

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN  
MINUTES OF February 9, 2010 TOWN BOARD MEETING

**1. Call To Order:** The February 9, 2010 Monthly Town Board Meeting was called to order at 6:00 P.M. on Tuesday, February 9, 2010 in the Town Hall by Chairman Mike Van Lanen. Present were Chairman Mike Van Lanen, Supervisor Cyril Van Laanen, Supervisor Ken Jacobs, Supervisor Tom DePas, Supervisor Jeffrey Zlatohlavek, Clerk/Treasurer John Roth, Economic Development Coordinator Dave Cerny, Town Engineer Scott Brosteau, Town Constable Harvey Anderson. A Representative from Schenck, Virginia Hinz, who completed the Town's 2009 audit, was not able to be in attendance to present the 2009 audit due to the snow storm and road conditions. Mel Deprey and Kevin Tielens and two residents were present.

**2. Affidavit of Posting:** The Affidavit of Posting indicating that the public notice of the Town Board Meeting was posted on February 6, 2010 was presented by the Clerk.

**MOTION KEN JACOBS/CY VAN LAANEN** to accept/file the Affidavit of Posting. Vote: Aye-5. No-0. Carried.

**3. Approval of Minutes of Prior Meetings:**

**A. Town Board 01/12/2010; 01/25/2010; 01/26/2010:** The above meeting minutes were presented for approval by the Town Board.

**MOTION JEFF ZLATOHLAVEK/CY VAN LAAANEN** to approve the minutes from the Town Board meeting dated January 12, 2010 as presented. Vote: Aye-5, No-0. Carried.

**MOTION JEFF ZLATOHLAVEK/CY VAN LAAANEN** to approve the minutes from the joint meeting of the Town Board/Scott Water Utility Commission/Scott Sanitary District Commission/Town of Scott Storm Water Management Advisory Committee dated January 25, 2010 as presented. Vote: Aye-5, No-0. Carried.

**MOTION KEN JACOBS/MIKE VAN LANEN** to approve the minutes from the Town Board meeting dated January 26, 2010 as presented. Vote: Aye-5, No-0. Carried.

**B. Plan Commission: did not meet in January.**

**C. Storm Water Management Advisory Committee 01/13/2010:**

**MOTION JEFF ZLATOHLAVEK/MIKE VAN LANEN** to approve the minutes from the Storm Water Management Advisory Committee meeting dated January 13, 2010 as presented. Vote: Aye-5, No-0. Carried.

**4. Public Input:**

**MOTION MIKE VAN LANEN/CY VAN LAAANEN** to suspend the rules and open the meeting to public input. Vote: Aye-5, No-0. Carried.

**A. Kathy Edwards 3775 Algoma Road (she teaches 5<sup>th</sup> grade at Wequioc School):** shared concerns about installation of windmills in the Niagara Escarpment area. She provided her comments regarding windmills, stating that they are not efficient in this area. She was hoping that something like the Town's website could be used to provide public information so that the people could understand the drawbacks of the windmills currently being proposed in the County (see Town of Rockland website). There is a meeting in regard to this issue on Feb. 18 at 6:30 in the Town of Holland at Van Abels.

**MOTION KEN JACOBS/JEFF ZLATOHLAVEK** to return to the agenda. Vote: Aye-5, No-0. Carried.

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

**A. 2009 Town of Scott Audit:** Due to the weather, this item is tabled until March 2010.

**B. Representative from the New Franken Fire Department in regard to "knox-box" requirement:**

New Franken Fire Chief Kevin Tielens explained the purpose of a "knox-box" and how it worked. A draft resolution was provided to the Town Board prior to the meeting. Discussion regarding enforcement of this proposal. Does the Town want to create an ordinance? The box gets mounted in the outside wall or on the outside wall. The Fire Department could get into a building in an emergency (without damaging the building). The Fire Department would have only one key in one truck. Cost to a business would be around \$250 for the box. Chief Tielens also explained that the purchase can only go thru the Fire Department. Explaining the details and educating a business owner would be the responsibility of the Fire Department. A Resolution would not be enforceable, but an Ordinance would give the Town the authority to enforce new buildings to have one. The Fire Department would not "force" businesses to have a knox box. Some of the existing businesses already have a knox box. The City of Green Bay has an ordinance for this. DePas: we need to "sell" the concept as a benefit to the businesses.

**MOTION KEN JACOBS/MIKE VAN LANEN** to pass the Resolution 2010-02-01 in regard to “knox” boxes. Discussion: Chairman Van Lanen read the Resolution. Discussion regarding the wording in the Resolution which ties the knox-box requirement to occupancy permits. The Board was also informed that the Fire Department has begun sharing this information with existing businesses. Vote: Aye-4, No-1. Carried.

**C. Update report of the new fire truck purchase:** Chairman Van Lanen and Fire Chief Kevin Tielens updated the Town Board in regard to the new fire truck (tanker) purchase. At their last meeting, the Fire Commission estimates were presented for the truck/equipment. Chairman Van Lanen read the specifications. Zlatohlavek asked questions about the specifications and estimates. Tielens explained the specifications and estimates.

**D. Operator Licenses:** A list of applications was presented to the Town Board. Background checks were done on all six applicants. All have taken the Alcohol Awareness Class.

