

# TOWN OF LIBERTY GROVE PUBLIC MEETING

REVISED: (\*\*#7 ADDED)

## First December Board Meeting

**Date:** Wednesday December 7, 2011

**Time:** 7:00 PM

**Place:** Town Hall

### Agenda:

1. Call to order
2. Declaration of quorum followed by pledge of allegiance
3. Approve agenda
4. Approve minutes: 11/2 & 11/14 Sp. Board, 11/16 Board
5. Public input
6. Report-County Board representative
7. \*\*\*Consider transfer of treatment plant BOD capacity from Town to Utility District
8. Consider appointment of poll workers for upcoming period
9. Appointment of members: Highway subcommittee, Planning Commission
10. Consider approval of HVAC maintenance contracts for Town Hall and North Station
11. Consider removal of parcel #018-02-32322811A from utility district taxation
12. Future meeting dates: including personnel for assessor search
13. Approve payment of bills
14. Adjourn

*\*Deviation from listed order may occur\**

*\*\*Audience members must ask for permission, during public input, to speak on agenda items \*\**

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Walter L. Kalms, Clerk/Administrator

**TOWN OF LIBERTY GROVE. FIRST NOVEMBER BOARD MEETING MINUTES. WEDNESDAY, NOVEMBER 2, 2011.** At the town hall, the meeting was properly noticed.

Agenda:

1. Call to order
2. Declaration of quorum followed by pledge of allegiance
3. Approve agenda
4. Approve minutes: 10/19 Board
5. Public input
6. Report-County Board representative
- Add: Discussion of Isle View Road work, up to present day and future activities.
7. Report-October 20 WTA County Unit meeting
8. Discuss progress of activity at 11850 County NP and consider course of action
9. Plan Commission recommendation: consider action
  - A. create two 3.5+ acre lots each with a single family residential structure in HL-10 district: David Wohnrade at 2556 German Rd
10. Consider passage of resolution to apply unused portion of pervious levy pursuant to Sec. 66.0602(3)(f)1, Wis. Stats.
11. Consider electronic recycling program: future dates and times
12. Town Utility Commission recommendation to remove the following from tax levy for sewer & water service: 018-02-32322811B, 14T2, 14T3
13. Consider passage of resolution approving of emergency disaster declaration of September 29, 2011
14. Consider adoption of ordinance appointing alternate(s) to board of review
15. Assessment services for 2012 & beyond 16. Approve payment of bills 17. Adjourn

Chairman Lowry called the meeting to order at 7:02 PM. Also attending: Supervisors Miller, Goss, Tidball, F. Forkert, Clerk/administrator Kalms, office assistant Johnson and about 16 citizens. The pledge of allegiance was recited.

**Tidball/Goss** to adopt the agenda as presented. Carried 5-0.

**Miller/Tidball** to approve the 10/19 minutes as amended ("purchase" added). Carried 5-0.

**Public input.** Carole Maronek asked if an intersection sign could be put up on the north side of highway 42 & Old Stage Road. This will go on the highway committee agenda. Several citizens asked to speak on the Isle View Road topic.

**County Board report.** Dave Lienau reported the County Board will hold a budget hearing on 11/7 at 9 AM; Emergency Services has received a grant of \$163,000 to improve their defibrillators; a \$50,000 grant for an intoxicated driver program was also received; the County is anticipating a \$160,000 increase in their levy; narrow banding means a smaller radius of radio coverage, so more towers need to be erected; personnel costs and benefits comprise 38.5% of the County budget.

**Isle View Road Work.** (This topic comes as a result of the beginning of tree trimming and removal on Isle View road in preparation for shoulder work, pulverizing and paving in 2012). Citizen comments: *Jim Maronek*—Town crew does excellent work; is problem with policy; residents and neighbors wish to protect Isle View; the Heritage Road subcommittee will not meet for 3 months; suggests limiting tree cutting to immediate safety situations. *Kelly Mazeski*—supports rustic road status for Isle View; no response was received for requested definition of "brush"; an email of 10/26 notifying of impending work was not received; stumps have been cut more than 10' off the road; limbs were cut off 16' high. She offered a handout asking for questions to be answered. *Lou Covatsos*—agrees with Maronek & Mazeski; Town Board and staff have a heavy unique burden; sensitivity is acute in this area in reference to trimming; Heritage Road committee should be fully implemented. *Mike Bahrke*—communication has been poor to some citizens. *Jeff Weborg*—no one wants tax dollars spent needlessly; a Town truck has had problems with ice forming on the road; Isle View needs to be built with Town road building practices; if the limbs are not cleared properly, you have to go back in 2 or 3 years again to trim; suggests residents

on the road pay the costs of plow/truck damage they don't want it done right; if the residents want to sign documents to assume the liability, go ahead; need to do it right in the first place. *Bob Judd*—felt trimming was not excessive; what are the future plans. *Carole Maronek*—improve communication; supports Isle view residents.

