, 2 days	5 weeks
21 and up	5 weeks, 2 days	5 weeks 2 days

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2) **Use of Vacation Credits and Bookkeeping**

- a) For bookkeeping purposes, vacation allowances and personal holidays may be added to personnel time sheets at one time for the entire calendar year.
- b) Employees may select the times to use vacation periods during the year, subject to concurrence by the Division Director or Executive Director. It is Commission policy to encourage employees to use all vacation credits annually. If, however, because of labor shortage or work requirements an employee should be persuaded to delay his/her vacation, it shall remain to the employee’s credit. When vacations are not taken during the year in which they are earned, such remaining vacation credits as employees may have may be carried forward into the next calendar year, upon ~~notice request~~ of the employee ~~to and approval by~~ the Division Director or Executive Director. Except as provided for in paragraphs 2) c) and d) of this Section, if the leave is not taken by the end of that next calendar year, the employee loses the vacation allowance.
- c) Employees who retire from the RPC under the provisions of the Wisconsin Retirement Act may carry over and use as terminal leave on retirement any unused annual leave which they were eligible to use during the previous year.
- d) Up to 80 hours of vacation leave may be retained in each individual employee’s Vacation Bank. All hours held in the Vacation Bank shall be fully earned and remain to the credit of the employee until used or paid upon termination.

C-6. Holidays

- 1) All full-time RPC employees shall be entitled to the following named holidays with pay: **January 1** (New Year’s Day), the **third Monday in January** (Martin Luther King, Jr. Day), the **last Monday in May** (Memorial Day), **July 4** (Independence Day), the **first Monday in September** (Labor Day), the **fourth Thursday of November** or the day appointed by the Governor as Thanksgiving (Thanksgiving Day), the **day first following Thanksgiving, December 24** (Christmas Eve), **December 25** (Christmas Day), and **December 31** (New Year’s Eve) in each year.
- 2) Whenever any of said holidays shall fall on Sunday, the succeeding Monday shall be the holiday; if the succeeding Monday is also a said holiday , or if said holidays fall on a Saturday, or on a regularly scheduled day of work or a regularly scheduled day off, the employees affected shall be granted a compensatory day off, with pay, to be selected by the employee subject to approval of the department head.
- 3) An additional 32 hours of Personal Holidays shall be granted each regular employee who works the full-time equivalent of 0.5 or more.

298 4) Regular, half-time or more, part-time employees will receive proportional holiday benefits.
299

300 **C-7. Leaves**

301 1) **Sick Leave**

302 a) *Definition.* Sick leave is absence with pay caused by: an employee's illness or temporary
303 disability, including pregnancy, injury or exposure to a contagious disease, need to provide
304 emergency care to a member of the employee's immediate family, and appointments for
305 medical and dental services.

306 b) For the purposes of this section, an employee's immediate family is: spouse, family
307 partner, children, step children, foster children, siblings, step-siblings, parents, step parents,
308 foster parents, grandchildren, grandparents, brother-in-law, sister-in-law, son-in-law and
309 daughter-in-law, and other relatives of the employee, spouse or family partner residing in
310 the employee's household.

311 c) *Reporting.* Employees who use sick leave should notify his/her direct supervisor or
312 Administrative Services Manager (or designee) in a timely manner.

313 d) *Accrual.* Sick leave shall be accrued at the rate of 4 hours on a pro-rata basis each pay
314 period during which an employee receives compensation for forty (40) or more hours of
315 work or the equivalent compensation. Sick leave may be accrued to a maximum of 1,700
316 hours (212.5 days).

317 e) *Extension.* Sick leave may be extended by using vacation credits after the employee has
318 exhausted his/her sick leave credits.

319 f) *Doctor's Exam.* A doctor's exam may be required by the employer for an employee who is
320 absent four or more consecutive days. Such exam shall be paid for by the employer.

321 g) *Accrued Sick Leave Credits (Retirement or Death).* An employee who retires from service
322 and applies for retirement benefits within sixty (60) days shall have a maximum of 212.5
323 days of sick leave credits converted to monetary value (hours times last hourly rate) which
324 shall be available to continue health and/or dental insurance premium payments or, at the
325 retiring employee's option, shall be an annual taxable cash payment of \$9,000 or, the
326 employee may utilize sick leave conversion toward health and/or dental insurance in
327 addition to receiving a cash annual payment. If an employee dies, any remaining sick leave
328 balance shall be used to purchase health insurance for the surviving spouse as long as a
329 balance remains. Health and dental providers are the same as those offered active
330 employees.

331 h) Employees who retire before age 64 but not before age 55 or become totally disabled and
332 are eligible for Wisconsin and/or Social Security benefits and who have exhausted their sick
333 leave may continue to participate in the agency's group health insurance plan by paying the
334 premium until death or eligibility for Medicare plus coverage. Failure by the retired
335 employee to make payment to the insurer by the 10th of the month preceding coverage shall
336 be grounds for termination of coverage.

337 2) **Pregnancy Leave.** Employees shall be entitled to pregnancy leave without pay for a period not
338 to exceed three months. Commencement of and return from such leave shall be at the times
339 certified by the employee's doctor if required by the Executive Director. Whenever possible the

340 employee shall notify the employer fourteen days prior to the commencement of the leave. The
341 employee shall be entitled to return to his/her previous position by giving 14 days notice to
342 his/her Division Director.

343 3) **Death in Immediate Family.**

344 a) Permanent employees shall be allowed three (3) consecutive work days leave with pay in
345 the event of the death of such employee's mother, father, grandparents, spouse, children,
346 brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law,
347 daughter-in-law, member of alternative family, grandchildren, stepchildren, stepparents,
348 foster children or foster parents. Such leave shall be prorated for part-time employees (i.e.,
349 half-time employees get three (3) half-days, etc.).

350 b) In the event of the death of a member of the employee's family, other than those set forth in
351 (a) above, leave may be granted at the discretion of the Division Director or section
352 supervisor. If the employee is covered by a G-Range salary and has a compensatory leave
353 time balance, such leave can be charged against compensatory time. In the absence of
354 compensatory leave time, the leave may be charged to accrued sick leave with approval of
355 the division director or section supervisor.

356 4) **Military Leave.** Employees who serve in U.S. military organizations or the state national guard
357 may take the necessary time off to fulfill this obligation. You are expected to notify your
358 supervisor as soon as you are aware of the dates you will be on duty so that arrangement can be
359 made for replacement during this absence. Continuation of benefits exceeding 10 days requires
360 approval of the Commission.

361 5) **Jury Duty.** An employee called to jury duty shall be paid the difference between his/her
362 remuneration for jury duty and his/her regular pay, or the employee may elect to use
363 accumulated vacation and overtime credits in which case he/she shall receive pay for jury
364 service plus full pay.

365 6) **Special Leaves of Absence.** Special leaves of absence without pay may be requested for a
366 period not to exceed 6 months . The employee must make application setting forth the reasons
367 for the request including any potential benefits to the agency. Approval shall be in writing by
368 the Executive Director. The employee may be required to submit a doctor's statement if the
369 leave is requested for health reasons . The employee shall be entitled to return to his/her former
370 position by first giving 14 days' notice of his/her intention to return to work.

371

372 **C-8. Health Insurance**

373 Commission employees are eligible to participate in a group hospital, surgical, medical and dental
374 plan. Eligibility begins on the first day of the calendar month following the 30th day after
375 employment. Employees have a choice of coverage between the Physicians Plus HMO or Point of
376 Service Plan (see the Administrative Services Supervisor for information on each plan). Coverage
377 for dental insurance is currently offered through Delta Dental.

378

379 In ~~2007~~2008, the Commission pays up to ~~\$488,875~~\$42,650* per month for employees desiring the
380 single plan and up to ~~\$1,102,891,224~~\$20 per month for employees with the family plan. The

* Must work 13 days to get coverage for that month.

381 Commission currently pays up to \$36.34 per month for employees desiring the single dental plan and
 382 up to \$102.43 for the family dental plan.

383
 384 Employees on a leave of absence without pay who are desirous of maintaining group insurance
 385 coverage shall be required to make the full premium payment to the Commission prior to the 10th of
 386 the month preceding the month of coverage. Failure to make timely payments shall be grounds for
 387 termination from the group plan.

388
 389 Group health insurance coverage terminates on the last day of the month in which an employee
 390 works. Employees who terminate will be given an opportunity to maintain health insurance coverage
 391 for a limited period of time.

392
 393 Section 632.897 of the Wisconsin Insurance Statutes requires that subscribers who were covered
 394 under group insurance policies for at least three months, and are leaving employment or cease to be
 395 eligible for the group plan are eligible to either continue group coverage for 18 months or convert to
 396 an individual insurance policy. The continuance/conversion option is available to divorced spouses,
 397 a spouse or dependent of a deceased group member, or a group member who terminates eligibility
 398 for coverage for any reason except misconduct associated with employment. The law permits the
 399 group continuance coverage to be terminated at the end of 18 months or if the subscriber fails to
 400 make timely premium payments, becomes eligible for similar coverage under another group policy,
 401 or establishes residency out-of-state. The group continuance plan also ends for a divorced spouse on
 402 the date the group member (employee) is no longer eligible for the group policy. Full premium
 403 payment is the responsibility of the individual.

404
 405 **C-9. Life Insurance**

406 The Commission participates in the State Group Life Insurance plan on a shared cost basis. Eligible
 407 employees begin participation upon completion of six months of employment unless a waiver of life
 408 insurance form is completed.

409
 410 This plan provides each participant under age 65 with term insurance equal to the gross amount of
 411 total earnings for the previous year, which if not in even thousands, is increased to the next higher
 412 thousand. Conversion privileges are available to terminating employees.

413
 414 The Commission pays a portion of this insurance. For every \$1.00 paid on the Basic insurance by the
 415 employee, the RPC pays an additional 20 percent.

416
 417 Effective January 2007, the premium rates for employees are as follows:

418

Age	Basic Premium Rate Per \$1,000
Under 30	\$.05
30 – 34	.06
35 – 39	.07
40 – 44	.09
45 – 49	.15

50 – 54	.29
55 – 59	.47
60 – 64	.53
65 – 69	.60

419
 420 Commission employees can also participate in the additional and spouse and dependent insurance
 421 available through the State Insurance Program. Any employee enrolled in the basic group plan is
 422 eligible to participate in these plans. Premium rates and coverage information are available from the
 423 Administrative Services Manager. Coverage to be through the end of the following month of
 424 termination (i.e., if employee terminates 4/4 coverage will be through 5/31).

425
 426 **C-10. Disability Insurance**

427 CARPC shall provide employees with Disability Insurance. No employee shall be eligible to
 428 participate in the disability plan during his/her first six (6) months of employment. For part-time
 429 employees all of the benefits shall be prorated based on the percent of time worked. For employees
 430 choosing to participate in the Disability Insurance Program, premiums shall be paid as follows (used
 431 sick hours refers to the prior year):

<u>Sick Hours Used</u>	<u>Employee Share</u>	<u>Employer Share</u>
<u>0.0 -- 32.0</u>	<u>0 %</u>	<u>100 %</u>
<u>32.1 -- 40.0</u>	<u>40 %</u>	<u>60 %</u>
<u>40.1 -- 48.0</u>	<u>60 %</u>	<u>40 %</u>
<u>48.1 -- 56.0</u>	<u>80 %</u>	<u>20 %</u>
<u>56.1 +</u>	<u>100 %</u>	<u>0 %</u>

433
 434 Employees will be given the option of joining a Taxable Disability/Sick Leave Program or a
 435 Nontaxable Disability/Sick Leave Program. The ability to change options will be available to each
 436 employee in November of each year.

437
 438 1) Taxable Disability/Sick Leave Program. The employee will not be charged FICA expense, the
 439 premiums paid by the RPC will not be taxable and the benefits, which are sixty-five percent
 440 (65%) of salary, will be taxed to the extent of any payment of premiums by the RPC. If the
 441 employee pays the entire disability insurance premium, the benefit will not be taxed.

442
 443 2) Nontaxable Disability/Sick Leave Program. The employee will be charged FICA expense
 444 (currently 7.65%) on any of the RPC-paid premiums and the premium will be taxable income to
 445 the employee. By paying the FICA expense and income tax the employee will receive a tax-free
 446 benefit.

447
 448 3) Employees selecting Short Term Disability/Long Term Disability insurance will be granted
 449 sixteen (16) wellness hours in the pay period in which March premiums are withheld.
 450 Employees selecting only LTD insurance will be granted eight (8) wellness hours in the pay
 451 period in which March premiums are withheld. Employees who used forty-eight (48) or less
 452 hours of sick leave during the preceding payroll year will be granted eight (8) additional
 453 wellness hours during the following year. The employee may use the wellness hours with the

454 approval of the employee's supervisor. When wellness hours are not used within the payroll year
455 in which they are earned they may be carried over but must be used by the end of the succeeding
456 year or they shall be lost. Employees pay the entire premium for disability insurance. Any
457 disability insurance benefits paid to the employee will be tax-free.

458
459 **C-11. Wisconsin Retirement and Social Security**

460 Each eligible employee shall be a participant in the Wisconsin State Retirement Plan as provided by
461 Wisconsin Statutes and rules established by the Wisconsin Retirement Fund Board. The Commission
462 shall pay each employee's share of the contribution, not to exceed 6.5 percent of salary. All
463 employees participate in the Federal Old Age, Survivors, Disability and Health Insurance System
464 (Federal Social Security Program).

465
466 **C-12. Final Pay**

467 Employees who terminate employment with the Commission shall be paid for days worked since the
468 last salary payment and for allowable vacation, personal holidays and overtime that the employee
469 has accumulated.

470
471 Allowable vacation time shall be accumulated in accordance with Section C-5, expressed in hours
472 and multiplied by the employee's hourly rate in effect on the last day of employment.

473
474 Final payment will be made in one lump sum at the next regular payday following the last day of
475 actual work.

476
477 **C-13. Worker's Compensation**

478 1) In the event that an employee of the RPC is injured while at work and as a consequence of said
479 injury receives worker's compensation disability pay, said employee shall continue to be paid
480 by the RPC at the same rate and on the same basis as he or she was paid prior to the injury. The
481 amount of the earnings of such employee prior to the injury shall be computed as prescribed in
482 Section 102.11 of the Wisconsin Statutes. No employee shall be entitled to his/her full pay
483 under the provisions of this section unless prior to the end of each pay period and before the
484 payroll records have been received by the accounting department, said employee shall have
485 endorsed over to the RPC all the disability payment checks that he or she has received under the
486 Worker's Compensation Act. These provisions are subject to the following restrictions:

487 a) Full pay to an employee under the provisions of this policy shall become due only while
488 disability pay is being received under the Worker's Compensation Act and shall be paid for
489 a period not to exceed 180 calendar days in the aggregate during the time when Worker's
490 Compensation disability pay is being received.

