

## ST. CLOUD AREA PLANNING ORGANIZATION

A regular meeting of the St. Cloud Area Planning Organization was held on Thursday, May 18, 2017, 7:00 p.m. at Waite Park City Hall. Chairman Jeff Goerger presided, with the following members present:

Mayor Dave Kleis	City of St. Cloud	Mayor Rick Miller	City of Waite Park
Jeff Goerger	"	Vic Schultz	"
Jeff Johnson	"	Mayor Bob Kroll	City of St. Augusta
Sue Ek	"	Donna Schultzenberg	"
John Libert	"	Jeff Westerlund	Town of LeSauk
Steve Ludwig	"	Dan Heim	"
Dave Masters	"	Shawn Omann	"
Mayor Rick Schultz	City of St. Joseph	A Jake Bauerly	County of Benton
Nick Sauer	City of Sauk Rapids	Ed Popp	"
Jason Ellering	"	Ewald Petersen	County of Sherburne
David Rixe	"	Joe Perske	County of Stearns
Mayor Sarah Jane Nicoll	City of Sartell	David Peterson (Alt for Fitzthum)	City of Sartell

### Absent Members:

Marty Czech (Exc)	City of St. Cloud	Tim Dolan	Sherburne County
George Hontos (exc)	"	Frank Theisen	City of Waite Park
Steve Laraway	"	Mike Zenzen	City of St. Augusta
Carol Lewis	"	Spencer Buerkle	Benton County
Bob Loso	City of St. Joseph	Felix Schmiesing	Sherburne County
Matt Killam	"	Steve Notch (exc)	Stearns County
Mike Chisum	City of Sartell	Carolyn Garven	Metro Bus
		Leigh Lenzmeier	Stearns County

### Also Present:

Brian Gibson	St. Cloud APO	Janel Bitzan	BerganKDV
Dorothy Sweet	St. Cloud APO	Joseph Mueller	St. Cloud APO
Vicki Ikeogu	St. Cloud Apo	Alex McKenzie	St. Cloud APO

Mr. Gibson introduced the two newest members of the APO staff, Vicki Ikeogu, the Transportation Planner, and Alex McKenzie, Transportation Planning Technician. Mr. Douglas Diedrichsen, GIS Specialist/Multi-Modal Planner, will be starting next week on May 22, and the APO will be fully staffed for the first time since 2011.

### CONSIDERATION OF AGENDA:

**Mayor Kleis motioned to approve the Agenda and Mr. Masters seconded the motion. Motion carried.**

**CONSIDERATION OF MEETING MINUTES FROM FEBRUARY 23, 2017:**

**Mr. Libert motioned to approve the meeting minutes from Feb. 23, 2017, and Mr. E. Petersen seconded the motion. Motion carried.**

**CONSIDERATION OF BILLS:**

**Mr. Sauer motioned to approve the bills and Mr. Masters seconded the motion. Motion carried.**

**PRESENTATION OF YEAR-TO-DATE FINANCIAL STATEMENTS:**

Mr. Gibson reviewed the cash and investment account balances as of March 2017, and the Profit & Loss Budget vs Actual January 2017 through April 2017. Our cash and investment positions remain strong, and our expenditures have been on track.

**CONSIDERATION OF CY 2016 FINANCIAL AUDIT:**

Printed copies of the full audit were available for members to review. Ms. Janel Bitzan from the audit firm, BerganKDV, reviewed the audit results. The APO was given an “Unmodified Opinion” which is the best opinion an auditor is able to offer. It provides assurance that the financial statements are fairly presented in all material respects. The Minnesota Legal Compliance requires review of deposits and investments, conflicts of interest, contracting and bidding, claims and disbursement and miscellaneous provision. The one finding for this review was the APO’s inability to obtain a broker acknowledgement form, after several requests, from an investment firm in New Jersey. Internal Control review showed one deficiency in report preparation of financial statements and related footnote disclosures. The APO will work with their accountant and auditor to ensure this deficiency is addressed and does not occur again.

Ms. Bitzan reviewed 2012 through 2016 information on Revenues and Expenses, Operating Revenues by Source, Budgeted and Actual Expenses, Expenses, Budget and Actual Revenues and Expenses and overall Financial Position. No major discrepancies were noted. Revenues for 2016 were almost \$223,000 under budget due to the slowing of projects during the search for the new Director. Expenses were \$17,000+ under budget, which was closer to the budget because of an amendment done in mid-year. The APO’s financial net position have increased each of the last five years with the exception of 2015, which saw a decrease in net position and unrestricted net position due to the Organization implementing GASB 68 and 71. At December 31, 2016 the Net Position was \$874,361, Cash and Investments \$751,837, and Unrestricted Net Position of \$518,207. The issue of the APO’s inability to get the brokerage form was raised. Ms. Bitzan explained what the form authorizes, but noted that the investments are in compliance. Mr. Gibson stated that we do have an opportunity to pull our investments from that firm as those investments mature. Ms. Bitzan thanked the APO for choosing BerganKDV for the APO’s audit needs.

**Mayor Schultz motioned to approve the audit and Mr. Bauerly seconded the motion. Motion carried.**

**CONSIDERATION OF TRANSPORTATION IMPROVEMENT PROGRAM (TIP) FOR 2018-2021:**

Mr. Mueller, Senior Transportation Planner, said that approval of the TIP is necessary because the St. Cloud APO TIP is developed on a 5-year cycle, and the MnDOT STIP is developed on a 4-year cycle and, therefore, the APO does a TIP update to synch up projects with the State of Minnesota STIP. The TAC reviewed the update on May 4 and recommended board approval.

