

**TOWN OF SCOTT
BROWN COUNTY, WISCONSIN
MINUTES OF ANNUAL MEETING
APRIL 14, 2009 7:00 P.M.**

1. Call To Order.

The 2009 Annual Town Meeting was called to order at 7:00 P.M. on Tuesday April 14, 2009 in the Town Hall at 2621 Jody Drive by Chairman Mike Van Lanen. Clerk of the meeting was Clerk/Treasurer John Roth. Present were all Town Board members, Clerk/Treasurer John Roth and Economic Development Coordinator Dave Cerny. A total of nineteen residents were present:

Mike Van Lanen (Chairman)	Harvey Anderson (Constable)	Don Gibson
Cy Van Laanen (Supervisor)	Kathleen Anderson	Jamie Swienton
Ken Jacobs (Supervisor)	Ed Kinjerski	Sandy Boucher
Jeff Zlatohlavek (Supervisor)	Ken Hendrickson	Norman Strelbel
Tom DePas (Supervisor)	Martin Holden	Debra VandenLang.
John Roth (Clerk/Treasurer)	Tom Farah	
Leland Baenen (Constable)	Bill Roskams	

2. Pledge of Allegiance. The Pledge of Allegiance was recited.

3. Definition of Annual Meeting. Clerk/Treasurer Roth read a summary from the State Statutes in regard to the power of the Annual Meeting (see printout). There are direct powers, directives or grants of authority to the Town Board, and authorization to Town Board to appropriate money. The Town Chairman does not vote at a Town Meeting unless there is a tie.

4. Take Action on Minutes of Previous Town Meetings.

A. Minutes of the April 2008 Annual Meeting were read by the Clerk/Treasurer.

Motion by KEN JACOBS, second by JEFF ZLATOHLAVEK to approve the April 2008 Annual Meeting minutes as read. Vote: Aye- 18, No-0. Carried.

B. Minutes o the 2008 Special Town Meeting-Budget/Levy held in November 2008 were read by the Clerk/Treasurer.

Motion by KEN JACOBS, second by CY VAN LAANEN to approve the 2008 Special Town Meeting-Budget/Levy Meeting minutes as read. Vote: Aye-18, No-0. Carried.

5. Review 2008 Financial Statements. The 2008 Financial Statement was made available to all in attendance. Clerk/Treasurer reviewed the report. The Following comments were made:

Tom DePas stated that he was proud of the amount of recycling taking place in the Town and encouraged everyone to do more. Don Gibson asked the Clerk if there was any progress on going to single stream recycling. Roth explained the status and information he had from attending the ADVANCE meetings.

Chairman Van Lanen stated that in his conversations with Veolia that the company could provide single stream, however with low prices in recyclables it hasn't happened yet. Gibson asked if the Town's people would be responsible for paying for new recycling bins. Chairman Van Lanen stated he didn't know yet but it is probable.

Discussion regarding single stream recycling, the use and cost of an extra bin, and details associated with changing the process. It was requested that when the Town re-negotiates the contract with Veolia it should be clear that bins should be picked up from both sides of the street so that residents do not have to move bins to the opposite side of the road. Discussion pursued.

The Clerk/Treasurer summarized the disbursements and the transportation section of the Financial Statement. Ken Hendrickson – Kiltie Court - asked if it was possible to establish a special assessment to cover unexpected costs in road maintenance and major road construction. Chairman Van Lanen stated that special assessments cannot be levied, and that the Town sets its fiscal budget at the end of the previous fiscal year and it is set for this year.

Discussion pursued on how best to budget for severe winters and still maintain a road maintenance fund. Norm Strebel asked if the Town has considered going private with their plowing service. Chairman Van Lanen explained that the County wants to maintain the Town's roads, including the cul-de-sacs. Van Lanen also stated that if the Town had a private contractor do the snow removal, the County would probably not assist the Town at all if there was a severe snow storm or a breakdown on a private plower's equipment.