Board comments. Lowry said he has been out of town, and asked Board members to speak first. Miller—is bothered by accusations toward Jay Olson; wondered if people watching the trimming were in the way. Kalms said they were in the work area, and had to be moved away constantly. Miller wondered if there is a policy in place for observers. Tidball—has supported what the residents have been talking about, and in the past has felt the road crew was overzealous, but saw no problems on Isle View and is not upset; Weborg is right regarding safety; is not sympathetic to complaints. Forkert—was on the road a few hours each day; cutting is within 10' and effective regarding the overhanging trees; crew did a good job and is impressed by the situation; is concerned about any drop off that may come from gravel shoulders. Goss—was on Isle View for one hour; does not see the concern about trimming; Isle View belongs to the public, all Town residents pay for it through taxes; the Board has been attentive—there is a fine line between safety and rural charm; other boards could have said “take a hike” (to the citizens), but not this board. Miller also said the road is not as scenic as it was before the windstorm and resulting blow downs this fall. Lowry—Heritage Roads and Isle View road started as a compromise; he sees a confrontation now, which is not acceptable; the road crew is more than responsive; the road policy says nothing is to be within 6 feet of any road; we need to step back, get the facts correct and then proceed; he won't stop the work if things are being violated—he will ask the Board first; the Board oversees the general operations—we have a hired administrator and treasurer/assistant, and the Board has confidence in their abilities. Kalms mentioned correspondence received from Susan Olson, Neil & Barbara Smith, Claudia Alt & Yvonne Olson, Mark Colin & Melissa Metzler, and John & Gail Edgar expressing dissatisfaction with the Isle View tree work. He showed pictures of road damage on Beach Road from a tree uprooted next to the road; of road work done on South Appleport and Woodland Drive; and Isle View after the trimming of Monday & Tuesday. He pointed out the Town road policy says to clear cut within 6 feet of the roadway, but does not limit going further back off the road. The tree service will be coming in tomorrow (Thursday) to cut the larger marked trees. Any complaints should be directed toward him, as he supervises the crew and what they do is his responsibility.

**Wis. Towns Association-County Unit.** Miller reported on the recent meeting. Various legal issues were discussed, of note that municipalities have up to 3 weeks to clean snow and material off roads after a natural occurring event; the Town and property owner can be sued if an item is struck within the right of way; there is no immunity from injury resulting from defects in the road; a “best practices” policy is suggested; get a written statement if land owners want wood from the right of way; with concealed weapons, a municipality will not be held liable if they do not have a “no concealed weapons” policy; suggested looking into a legal defense policy.

**Construction at 11850 County NP.** Chris Berns, the owner, spoke and said there have been delays in moving the building onto the foundation, part of which is that his cinder block foundation is one of the first of these on record and is slow in getting built; Tidball said the house was to have been on the foundation by the end of September. Berns has been working with Fitzgerald construction, who is backed up with mound system installation; he has a sanitary permit; he said that a hydraulic system will be used to move the house onto the foundation, hopefully next week. Lowry said the concern is that this was to be done months ago, and implored Berns to let the Board know if there is another delay.

**Wohnrade variance to create two lots.** Goss said the request is to create 2 lots; there have been two single family residences there since the 1990's; when they were built the rule was that if the lot was large enough to form 2 conforming lots a second residence could be built; the lot was surveyed then but not recorded; the zoning then changed to HL10 so now he has a MOD with its inherent problems; the Plan Commission felt the criteria were met and recommended the Board support the request. **Goss moved, Miller second** that the Board direct Kalms to write to the BOA indicating support of the Wohnrade request for this variance for these reasons: the nonconforming use is eliminated; no harm to the public (buildings are already there); it completes the original intent of the property owner; the hardship is shown by the zoning changes at the County and Town levels. The motion carried 5-0.

**Resolution to apply unused portion of 2010 levy.** Kalms noted the Town had not used all of its approved levy last year, so get to apply it to this year's levy cap. The amount is limited to .005% of last year's levy, which comes to \$8,651. **Lowry moved, Goss second** to adopt resolution 12-11 to apply the unused portion of the 2010 levy to the 2011 levy cap. Carried 5-0.