491 b) In the event that a Worker's Compensation claim is contested, full pay by the RPC shall be
492 held up until the claim is settled or an award is made by the state Labor and Industry
493 Review Commission at which time the employee shall be entitled to receive in a lump sum
494 all his/her pay accumulated since the date of his/her injury, and such sum shall not exceed
495 said employee's full salary or wages for 180 calendar days.

496 c) During the period when an employee is entitled to full pay by the RPC under the provisions
497 of this section, there shall be no deductions from sick leave allowance, overtime allowance,
498 or vacation credit of such employee.

499 2) RPC employees shall accumulate sick leave and vacation time while they are disabled, but shall
500 not claim any leave time while receiving disability payments.

501 3) When an employee is injured while at work and goes to a clinic, hospital, or doctor's office,
502 he/she should explain that the injury occurred while on the job, and that he/she is filing a claim
503 under the RPC's Worker's Compensation policy.

504 Employees should not use their group health insurance policy number. Ask the medical
505 personnel to contact the RPC for the agency's Worker's Compensation policy number.

506 **C-14. Unemployment Compensation**

507 The Regional Planning Commission participates in the State Unemployment Compensation
508 program, and provides employees with unemployment benefits according to the state law.
509

510 For information on unemployment compensation benefits, employees should contact the
511 Unemployment Insurance office of the state Department of Workforce Development by calling
512 232-0824.
513

514 All claims and benefits are made through the state office, though the RPC reimburses the state for all
515 benefits paid.
516

517 **C-15. Travel and Employee Expenses**

518 1) Compensation may be claimed for mileage expenses incurred during use of any employee's
519 personal automobile in the performance of his/her duties. Such expenses will be reimbursed at a
520 mileage rate established by the Commission as part of its budget process. The current rate is
521 44.5 cents per mile. Such reimbursement shall not include normal daily transportation from the
522 employee's residence to the office and return, but may include such travel when necessary for
523 evening and other special meetings.

524 2) Normal costs for meals, lodging, parking, toll and travel fares while performing official duties
525 shall be paid. For travel outside of the region, prior approval must be obtained from the
526 employee's supervisor and authorization from the Executive Director.

527 3) Costs of meals and other expenses incurred and claimed for reimbursement shall be reasonable
528 and appropriate for the locale and circumstances of the travel. It is recognized that a meal or
529 hotel room in Washington, DC, or Chicago is likely to be higher priced than Stevens Point, for
530 example.

531 4) Claims for reimbursement shall be filed prior to the Executive Committee meeting on voucher
532 forms furnished by the Commission with receipts attached for all items over \$10.00 other than
533 automobile-related expenses.

534 5) Voucher forms will be checked by the Commission's Administrative Services Manager for
535 accuracy in computation, and by the Executive Director for compliance with these rules and

536 policies. Any claims which in the opinion of the Executive Director appear excessive may be
537 disallowed.

538 6) Travel advances may be applied for by submitting an itemized estimate of costs prior to the
539 meeting of the Executive Committee. An advance may be applied for only when estimated
540 reimbursement will exceed \$100.00. Such advances require the approval of the Executive
541 Director.

542 7) See Sections D-4, D-5, and D-6 for additional information concerning employee expenses
543 related to staff development.

544 **C-16. Bus Pass Program**

545 The RPC provides a bus pass assistance program which reduces the cost to the employee for
546 purchasing monthly or multi-ride bus passes for the purpose of getting to and from work. The RPC
547 provides \$~~15.00~~32.00 toward the purchase of a monthly bus pass (see the Administrative Services
548 Manager for details).

549

550 **C-17. Parking Program**

551 The Commission has made provisions to include RPC employees in the prepaid parking program
552 available through the Dane County Parking Ramp. Those employees who choose to participate will
553 have \$15.00 deducted from their "B" period paycheck each month. This allows them to park in any
554 unreserved 8- or 10-hour metered space at the Dane County Ramp during working hours (see the
555 Administrative Services Manager for details).

556

557 **C-18. Flexible Compensation Program**

558 The Commission has adopted a Flexible Compensation Program (Section 125 of the Internal
559 Revenue Code) to provide employees with alternatives to traditional employee taxable compensation
560 schedules. Employees who choose to participate in the program have the option to fund certain
561 benefits "tax free" with pre-tax salary instead of funding those same expenses with after-tax cash.
562 Regular full-time and part-time employees who work more than 50 percent time are eligible to
563 participate beginning the first of the month after their date of employment. The Commission pays the
564 annual enrollment fee for the program; each employee is responsible for the monthly maintenance
565 fee. See the Administrative Services Manager for more information.

566

567 **C-19. Deferred Compensation Program**

568 The Commission participates in the State of Wisconsin Deferred Compensation Plan which is
569 administered by Great-West Retirement Services. The plan allows you to defer a portion of your
570 income into tax-deferred investment options chosen from those made available to participants in the
571 program. See the Administrative Services Manager for more information.

572

573 **C-20. Liability Insurance Coverage**

574 The Commission retains general liability coverage on its employees against bodily injury or against
575 property damage while on the premises of the Commission's office or while conducting Commission
576 business outside. In addition, the Commission retains automotive liability insurance coverage on all

577 autos the Commission leases, hires or borrows, or on autos owned by employees used in
578 Commission work.

579
580 This insurance provides coverage for the protection of the Commission on its employees and
581 equipment. It does not supplant the need for an employee's own liability insurance.

582
583 Information on the amount of coverage and terms of coverage are available by examining the
584 policies.

585

586 **D. Staff Development**

587 **D-1. Personnel Evaluation**

588 See Section E-2, Probationary Period, for information regarding initial evaluation and completion of
589 the required probationary period.

590
591 Following completion of the probationary period, an annual performance evaluation will be
592 conducted for each employee and will form the basis for granting or denying step increases. Annual
593 performance evaluations shall consist of the following:

594

595 1) **Written Report.** At the end of each employee's yearly evaluation period a written and oral
596 performance evaluation will be scheduled and conducted by the employee's immediate
597 supervisor. The written evaluation, to be completed on the prescribed form, shall cover overall
598 work performance, progress and accomplishments since the prior evaluation.

599 a) The employee and supervisor will sign the written evaluation, acknowledging its review.

600 2) **Oral Session.** The supervisor will schedule a time for an oral evaluation session and make the
601 written evaluation available to the employee, the Division Director and the Executive Director
602 at least three working days prior to the oral session. The purpose of the oral evaluation is to
603 discuss the written comments, to suggest possible improvements and to address the employee's
604 future role at the agency. The Executive Director may, at his/her option, attend this session.

605 3) **Comments.** Following the oral evaluation session, the supervisor, the employee and/or the
606 Executive Director may add comments to the file. Such comments shall be made in writing and
607 submitted to the supervisor and/or employee for their information prior to inclusion in the
608 employee's personnel file.

609

610 The employee's personnel file shall be available for his/her inspection at any time.

611

612 Access to an employee's personnel file, other than by the employee, shall be limited to the
613 employee's supervisors, the Executive Director and the Administrative Services Manager for clerical
614 purposes. Employee personnel records can only be released by the Executive Director and only in
615 accordance with Wisconsin Statutes 19.31 – 19.36.

616

617 **D-2. Discipline**

618 1) The purpose of the discipline procedure is to encourage employees to take corrective action and
619 to make improvement in their work performance or work habits. Ordinarily, discussion with an

620 employee, to point out what is expected or to tell the employee how he or she is doing, should
621 be enough. There are times, however, when these corrective actions are not enough and more
622 stern discipline is required. Such discipline may include oral warnings, written warnings,
623 suspensions without pay or discharge. It should be emphasized that the employee's discipline
624 need not go through each of the steps involved in the disciplinary procedure. Discipline may
625 begin at any step in the procedure, including discharge, depending upon the seriousness of the
626 matter or the offense committed and the surrounding circumstances.

627 2) The following list of reasons for discipline is not intended to be all inclusive; the mere fact that
628 a possible violation is not listed does not mean it would not result in a disciplinary action,
629 including discharge:

- 630 ▪ Failure to act in an honest and forthright manner in all matters concerning employment
- 631 ▪ Failure to follow the direction of those responsible for your supervision
- 632 ▪ Failure to report to work on a regular basis
- 633 ▪ Violation of the Commission's harassment policy
- 634 ▪ The removal of Commission property without proper authorization
- 635 ▪ The unauthorized use, possession, or distribution of alcohol while on Commission
636 property or working for the Commission
- 637 ▪ The use, possession, or distribution of illegal drugs while on Commission property or
638 working for the Commission
- 639 ▪ Failure to devote full-time effort to the Commission
- 640 ▪ Failure to comply with Commission policies and procedures

641
642 3) The employee may appeal a disciplinary action or discharge through the RPC Grievance
643 Procedure.
644

645 **D-3. Personnel Evaluation of Executive Director**

646 1) A new executive director shall complete a six-month probationary period and an initial
647 evaluation shall be made at that time using the Executive Director Development Guide
648 (Appendix 3). The evaluation shall be conducted by a Personnel Subcommittee of the Executive
649 Committee. The Subcommittee shall consist of the chairperson of the Commission and a
650 member appointed by the chairperson and approved by the Executive Committee. The initial
651 (probationary) evaluation shall result in one of the following actions:

- 652 a) ***Successful completion.*** The employee will be advanced one step in the salary schedule
653 effective on the next pay period.
- 654 b) ***Extension of probation.*** The written evaluation will state the reasons for not granting
655 successful completion, the length of the extension (either three or six months), and the
656 withholding of the step increase until successful completion.
- 657 c) ***Unsuccessful completion.*** The Executive Director is terminated.

658
659 2) Following completion of the probationary period, an annual evaluation shall be made of the
660 Executive Director on his/her anniversary date using the Executive Director Development
661 Guide (Appendix 3). The evaluation will be conducted by the Executive Committee. The
662 evaluation shall serve as a basis for awarding or withholding salary step increases for the

663 Executive Director, and as a process for achieving mutual understanding and agreement
664 concerning work performance.

665
666

D-4. Training and Education

- 667 1) **Special Training Opportunities.** An employee's supervisor with approval of the Executive
668 Director may authorize participation in special training workshops or course opportunities. The
669 Executive Director may authorize appropriate time off, tuition and other expenses, or some
670 portion of these, depending on the nature of the workshop and the interests of the agency.
671 Payment arrangements shall be clarified prior to attendance. Any payment for materials or
672 tuition for such opportunities shall be refunded by the employee if the training work is not
673 completed.
- 674 2) **Advanced Education.** In general, the RPC does not have a program that allows full-time
675 employees to pursue advanced degrees. However, an employee may be permitted to take a leave
676 of absence for educational purposes, or an employee who is willing to take a more limited
677 amount of course work may be permitted by the Executive Director to take time off from
678 regular working hours if an adjustment in working hours and hours off can be made which will
679 not adversely interfere with the work of the agency.

680
681

D-5. Attendance at Conferences and Workshops

- 682 1) An employee's supervisor, with approval of the Executive Director, may authorize participation
683 in workshops and conferences. Time spent at conferences and workshops will be considered
684 work time (up to an 8-hour day) normally, and reimbursement for registration fees and other
685 expenses, or some portion of these, will be arranged with the Executive Director in each
686 circumstance. Weekend conference time should be cleared in each individual case.
- 687 2) The following factors will be considered in determining agency support for attendance at a
688 conference: 1) whether the conference is important for fulfillment of current grant obligations;
689 2) whether the conference has potential to assist in obtaining future grants; 3) whether the
690 conference has potential for staff development related to agency work; 4) whether the employee
691 has been invited to give a paper or appear on a panel at a conference that is related to agency
692 work; and 5) whether the employee has had previous opportunities to attend conferences. The
693 factors have been listed in order of general importance to the agency, with the additional
694 consideration that the ongoing work of the agency must also be accommodated.

695
696

D-6. Membership in Professional Organizations

- 697 1) The RPC may pay employee dues in one or more approved professional organization that
698 relates to the employee's work with the RPC, subject to approval by the Executive Director.
- 699 2) Time spent on professional organizations shall be minimal; i.e., that attendant to normal
700 membership duties, which includes local chapter meetings and occasional telephone calls.
701 Attendance at out of town conferences shall be approved under the provision in Section D-5.

702
703

704 **E. Hiring**

705 CARPC employees hired effective January 1, 2008, shall enter CARPC employment with all
706 longevity, seniority, salary history, vacation and sick leave credits as accrued from prior service with
707 the Dane County Regional Planning Commission and Dane County Community Analysis and
708 Planning Division.

709 **E-1. Hiring Procedures**

- 710 1) The agency shall advertise for all vacant and newly created regular positions. The Executive
711 Director may limit advertisements for any specific position to internal applicants, or to both
712 internal and external applicants. All advertisements for positions shall include:
- 713 a) The generic position description.
 - 714 b) The pay range of that position.
 - 715 c) The Essential Functions of the position.
 - 716 d) Equal employment opportunity statement.
- 717 2) If an applicant is hired at a level different than that advertised, the new employee shall receive
718 the appropriate level job description, and a specific description shall be written to reflect his/her
719 skills and duties.
- 720 3) If a position to be filled is related solely to a particular project of known duration and funding,
721 the employee shall be hired as a limited term or project term employee and the position shall be
722 advertised as such (see Section B-3).
- 723 4) For information on rehiring after layoff, see Section G-2, Part 5.

724
725 **E-2. Probationary Period**

726 1) All new FLSA-non-exempt employees shall complete a six-month probationary period, and all
727 new FLSA-exempt employees shall complete a one-year probationary period.

728 2) Probationary Period Evaluations

729 a) ***Initial Evaluations.*** Initial evaluations shall be scheduled by the employee's immediate
730 supervisor at the end of three months' employment (six months for FLSA-exempt
731 employees). Initial evaluations shall be oral and cover the following points:

- 732 i) The employee's work performance and progress.
- 733 ii) Discussion of areas in need of improvement.
- 734 iii) Concerns of the employee.
- 735 iv) The employee's future with the agency.

736 The supervisor will subsequently prepare a short written assessment noting satisfactory
737 performance and/or potential problems. The employee will review and may comment on
738 this assessment. The assessment, signed by the employee and the supervisor will be placed
739 in the employee's personnel file.

740 b) ***Probationary Evaluation***

742 i) ***Written Report.*** At the end of the probationary period a written and oral performance
743 evaluation will be scheduled and conducted by the employee's immediate supervisor.

744 The written evaluation, to be completed on the prescribed form, shall cover overall
745 work performance, progress and accomplishments since the prior evaluation and
746 recommended action on the probationary period.