There was discussion concerning the Ambulance/Rescue Service and questions as to whether Luxemburg could provide faster service. Discussion on the service, the current quality of service, and the fact that the City of Green Bay has offered their services for the same price. Discussion on how long response times are and that there are no First Responders in the Town. Ed Kinjerski stated that he waited 22 minutes for an ambulance at Champion Church on County K. Chairman Van Lanen talked to a woman two weeks ago concerning an ambulance call on Esther Lane, they waited 21 minutes, the man was still alive, the ambulance did not have the defibulator with them and the man died.

MOTION TOM DEPAS/ED KINJERSKI that the Town Board pursue improvements to the contract issues with County Rescue within 90 days. Vote: Aye-19, No-0. Carried.

Discussion regarding how fast the Town can negotiate a new contract, if Luxemburg could provide service, and how to improve services throughout the Town, no matter which service provider would be used.

2008 Building Permits: 54 total; 7 new homes, two home demolitions.

The Clerk/Treasurer finished his verbal report on the Financial Report.

Motion by DON GIBSON, second by JEFF ZLATOHLAVEK to accept and file the 2008 financial report as presented. Vote: Aye-19, No-0. Carried.

6. Review/Take Action on 2008 Bridge Fund. The bridge fund has a current balance of \$68,956.18. No bridge repair work is planned. **Motion by TOM DEPAS, second by JEFF ZLATOHLAVEK** to raise "\$0.00 for 2009 Bridge Fund. Vote: Aye-19, No-0. Carried.

7. Reports by Town Board Members and Staff.

- A. Bay Settlement Road Reconstruction: 2009 Federal Stimulus Funds.** The Town Engineer has applied on behalf of the Town for the completion of Bay Settlement Road. If the project is approved, the funding would include the entire project (including the engineering). The engineering and plans must be completed by the end of December of 2008. The project would be constructed in 2010. The cost is around \$2 million. The road reconstruction would be for Bay Settlement Road from Church Road to Van Laanen Road. The Town should know within a few weeks if the project is approved.

B. Snow Plowing/road maintenance: The bad winter weather has cost \$83,330.39 in snow removal costs. Of this amount, \$45,270.78 is from 2008 funds (the Town used a 2008 carry-over of \$44,513.91 designated for snow removal to pay the January bill) and \$38,059.61 has been spent from the 2009 budget. Of the \$83,330.39, Plowing is \$72,224.19 and \$10,377 is for salt/sand).

In 2009 the Town budgeted for roads:

Road Maint Snow Plowing	\$ 70,000
Road Maint Snow Salting/Sand	\$ 15,000
Road Maint Snow Fence	\$ 1,000
Road Maint Sweeping	\$ 700
Road Maint Brush Cutting/Veg	\$ 5,000
Road Maint Crack filling, chip seal	\$ 4,000
Road Maint Sup./Records/Safety	\$ 4,000
Road Maint Surface Maint	\$ 1,500
Road Maint Drainage	\$ 2,000
Road Maint Signs	\$ 1,500
Road Maint Signs	\$ 5,665
Total	\$110,365

The 2009 proposed budget included

Road Major Const. Hickory	\$ 45,000
Road Major Const. Debra Ann	\$ 2,100
Road Major Const. Bay Settlement	\$ 5,000
Road Major Const. Church Rd	\$ 3,200
Road Major Construction #4	\$ 50,000
Total	\$105,300

C. New ordinances adopted in 2008 and Codification project.

Ch. 1 Zoning	Ch. 21 Illicit Discharge
Ch. 3 Explosives (amendment: fees)	Ch. 22 Erosion Control
Ch. 4 Non-Metallic (amendment: fees)	Ch. 23 Condominium
Ch. 12 Stormwater (repeal and recreate)	Ch. 24 Storm Water Utility Establishment
Ch. 13 Municipal Court (amendment)	Ch. 25 Snowmobile Trail
Ch. 14 Citation Ordinance	Ch. 26 Records Retention/Destruction
Ch. 15 Vehicle and Traffic	Ch. 27 Nuisance/Littering
Ch. 19 Sex Offender	Ch. 28 Driveway
Ch. 20 Water Utility Ordinance	

The Town is in the process of having General Code Company do a full Codification of the Town Ordinances. This will take 12-18 months. The Town will have the Code available on computer. Martin Holden stated the he wishes for a 'place-holder' in the codification process so as to reserve a place in the document for the Sanitary Districts' ordinances in the future if they are all combined and would fall under the Town's regulations.

