

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN

MINUTES OF DECEMBER 9, 2008 TOWN BOARD MEETING

1. Call To Order: The December 9, 2008 Monthly Town Board Meeting was called to order at 6:00 P.M. on Tuesday, December 9, 2008 in the Town Hall by Chairman Mike Van Lanen. Present were Chairman Mike Van Lanen, Supervisor Cyril Van Laanen, Supervisor Kenneth Jacobs, Supervisor Jeffrey Zlatohlavek, Clerk/Treasurer John Roth, Economic Development Coordinator Dave Cerny, Engineer Brosteau. Excused: Supervisor Tom DePas. Bill Roskams, Leland Baenen and Joe Charlier arrived after the meeting began.

2. Affidavit of Posting: The Affidavit of Posting indicating that the public notice of the Town Board Meeting was posted on December 4, 2008 was presented by the Clerk.

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to accept and file the Affidavit of Posting. Vote: Aye-4, No-0. Carried.

3. Approval of Minutes of Prior Meetings:

- A. Town Board: 11-11-08; 11-18-08; 11-18-08 Budget Public Hearing; 11-18-08 Special Meeting of the Electors to Approve the Levy:** the following meeting minutes were presented for approval by the Town Board: Town Board Meeting of November 11, 2008, Town Board Meeting of November 18, 2008, 11-18-08 Budget Public Hearing, 11-18-08 Special Meeting to Approve the Tax Levy.

MOTION JEFF ZLATOHLAVEK/KEN JACOBS to approve the minutes from the Town Board Meetings dated November 11, 2008, Town Board Meeting of November 18, 2008, 11-18-08 Budget Public Hearing; 11-18-08 Special Meeting of the Electors to Approve the Levy as corrected: November 11, 2008 Minutes page one #4.E. last sentence should read "Mark's preference is 'Road' if possible"; November 11, 2008 Minutes page two #6.G. the vote should read "Aye-3, No-2". Vote: Aye-4, No-0. Carried.

- B. November 2008 Plan Commission:** The Plan Commission did not meet.

4. Public Input:

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to suspend the rules and open the meeting to public input. Vote: Aye-4, No-0. Carried.

- A. Leland Baenen spoke concerning dogs at large.

MOTION MIKE VAN LANEN/KEN JACOBS to return to the agenda. Vote: Aye-4, No-0. Carried.

5. Communications by Clerk, Engineer and Economic Development Coordinator (no action):

- A. Clerk/Treasurer Roth: The Deputy has been dealing with entering the 218 election day voter registrations and recording the voting. The 2008 dog license report has been submitted to the County. We started using a dog license program which will help reduce the amount of time it takes to issue licenses and report to the County. I have been working on getting the Town set up with QuickBooks for accounting starting in 2009. It is a very inexpensive but excellent program. I have a new budget layout that more properly reflects the State of Wisconsin Uniform Chart of Accounts. I also have been going through the ordinances, both the hard copies and what is on the computer. I have a long way to go. The 2009 Special Assessments and delinquent utilities and garbage collection special assessments have been submitted to the County. The paperwork and mill rates sheets have been submitted to the County. The overall mill rate for the Town residents for the 2008 tax bill payable in 2009 is approximately \$15.34 per thousand. Last year the overall mill rate was \$14.67 per thousand, this year's increase is approximately 4.56%. This does not take into effect the lottery credit or first dollar credit. Reminder letters and renewal applications for the quarries and

blasting companies have been sent out. The meeting to approve the applications is Dec.30, 2008. The Town now has a sales tax exemption number. The credit card has been applied for. The mail box for the Town has been ordered and has arrived. I also completed two required classes for my two year accounting degree at NWTC: Excel Part 2 and Accounting Payroll.