747 ii) **Oral Session.** The supervisor will schedule a time for an oral evaluation session and
748 make the written evaluation available to the employee and the Executive Director at
749 least three working days prior to the oral session. The purpose of the oral evaluation is
750 to discuss the written comments, to suggest possible improvements and to address the
751 employee's future role at the agency. The Executive Director may, at his/her option,
752 attend this session.

753

754 c) **Action.** The probation evaluation will result in one of the following actions:

755 i) **Successful Completion.** The employee will be advanced one step in the salary schedule
756 effective with the next pay period.

757 ii) **Extension of Probation.** The written evaluation will state the reasons for not granting
758 successful completion, the length of the extension (either three or six months), and the
759 withholding of the step increase until successful completion.

760 iii) **Unsuccessful Completion.** The employee will be terminated.

761

762 d) **Comments.** Following the oral evaluation session, the supervisors, the employee and/or the
763 Executive Director may add comments to the personnel file.

764 Such comments shall be made in writing and be submitted to the supervisor and/or
765 employee for their information prior to inclusion in the employee's personnel file.

766 The employee, the supervisors and the Executive Director will sign the written evaluation
767 acknowledging its review.

768

769 **E-3. Affirmative Action**

770 This section is currently being reviewed by the Dane County Office of Equal Opportunity and may subsequently
771 be updated by the CARPC.

772

773 1) **Contractor Policy Statement.** Consistent with the requirements set forth by the Dane County
774 Board of Supervisors of the County of Dane, Chapter 19 of the Dane County Ordinances, and
775 the Equal Opportunity Ordinance of the City of Madison, Sec. 3.23, Madison General
776 Ordinances (effective as of this date), the Capital Area Regional Planning Commission states
777 that it is our policy regarding equal employment opportunities to ensure that all recruitment and
778 placement of employees shall be done regardless of race, color, national origin, ancestry, creed,
779 age, sex, disability, arrest or conviction record, marital status, sexual orientation, military status
780 and use or nonuse of lawful products away from work, and that all employees shall be treated
781 equally with respect to compensation, training, layoff, and recall as well as opportunities for
782 advancement including upgrading, promotion and transfer, and selections of apprenticeship
783 insofar as it is within our control. We further acknowledge that all services will be provided and
784 administered in a non-discriminatory manner.

785

786 To further this policy, this agency will take affirmative action toward achieving the following
787 goals: to reach a balance of workforce which will reflect the representation of women,
788 minorities and handicapped individuals in the labor market; to increase the subcontracting
789 opportunities of companies owned by women, minorities and handicapped individuals; and to
790 encourage similar efforts from those companies with which we do business on County
791 contracts.

792
793 Our policy on Equal Employment Opportunity shall be publicized internally by use of the
794 following methods:

- 795 a) Instructing all supervisory personnel on the provisions of the Affirmative Action Plan.
796 b) Posting or making available copies of this plan for all employees and applicants to see and
797 examine.
798 c) Posting federal and county equal opportunity posters.

799
800 All personnel announcements, contracts, agreements, etc., shall contain statements of our policy
801 of Affirmative Action and our commitment to non-discrimination in employment and personnel
802 practices.

803
804 Persons in a position to implement this policy, including those engaged in recruiting, training,
805 and other personnel activities, shall be fully advised of this equal employment policy.

806
807 Union officials shall be informed of all Affirmative Action and non-discrimination policies, and
808 that they must be adhered to. Non-discrimination clauses shall be included in union contracts
809 and agreements. The Equal Employment Opportunity clause shall be included in all purchase
810 orders, leases, contracts, etc.

- 811
812 2) **Designation of EEO Officer.** The Executive Director, Deputy Director and Administrative
813 Services Manager are responsible for the implementation and enforcement of this plan. The
814 Executive Director shall serve as the Equal Employment Opportunity Officer, and will be
815 accountable for implementing the company's Affirmative Action Plan, for maintaining audit
816 and report systems to measure the plan's effectiveness, for identifying problems, objectives and
817 time frames, and for facilitating compliance reviews and the submission of reports and other
818 pertinent documents when so requested by the Dane County Affirmative Action office.
819

820 F. Working Hours

821 F-1. Office Hours

822 The Regional Planning Commission office is open for business weekdays between 7:45 a.m. and
823 4:30 p.m.

824 F-2. Hours of Work

- 825
826 1) All full-time employees shall work an 8-hour day, five-day week with a 45-minute lunch period.
827 The normal work day is from 7:45 a.m. to 4:30 p.m., and the lunch period is flexible. Part-time
828 and extra hire employees will work those hours agreed upon with the supervisor at the time of
829 hire.

830 Alternative 8-hour work days may be arranged at the division or section level with the approval
831 of the Executive Director. Such alternate work hours shall be according to fixed schedules for
832 6-month periods and assume that the division will be staffed during office hours.

833 2) Employees may take a 15-minute break in mid-morning and mid-afternoon.

834

835 **F-3. Overtime**

836 1) **General Policy**

837 a) A non-exempt employee is eligible for overtime pay (time and one half) for all hours
838 worked in excess of 40 hours in a week. Unusual or continuing overtime requires the prior
839 approval of the employee's immediate supervisor.

840 b) Overtime is not paid to exempt employees. Exempt employees who work more than four
841 hours in excess of a 40-hour work week (work week hours are pro-rated based on FTE) may
842 accrue compensatory time on an hour-for-hour basis, up to a maximum total of 80 hours.
843 All hours earned in excess of 40 shall require supervisor approval prior to being earned. All
844 compensatory time accrued by exempt employees shall only be used for time off of work,
845 and shall not represent a financial liability of the CARPC. Employees shall use accrued
846 compensatory time leave prior to using all other types of leave.

847 c) Overtime can either be taken off from work by the employee with the prior approval of their
848 immediate supervisor or can be paid to the employee on his/her next regular paycheck at 1
849 ½ times the employee's regular hourly rate.

850 If the employee works overtime during a week when vacation, sick, bereavement or
851 compensatory time is taken, the employee earns the overtime worked at an hour-for-hour
852 rate and may take those hours off work at the rate or be paid for those hours at an hour-for-
853 hour rate.

854 Overtime worked during a week when a holiday occurs is eligible to be earned and take off
855 or paid under the 1 ½ time provision.

856 d) Overtime accrued may be taken off with notification of the immediate supervisor. For
857 blocks of four or more hours, time taken off should be arranged with the supervisor in the
858 same manner as vacation time.

859 **F-4. Time Sheets**

860 All employees must prepare a time sheet for each bi-weekly pay period to account for time spent
861 working on various activities and for time taken off. A copy of the RPC time sheets follows. For
862 instructions about how to prepare the time sheet, see the Administrative Services Manager. Time
863 sheets should be prepared and submitted to the Administrative Services Manager for initialing
864 promptly prior to each pay period to facilitate the agency's billing and bookkeeping procedures.

865 (draft copy of timesheet)

866 **G. Terminations**

867 All employees who terminate employment with the CARPC may elect to participate in an exit
868 interview conducted by the CARPC Personnel Committee.

869 All employees whose employment has been involuntarily terminated may elect to directly appeal the
870 decision to the CARPC Personnel Committee, and subsequently to the Commission, following the
871 procedure set forth in Section I Step 3 of the Grievance Procedures.

872

873 **G-1. Resignations**

874 1) Employees shall notify the Executive Director in writing at least two weeks prior to the
875 effective date (last working day).

876 2) On the first regular payday after the effective date of resignation, the employee shall be paid
877 his/her regular salary, allowable vacation, holiday and overtime pay. Travel expenses incurred
878 prior to the effective date of resignation will be paid as soon as possible after Executive
879 Committee approval. If the effective date of resignation falls on a payday, the employee will be
880 paid on that day.

881 **G-2. Layoffs**

882 1) Should layoffs be necessary due to funding cutbacks, the general process set forth in Appendix
883 4 will be followed.

884 2) Employees who are to be laid off shall be provided a minimum of thirty (30) calendar days'
885 notice in writing from the Executive Director.

886 3) Employees who are laid off shall receive their total final pay as described in Section C-11,
887 Final Pay.

888 4) The RPC shall provide the following assistance to laid off employees to help them find new
889 employment, such as use of telephone, typing services.

890 5) Re-employment.

891 a) Employees who are laid off shall be placed on a re-employment list.

892 b) Re-employment Notification List. The employee's name is included on a list maintained by
893 the Executive Director for 18 months.

894 c) A former employee will be given right of first refusal to his/her former job at his/her former
895 salary range and step level.

896 d) The RPC shall not employ any new, regular or part-time or temporary employees without
897 first notifying all laid off employees of the vacancy and giving them the opportunity to
898 compete for the position.

899 e) Recall From Layoff

900 i) Notice of recall shall be sent by the Executive Director to the employee's last known
901 address.

- 902 ii) Laid off employees shall be required to respond within 14 calendar days of the date the
- 903 recall notice is sent. Employees who do not respond shall be dropped from the list and
- 904 any special rights shall be lost.

905
906

907 **H. Other**

908 **H-1. Harassment And Discrimination In The Workplace**

909 I. PURPOSE

910
911 The purpose of this policy is to maintain a healthy work environment in which all individuals are
912 treated with respect and dignity and to provide procedures for reporting, investigating and resolving
913 complaints of harassment and discrimination.

914 915 II. POLICY

916
917 It is the policy of the Capital Area Regional Planning Commission (CARPC) that all employees have
918 the right to work in an environment free of all forms of harassment. The CARPC will not tolerate,
919 condone, or allow harassment by any employee or other non-employees who conducts business with
920 the CARPC. The CARPC considers harassment and discrimination of others to be forms of serious
921 employee misconduct. Therefore, the CARPC shall take direct and immediate action to prevent such
922 behavior, and to remedy all reported instances of harassment and discrimination. A violation of this
923 policy can lead to discipline up to and including termination, with repeated violations, even if
924 “minor,” resulting in greater levels of discipline as appropriate.

925 926 III. PROCEDURES

927 928 A. Prohibited Activity (Sexual Harassment and Harassment)

- 929 1. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors
- 930 and other verbal or physical conduct of a sexual nature when:

- 931 a. Submission to such conduct is made either explicitly or implicitly a term of
- 932 condition of employment; or
- 933 b. Submission to or rejection of such conduct by an employee is used as the basis for
- 934 employment decisions affecting the employee; or
- 935 c. Such conduct has the purpose or effect of unreasonably interfering with an
- 936 employee’s work performance or creating an intimidating, hostile, or offensive
- 937 working environment.

- 938
- 939 2. Harassment is any verbal, written, visual or physical act that creates a hostile,
- 940 intimidating or offensive work environment or interferes with an individual’s job
- 941 performance.

- 942 a. No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle
- 943 any person.

944 b. Employees shall not make offensive or derogatory comments to any person, either
945 directly or indirectly, based on race, color, sex, religion, age, disability, sexual
946 orientation, or national origin. Such harassment is a prohibited form of
947 discrimination under state and federal employment law and/or is also considered
948 misconduct subject to disciplinary action by the City/Village.

949
950 B. Covered Individuals

951 Individuals covered under this policy include employees and applicants for employment,
952 volunteers, members of the public, elected officials and appointed boards and commissions.

953
954 C. Supervisory Responsibilities

955 1. Each supervisor shall be responsible for preventing prohibited activities as defined
956 above.

957 a. Monitoring the work environment on a daily basis for signs that harassment may
958 be occurring;

959 b. Training and counseling all employees on what constitutes harassment and sexual
960 harassment, on the types of behavior prohibited by this policy and procedures for
961 reporting and resolving complaints of harassment.

962 c. Stopping any observation that may be considered harassment, and taking
963 appropriate steps to intervene, whether or not the involved employees are within
964 his/her line of supervisions; and

965 d. Taking immediate action to prevent retaliation towards the complaining party or
966 witnesses and to eliminate the hostile work environment where there has been a
967 complaint of harassment, pending investigation. If a situation requires separation
968 of the parties, care should be taken to avoid actions that appear to punish the
969 complainant. Transfer or reassignment of any of the parties involved should be
970 voluntary if possible and, if non-voluntary, should be temporary pending the
971 outcome of the investigation.

972
973 2. Each supervisor has the responsibility to assist any employee of this agency who
974 comes to that supervisor with a complaint of harassment in documenting and filing a
975 complaint with the internal investigations authority as designated by this agency.

976 3. Failing to carry out these responsibilities will be considered in any evaluation or
977 promotional decisions and may be grounds for discipline.

978
979 D. Employee Responsibilities

980 1. Each employee of this agency is responsible for assisting in the prevention of
981 harassment through the following acts:

982 a. Refraining from participation in, or encouragement of actions that could be
983 perceived as harassment;

984 b. Reporting acts of harassment to a supervisor; and

985 c. Encouraging any employee who confides that he or she is being harassed or
986 discriminated against to report these acts to a supervisor.

987

988 2. Failure of any employee to carry out the above responsibilities will be considered in
989 any performance evaluation or promotional decisions and may be grounds for
990 discipline.

991

992

E. Complaint Procedures

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1. Any employee encountering harassment is encouraged but not required to inform the person that his or her actions are unwelcome and offensive. This initial contact can be either verbal or in writing. The employee is to document all incidents of harassment in order to provide the fullest basis for investigation.

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2. Any employee who has unsuccessfully attempted to terminate the harassment by means of Section 1 and who believes that he or she is being harassed shall report the incident(s) as soon as possible to their supervisor so that steps may be taken to protect the employee from further harassment, and so that appropriate investigative and disciplinary measures may be initiated. Where doing so is not practical, the employee may instead file a complaint with another supervisor, the Executive Director or the Chair of the Capital Area Regional Planning Commission.

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a. The supervisor or other person to whom a complaint is given shall meet with the employee and document the incident(s) complained of, the person(s) performing or participating in the harassment, any witnesses to the incident(s) and the date(s) on which it occurred.

1009

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3. An employee should utilize the internal reporting procedure first. However, if after utilizing this procedure the complainant does not feel the complaint has not been adequately addressed, the employee may file a complaint with either or both of the following:

1013

1014

1015

1016

1017

a. State of Wisconsin Equal Rights Agency
201 East Washington Avenue
Madison, WI 53703
Phone: (608) 266-6860

1018

1019

1020

1021

1022

b. Equal Employment Opportunity Commission
210 Martin Luther King Boulevard
Madison, WI 53703
Phone: (608) 266-4910

1023

1024

4. The internal investigation authority shall be responsible for investigating any complaint alleging harassment or discrimination.

1025

1026

1027

a. The internal investigative authority shall immediately notify the Executive Director if the complaint contains evidence of criminal activity, such as battery, rape or attempted rape.