**Mr. Masters motioned to approve the updated TIP, and Mr. Sauer seconded the motion. Motion carried.**

#### **CONSIDERATION OF OVERNIGHT TRAVEL REQUEST FROR AMPO SYMPOSIUM:**

Mr. Gibson reported that since out-of-state travel must be approved in advance by the board, he was requesting travel expenses for two employees to attend the AMPO Conference being held in St. Louis, MO next week at an estimated cost of \$2,648. Mr. Gibson and the new Transportation Planner, Vicki Ikeogu, are planning to attend. The approved 2017 UPWP has approximately \$5,900 remaining in the travel budget.

**Mayor Nicoll motioned to approve the travel request for two APO employees not to exceed \$2,650, and Mayor Schultz seconded the motion. Motion carried.**

#### **CONSIDERATION OF PROPOSED PERSONNEL POLICY CHANGES:**

Mr. Gibson said that when he was hired, the Board's top priority was that he stabilize the staff and reduce staff turnover. Toward the goal of reducing staff turnover, Mr. Gibson reviewed the Personnel Policy which was last updated in 2014. The current policy states "The Executive Director is hereby authorized and directed to administer the personnel program as provided herein...." Because many of the policies require the Executive Board make the decisions, Mr. Gibson revised several sections in the Personnel Policy to rectify the inconsistencies. The changes were made to:

- *Better comply with laws and statutes:* Clarifying "At Will" employment, adding phrases for clarification, addressing voting absences, health insurance coverage if employee is terminated, firearms policy, smoking policy and restrictions of the Federal Hatch Act.
- *Increase staff stability:* Compensation policy, pay ranges, salary steps, merit bonuses, deleting COLA's, flexible scheduling, periodic salary range review, comp time-off, replacing two standard holidays with two floating holidays, changing vacation accrual time and payment of professional organization membership dues.
- *Better delegate personnel responsibilities to the Executive Director:* Clarify that the Executive Director shall proposed employee positions and pay ranges to the Executive Board, giving Executive Director responsibility for hiring, guiding, coaching, disciplining, suspending and terminating employees, clarifying that the Exec Director may approve overnight/out-of-state travel requests for staff.
- *Other miscellaneous proposals:* Reducing APO's share for insurance premiums for family coverage, adding requests for ADA accommodations, dress code policy, conflict of interest policy, attendance policy military leave notification, encouraging use of public

transportation policy, social media policy clarification to include telephone, email, and voice mail, and clarifying the Oral Warning policy.

Mr. Gibson emphasized to the Policy Board members that approving the changes in the Personnel Policy, especially with the addition of pay ranges, step increases and merit bonuses, which were taken from the Human Resources Study commissioned by the APO a few years ago, would not only reduce staff turnover, but would have no impact to the assessments for the jurisdictions. Mr. Westerlund expressed his appreciation for Mr. Gibson and that he was in favor of letting him deal with the personnel issues as part of the Executive Director's job. Mr. Goerger said he felt comfortable in having Mr. Gibson make staff decisions. Mr. Masters asked if the changes will keep pace with our budget. Mr. Gibson responded that currently our federal grant increases two or three percent each year, while our state grant typically does not increase, and that if all employees were at a step 10, we would be within the budget. Mayor Schultz asked with all the Personnel Policy changes, if the role of the Personnel Committee would change. Mr. Gibson responded that to his knowledge the Personnel Committee is not codified in any of the bylaws. Mr. Johnson asked about authority for terminating an employee. Mr. Gibson said he would have the authority to terminate an employee, but that the Board members would have the authority to terminate the Executive Director. Mr. Johnson felt there should be clear transparency in the event of a termination, and expressed the need for good documentation in those cases. Mr. Johnson also asked if the APO has a lawyer who specializes in employment law. Mr. Gibson said he sent the proposed changes to a local firm specializing in employment and they directed him to a non-profit. Mr. Gibson offered to pursue this further if he was requested to do so.

**Mr. Libert motioned to approve the Personnel Policy changes, and Mr. Johnson seconded the motion. Motion carried with one opposed (Kroll).**

#### **ANNUAL MEETING:**

*Certification of Members:* The current membership of the Policy Board was reviewed. Mayor Schultz commented that Matt Killam replaced Renee Symanietz from St. Joseph. Mr. Libert said Carolyn Garven, Metro Bus representative, is no longer on the committee. Metro Bus will be contacted for another representative.

**Mr. Masters motioned to certify the Policy Board members, and Mayor Schultz seconded the motion. Motion carried.**

*Election of Officers:* Mr. Gibson announced that St. Augusta will be withdrawing from the APO effective June 30, 2017. This will leave the Vice-Chair position open. Mr. Gibson presented the board with a few scenarios they could choose from to fill the vacancy. Mayor Miller said that since the three positions (Chair, Secretary and Treasurer) are currently held by City members (St. Cloud and Waite Park), he suggested a township or county representative to fill the Vice-Chair position.

**Mayor Schultz motioned to approve Mr. Jeff Westerlund, LeSauk Township, to fill the Vice-Chair position being vacated by Mayor Kroll, and that Jeff Goerger remain as Chair,**

**John Libert as Secretary, and Mayor Rick Miller as Treasurer. Mr. David Peterson seconded the motion. Motion carried.**

**OTHER BUSINESS & ANNOUNCEMENTS:**

Mr. Gibson announced that the new rule to consolidate MPO's if their borders ever met has been repealed today by President Trump.

**ADJOURNMENT:**

The meeting was adjourned at 7:42 p.m.