B. Engineer (Brosteau): He will be speaking on agenda items.

C. Cerny (Economic Development Administrator): Updated the Town Board concerning the semi-trailer on the property across from Victoria's restaurant. Chris Victoria stated that he had a buyer for the trailer but the deal fell through. Cerny was directed to remind Victoria that the trailer needs to be removed by the Dec. 30, 2008 Board meeting. Chairman Van Lanen stated that if the trailer is not moved by Dec.30, 2008 a citation should be issued for non-compliance of the Conditional Use permit. A letter was sent to James Demeny, 2512 Bay Settlement Road concerning the construction of a "lean-to" without a building permit and setback violations. The Town received the complaint from Dale Gerlikovski of 2468 Bay Settlement Road earlier this month.

6. Specific matters for discussion and possible action by Town Board:

A. **Road name change for VandenPlas:** Roth contacted the County (Jon Motquin) concerning this, and the County does not have a problem with the Town calling it "VandenPlas Road".

MOTION KEN JACOBS/CY VAN LAANEN to approve the Resolution R12-09-01 concerning the road name change to "VandenPlas Road". Vote: Aye-4, No-0. Carried.

B. **Update on Hickory Nut Road Resolution and Order and vacating of Wery Road:** Checks for the property purchase have been sent. Almost all property owners have signed the proper documents. The Town will need to rebid the project. A Public Hearing to approve the final resolution will be scheduled in January.

C. Creation of Storm Water Utility District and Board:

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to approve Ordinance 2008-12-01 Ordinance Creating Chapter 21, Town of Scott Municipal Code Establishing A Storm Water Utility. Discussion: Jeff Zlatohlavek – questioned the last page, "Transfer of Assets . . . (typo) change from 2005 to 2009. Vote: Aye-4, No-0. Carried. The creation of the Board and the methodology of the fees will be to be added/amended to the ordinance once this is decided.

D. **Discuss and approve Storm Water Management Plan:** Brosteau discussed this and explained the Grant and material in the Plan. He provided three copies of the Storm Management Plan. Jeff Zlatohlavek had a few questions that Brosteau answered on boundaries, curb and gutter by Mike's house, and correction on soils map. Discussion on who the Town would need to notify i.e.: golf courses, cemeteries. Brosteau will look into these issues.

MOTION JEFF ZLATOHLAVEK/KEN JACOBS to table the Storm Water Management Plan until the December 30, 2008 Town Board meeting. Vote: Aye-4, No-0. Carried.

E. **Town Board attendance at seminars and reimbursements:** This was tabled from the last meeting. The was lengthy discussion on what qualifies for a "per diem" for training/seminars and extra meetings. Cy Va Laanen stated his opinion that there should be three "per diems" for the annual Wis. Towns Conv. Chairn Mike Van Lanen attends numerous Town related meetings that he does not turn in for "per diems". Dave Cerny suggested a maximum number of "per diems" per year for training/seminars. It was suggested that there be a limit of \$320.00 per year for training/seminars.

MOTION MIKE VAN LANEN/KEN JACOBS that for official Town training/seminars, the Supervisors be paid

up to eight “per diems” per year at a cost of \$40 per diem. The Town Board will continue receiving a “per diem” for Town business meetings except for the regularly scheduled monthly meeting, Annual Meeting and Special Budget Public Hearing/Approval of the Town Levy. Vote: Aye-4, No-0. Carried.

- F. **2009 Budget approval:** Roth presented a revised 2009 budget that more reflects the State of Wisconsin Uniform Chart of Accounts. No dollar amounts have changed since the Budget Public Hearing. The levy was approved at \$684,731.

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to approve the 2009 Town of Scott Budget as presented: \$1,022,726, adopted at summary level and as categorized by the State of Wisconsin Uniform Chart of Accounts. Discussion: regarding funding the Greater Green Bay Branding initiative and some of the disappointments with the program. Vote: Aye-4, No-0. Carried. Chairman Van Lanen and Jeff Zlatohlavek would like to talk to a representative from “Advance” concerning disappointment in promoting the Town.