- 1028 b. The investigation shall include a determination as to whether other employees are
1029 being harassed by the person, and whether other employees participated in or
1030 encouraged the harassment.
1031 c. The internal investigative authority shall inform the parties involved of the
1032 outcome of the investigation.
1033 d. A file of harassment and discrimination complaints shall be maintained in a secure
1034 location.
1035
1036 5. There shall be no retaliation against any employee for filing a harassment or
1037 discrimination complaint, or for assisting, testifying, or participating in the
1038 investigation of such a complaint.
1039 6. The complaining party's confidentiality will be maintained throughout the
1040 investigatory process to the extent practical and appropriate under the circumstances.
1041 7. Complainants or employees accused of harassment may file a grievance/appeal in
1042 accordance with Commission's procedures when they disagree with the investigation
1043 or disposition of a harassment claim.
1044

1045 F. Retaliation

- 1046 1. Retaliation against any employee for filing a harassment or discrimination complaint,
1047 or for assisting, testifying, or participating in the investigation of such a complaint, is
1048 illegal and is prohibited by this CARPC and by federal statutes.
1049 2. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be
1050 considered a separate violation of this policy and shall be handled by the same
1051 complaint procedures established for harassment and discrimination complaints.
1052 3. Monitoring to ensure that retaliation does not occur is the responsibility of the
1053 Executive Director and each supervisor.
1054
1055

1055 IV. DEFINITIONS

- 1056
- 1057 A. Verbal Harassment: Sexual innuendoes, degrading or suggestive comments, repeated
- 1058 pressure for dates, jokes of a sexual nature, unwelcome sexual flirtations, degrading words
- 1059 used to describe an individual, obscene and/or graphic descriptions of an individual's body
- 1060 or threats that job, wages, assignments, promotions or working conditions could be affected
- 1061 if the individual does not agree to a suggested sexual relationship.
- 1062 B. Non-Verbal: Sexually suggestive or offensive objects or pictures, inappropriate usage of
- 1063 voicemail, e-mail, the internet or other such sources as a means to express or obtain sexual
- 1064 material, comments etc., printed or written materials including offensive cartoons,
- 1065 suggestive or offensive sounds, whistling, catcalls or obscene gestures. Any material which
- 1066 inappropriately raises the issues of sex or discrimination. Treating an employee differently
- 1067 than other employees when they have refused an offer of sexual relations.
- 1068 C. Physical: Unsolicited or unwelcome physical contact of a sexual nature, which may include
- 1069 touching, hugging, massages, kissing, pinching, patting, or regularly brushing against the
- 1070 body of another person.
- 1071 D. Other Forms of Harassment: Persistent and unwelcome conduct or actions on the basis of
- 1072 disability, sex, arrests or conviction record, marital status, sexual orientation, membership
- 1073 in the military reserve, or use or nonuse of lawful products away from work is prohibited
- 1074 under this policy and s.111.31-111.39, Wis. Stats.
- 1075 E. Harassment on any basis (race, sex, age, disability etc.) exists whenever: Submission to
- 1076 harassing conduct is made, either explicit or implicit, a term or condition of an individual's
- 1077 employment; submission to or rejection of such conduct is used as the basis for an
- 1078 employment decision affecting an individual; the conduct interferes with an employee's
- 1079 work or creates an intimidating, hostile, or offensive work environment. Such conduct is
- 1080 prohibited under this policy and §111.31-111.39 Wis. Stats.
- 1081 F. Unwelcome: Sexual conduct is unwelcome whenever the person subjected to it considers it
- 1082 unwelcome. The conduct may be unwelcome even though the victim voluntarily engages in
- 1083 it to avoid adverse treatment.
- 1084

1085 **H-2. Outside Employment**

1086 It is generally not feasible for full-time RPC employees of Range M-15 and above to take on

1087 additional outside employment, due to potential time conflicts. If any RPC employee does take on

1088 outside employment, it should not involve a conflict of interest with the employee's RPC job

1089 responsibilities or with the agency's plans and programs. One example of a conflict of interest would

1090 be taking on planning consultant work within Dane County or in an adjoining jurisdiction. Outside

1091 employment should also not interfere with the employee's ability to perform his/her job

1092 responsibilities. An employee who is involved or about to be involved in any matter that could result

1093 in a conflict of interest or with the agency's plans or programs, shall so notify his/her supervisor and

1094 the Executive Director describing the matter and the nature of the possible conflict.

1095

1096 Further information concerning professional conduct and potential conflict of interest may be found

1097 in Appendix 7, the AICP Code of Ethics and Professional Conduct.

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H-3. Electronic Communication & Information Systems Policy

SECTION 1 - ELECTRONIC COMMUNICATION

1.1 PURPOSE:

To better serve our citizens and give our workforce the best tools to do their jobs, the Capital Area Regional Planning Commission (CARPC) continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including, but not limited to, computers, e-mail, telephones, cellular telephones, pagers, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet, and the World Wide Web.

The CARPC encourages the use of these media and associated services because they can make communication more efficient and effective and because they are valuable sources of information. However, all employees and everyone connected with the CARPC should remember that electronic media and services provided by the CARPC are CARPC property and their purpose is to facilitate and support CARPC business. No expectation of privacy in regards to use of the CARPC's electronic communication systems should be expected by the employee in any respect related to accessing, transmitting, sorting or communicating information via the system.

This policy cannot lay down rules to cover every possible situation. The purpose of this policy is to express the CARPC's philosophy and set forth general guidelines governing the use of electronic media and services. By adopting this policy, it is the CARPC's intent to ensure the electronic communication systems are used to their maximum potential for business purposes and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the Governing CARPC.

The following procedures apply to all electronic media and services that are:

- Accessed on or from CARPC premises;
- Accessed using CARPC computer equipment or via CARPC -paid access methods; or
- Used in a manner that identifies the individual as acting for or on behalf of the CARPC; or in anyway identifies the CARPC.

1.2 ORGANIZATIONS AFFECTED:

This policy applies to all CARPC employees and contracted and consulting resources.

1.3 POLICY:

It is the policy of the CARPC to follow this set of procedures for the use of electronic communication media and services.

- 1141 1.4 REFERENCES:
- 1142 Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats.
- 1143 §947.0125.
- 1144
- 1145 1.5 PROCEDURES:
- 1146 1.5.A ACCESS and AUTHORITY
- 1147 1) Each supervisor shall determine which employees in their area shall have
- 1148 access to the various media and services, based on business practices and
- 1149 necessity and which shall have authority to communicate on behalf of the
- 1150 CARPC.
- 1151
- 1152 2) The provisions of this Policy shall apply to the use of CARPC -
- 1153 owned/provided equipment and/or services from home or other locations off
- 1154 CARPC premises. CARPC -owned equipment (e.g. lap tops) may be removed
- 1155 from CARPC premises solely for CARPC work related purposes pursuant to
- 1156 prior authorization from the Executive Director.
- 1157
- 1158 1.5.B PROHIBITED COMMUNICATIONS
- 1159 1) Electronic media cannot be used for knowingly transmitting, retrieving or
- 1160 storing any communication that is:
- 1161 a) Personal business on CARPC time (e.g. sports pools, games, shopping,
- 1162 correspondence or other non-business-related items/documents), except
- 1163 as otherwise allowed under Section 1.5.C;
- 1164 b) Discriminatory or harassing;
- 1165 c) Derogatory to any individual or group;
- 1166 d) Obscene as defined in Wis. Stats. § 944.21;
- 1167 e) Defamatory or threatening; or
- 1168 f) Engaged in for any purpose that is illegal or contrary to the CARPC's
- 1169 policy or business interests.
- 1170
- 1171 2) For the protection, integrity and security of the CARPC's System, electronic
- 1172 media shall not be used to download or transfer software, unless authorized by
- 1173 the employee's supervisor.
- 1174
- 1175 1.5.C PERSONAL USE
- 1176 1) Except as otherwise provided, electronic media and services are provided by
- 1177 the CARPC for employees' business use during CARPC time. Limited,
- 1178 occasional, or incidental use of electronic media (sending or receiving) for
- 1179 personal nonbusiness purposes is permitted as set forth below or as provided
- 1180 for by employment agreement:
- 1181

- 1182 a) Personal use is limited to breaks, lunch or immediately before/after
1183 work;
- 1184 b) Personal use must not interfere with the productivity of the employee or
1185 his or her co-workers;
- 1186 c) Personal use does not involve any prohibited activity (see Section 1.5.B,
1187 b-f);
- 1188 d) Personal use does not consume system resources or storage capacity on
1189 an ongoing basis;
- 1190 e) Personal use does not involve large file transfers or otherwise deplete
1191 system resources available for business purposes.
1192
- 1193 2) CARPC telephones and cellular phones are to be used for CARPC business.
1194 However, brief, limited personal use is permitted during the work day.
1195 Personal long distance calls are only permitted with the use of a personal 1-
1196 800 calling card, or with the understanding that such calls must be reimbursed
1197 to the CARPC, as per policies set forth in the CARPC Employee Personnel
1198 Manual.
1199
- 1200 3) Employees should not have any expectation of privacy with respect to
1201 personal use of the CARPC's electronic media or services.
1202

1203 1.5.D ACCESS TO EMPLOYEE COMMUNICATIONS

- 1204 1) Electronic information created and/or communicated by an employee using e-
1205 mail, word processing, utility programs, spreadsheets, voice mail, telephones,
1206 Internet and bulletin board systems, desktop faxes, and similar electronic
1207 media may be accessed and monitored by the CARPC. The CARPC respects
1208 its employees' desire to work without surveillance. However, the CARPC
1209 reserves and intends to exercise the right, at its discretion, to review, monitor,
1210 intercept, access and disclose all messages created, received or sent over the
1211 electronic communication systems for any purpose including, but not limited
1212 to: cost analysis; resource allocation; optimum technical management of
1213 information resources; and detecting use which is in violation of CARPC
1214 policies or may constitute illegal activity. Disclosure will not be made except
1215 when necessary to enforce the policy, as permitted or required under the law,
1216 or for business purposes.
1217
- 1218 2) Any such monitoring, intercepting and accessing shall observe any and all
1219 confidentiality regulations under federal and state laws.
1220

1221 1.5.E SECURITY/APPROPRIATE USE

- 1222 1) Employees must respect the confidentiality of other individuals' electronic
1223 communications. Except in cases in which explicit authorization has been
1224 granted by the Executive Director, employees are prohibited from engaging
1225 in, or attempting to engage in:

- 1226 a) Monitoring or intercepting the files or electronic communications of
1227 other employees or third parties;
- 1228 b) Hacking or obtaining access to systems or accounts they are not
1229 authorized to use;
- 1230 c) Using other people's log-ins or passwords; and
- 1231 d) Breaching, testing, or monitoring computer or network security
1232 measures.
- 1233
- 1234 2) No e-mail or other electronic communications can be sent that attempt to hide
1235 the identity of the sender or represent the sender as someone else.
- 1236
- 1237 3) Electronic media and services should not be used in a manner that is likely to
1238 cause network congestion or significantly hamper the ability of other people
1239 to access and use the system.
- 1240
- 1241 4) Anyone obtaining electronic access to other organizations', business',
1242 companies', municipalities' or individuals' materials must respect all
1243 copyrights and cannot copy, retrieve, modify, or forward copyrighted
1244 materials except as permitted by the copyright owner.
- 1245

1246 Employees must understand that the unauthorized use or independent
1247 installation of non-standard software or data may cause computers and
1248 networks to function erratically, improperly, or cause data loss. Therefore,
1249 before installing any new software or data, users should seek the assistance of
1250 the Executive Director. Users must never install downloaded software to
1251 networked storage devices without the assistance and approval of appropriate
1252 personnel.

1253

1254 Most of the CARPC's computing facilities automatically check for viruses
1255 before files and data which are transferred into the system from external
1256 sources are run or otherwise accessed. On computers where virus scanning
1257 takes place automatically, the virus scanning software must not be disabled,
1258 modified, uninstalled, or otherwise inactivated. If you are uncertain as to
1259 whether the workstation you are using is capable of detecting viruses
1260 automatically, or you are unsure whether the data has been adequately
1261 checked for viruses, you should contact the Executive Director.

1262

1263 Anyone receiving an electronic communication in error shall notify the sender
1264 immediately. The communication may be privileged, confidential and/or
1265 exempt from disclosure under applicable law. Such privilege and
1266 confidentiality shall be respected.

1267

1268

1268 1.5.F ENCRYPTION

1269 Employees should not assume electronic communications are totally private.
1270 Employees with a business-need to encrypt messages (e.g. for purposes of
1271 safeguarding sensitive or confidential information) shall submit a written request to
1272 their supervisor. When authorized to use encryption by their supervisor, employees
1273 shall use encryption software supplied to them by the Executive Director.
1274 Employees who use encryption on files stored on a CARPC computer must provide
1275 their supervisor with a sealed hard copy record (to be retained in a secure location)
1276 of all of the passwords and/or encryption keys necessary to access the files.
1277

1278 1.5.G PARTICIPATION IN ON-LINE FORUMS

- 1279 1) Employees should remember that any messages or information sent on
1280 CARPC -provided facilities to one or more individuals via an electronic
1281 network (for example: Internet mailing lists, bulletin boards, and on-line
1282 services) are statements identifiable and attributable to the CARPC.
1283
1284 2) The CARPC recognizes that participation in some forums might be important
1285 to the performance of an employee's job. For instance, an employee might
1286 find the answer to a technical problem by consulting members of a newsgroup
1287 devoted to the technical area.
1288
1289 3) Employees shall include the following disclaimer in all of their postings to
1290 public forums:
1291
1292 "The views, opinions, and judgments expressed in this message are
1293 solely those of the author. The message contents have not been
1294 reviewed or approved by CARPC."
1295
1296 4) Employees should note that even with a disclaimer, a connection with the
1297 CARPC exists and a statement could be imputed legally to the CARPC.
1298 Therefore, employees should not rely on disclaimers as a way of insulating the
1299 CARPC from the comments and opinions they contribute to forums. Instead,
1300 employees must limit their discussion to matters of fact and avoid expressing
1301 opinions while using the CARPC's systems or CARPC provided account.
1302 Communications must not reveal confidential information and must not
1303 otherwise violate this or other CARPC policies.
1304
1305 5) Employees must receive authorization from their Supervisor prior to
1306 participating in an on-line forum. The employees shall be required to review
1307 the provisions of this section before they receive such authorization.
1308

1309 1.5.H POLICY VIOLATIONS

1310 Employees who abuse the privilege of CARPC-facilitated access to electronic media
1311 or services risk having the privilege removed for themselves and possibly other

1312 employees, are subject to discipline, up to and including termination and may be
1313 subject to civil liability and criminal prosecution.