D. 150 Year celebration. The Town of Scott will celebrate its 150th anniversary in 2010. Jamie Swinton stated that she plans on holding meetings again in May and will have more fund raisers this spring and summer. She said that several of the members have shared ideas. She will notify the Clerk of the schedule. The 2008 Town Annual Meeting committed \$5000 for this activity. These funds are set aside in the undesignated funds deposited with the LGIP.

- E. Jean Nicolet Statue.** Chairman Van Lanen gave an update. The Town is working with the County and the DNR concerning the relocation of the statue. The Town received a bid of \$39,000 to do the whole project. DNR Representative Jean Bartels-Romback is trying to get DNR funds to help pay for this. Leland Baenen is looking into a possible grant for this also. Martin Holden stated that Tom McMonagle may know how the statue was installed. The Ho-Chunk Nation and the Oneida Nation have been contacted for their involvement and possible donation. Chairman Van Lanen explained the procedure and requirements created by the State Historical Society for the statue relocation.
- F. Compensation for elected officials.** Clerk/Treasurer reported that the current structure for salaries for elected officials is: Chairman—\$6,000 salary plus \$40.00 per diem. Supervisors pay is \$3600 salary plus \$40 per diem. No action taken.

8. Public Input:

- A. Martin Holden: Well-water.** He brought in a sample of his own well-water (it was very cloudy). People on Edgewater Beach Road are asking for the Town to extend water. Marty Holden stated that he is interested in having the Town’s municipal water extended to his area.
- B. Martin Holden: Boundary Agreement.** He stated that Bay Settlement Road is a major thoroughfare. Hopefully this area will not be annexed into Green Bay after the upgrade of the road. We should not want to develop the “Joint Planning” area if it is going to be annexed into the City of Green Bay. He also expressed his concerns with the Town’s Boundary Agreement and the Town’s future hope of becoming a Village. The Town needs to be active and aggressive in pursuing Village Status. The Town needs to position itself in regard to our own identity concerning our Village Status. The Town needs to be thinking of this as the Town makes future decisions and planning. The Town needs to be unique from the City of Green Bay. We need an “identity”. He felt that this could be done partially by working with its land use practices and ordinances in making sure that the Town does act and look unique.
- C. Martin Holden: Health Insurance and Retirement Benefits:** The Town needs to be more competitive in regard to these issues. Many municipalities provide these benefits to their employees. The Town should want to keep good employees. Salaried positions usually do not get proper compensation for the additional hours they put in. Holden stated that the Town should provide State Health Insurance and retirement benefits.

MOTION MARTIN HOLDEN/TOM DEPAS that at the next budget meeting the Town Board look into the funding and providing health insurance and retirement benefits under the State of Wisconsin’s program. Discussion: Questions were asked as to who would be the eligible employees. Due to the number of hours worked per week, only the Clerk/Treasurer and the Deputy Clerk/Treasurer would probably be eligible at this time. A question was raised about the rising cost of health insurance, how would this be funded and would their wages be adjusted. Currently the State Health Insurance is around \$1200 per month. Vote: Aye:4: No:12. Abstain:1. Motion fails.

MOTION MARTIN HOLDEN/TOM DEPAS to direct the Town Board to investigate health insurance and retirement and bring these findings to the next Annual meeting. Vote: Aye-19, No-0. Carried.

D. Martin Holden: Consolidation of the Sanitary Districts and Water Utility. He encouraged the combination of these units. The current process and fragmented system of multiple districts is costly. A lot of money is spent on five audits, numerous commission salaries, bookkeeping, etc. Holden also stated that last year's Bay Shore problem in regard to the audit and legal problem would not have existed if the sanitary districts would have been under the control of the Town. The Town would have more of a unique identity and solidarity if the districts were combined.