**Electronic recycling.** The vendor who operated the recycling programs this year was impressed with the material the Town had, and suggested regular recycling events twice a year. **Lowry moved, Goss second** to hold another electronic recycling day on June 2 of 2012 and invite Sister Bay and the Island. Carried 5-0. **Lowry moved, Miller second** to hold a second electronic recycling day on October 20 of 2012. **Goss moved, Tidball second** to amend to include shredding on 10/20. The amendment carried 5-0. The amended motion then passed 5-0.

**Reclassification of Utility District parcels.** Kalms reported that the Utility Commission is recommending 3 parcels from the former Sanitary District #1 be removed from the current Utility District as they are not being served by water and sewer; their mil rate would then be the same as the current Sanitary District which is the entire Town less the Utility District. **Tidball moved, Goss second** to remove the 3 parcels from the Utility District levy (parcels 018-02-32322811B, ...14T2 and ...14T3). Carried 5-0. They will be coded 706. This resolution is numbered 14-11.

**Resolution approving of emergency disaster declaration.** Lowry read the disaster declaration which was put into effect on September 29 2011 in anticipation of the wind storm that day. Resolution 13-11 was presented, approving the declaration of September 29. **Lowry moved, Miller second** to adopt resolution 13-11. Carried 5-0. County Emergency Services is investigating reimbursement from the State Emergency Fund for Town work that was done during this emergency situation.

**Ordinance appointing alternates to board of review.** Ordinance 4-11 was presented, appointing Fred Anderson to the 2011 board of review. **Miller moved, Tidball second** to adopt ordinance 4-11. Roll call vote: Aye—Miller, Goss, Tidball, Lowry, Forkert. Nay—0. Carried.

**Assessment services.** As assessor Dorschner is retiring, the Board needs to find a replacement. Contacts will be made to other municipalities to see who they employ, and an ad will be run in the Towns' Association newsletter.

**Bills.** **Miller moved, Tidball second** to approve the bills as presented. Carried 5-0.

Chairman Lowry declared the meeting adjourned.

**TOWN OF LIBERTY GROVE SPECIAL TOWN MEETING. MONDAY, NOVEMBER 14, 2011.** At the Town Hall, the meeting was properly noticed.

Chairman Lowry called the meeting to order at 6:25 PM. Also attending: Supervisors Miller, Tidball, Goss, F. Forkert, Clerk/Administrator Kalms, Beth Coleman, Kurt Wessel, Ann Lewis, Ruth Gau, Jim Seaquist, Paul Goodman.

**Kalms moved, Forkert second** to adopt a 2011 levy of \$1,595,531.00 and \$26,654 for the Utility District payable in 2012. Carried unanimously.

**Miller moved, Tidball second** to approve highway expenditures for 2012 of \$826,212.24. Carried unanimously.

**Goss moved, Lowry second** to approve Board Resolution 12-11 to apply the unused portion of the 2010 levy to the 2011 levy payable in 2012. Carried unanimously. This amount is calculated at \$8,651.

**Lowry/Kalms** to adjourn the Special Town meeting. Carried unanimously.

Approved by the Annual Town Meeting of April \_\_, 2012  
Walter L. Kalms, Clerk/Administrator

**TOWN OF LIBERTY GROVE. SECOND NOVEMBER BOARD MEETING MINUTES. WEDNESDAY, NOVEMBER 16, 2011.** At the town hall, the meeting was properly noticed.

Agenda:

1. Call to order
2. Declaration of quorum
3. Pledge of allegiance
4. Adopt agenda
5. Approve minutes: 11/02 Board
6. Public input
7. Consider/act on employee Christmas gifts
8. Correspondence
9. Payment of bills
10. Future meeting dates
11. Adjourn

Chairman Lowry called the meeting to order at 6:30 PM. Also attending: Supervisors Miller, Goss, Tidball, F. Forkert, Clerk/administrator Kalms, office assistant Johnson. The pledge of allegiance was recited.

**Miller/Goss** to adopt the agenda as presented. Carried 5-0.

**Minutes.** Minutes of 11/02 will be presented for action at the next meeting.

**Employee Christmas gifts.** Tidball moved, Forkert second to give the Town employees a Christmas gift at a net of \$150. Carried 5-0.

**Miller/Forkert** to pay the bills as presented. Carried 5-0.

**Lowry/Miller** to adjourn. Carried 5-0. 6:45 PM.