1314

1315 **SECTION 2 - E-MAIL POLICY**

1316

1317 2.1 PURPOSE:

1318 The CARPC provides certain employees with systems to send and receive electronic mail (e-
1319 mail) so they can work more productively. E-mail gives employees a useful way to exchange
1320 ideas, share files, and keep in touch with colleagues, whether they are located in the next
1321 room, another Governing Unit building, or thousands of miles away.

1322

1323 The CARPC e-mail system is a valuable business asset. The messages sent and received on
1324 the e-mail system, like memos, purchase orders, letters, or other documents created by
1325 employees in the course of their workday, are the property of the CARPC and may constitute
1326 public records. This policy explains rules governing the appropriate use of e-mail and sets
1327 out the CARPC's rights to access messages on the e-mail system. No expectation of privacy
1328 in regards to use of the CARPC e-mail system should be expected by the employee in any
1329 respect related to accessing, transmitting, sorting or communicating information via the
1330 system.

1331

1332 2.2 ORGANIZATIONS AFFECTED:

1333 This policy applies to all CARPC employees and contracted and consulting resources.

1334

1335 2.3 POLICY:

1336 It is the policy of the CARPC to follow this set of procedures for the use of the CARPC's e-
1337 mail system.

1338

1339 2.4 REFERENCES:

1340 Electronic Communications Privacy Act of 1986 (18 U.S.C. §§ 2510 - 2711); Wis. Stats.
1341 §19.21; Wis. Stats. §947.0125.

1342

1343 2.5 PROCEDURES:

1344 2.5.A ACCESS TO EMPLOYEE E-MAIL

1345 1) Employees should not have any expectation of privacy with respect to
1346 messages or files sent, received, or stored on the CARPC's e-mail system. E-
1347 mail messages and files, like other types of correspondence and CARPC
1348 documents, can be accessed and read by authorized employees or authorized
1349 individuals outside the CARPC. The CARPC reserves the right to monitor,
1350 review, audit, intercept, access and disclose all messages created, received or
1351 sent over the e-mail system. Information contained in the e-mail system will
1352 only be disclosed to the extent permitted by law, for business purposes, or as
1353 needed to enforce the policy. Authorized access to employee e-mail by other
1354 employees or outside individuals includes, but is not limited to, the following:

1355

- 1356 a) Access by the CARPC Executive Director's Office during the course of
1357 system maintenance or administration;
- 1358 b) Access approved by the employee, the employee's supervisor, or an
1359 officer of the CARPC when there is an urgent business reason to access
1360 the employee's mailbox - for example, if an employee is absent from the
1361 office and the supervisor has reason to believe that information relevant
1362 to the day's business is located in the employee's mailbox;
- 1363 c) Access approved by the employee's supervisor or the CARPC Executive
1364 Director when there is reason to believe the employee is using e-mail in
1365 violation of the CARPC's policies;
- 1366 d) Access approved by the Executive Director or the CARPC Attorney in
1367 response to the CARPC's receipt of a court order or request from law
1368 enforcement officials for disclosure of an employee's e-mail messages.
1369
- 1370 2) Except as otherwise noted herein, e-mail should not be used to communicate
1371 sensitive or confidential information. Employees should anticipate that an e-
1372 mail message might be disclosed to or read by individuals other than the
1373 intended recipient(s), since messages can be easily forwarded to other
1374 individuals. In addition, while the CARPC endeavors to maintain the
1375 reliability of its e-mail system, employees should be aware that a variety of
1376 human and system errors have the potential to cause inadvertent or accidental
1377 disclosures of e-mail messages.
1378
- 1379 3) The confidentiality of any message should not be assumed. Even when a
1380 message is erased, it is still possible to retrieve and read that message.
1381
- 1382 4) Employees should understand that electronic mail is a written form of
1383 communication, just like a paper letter. Though electronic mail is relatively
1384 spontaneous compared with regular mail, employees should take care to use
1385 the same level of discretion and forethought before executing electronic
1386 messages.
1387

1388 2.5.B PASSWORDS

1389 Each user accesses the e-mail system by means of a personal log-in name and
1390 password, which will be selected by the employee and kept on file with the
1391 supervisor and Executive Director.
1392

- 1393 1) Passwords are intended to keep unauthorized individuals from accessing
1394 messages stored on the system. From a systems perspective and from the
1395 perspective of an e-mail recipient, passwords also establish the identity of the
1396 person sending an e-mail message. The failure to keep passwords confidential
1397 can allow unauthorized individuals to read, modify, or delete e-mail messages;
1398 circulate e-mail forgeries; and download or manipulate files on other systems.
1399

- 1400 2) The practice of using passwords should not lead employees to expect privacy
1401 with respect to messages sent or received. The use of passwords for security
1402 does not guarantee confidentiality (See Section 2.5.A, "Access to Employee
1403 E-mail").
1404
1405 3) Passwords should never be given out over the phone, included in e-mail
1406 messages, posted, or kept within public view.
1407
1408 4) Employees are prohibited from disclosing their password, or those of any
1409 other employee, to anyone who is not an employee of the CARPC. Employees
1410 also should not disclose their password to other employees, except when
1411 required by an urgent business matter (see Section 2.5.A.1(b) of this policy).
1412

1413 2.5.C PERSONAL USE

- 1414 1) The CARPC allows limited, occasional, or incidental personal use of its e-
1415 mail system during lunch, breaks or immediately before or after work, subject
1416 to the following conditions and restrictions:
1417 a) Personal use must not:
1418 i) Involve any prohibited activity (see Section 2.5.D);
1419 ii) Interfere with the productivity of the employee or his or her co-
1420 workers;
1421 iii) Consume system resources or storage capacity on an ongoing
1422 basis; or
1423 iv) Involve large file transfers or otherwise deplete system resources
1424 available for business purposes.
1425
1426 b) Employees should not have any expectations of privacy with respect to
1427 personal e-mail sent or received on the CARPC's e-mail system.
1428 Employees should delete personal messages as soon as they are read or
1429 replied to. Employees should not store copies of the personal messages
1430 they have sent. Because e-mail is not private, employees should avoid
1431 sending personal messages that are sensitive or confidential.
1432

1433 2.5.D PROHIBITED ACTIVITIES

- 1434 1) Employees are strictly prohibited from sending e-mail or otherwise using the
1435 e-mail system in connection with any of the following activities:
1436 a) Engaging in personal business or entertainment on CARPC time;
1437 b) Engaging in illegal, fraudulent, or malicious activities;
1438 c) Engaging in the unlawful use of the e-mail system as set forth in Section
1439 947.0125 of the Wisconsin Statutes (Unlawful use of computerized
1440 communication systems);

- 1441 d) Sending or storing offensive, disruptive, obscene, or defamatory
- 1442 material. Materials which are considered offensive include, but are not
- 1443 limited to: any materials which contain sexual implications, racial slurs,
- 1444 gender-specific comments, or any other comment that offensively
- 1445 addresses someone's age, race, creed, color, sex, ancestry, religious or
- 1446 political beliefs, marital status, national origin or disability;
- 1447 e) Annoying or harassing other individuals;
- 1448 f) Using another individual's account or identity without explicit
- 1449 authorization;
- 1450 g) Attempting to test, circumvent, or defeat security or auditing systems,
- 1451 without prior authorization;
- 1452 h) Accessing, retrieving or reading any e-mail messages sent to other
- 1453 individuals, without prior authorization from the recipient or employees
- 1454 supervisor; or
- 1455 i) Permitting any unauthorized individual to access the CARPC's e-mail
- 1456 system.
- 1457

1458 2.5.E CONFIDENTIAL INFORMATION

- 1459 1) All employees are expected and required to protect the CARPC's confidential
- 1460 information. Employees shall not transmit or forward confidential information
- 1461 to outside individuals or companies without the permission of their supervisor
- 1462 and the Executive Director. See Section 2.5.G, Encryption.
- 1463
- 1464 2) The CARPC also requires its employees to use e-mail in a way that respects
- 1465 the confidential and proprietary information of others. Employees are
- 1466 prohibited from copying or distributing copyrighted material - for example,
- 1467 software, database files, documentation, or articles using the e-mail system.
- 1468

1469 2.5.F RECORD RETENTION

- 1470 1) The same rules which apply to record retention for other CARPC documents
- 1471 apply to e-mail. As a general rule, e-mail is a public record whenever a paper
- 1472 message with the same content would be a public record.
- 1473
- 1474 2) The specific procedures to be followed with respect to the retention of e-mail
- 1475 records is contained in Section 3, E-Mail Record Retention Policy.
- 1476

1477 2.5.G ENCRYPTION

1478 Encrypting e-mail messages or attached files sent, stored, or received on the CARPC

1479 e-mail system is prohibited except where explicitly authorized. Employees are

1480 prohibited from using or installing any encryption software without prior permission

1481 from the Executive Director. Employees with a business need to encrypt messages

1482 should submit a written request to their supervisor and the Executive Director.

1483 When authorized to use encryption by their supervisor and the Executive Director,

1484 employees shall use encryption software supplied to them by the Executive Director.
1485 Employees who use encryption on e-mail stored on a CARPC computer must
1486 provide their supervisor with a sealed hard copy record (to be retained in a secure
1487 location) of all the passwords and/or encryption keys necessary to access the e-mail.
1488

1489 2.5.H E-MAIL POLICY VIOLATIONS

1490 Employees violating the CARPC e-mail policy are subject to discipline, up to and
1491 including termination. Employees using the e-mail system for defamatory, illegal, or
1492 fraudulent purposes and employees who break into unauthorized areas of the
1493 CARPC's computer system also are subject to civil liability and criminal
1494 prosecution.
1495

1496 **SECTION 3 - E-MAIL RECORD RETENTION POLICY**

1497
1498 3.1 **PURPOSE:**

1499 The purpose of this policy is to emphasize that certain types of e-mail as defined in Wis.
1500 Stats. §19.32(2) are public records. The same rules which apply to record retention and
1501 disclosure for other CARPC documents apply to such records.
1502

1503 3.2 **ORGANIZATIONS AFFECTED:**

1504 This policy applies to all of the CARPC employees and contracted and consulting resources.
1505

1506 3.3 **POLICY:**

1507 It is the policy of the CARPC to follow this set of procedures for e-mail record retention.
1508

1509 3.4 **REFERENCES:**

1510 Wis. Stats. §§16.612, 19.21 et. seq., 19.32 and 19.33.
1511

1512 3.5 **PROCEDURES:**

1513 3.5.A NATURE OF E-MAIL RECORDS

1514 As a general rule, e-mail is a public record whenever a paper message with the same
1515 content would be a public record. See Wis. Stats. §19.32(2) for definition of a
1516 record.
1517

1518 3.5.B COMPONENTS OF AN E-MAIL RECORD

1519 The e-mail record is defined to include the message, the identities of the sender and
1520 all recipients, the date, and any non-archived attachments to the e-mail message.
1521 Any return receipt indicating the message was received by the sender is also
1522 considered to be part of the record.
1523

1524 3.5.C SAVING AND INDEXING E-MAIL RECORDS

1525 Initially the Executive Director bears the responsibility for determining whether or
1526 not a particular e-mail record is a public record which should be saved and ensuring
1527 the record is properly indexed and forwarded for retention as a public record. E-mail
1528 which is subject to records retention must be saved so that a complete record can be
1529 accessed when needed. E-mail records to be retained shall be archived to an
1530 archivable media, network drive or printed out and saved in the appropriate file.
1531 Any supervisor, or employee of the CARPC may request assistance from the
1532 Executive Director in determining whether an e-mail is a public record.

1533
1534 3.5.D RESPONSIBILITIES FOR E-MAIL RECORDS MANAGEMENT

1535 1) Legal Custodian. E-mail records of CARPC authority having custody of
1536 records shall be maintained by the designated Legal Custodian, pursuant to
1537 CARPC policy.
1538

1539 3.5.E PUBLIC ACCESS TO E-MAIL RECORDS

1540 If an employee receives a request for release of an e-mail public record, the Legal
1541 Custodian of the record shall determine if it is appropriate for public release, in
1542 whole or in part, pursuant to law, consulting the CARPC Attorney, if necessary. As
1543 with other records, access to or electronic copies of disclosable records shall be
1544 provided within a reasonable time.

1545
1546 3.5.F VIOLATION

1547 Employees violating this policy are subject to discipline up to and including
1548 dismissal. In addition, violations of this policy may be referred for civil and/or
1549 criminal prosecution, where appropriate.
1550

E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES

EMPLOYEE NOTICE

As an employee of the Governing Unit of CARPC, I recognize and understand that the CARPC's electronic communication systems are provided for conducting the CARPC's business. However, CARPC policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the CARPC. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the CARPC. I agree not to use pass codes, access a file or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the Executive Director.

I am aware that the CARPC reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the CARPC's electronic communications systems at any time. I am aware that the CARPC may exercise these rights with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy or restrict the CARPC's right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil and/or criminal liability.

I acknowledge that I have read and that I understand the CARPC's policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.

Signature of Employee

Date

Signature of Supervisor

Date

Copy for Employee

E-MAIL AND ELECTRONIC COMMUNICATIONS POLICIES

EMPLOYEE NOTICE

As an employee of CARPC, I recognize and understand that the CARPC's electronic communication systems are provided for conducting the CARPC's business. However, CARPC policy does permit some limited, occasional, or incidental personal use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the CARPC. I agree not to use the electronic communication systems in a way that is disruptive, offensive, or harmful to others or to the CARPC. I agree not to use pass codes, access a file or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor and the Executive Director.

I am aware that the CARPC reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the CARPC's electronic communications systems at any time. I am aware that the CARPC may exercise these rights with or without employee notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy or restrict the CARPC's right to access electronic communications. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment, as well as civil and/or criminal liability.

I acknowledge that I have read and that I understand the CARPC's policies regarding e-mail and electronic communications, and have been afforded an opportunity to ask questions regarding the policy. I also acknowledge that I have read and that I understand this notice.