MOTION TOM DEPAS/MARTIN HOLDEN to incorporate all sanitary districts and water utility into one Utility under the Town authority, the Board to be appointed, this action to be done by December 31, 2009. Discussion:

Concern that Bayshore Sanitary District Board is elected, all other boards are appointed, and would there be representation from all areas.

How would the different funds be tracked, some districts have a debt and some have surplus funds? The debts and surplus would not become one large pool. The identity of the indebtedness and funds stays with the area. The billing system is in place to handle this. There could be a separate Enterprise Fund for each district.

Don Gibson stated that the Green Bay Municipal Sewer District has varying charges for all four of our sanitary districts and they do not want to have this discrepancy anymore. GBMSD wants to resolve this, to have the same charge for every resident of the four districts.

DePas stated that what happened in previous years with the Bayshore Sanitary District is a disgrace, that if the Town had control over the districts this would not have happened. The office would need more help. There would need to be a manager, another full time employee. Don Gibson explained the cost savings of to combine the districts (savings in regard to audits, commissioner salaries, bookkeeping wages, maintenance wages). The sewer fees would also help defray the cost.

Tom Farah: there would be a problem with representation from all areas and keeping the autonomy of each area. Ken Hendricks: it would be more efficient but not necessarily save money.

Opinions were expressed that combining these entities should provide efficiencies and centralize all of the functions. Vote: Aye-11, No-3. Motion carries.

Clerk/Treasurer Roth commented that with the previous motion the consideration for benefits and health care should be considered since more work will be involved for the current employees and also to be able to offer benefits to a future employee in regard to a combined utility district. It also will be hard to hire a new person to oversee the utility district without providing the health insurance and retirement. Chairman Mike Van Lanen clarified that the vote and action of providing insurance and benefits can be reconsidered by the Town at a later point in time. Van Lanen stated that health insurance and retirement issue can be still brought up at the 2010 budget meeting to be held this fall, since that meeting is also a meeting of the electorate (a Town Meeting).

- E. Park Commission.** Town Chairman Van Lanen stated that the Town is updating the comprehensive plan. Park Commission needs to be created. It is part of the Comprehensive Plan updating process.

MOTION TOM DEPAS/JAMIE SWIENTON that the Town Chairman create a Park Commission and appoint members by December 31, 2009. Discussion: What are the Town parks and what does a Park Commission do? Mike explained. The Town owns Volks landing and a park in the St. Killians area. A Park Commission also plans for the future trail developments. Developers are required to donate park land or trail space. Chairman Van Lanen explained that a trail map has to be registered with the DNR in order to receive e grant money. Vote: voice vote unanimous.

- F. Boundary Agreement:** Don Gibson stated that there is a large issue coming up next year. The City owes New Franken Sanitary District funds. According to the Boundary Agreement, the City will owe the New Franken Sanitary District over \$100,000 for land annexed and value lost due to the annexation. Chairman Van Lanen stated the Town will need legal counsel from Attorney Duffy or other legal sources in regard to this.
- G. Volk's Landing:** port-a-potty will be provided. A question was asked about upgrading the site. Chairman Van Lanen stated that if user fees are levied for Volk's landing the Town could be assuming liability for the site.
- H. Time of Town Meetings?** Consensus was that the meeting time would stay as is, which is 6:00 pm.
- I. Guard Rail on Nicolet Drive:** Sandy Boucher asked why the guardrail was taken down. Chairman Van Lanen read the letter from County Highway Commissioner. (See copy of letter). The Town cannot make the county reinstall the guardrail. It is a county road. Van Lanen told her to call the County Board.

13. Any other items as authorized by law. Wis. Stat.60.11

14. Administer Oath of Office to Newly Elected Officials. The verbal oath of office was administered by the Clerk/Treasurer to Leland Baenen as Town Constable and Harvey Anderson as Constable; Kenneth Jacobs as Town Board Supervisor and Cyril Van Laanen as Town Board Supervisor; Mike Van Lanen as Town Board Chairman,

15. Adjournment.

Motion to adjourn by CY VAN LAANEN, second by KEN JACOBS. Vote: voice vote unanimous. Adjourned at 9:30 P.M.

John J. Roth
Clerk/Treasurer