- G. **Sale/disposal of two safes:** Roth contacted the Wisconsin Towns Association concerning the issue of fire proof storage. Many municipalities do not have any fire proof storage. It should be in the plans for future expansion, but fire proof storage is not required by State Statutes, so the safes can be disposed of to create more storage space. It was decided that Clerk/Treasurer Roth has the discretion to dispose of the safes, but it cost money to dispose of the safes, this must come back to the Town Board.

- H. **Purchase of posting sign for the Town Hall:** Some have complained of the numerous pages hanging in doorway windows of the Town Hall. The cost for one posting sign is approximately \$410.00. Some of the other posting signs may need to be replaced in the near future.

MOTION CY VAN LAANEN/MIKE VAN LANEN to not purchase a posting sign board for the Town Hall because was not budgeted for in 2009. Vote: Aye-4, No-0. Carried.

- I. **Adding DSL and other electrical service in the Town Hall:** There have been problems with the wireless. Two proposals were submitted, one by Current Electric and the other by Joe Charlier Electric. Joe Charlier attended the meeting. The bids were opened. There was lengthy discussion of the bids and the needs of the Town. Joe Charlier explained his bid. Charlier had a computer data specialist inspect the Town Hall and assist him in making recommendations for the Town Hall. Charlier’s proposal will take care of the Town’s needs for years to come.

MOTION MIKE VAN LANEN/CY VAN LAANEN to approve the upgrading of DSL and other electrical services at the Town Hall: three 110 volt outlets, voice and data lines and outlets in the Clerk’s Office, Sanitary District Offices, Planner Office, Assessor/Building Inspector Office and Town Hall area; the Town to award the bid to Joe Charlier for \$2350. Vote: Aye-4, No-0. Carried.

- J. **Request for street light on Bay Settlement Road between Algoma Road and Champeau:** The Supervisor that made the motion must rescind the motion for this issue to be reconsidered. There was some discussion as to how many corners need street lights.

K. Approve Committee Appointments:

Jeff Zlatohlavek	(Plan Commission)	12/31/08	Scott May	(Scott Sanitary District)
12/31/08				

Scott May	(Utility District Board)	12/31/08	Mark Verbeten	(Royal Scott Sanitary Dist)
12/31/08				

Norman Strebel	(Joint Plan Commission)	09/30/08	This issue will be on the Dec. 30 agenda.	
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- L. **Snow Mobile Ordinance:** The DNR is requiring this. Attorney Duffy stated that the Town does not need to hold a public hearing. Mike read the ordinance.

MOTION KEN JACOBS/JEFF ZLATOHLAVEK to approve the Snow Mobile Ordinance 2008-12-02 An Ordinance to Designate A Legal Snowmobile Trail On A Portion Of Van Laanen Road as proposed. Vote: Aye-4, No-0. Carried.

- M. Records Destruction Ordinance:** The State requires Towns to have an ordinance in place before records can be destroyed. The Town must also receive permission from the State Historical Society. There are numerous Town records that only need to be kept for more than seven years.

MOTION MIKE VAN LANEN/CY VAN LAANEN to approve Ordinance 2008-12-03 An Ordinance Creating Chapter 22 Of The Town Of Scott Municipal Code For The Retention/Destruction Of Public Records as proposed. Vote: Aye-4, No-0. Carried.

- N. Vision Corner at Van Laanen Road and Bay Settlement Road:** Brosteau did a survey. Bricks and junk and trees and brush need to be removed. A letter will be sent.

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to have the a third party clear all trees along Bay Settlement Road and determine the exact length along Van Laanen Road in order to open up the vision triangle. Chairman Van Lanen and Clerk/Treasurer Roth will write a letter to be sent to the land owner. The cutting will be done by the third party at the Town's determined schedule: Vote: Aye-4, No-0. Carried.

- O. Six Month Review of new Clerk/Treasurer (may be referred to closed session):** The Board stated that they did not need to go into closed session regarding this issue. Roth is doing a good job and that he is off of probation now. No action taken.