Signature of Employee

Date

Signature of Supervisor

Date

Copy for Employee's Personnel File

1634 **H-4. Political Activity**

1635 Because the Commission is an intergovernmental and non-partisan agency serving local
1636 governments in Dane County, employees shall avoid any political activity that would: 1) associate
1637 the agency with a political campaign; and/or 2) be carried out on agency time.
1638

1639 However, a special leave of absence for political activity may be applied for and shall be granted if
1640 the Executive Director determines that the duties of the employee can adequately be carried out or
1641 can be postponed during the absence.
1642

1643 **H-5. Consideration of Employee Requests**

1644 Employee requests for vacation time, reduced work hours, leaves of absence and other requests
1645 should be put in writing to an employee's supervisor. All such written requests shall be responded to
1646 as promptly as possible but at least within 10 working days, or the request shall be assumed to be
1647 approved.
1648

1649 **H-6. Drug-Free Workplace Policy**

1650 The RPC complies with the drug-free workplace guidelines outlined by the federal Drug-Free
1651 Workplace Act of 1988. Our policy regarding the work-related effects of drug use and the unlawful
1652 possession of controlled substances at work is communicated to each employee annually. A signed
1653 copy of a statement regarding the policy is required as a condition of employment from each
1654 employee. Each employee is required to review the agreement on an annual basis.
1655

1656 **H-7. Wellness Policy**

1657 The RPC recognizes that its employees are crucial to the attainment of Commission goals and
1658 missions. In addition, employee productivity, job satisfaction, performance and morale have been
1659 shown to be directly related to employee health and well being. In recognition of these facts, the
1660 RPC encourages its employees to engage in activities and programs that contribute to overall
1661 employee wellness, to the extent permitted by law and the Personnel Manual. Furthermore, the RPC
1662 offers a Disability Insurance option to its employees (see Section C-10, paragraph 3) which is meant
1663 to encourage the maintenance of employee health and well-being.
1664

1665 **I. Employee Grievance Procedure**

1666 It is the policy of this agency to seek to settle disagreements harmoniously so that time and energy
1667 are used to produce program results rather than in arguing conflicting points of view. Employees and
1668 supervisors have a mutual obligation to meet and discuss disagreements so that differences can be
1669 resolved through integration of interests, conciliation or compromise. Because some disagreements
1670 may not be reconciled through such a process, the following steps may be followed by any employee
1671 who has a grievance with the employer.
1672

1673 **Step 1.** The grievance shall be reduced to writing, presented to and discussed with the employee's
1674 Supervisor, by the employee. The Supervisor shall respond in writing within 5 working

1675 days. If the grievance is not resolved, the grievance shall be taken to Step 2 provided it is
1676 done within 5 working days from the date of the response by the Supervisor.
1677

1678 **Step 2.** The grievance shall then be presented to the Executive Director who will meet with the
1679 employee and then respond in writing within 10 working days of such meeting. If this
1680 solution is not satisfactory, the process shall move to Step 3, provided it is done within 5
1681 working days from the date the written statement is received by the employee.
1682

1683 **Step 3.** If the grievance is not settled after following Step 1 and Step 2, the employee shall have the
1684 opportunity to present the grievance to the Personnel Committee of the Commission. The
1685 Executive Director shall be notified in writing of the employee's request to appear before
1686 the Personnel Committee at least five working days prior to the next regularly scheduled
1687 meeting of the Personnel Committee. The Executive Director shall transmit a copy of the
1688 employee's grievance as it was presented to him in Step 2 to each member of the Personnel
1689 Committee at least two days prior to the meeting at which the grievance will be reviewed.
1690 The request and purpose of the request shall be placed on the Personnel Committee agenda
1691 immediately following approval of minutes and approval of bills. The employee shall be in
1692 attendance at the meeting and shall have the right to present his/her case.
1693

1694 The Executive Director shall be in attendance at the meeting and shall report his recommendations.
1695 The Personnel Committee shall have the choice of ruling on the grievance at the meeting at which
1696 the grievance is presented or shall be allowed to consider the matter until the next regularly
1697 scheduled Personnel Committee meeting at which time the matter of the grievance shall again be
1698 placed on the agenda immediately following approval of minutes and approval of bills. The
1699 employee or employees shall receive written notification of the decision of the Personnel
1700 Committee.
1701

1702 Appeals to Personnel Committee decisions may be made to the full Regional Planning Commission.
1703 The Regional Planning Commission decision shall be final.
1704

1705 J. Changes To The Personnel Manual

1706 Changes to Commission personnel rules and provisions that have been adopted by the Commission
1707 may be changed by the Commission ~~in accordance with the CARPC bylaws~~ by majority vote.

1708
1709 ~~Changes to agency personnel rules and provisions that have been promulgated under the general~~
1710 ~~authority of the~~ The Executive Director as chief administrative officer of the Commission may be
1711 ~~changed by the Executive Director~~ may make changes to the Manual to reflect changes in the cost of
1712 employee benefits, once those changes are approved by the Commission in the annual budget or
1713 otherwise approved by the Commission. Changes may be ~~initiated~~ proposed by the Executive
1714 Director or any staff member. ~~Any such change will take effect after posting and routing each~~
1715 ~~change to each division.~~

Resolution CARPC No. 2007-7

Adopting the CARPC Personnel Manual

WHEREAS, the Capital Area Regional Planning Commission (“CARPC”) was created on May 2, 2007, by Executive Order #197 of the Governor of the State of Wisconsin, pursuant to §66.0309, Wis. Stats., and in response to resolutions of local governmental units in Dane County, representing the majority of the county’s population and property valuation, petitioning for creation of the CARPC; and

WHEREAS, the CARPC intends to hire employees effective January 1, 2008, which necessitates the adoption of personnel policies to comply with state and federal regulations and labor laws, to govern agency operations, provide an employee pay structure, and to provide a schedule of benefits to be made available to eligible CARPC employees; and

WHEREAS, an adopted personnel manual would serve to legally document and communicate the aforementioned provisions.

THEREFORE, BE IT RESOLVED that the Capital Area Regional Planning Commission hereby adopts the attached CARPC Personnel Manual.

November 8, 2007

Date Adopted

Jeff Miller, Interim Chairperson

Re: Consideration of Terms and Conditions of Employment for Capital Area Regional Planning Commission staff with prior service with the Dane County Regional Planning Commission and/or Dane County (CARPC Res. 2007 – 8)

One aspect of making offers of employment is the treatment of staff members employment longevity and accrued benefits earned as employees of predecessor agencies. The 2003 Dane County RPC – Dane County Interim Merger Agreement provided a seamless transition to the new employer by recognizing longevity and accrued benefits earned at the Dane County Regional Planning Commission. Resolution 2007 – 8 carries forward that approach to employment with the Capital Area Regional Planning Commission.

Materials Presented with Item:

1. CARPC Res. 2007 – 8

Resolution CARPC No. 2007-8

Terms and Conditions of Employment for Capital Area Regional Planning Commission Employees that have Previous Service with the Dane County Regional Planning Commission and/or Dane County

WHEREAS, the Capital Area Regional Planning Commission (“CARPC”) intends to offer positions to current agency employees effective January 1, 2008; and

WHEREAS, the 2003 Dane County Regional Planning Commission – Dane County interim merger agreement was agreed to in part to retain the agency’s excellent staff, and in the three interim years agency staff members have performed admirably despite their uncertain professional futures and the agency’s organizational uncertainty; and

WHEREAS, the 2003 Dane County Regional Planning Commission – Dane County merger agreement provided for a seamless transition to the new employer by recognizing employee’s longevity and carrying forward their accrued benefits; and

WHEREAS, CARPC wishes to seamless transition agency employees to positions with CARPC by recognizing employee’s longevity and carrying forward their accrued benefits;
now

THEREFORE, BE IT RESOLVED that the Capital Area Regional Planning Commission employees accepting positions effective January 1, 2008 and who previously served the Dane County Regional Planning Commission and/or Dane County shall enter CARPC employment with all longevity, seniority, salary history, vacation and sick leave credits as accrued from prior service with the Dane County Regional Planning Commission and/or the Dane County Community Analysis and Planning Division.

November 8, 2007
Date Adopted

Jeff Miller, Interim Chairperson

Re: Consideration of a motion to convene in closed session, pursuant to 19.85(1) Wis. Stats., to consider offers of employment to Community and Analysis and Planning Division staff for 2008

Chair Miller has asked me (Michael) to draft a job offer sheet form. That form will provide information such as the employees' original hire date, pay grade, current wage/salary, full or part time status, and current leave balances. At his point we have not received information from City of Madison/Dane County human resources staffs concerning job descriptions and wage/salary information for comparable positions; however it is possible that we will receive it by Thursday's meeting.

Chair Miller has also asked me to prepare information concerning budget impacts.

Re: Workshops continued: Discussion of Urban and Limited Service Area and Environmental Corridor Policies and Urban and Limited Service Area Amendment Criteria

Previous discussion materials were organized based on the source of the policies and requirements. This draft is organized as a policy document and guide for communities preparing applications to the Commission.

With the exception of the bold italicized language on pages 2 and 3, the proposed language either comes directly from, or tracks closely NR 121 or adopted plans including the *Dane County Land Use and Transportation Plan* and the *Dane County Water Quality Plan*.

The bold italicized language on pages 2 and 3 has been drafted by staff in response to Commission direction for new criteria concerning: contiguity to urban infrastructure; infill, redevelopment, density, and needs assessment; and agricultural loss mitigation. The Commission direction as reflected in the minutes of the October 11, 2007 meeting follows.

“ Mr. Miller asked the Commission to consider if staff should be directed to draft language to address the issues raised by Commissioners Euclide and Gibson that 1) USAs should maximize use of the land available for development within existing USAs before expansion; 2) additions to USAs should not be made unless the need for expansion is demonstrated through specific analysis of the infill development potential present in the existing USA; and 3) approved USA expansions should occur adjacent to existing infrastructure.” This was passed with a thumb check.

Materials Presented with Item:

1. 11/1/07 Review Draft: Urban and Limited Service Area Policies Environmental Corridor Policies, Criteria for Review of Urban and Limited Service Area Amendments

Capital Area Regional Planning Commission

Urban and Limited Service Area Policies, Environmental Corridor Policies, and Criteria for the Review of Urban and Limited Service Area Amendments

CARPC Review Draft 11/1/07

Urban Service Area Policies

1. Planning Requirements

- A. Service area boundaries must be delineated for the provision of sewer services with a 20-year planning horizon.
- B. Delineation must be based on the official 20-year population projection for the region generated by the State DOA.
- C. The regional population projection must be allocated to individual service areas based on WDOA-approved population projection methodology, and density assumptions acceptable to the respective municipality.
- D. Service areas must be delineated in a manner to ensure adequate treatment capacity in wastewater treatment facilities that receive the expected volume of wastewater.
- E. Service areas must be delineated to ensure the cost-effective (as defined in NR 110) and environmentally sound expansion of public sewerage facilities.
- F. Creation of new service areas must meet the requirements and conditions of NR 110 regarding new treatment facilities to serve new and existing residential and non-residential development, and the state anti-degradation policy (NR 207, which prevents the unnecessary creation of new point-sources of wastewater discharge on water bodies).
- G. Requests for additions to the Central Urban Service Area must be part of a neighborhood plan that covers a logical planning area as defined by efficient and effective provision of urban services. The plan shall cover an area large enough to be considered a logical unit for service provision and to determine compatibility and consistency of the proposed change with adjacent areas and existing plans. This neighborhood planning area may be substantially larger than the area of request (and usually is).
- H. Service area expansion requests containing over 100 acres of developable land must include 10-year staging boundaries. Staging boundaries are encouraged in smaller expansion requests.
- I. The urban service area boundaries represent the outer limits of planned urban growth over the long-term planning period—at least 20 years—and include more than enough land to accommodate anticipated growth. A flexibility margin of 50% of the incremental growth area is allowed for the Central Urban Service Area; and a flexibility margin of up to 100% of the incremental growth area is allowed to provide greater flexibility for the smaller outer urban service areas.

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- J. Amendments to service areas must be sponsored by the unit of government planning to provide the services or by the RPC, to ensure that designated local management agencies in charge of pollution prevention (both point- and non-point source) are in support of the expansion.
 - K. Plans should be prepared and adopted with meaningful public participation. A public hearing will be set for the next RPC meeting unless more time is needed to address issues. All affected local units and their respective county board supervisors will be notified by letter at least thirty (30) days prior to the public hearing. The 30-day notification period may be waived by the RPC if the supporting unit can demonstrate that other affected units of government have been consulted and there are no unresolved issues.
 - L. Requesting units of government must notify neighboring or affected units of government of their intent to expand the service area. The RPC will notify all the units of government in the Central Urban Service Area and invite them to comment if a request within the CUSA contains more than 300 developable acres.

63 **2. Criteria for the Review of Urban Service Area Amendments**

64
65 The italicized bold text below has been drafted by staff in response to Commission
66 discussions at its meeting of October 11, 2007.

- 67
68
69
- A. Additions to the Central Urban Service Areas should be contiguous with existing urban service areas.

70 ***B. Contiguity to urban infrastructure.***

71 ***It is the policy of the CARPC to seek the efficient use of existing capacity in***
72 ***urban infrastructure (roads and streets, sewerage systems, water systems, parks***
73 ***and open space, etc.), and to give priority to areas that can best utilize such***
74 ***existing capacity of urban service areas.***

75 ***C. Infill, redevelopment, density, and needs assessment.***

76 ***It is the policy of the CARPC to seek efficient use of land through higher***
77 ***densities of development, mixed use infill development and redevelopment within***
78 ***the urban cores of the region, and the use of existing vacant developable lands***
79 ***within urban service areas prior to expansion into new areas.***

80 ***Generally, if there is a 20-year supply of developable land in the current USA (or***
81 ***a portion of the USA available to the respective unit of government; this is based***
82 ***on official land demand calculations derived from official population projections***
83 ***without flexibility margins), priority should be given to developing the existing***
84 ***developable lands within the USA. Special consideration would be given to***
85 ***adding developable land for under-represented land uses (such as industrial***
86 ***development in a service area with inadequate industrial development or***
87 ***available land).***

88 ***Higher densities than the current density of the urban service area are***
89 ***encouraged for USA expansion proposals. Consideration would be given to lower***
90 ***proposed densities if it is more than off-set by higher densities through infill***

91 ***development, redevelopment, and development in newly expanded areas of the***
 92 ***USA controlled by the requesting unit of government.***

93 **D. Agricultural loss mitigation.**

94 ***The CARPC desires to promote approaches to mitigate the loss of farmland to***
 95 ***urban development and acknowledges that it is not a primary actor on this***
 96 ***issue. However, since the RPC decides on the expansion of urban areas in the***
 97 ***region, it would like to initiate a collaborative process with Dane County and the***
 98 ***cities, villages, and towns to evaluate the potential and practicable approaches***
 99 ***for farmland loss mitigation in the region***

100

101 E. The minimum requirement (related to water quality planning) for services which should
 102 be provided initially in urban service area expansions are the following:

- 103 1. public sewage collection and treatment systems (layout, facilities, capacity);
 104 2. publicly managed urban storm drainage system layout and standards (mitigating
 105 the adverse impacts of development to the maximum extent practicable);
 106 3. urban transportation systems and facilities, including public street layout and
 107 standards, provision for pedestrian and bicycle movement, and provision for mass
 108 transit and paratransit and trip reduction measures (carpooling, park/ride lots);
 109 4. solid waste collection service;
 110 5. public water supply and distribution system layout and facilities, for both potable
 111 water and fire protection (include hydrants and water storage sufficient for fighting
 112 fires).

