

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
Human Resources Committee Meeting
July 17, 2020

The Human Resources Committee meeting was called to order by Chairman Pat Kenny at 3:00 pm on Friday, July 17, 2020 in the Village Hall.

Members Present: President Pat Kenny, Trustee Prudden, Trustee McGreevy
Also Present: Kevin Day, Stan Livingston, Theresa Loomer, Scott Peterson

Closed Session

Trustee Prudden/Trustee McGreevy 2nd made a MOTION at 3:31 pm to go into Closed Session pursuant to Wis. Stats. Chapter 19.85(1)(c), “considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility,” specifically Performance Evaluation and/or Compensation Reviews for: Jeff Cates, Stephanie Klug, Julie Olson, Stephanie Smith, Kevin Day, Drew Perepell, Tyler Kahlke, Jim Hoover, Daniel Gonzalez, Kevin Kohley, Ron Adams, and Scott Vilona.

The Roll Call Vote was as follows:

President Kenny – Aye

Trustee Prudden – Aye

Trustee McGreevy – Aye

The MOTION carried on a 3-0 vote.

Adjournment Closed Session

Trustee Prudden/Trustee McGreevy 2nd made a MOTION at 3:41 pm to adjourn the closed session and reconvene in open session, and the MOTION carried without negative vote.

Open Session Business

Approval of Minutes for January 24 & July 3, 2020 Meetings

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the minutes from the January 24 and July 3, 2020 Human Resources Committee Meetings, and the MOTION carried without negative vote.

Performance Evaluation and/or Compensation Reviews for: Jeff Cates, Stephanie Klug, Julie Olson, Stephanie Smith, Kevin Day, Drew Perepell, Tyler Kahlke, Jim Hoover, Daniel Gonzalez, Kevin Kohley, Ron Adams and Scott Vilona

This item was discussed in closed session.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to increase Stephanie Smith’s salary to \$45,000 as offered in her initial employment offer, and to hold off on any other wage increases for the employees listed until the Finance Committee is able to reflect on the 2020 budget and determine the Village’s financial position for 2021. The MOTION carried without negative vote.

Building & Zoning Staffing Update

Loomer reported the current building and zoning staff have worked well with staff and officials, but they have limited hours in the Village and some immediate needs of the residents and staff are not always promptly met. The committee discussed the initial reason the Village switched to a contracted staff model was for budgetary purposes but that it is also important to have accessibility for the community. Loomer stated she would like to investigate what options may be available, including hiring one full-time staff member for building and zoning services. Loomer stated she has had open dialogue with Joe Mesler about the situation.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to recommend Village Board approval to investigate building and zoning services options, including the option to seek a full-time position for building inspection and zoning administration services, and directed Loomer to speak with Building Inspector Joe Mesler to advise

him of the current considerations, and the MOTION carried without negative vote.

Request Vacation Carryover into 2021

Village staff is transitioning to receive accrued vacation time in the beginning of the calendar year rather than on anniversary dates and 2020 has been the transition year. Loomer stated staff knew this would be a busy year with the S. Lakeshore Drive reconstruction project and four elections, however, COVID has complicated the situation even further. Not only has it been difficult for staff to find time to take off, COVID restrictions have forced many employees to cancel planned vacations. Loomer asked if the HR Committee would consider a recommendation to allow staff to carry over one week of additional vacation into 2021.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to recommend the Village Board approve a one-time allowance for staff to carryover an additional 40-hours of vacation time from 2020 to 2021, and the MOTION carried without negative vote.

Discuss Employee vs. Volunteer Status of Fire Dept. Members

At the January HR meeting, Loomer was directed to obtain an opinion from Attorney Dale Thorpe regarding the status of the fire department members. Attorney Thorpe concluded the department is made up of volunteers, but that the Village may deem them and treat them however they would like. Asst. Fire Chief Scott Peterson stated he disagrees with the legal opinion and stated that the fire department members are treated like employees and are required to follow the same guidelines as other employees. In addition, he said that the term ‘employee’ would help the members feel valued as part of the Village. The committee directed Loomer to investigate whether there are any unintended impacts if the Fire Dept. Members as classified as employees, and if not, to recommend Village Board approval.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to recommend the Village Board consider the Fire Dept. Members as employees, barring any unintended consequences by establishing their role as employees, and the MOTION carried without negative vote.

Fire Dept. Paid on Call Pay Rate

The Fire Dept. has requested to raise the volunteer paid on call rate to \$16.64 per hour which is the hourly rate of pay for the Metro employees. Peterson stated that the Board should also consider raising the stipends for the Assistant Chiefs and Captains to at least \$4,000 and \$1,800 - \$2,000, respectively.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to increase the Fire Dept. paid on call rate to \$16.64, and the MOTION carried without negative vote.

Recommend FFCRA Exemptions

The Families First Coronavirus Response Act allows for paid leave for certain employees under specific conditions. Municipalities may exempt employees from the Act if they hold certain positions or meet certain criteria such as law enforcement, fire dept., public works, and any individuals whose work is necessary to maintain the operation of the facility. Loomer recommended exempting police, fire, DPW, Administration, Clerk and Treasurer.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to recommend Village Board approval of a resolution defining FFCRA Exemptions, as presented, and the MOTION carried without negative vote.

Workers Compensation Policy Proposal

The Village does not have any type of workers compensation policy; however, past practice has been for the employee to turn their workers comp check over to the Village and the Village continues paying the employee’s normal wages. This year, the Village has had several workers comp claims in which employees have been denied and Loomer recommended adopting a policy going forward. She stated she spoke about the topic to our neighboring municipalities, as well as Lisa Bergersen who is an employment attorney contracted with The League of Wisconsin Municipalities, and Derrick Person who is the Village’s representative from United Heartland. Bergersen and Person recommended a policy that would require an employee to use benefit time for an initial absence in the event a claim is denied. Once the Village receives the workers comp check, which is 67% of normal wages, the Village would then credit back the prorated portion of benefit time. Loomer asked if the committee wanted to consider a maximum length of time the Village would make the employee “whole”,

and explained the purpose of a time limitation would be to create an incentive to have the employee return to work as quickly as possible. After discussion, the committee agreed it would be in the best interest in the Village to limit the benefit to 90-days.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to recommend Village Board approval of a Workers Compensation policy and add to the Employee Handbook, as presented, and the MOTION carried without negative vote.

Begin WPPA Negotiations for Contract Expiring in 2020

The Wisconsin Professional Police Association (WPPA) has requested to commence bargaining for a successor agreement. The current contract expires at the end of this year. Loomer stated there are several provisions that should be reviewed for possible modifications and suggested consulting with an employment attorney for review of the contract and negotiations. Lisa Bergersen provided the name of an employment attorney who she recommends and who represents several other municipalities in southeast Wisconsin on employment contracts and negotiations.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to begin negotiations with WPPA and recommend the Village Board approve consulting with an employment attorney for contract review and negotiations, and the MOTION carried without negative vote.

Set Next Meeting Date

The next meeting date will be scheduled for September.

Adjournment

President Kenny/Trustee Prudden 2nd made a MOTION to adjourn the meeting at 4:01 pm, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Loomer, Village Administrator/Clerk

Note: These minutes are subject to further editing. Once approved by the Human Resources Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 9/30/2020