- P. Employment/performance/salary of Dep. Clerk/Treas. (may be referred to closed session):**

MOTION KEN JACOBS/CY VAN LAANEN to go into CLOSED SESSION under WI Stats. 19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (employment, performance, salary of Deputy Clerk/Treasurer: Roll call vote: Chairman Mike Van Lanen:yes. Supervisor Cyril Van Laanen:yes. Supervisor Jacobs:yes. Supervisor Zlatohlavek:yes. Vote: Aye-4, No-0. Carried.

MOTION KEN JACOBS/JEFF ZLATOHLAVEK to reconvene into open session. Roll call vote: Chairman Mike Van Lanen:yes. Supervisor Cyril Van Laanen:yes. Supervisor Jacobs:yes. Supervisor Zlatohlavek:yes. Motion carried.

- O. Discussion/action on closed session items:**

In open session the Board discussed the following in regard to the Deputy Clerk/Treasurer and the Town Office:

- The Board was agreeable to \$720 holiday pay for the Deputy Clerk/Treasurer (see motion).
- Insurance needs for the office staff should be researched.
- Cross training is absolutely needed and required.
- An annual review will be done for all employees.

MOTION KEN JACOBS/JEFF ZLATOHLAVEK to approve the Deputy Clerk/Treasurer to \$720.00 receive holiday pay (six hours for a holiday where the office is closed on a Monday-Thursday and three hours for a holiday where the office is closed on a Friday), the holidays are: New Years Eve and New Years Day (the days that the office is closed in recognition of New Years Eve and New Years Day), Memorial Day, July 4 (the day that the office is closed in recognition of Independence Day) , Labor Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve and Christmas Day (the days that the office is closed in recognition of Christmas Eve and Christmas Day) . Vote: Aye-4, No-0. Carried.

7. Reports from Town Officers/Committees/Commissions:

A. Chairman: Building Permit violation

B. Jeff: spoke concerning Gersek Road and snow plowing across and into the right –of-way. The Town does not have an ordinance to prevent this. Does the County? He also spoke about the problem with the bus at Church Road during the first snow fall. Chairman Mike Van Lanen asked Colleen Harris to look into what is needed to bring the road to State standards because the State was involved in the Town having to make the road a Town road.

C. Ken: shared that there have been some snow plow complaint calls.

8. Treasurer’s and Clerk’s Financial reports: Roth prepared the financial report. Ending balances are as follows:

LGIP Property Taxes: \$.01
LGIP Holding Tanks: \$ 7,800.00
LGIP Investments: \$157,502.16
Baylake Bank: \$ 4,264.46
Total: \$ 169,566.63

Vouchers #13086-13123 totaled \$41,078.93, receipts (including interest) totaled \$52,222.90. Roth summarized the receipts and the expenses.

MOTION MIKE VAN LANEN/JEFF ZLATOHLAVEK to approve the Clerk’s and Treasurer’s reports and to pay the bills (vouchers #13086-13123 totaling \$41,078.93). Vote: Aye-4, No-0. Carried.

9. Discussion and action on specific Town Board Notice and Agenda for next meeting:

December 16 – Public Hearing for the Nuisance Ordinance and Driveway Ordinance at 6:00P.M., with Special Board meeting to follow for possible action.

December 30 – Year end meeting at 6:00P.M.

Quarries Permit renewal

Blasting Permit renewal

Nuisance Ordinance approval

Driveway and Sidewalk Ordinance approval

Newsletter

Final Bills

Storm Water Management Plan

Appointments

10. Meetings/Adjournment:

MOTION JEFF ZLATOHLAVEK/KEN JACOBS to adjourn Vote: Aye-4, No-0. Carried. Meeting Adjourned at 8:15 P.M.

John Roth, Clerk/Treasurer

MIKE VAN LANEN

CYRIL VAN LAANEN

KENNETH JACOBS

THOMAS DEPAS

JEFF ZLATOHLAVEK