113

114 F. Additional services to be provided within the planning period (not all services may be
 115 required or needed in each case):

- 116 1. Higher or urban levels of police protection (local police patrol, or response from a
 117 station located within 2-3 miles; this is in addition to normal Sheriff's Dept.
 118 coverage and response);
 119 2. urban levels of fire protection (ISO Fire Insurance Rating of 1 to 6);
 120 3. urban levels of emergency medical services (EMS);
 121 4. neighborhood public facilities located no more than two miles away, with a desirable
 122 service radius of 1/4-1/2 mile walking distance from main residential areas
 123 (neighborhood and community parks, schools, etc.).
 124

125 **3. Submittal Requirements**

126

127 A. Requests for urban service area additions must be accompanied by specific plans for
 128 development and provision of urban services to the proposed addition, which include
 129 the following elements:

- 130 1. A plan and description of proposed development, land use and major facilities in the
 131 area, which is specific enough in terms of type and densities of land use to enable
 132 the determination of long-range urban service needs and impacts of development;

- 133 2. a description of the relationship of the proposed development with adjacent land
134 uses and urban development, and consistency and conflict with any applicable
135 adopted plans;
- 136 3. identification of environmental corridors and other environmentally sensitive areas,
137 consistent with RPC and DNR criteria, which are to be protected from urban
138 development, and a description of local policies, ordinances and other measures to
139 protect such areas;
- 140 4. a specific plan for providing the full range of urban services to the area (see E and F
141 in section 2 above).
142

143 **Limited Service Areas**

144 **1. Description**

- 145 A. Statement of Purpose. To consolidate, clarify and revise the current policies and
146 criteria for Limited Service Areas (LSA) as part of the *Dane County Land Use and*
147 *Transportation Plan* and *Water Quality Plan*. The intent is for any creation or expansion
148 of an LSA to be consistent with existing plans and to support local and regional
149 planning.
150
151
- 152 B. Definitions. Limited Service Areas are areas where only one or a few urban services,
153 such as sanitary sewer service, are provided to accommodate special or unique facilities
154 or institutional uses which are appropriately located outside urban service areas, or
155 areas of existing development experiencing wastewater disposal or water supply
156 problems.
- 157 C. Types of Limited Service Areas
- 158 1. Special Facilities: including, but not limited to, landfills, park, recreational, and
159 tourist facilities such as park shelters, golf course clubhouses, etc.
- 160 2. Institutional Uses: including, but not limited to, schools, correctional facilities, etc.
- 161 3. Existing Development: existing residential or commercial development experiencing
162 wastewater disposal or water supply problems. Existing development means
163 development existing in the local unit of government on the date the application for
164 Limited Service Area establishment or expansion is submitted.
165

166 **2. Criteria for Establishing a Limited Service Area**

- 167 A. Special Facilities and Institutional Uses
- 168 1. The LSA should be limited to the area needed for use/service;
- 169 2. Evaluation of alternative means of providing needed services, including cost-
170 effectiveness analyses;
171
- 172 3. Documented agreement from the agencies which will be providing the service(s);
- 173 4. If establishment or expansion of an LSA is proposed within one-half mile of an
174 urban service area, a discussion and evaluation of the feasibility of including the
175 proposed LSA in the USA must be submitted.

- 176 B. Existing Development
- 177 1. Addressed in and consistent with the local comprehensive plan;
- 178 2. The LSA should be limited to existing development including infill;
- 179 3. Infill should be limited to vacant lots or parcels contiguous to existing development
- 180 or permanent open space, or a combination thereof, on at least two sides; and
- 181 immediately adjacent to and having direct access to sanitary sewer and existing
- 182 public streets or roads. Any area proposed for infill must contribute to the solution
- 183 of the stated water quality problem and must be consistent with resolution of the
- 184 problem as defined in the application for creation of the LSA;
- 185 4. Documentation of existing and reasonably anticipated on-site wastewater or water
- 186 supply problems;
- 187 5. Evaluation of alternative means of providing needed services, including cost-
- 188 effectiveness analyses (cost-effectiveness shall not be the sole determinant of LSA
- 189 establishment);
- 190 6. Documented agreement from the agencies which will be providing the service(s); and
- 191 7. If establishment or expansion of an LSA is proposed within one-half mile of an
- 192 urban service area, a discussion and evaluation of the feasibility of including the
- 193 proposed LSA in the USA must be submitted.
- 194

195 3. Criteria for Expansion of a Limited Service Area

196 A. Special Facilities

198 Proposals to expand the original use or facility will be evaluated, using the same criteria

199 as for establishing the service area. For expanding the area to include related but

200 different uses or facilities, additional urban services may be required, depending on the

201 specific circumstances and uses proposed. Economic development of an existing facility

202 is not an acceptable criterion for expansion of an LSA. The intent of an LSA is not to

203 support economic expansion.

204 B. Institutional Uses

205 Proposals to expand the original use or facility will be evaluated, using the same criteria

206 as for establishing the area. If the area is to be expanded, an evaluation of the need for

207 additional urban services may be required. These same criteria apply to expanding the

208 area to include related but different uses.

209 C. Existing Development

210 Proposals to expand a Limited Service Area which was established to serve existing

211 development may be considered if the following criteria are met:

- 212 1. The local comprehensive plan must address the expansion area, and include
- 213 policies to control development in the rest of the community and preserve farmland.
- 214 2. The additional development should be consistent with the goals and objectives of
- 215 the *Dane County Land Use and Transportation Plan* and Wisconsin's Comprehensive
- 216 Planning Legislation.
- 217 3. Residential development should meet the definition of Conservation Subdivisions in
- 218 §66.1027(1)(a) Wis. Stats., with compact lots, common open space and

219 maintenance/protection of natural features. Suggested guidelines include a
220 minimum net density (exclusive of open space) of two dwelling units per acre (which
221 corresponds to a maximum lot size of about 20,000 sq. ft.). It is also recommended
222 that a mix of housing types be included.

223

224 **4. Submittal Requirements**

225

226 A. An application for establishment or expansion of a Limited Service Area must include a
227 plan describing:

228

1. The specific proposed land uses and/or facilities to be included in the service area;

229

2. the services to be provided, including a cost-effectiveness analysis, and a statement
230 from the service provider, if other than the applicant, of the willingness to provide
231 the service(s);

232

3. delineation of environmental corridors in the service area consistent with RPC and
233 DNR criteria;

234

4. a plan for protecting sensitive environmental resources and water quality, including
235 a preliminary stormwater management plan;

236

5. how the proposal meets the applicable criteria listed under III and IV above;

237

6. the relation to and opportunities for coordination and cooperation with other units
238 of government; and

239

7. any other relevant information needed to evaluate the request.

240

B. Applications must be submitted by the general purpose unit of government (town,
241 village, city, county) having jurisdiction in the proposed service area. RPC staff will
242 provide assistance in assembling the needed information.

243

243 Updated table from *Dane County Land Use and Transportation Plan*
 244
 245

**Table A-4
 Sewer Service Limitations For Limited Service Areas**

Limited Service Areas	2000 Resident* Population	Sewer service is limited to the following:
BFI (Landfill)	0	landfill
Rodefeld (Landfill)	0	landfill
Municipal Golf Course (Yahara Hills)	0	a public recreational facility
Cave of the Mounds (T. Blue Mounds)	2	a special private facility and existing development
Albion	342	existing development and infill
Kegonsa (T. Dunn & T. Pleasant Sprgs)	2,228	existing development and infill
Fox Bluff (T. Westport)	240	existing development and infill
Waubesa (T. Dunn)	2,027	existing development and infill
Windsor Prairie (T. Vienna)	163	existing development and infill
Westport (Riverview)	134	existing development and infill
River Road (T. Westport)	243	special private institution, existing development and infill
Wisconsin Heights (T. Black Earth)	693	a public school complex
Badger Prairie (T. Verona)	117	a public institution and landfill
Oak Hill (C. Fitchburg)	705	a public correctional institution
Thompson (T. Deerfield)	122	a public correctional institution

* Population for Wisconsin Heights is school enrollment

Revised 11/07

Source: U.S. Census Bureau, Dane County Regional Planning Commission & CAPD

246
 247

247 **Environmental Corridors**
248

- 249 A. Major areas unsuitable for installation of waste treatment systems because of physical
250 or environmental constraints are to be excluded from the service area (Environmentally
251 Sensitive Areas in NR 121 and known in Dane County as Environmental Corridors).
252 These include the following elements and criteria:
253
- 254 1. Wetlands under WDNR jurisdiction.
 - 255 2. Vegetative buffers for wetlands and shorelands (75-foot minimum and excluding
256 impervious surfaces).
 - 257 3. 100-year floodplains and floodways.
 - 258 4. Steep wooded slopes (12% gradient and higher in the glaciated portions of the
259 county; 20% gradient and higher for the driftless portion of the county) within 75
260 feet of the ordinary high water mark of water bodies or from the top of each bank.
261 Steep slopes between 12% and 20% in the driftless portion of the county and
262 adjacent to water bodies receive conditions for stringent site plan review and
263 inspection by the local unit of government aimed at maintaining the stability of the
264 slope. Steep slopes (12%—20%) in the driftless portion of the county that are not
265 adjacent to water bodies receive recommendations for stringent site plan review and
266 inspection by the local unit of government.
 - 267 5. Navigable water bodies based on DNR determination of navigability (plus the 75-foot
268 shoreland buffer).
 - 269 6. Non-navigable streams based on DNR determination of navigability (within a 75-foot
270 wide corridor, and maintaining at least 25-feet from the edge of the corridor to the
271 ordinary high water mark or top of bank).
 - 272 7. Open drainageways (within a 75-foot wide corridors and maintaining at least 25-feet
273 from the edge of the corridor to the ordinary high water mark or top of bank).
 - 274 8. Public lands, parks, and conservancy areas (related structures can receive sewer
275 service), except isolated (small) neighborhood parks.
 - 276 9. Proposed public parks and conservancy areas; except isolated (small) neighborhood
277 parks.
 - 278 10. Problem soil areas and unique geologic formations (such as Karst features and
279 known critical recharge areas).
 - 280 11. Archaeological sites on the National Register.
 - 281 12. Endangered and sensitive habitats based on DNR determination.
 - 282 13. Stormwater facilities.
- 283
- 284 B. Existing development (impervious area) is exempted from inclusion in corridors.
- 285 C. Local units of government are in charge of the local implementation and protection of
286 environmental corridors, and shall have programs to ensure the integrity of the
287 corridors based on the criteria of the Dane County Water Quality Plan (zoning, plat
288 design review, building permitting and inspections, conservation design requirements,
289 etc.).

290 D. The minimum criteria for delineating environmental corridors represent a basic
291 skeleton, and local units of government are encouraged to build upon this skeleton and
292 expand it.
293

294 To maintain a flexible but principled administration of the environmental corridor concept,
295 the *Water Quality Plan* includes provisions for changes to these corridors as follows:
296

297 E. “Major changes” to the environmental corridors are those changes that have the
298 potential for significant adverse impacts on water quality (determined through a
299 technical analysis by the RPC staff). These changes require the approval of the RPC
300 after a public hearing, staff analysis of the impacts of the encroachment and the
301 likelihood that the mitigation measures will be successful, and the approval of the
302 WDNR. These “major changes” include the following:

- 303 1. Removing any mapped wetland area unless exempted by state administrative rules
304 or state-approved rezoning.
- 305 2. Any change that would remove any area below the ordinary high water mark of a
306 stream, pond, or lake.
- 307 3. Any change resulting in the elimination or interruption in the continuity of any
308 corridor segment which includes floodplains, wetlands, shoreland buffer strips or
309 steep slopes adjacent to water bodies.
- 310 4. Any change that reduces the width of vegetated shoreland buffer strips along
311 streams, wetlands, and drainageways below minimum guidelines.
312

313
314 F. “Minor changes” to the environmental corridors are changes that do not have the
315 potential for significant adverse impacts on water quality (as determined by the RPC
316 staff). These changes do not require RPC approval, though they are reviewed by the RPC
317 staff to ensure that they meet the definition of a “minor change.”
318

319 “Minor changes” include the following:
320

- 321 1. Changes resulting from DNR-approved changes in floodplain or wetland
322 delineations, or DNR-approved rezoning.
- 323 2. Relocation or shortening of a corridor based solely on intermittent streams and
324 drainageways, or adjustment of the buffer strip width within the guidelines.
- 325 3. Addition to or removal from the corridors of public or private lands which do not
326 include water bodies, floodplains, wetlands, minimum buffer strips, or steep slopes
327 adjacent to water bodies.
- 328 4. Changes resulting from utility or roadway maintenance or construction which meet
329 the criteria set in NR 117 (this chapter of Wisconsin Administrative Code outlines
330 the state shoreland-wetland protection program and includes permitted uses within
331 the shoreland zone). (It is not the intent of the environmental corridors to prevent or
332 obstruct necessary maintenance, expansion or construction of transportation or
333 utility facilities intended to serve areas outside of the corridors, needed to maintain
334 or improve the continuity of those systems, or designed to serve compatible uses in
335 the corridors, such as park shelters or facilities. Facilities intended to serve new
336 residential, commercial or industrial development in the corridors are not
337 permitted.)

Re: Discussion Of Natural Resources Work Program 2008 - 2013

At the October 25th meeting, Commissioner Euclide requested that this be placed on the agenda. Kamran prepared this draft for the November 17th Natural Resources Work Group meeting.

Staff expects to work with the Commission on a 2008 Agency Work Program shortly after the Commission completes its work on its base goals, objectives and policies.

Materials Presented with Item:

1. CARPC Natural Resources Initiatives 2008-2013

CARPC Natural Resources Initiatives 2008-2013

1. Create a Natural resources Technical Advisory Committee (TAC) to provide expert technical advise to the Commission in its work on natural resources planning and management.
2. FUDA process and policy adoption (2008, with assistance from the CARPC Natural Resources TAC).
3. FUDA resource information reports for 20 USA's (2008-2010).
4. Natural resources and sustainability vision/mission/plan (2008).
5. Public participation plan update (2008).
6. Wetland guidance report (2008).
7. Update of legal and institutional analysis (2008-2009).
8. Urban non-point source analysis update (2009; will include promotion of low impact development, LEED, and green standards) .
9. Wetland protection and restoration plan (2008-2009).
10. Habitat protection and restoration plan (2009-2010).
11. Environmental corridors report update and integration of the Park and Open Space Plan into the WQP (2010-2011).
12. Surface water quality conditions report update (2010).
13. Groundwater plan update (add recharge tools and criteria; add substantial groundwater quantity criteria; refine the groundwater model [\$500,000] if clear evidence of added utility and benefit can be documented) (2011-2012).
14. Water Quality Plan Summary update (2012-2013).
15. Update of MMSD Collection System Evaluation (2013).
16. Point source inventory and analysis update (2013).

Re: Report of Division Administrator / Discussion

Annual Meeting of the Association of Wisconsin Regional Planning Commissions (AWRPC) on same day of CARPC meeting. Wisconsin's nine regional planning commissions work together on common concerns. Executive Directors meet quarterly, and one or two commissioners from each RPC typically participate in the group's Annual Meeting. The 2007 Annual Meeting will be held on November 8, 2007 from 10:00 a.m. to 1:00 p.m. in downtown Madison. If any Commissioners are interested in attending, please contact me at 266-4417. See attached agenda.

Consideration of Personnel Manual in Closed Session. This was requested at the October 25th meeting. In consultation with the County Corporation Council's Office and Interim Chair Miller, it was concluded that this was not a permissible subject for a closed session.

Public Hearing Notice for Town of Burke Urban Service Area Amendment. The attached notice includes a rationale for hearing this USA Amendment at an early date.

Dane Planning Forum Materials. We had excellent presenters and responders address the Transport 2020 proposal in the context of the current transit system and forecast road needs; see attached material.

Materials Presented with Items:

1. AWRPC Annual Meeting agenda
2. Public Hearing Notice for Town of Burke Urban Service Area Amendment
3. Dane Planning Forum Agenda and Speaker/Responder bios

AWRPC

Association of Wisconsin Regional Planning Commissions



MEMBERS

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2 East Central WI RPC

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Association of Wisconsin Regional Planning Commissions Annual Meeting Notice

10:00 a.m., Thursday, November 8, 2007
Boardman Law Firm, Fourth Floor
U.S. Bank Plaza, 1 South Pinckney Street
Madison, WI

REVISED AGENDA:

1. Call to Order & Introductions (Doug Finn – NWRPC)
2. Approval of Agenda
3. Minutes of November 3, 2006 Annual Meeting
4. Secretary – Treasurers Report (Eric Fowle - ECWRPC)
5. 2008 Work Plan, Budget & Annual Association Dues (Myron Schuster - NWRPC)
6. Rotation of Officers:
 SWWRPC – Chairman
 WCWRPC – Vice Chairman
7. State Regional Economic Development Initiatives (Chandra Miller Fienen – WI Department of Commerce)
8. The Wisconsin Way (Mark O'Connell – WI Counties Association)
9. Regional Roundtable Discussion – Time permitting (All)
10. Adjournment

October 30, 2007

NOTICE OF PUBLIC HEARING

November 29, 2007

Proposed amendment to the *Dane County Land Use and Transportation Plan* and the *Dane County Water Quality Plan* by Revising the Central Urban Service Area Boundary in the Town of Burke

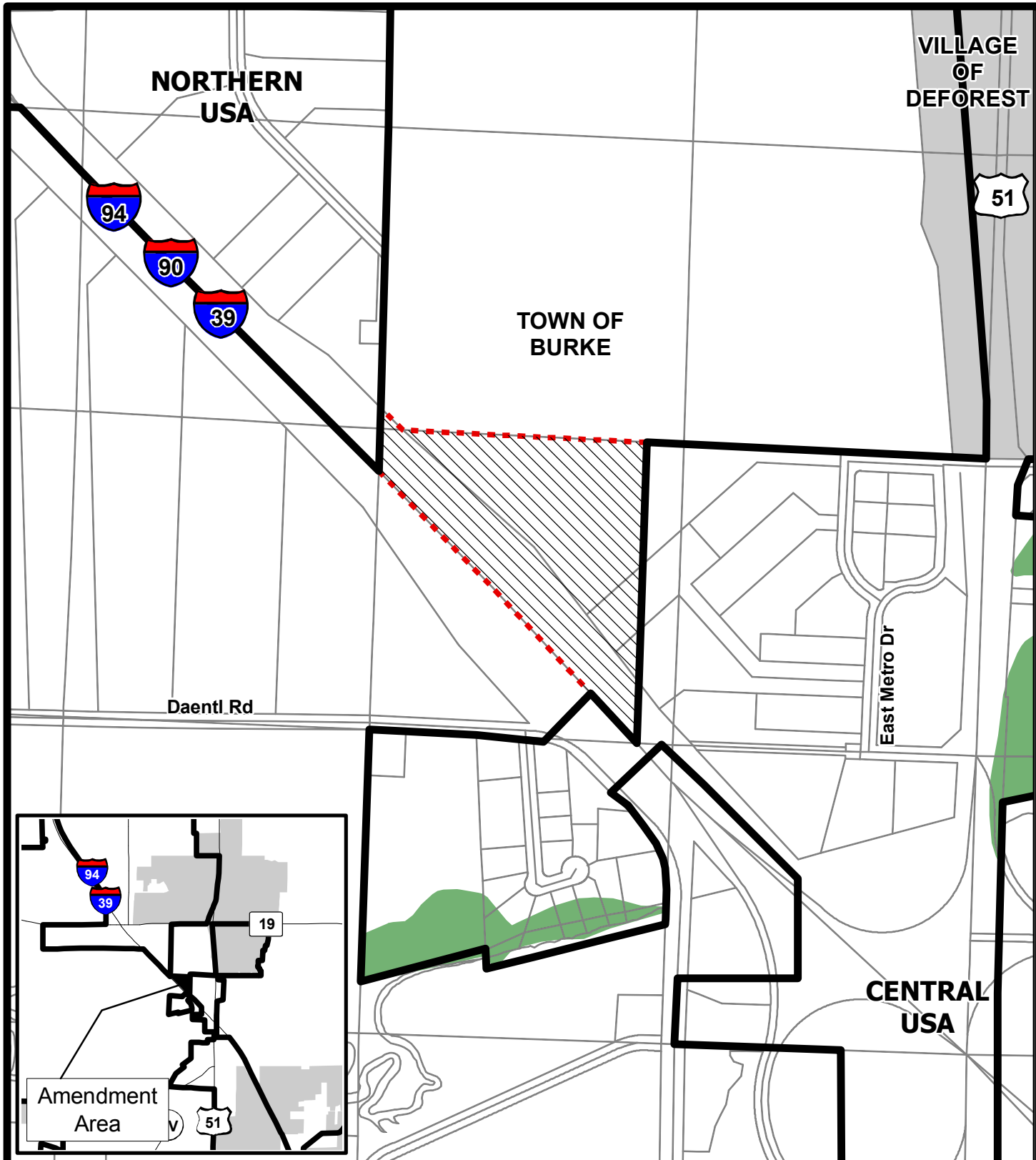
The Capital Area Regional Planning Commission will hold a public hearing on November 29, 2007, at 7:00 p.m. in Room 201 of the City-County Building, 210 Martin Luther King, Jr. Blvd., Madison, Wisconsin, to take testimony concerning proposed amendments to the *Dane County Land Use and Transportation Plan* and *Water Quality Plan*, revising the Central Urban Service Area boundary in the Town of Burke. The amendment is located west of Highway 94 and north of Daentl Road in the Town of Burke.

The proposed amendment (shown on the attached map) adds 26 acres to the Central Urban Service Area, including 10.9 acres of existing right of way, and 15.1 acres of existing commercial development. No new developable area is proposed.





The proposed amendment is composed of a commercial lot with existing development (Badger Utility, Inc.) currently served by a septic system. The commercial entity has recently completed a 25,000 square foot addition to its building necessitating a building sprinkler system and triggering the need for connection to municipal sewerage and water systems. The property owner was initially given incorrect information about the urban service area status of the property. Because of these extenuating circumstances the Capital Area Regional Planning Commission will hold a public hearing, on this amendment only, under the current policies of the *Dane County Land Use and Transportation Plan* and the *Water Quality Plan*.

Further information on the proposal may be obtained from Barbara Weber at 266-9113. The staff analysis of the proposed amendment will be available October 31 at www.danecorpc.org.

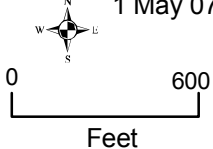
Mailed to: Kevin Viney, Chair, Town of Burke
Amy Volkmann, Clerk/Treasurer, Town of Burke
Jeff Miller, President, Village of DeForest
JoAnn Miller, Clerk, Village of DeForest
Joe Chase, Mayor, City of Sun Prairie
Pat Cannon, Administrator, City of Sun Prairie
Kathleen Falk, Dane County Executive
Elizabeth Kluesner, Dane County
David Wiganowsky, County Supervisor, District 21
Todd Violante, Director, Dane County Planning & Development
Susan Jones, Coordinator, Dane County Lakes and Watershed Commission
Kevin Connors, Dane County Land Conservation Dept.
Jon Schellpfeffer, Chief Engineer and Director, MMSD
Lisa Helmuth, DNR, Bureau of Watershed Management
Tom Gilbert, DNR, Bureau of Watershed Management
Ruth Johnson, DNR, Horicon Service Center
Sue Josheff, DNR, South Central Office
Dr. Jon Bales, Superintendent, DeForest School District
John Broihahn, State Historical Society



Map 1
Amendment
to the Central
Urban Service Area,
Town of Burke

-  Service Area to be added
-  Existing Environmental Corridors
-  Existing Urban Service Area Boundary
-  Proposed Urban Service Area Boundary

1 May 07



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 Feet

Prepared by staff
 of the CAPD.

AGENDA
Dane Planning Forum
Friday, October 19, 2007 7:50 a.m. – noon

- 7:50 – 8:15 Coffee and Rolls
- 8:15 – 8:20 **Welcome and Introductions**
- 8:20 – 8:50 **Update on the work of the Capital Area Regional Planning Commission**

Michael R. King, CAPD Division Administrator
Kamran Mesbah, CAPD Deputy Administrator/Director of Environ. Resources Planning
- 8:50 – 9:10 Break
- 9:10 – 9:30 **Regional Transportation Plan 2030: transit assumptions, planned road improvements and forecast congestion**

Bob McDonald, Transportation Planning Manager, Madison Area MPO
- 9:30 – 10:10 **Transport 2020: Proposed Plan, Rationale and Status**

David Trowbridge, Transport 2020 Project Manager
City of Madison Department of Planning
- 10:10 – 10:30 Break
- 10:30 – 11:30 **Responder Panel Comments, Questions and Observations**

Richard Wagner, Member Transport 2020 Implementation Task Force
Derek Hungness, P.E., AICP Senior Associate, SRF Consulting Group, Inc
Ken Voigt, P.E., Senior Traffic Engineer, Ayers Associates
Manfred Enburg, P.E. Principal/Vice President TranSmart Technologies, Inc. and member of the Verona Town Board
Tony Roach, City Administrator, City of Fitchburg
- 11:30 – 12.00 **Questions for Presenters and Responders**

Convened by the Dane County Community Analysis and Planning
Division

If you or someone you know requires an interpreter, materials in alternate formats or other accommodations to participate in this meeting, please contact CAPD staff at 266-4138, TDD 266-4121, or e-mail

chrisg@danecorpc.org

Next Dane Planning Forum: to be announced

Bob McDonald

Mr. McDonald is a City of Madison employee and has been the Transportation Planning Manager of the Metropolitan Planning Organization (MPO) for the Madison Urban Area for the last 7 years. Prior to joining the City, Bob was employed by the Dane County Regional Planning Commission for 24 years, 10 years as Director of Transportation Planning and a year as Executive Director. Mr. McDonald has a Bachelor's and a Master's degree from Virginia Tech University.

David Trowbridge

Mr. Trowbridge is a senior transportation planner for the City of Madison (for the past 9 years). He manages the Transport 2020 commuter rail NEPA project and also directs the activities of the city's Long Range Transportation Planning Commission. Mr. Trowbridge has 18 years experience in transportation planning and policy development: prior to working for the City, he worked for the Wisconsin Department of Transportation, Dane County Regional Planning Commission, and for a private sector planning firm. He holds a Master's degree in Urban and Regional Planning from UW-Madison.

Manfred Enburg

Mr. Enburg is a Senior Professional Engineer with thirty years of “hands-on/in-the-trenches” transportation planning and traffic engineering experience, encompassing the complete range of functional roadway classifications, a variety of transportation modes and facilities, as well as a number of different project types. A number of his past project assignments have dealt with planning for future transportation needs in rapidly developing, high-growth areas and helping state and local governments through the process of prioritizing their needs; choosing and then designing the transportation improvements that are right for the community and its given context.

Derek Hungness

Mr. Hungness has over 18 years of transportation system planning and engineering experience in Wisconsin. During this time, he has been employed by both private and public sector firms and agencies. He currently serves as the SRF Consulting Group's Madison office manager. His public sector experience includes service as Senior Transportation Planner for the Dane County Regional Planning Commission and Lecturer for the University of Wisconsin - Madison where he taught graduate courses in Traffic Impact Assessment and Geometric Design of Transportation Facilities. He holds a Master of Science degree in Civil & Environmental Engineering from the University of Wisconsin - Madison and a Master of Community and Regional Planning degree from North Dakota State University. Mr. Hungness is a registered Professional Engineer in Wisconsin and a member of the American Institute of Certified Planners.

Tony Roach

Mr. Roach has been the City Administrator for the City of Fitchburg, Wisconsin (2007 population 23,240) since July 10, 2000. Prior to that he served for 10 years as the Administrative Services/Finance Director for the City of Two Rivers, Wisconsin (population 13,000) and held various positions for 6 years in the Finance Departments for the cities of Eau Claire, Wisconsin and Fridley, Minnesota. A native of Eau Claire, Mr. Roach earned an undergraduate degree in Public Administration and Master's degree in Business Administration, both from the University of Wisconsin - Eau Claire. He is also a graduate of the Senior Executive Institute at the University of Virginia. He is married to his high-school sweetheart, Brenda, and they have three “semi-adult” children.

Ken Voigt

Mr. Voigt brings 40 years of professional experience in public, private, and academic arenas. He has worked as a traffic engineer for Wisconsin DOT and as a transportation planner for the Southeastern Wisconsin Regional Planning Commission. He has served in the private sector as an engineering consultant, and has taught for 25 years as an adjunct professor at the graduate and undergraduate levels of three major universities and as a professional engineering development extension instructor within the University of Wisconsin System. He has chaired or participated in numerous technical committees of ITE, TRB, ASCE, and Smartways Wisconsin. Mr. Voigt is a registered Professional Engineer in Wisconsin, and holds a B.S. degree in Civil Engineering from UW-Madison and a Master's degree in Transportation Engineering from UW-Milwaukee.