**MOTION CY VAN LAANEN/KEN JACOBS** to approve the Operator License applications for:

Stephanie Kickbusch	Road Trip Bayland Shell
Michael Lemens	Road Trip Bayland Shell
Kona Yang	Road Trip Bayland Shell
Ashley McCabe	Road Trip Bayland Shell
Susan Raab	Road Trip Bayland Shell
Susan Tappe	The Bluff

Vote: Aye-5, No-0. Carried.

**E. Holy Cross Temporary Class B Picnic License application:** This is a yearly activity for their Lenten fish dinners. The dates are Feb.12, Feb. 26, March 12, March 26.

**MOTION KEN JACOBS/CY VAN LAANEN** to approve the Temporary Class B Picnic License application for Holy Cross Church, 3002 Bay Settlement Road for the following dates: Feb.12, Feb. 26, March 12, March 26. Vote: Aye-5, No-0. Carried.

**F. Assessor appointment and contract for 2011 and 2012 assessing years:** At the January 26, 2010 meeting, the Board had agreed to offer Assessor Robert Taicher \$18,000 per year for the 2011 assessing year and the 2012 assessing year. Taicher was agreeable.

**MOTION MIKE VAN LANEN/CY VAN LAANEN** to appoint Robert Taicher as the Assessor for the Town of Scott for \$18,000 for the 2011 assessing year and \$18,000 for the 2012 assessing year. Vote: Aye-5, No-0. Carried.

**G. Disposition/Disposal of Mita Copier:** Discussion of giving it to the New Franken Fire Department or Scott Sanitary District to be used by Mel Deprey at his office home. Fire Chief Tielens stated that if someone else had interest in the copier, the Fire Department does have a working copier and would waive their interest in the copier. Chairman read a letter from Mel Deprey, President of the Scott One Sanitary District stating that they have a need for the copier. After a brief discussion, it was decided to donate the copier to Scott Sanitary District.

**MOTION TOM DEPAS/CY VAN LAANEN** to donate the old Mita copier to Scott Sanitary District to be used at Deprey’s home. Vote: Aye-5, No-0. Carried.

**H. Preliminary Resolution for special assessments in the Wequiock Creek Estates Development:**

The paving issue for the Wequiock Creek Estates Development was discussed in 2009. The second coat of paving has not been installed. Letters have been sent to the Developer requesting fulfillment of this requirement. At a meeting in November 2009, Johnny Bunker (Developer) attended and he said for the Town to do the paving and assess their properties. The Town Attorney has drafted a Preliminary Special Assessment Resolution to get the process started. The Town needs to approve and sign this Preliminary Special Assessment Resolution. The properties to be assessed are the ones that the Developer currently owns. A public hearing will be scheduled for March 9 at 5:30pm. Brosteau would do a “bid” package for Champeau Road, Jody Drive and the Wequiock Creek Estates Development roads.

**MOTION MIKE VAN LANEN/CY VAN LAANEN** to suspend the rules and open the meeting to public input. Vote: Aye-5, No-0. Carried.

- Kathy Edwards mentioned that the Developer’s sign has Wequiock misspelled. The Town cannot change their sign.
- Mel Deprey asked if there was an original agreement for the paving. It was explained that the assessment is for the vacant land.

**MOTION KEN JACOBS/CY VAN LAANEN** to return to the agenda. Vote: Aye-5, No-0. Carried.

Continued discussion: The Resolution has been revised to include only the parcels that are owned by the Developer. Chairman Mike Van Lanen read the Resolution.

**MOTION MIKE VAN LANEN/CY VAN LAANEN** to approve and sign Resolution 2010-02-02 PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS UNDER WISCONSIN STATUTE SECTION 66.0703 FOR FINAL COAT OF HOT MIX ASPHALT PAVING ON SHORECREST TRAIL, SCOTCHMAN DRIVE AND SHORECREST COURT ALL IN THE WEQUIOCK CREEK ESTATES SUBDIVISION. Vote: Aye-5, No-0. Carried.

**I. Discuss/Adopt draft special assessment policies for the Wequiock Creek Estates Development:**

Town Engineer Scott Brosteau stated that the Town Board needs to initially decide a few things for the special assessments (finance charges and how many years the Developer will have to pay). Brosteau provided the engineer's report and assessment policies for the project. Estimated costs would be \$3092.66 per lot, for a total of \$58,760.63. Brosteau asked what the payback plan would be. It is the Town Board's consensus to require the payments to be paid in full, or the entire amount be placed on the tax roll. There are 19 lots owned by the Developer.

**MOTION MIKE VAN LANEN/TOM DEPAS** to require the Developer to make full payment at the completion of the project or the entire cost will be placed on the tax roll. Vote: Aye-5, No-0. Carried.

**J. Road and Right-of-way issues:**

1. **Wequiock Creek Estates paving:** Discussed earlier in the meeting.
2. **Lloyd St ROW/ditches:** Brosteau stated there is nothing to update. So far there has not been any flooding.
3. **TRIP project:** Brosteau showed a plan and explained the project and how it will be bid. The project will be the portion of Champeau Road and Jody Drive. Detailed discussion on how Champeau Road will be paved and drainage will be improved to prevent erosion. Jody Drive will have improvements, driveways will have improved endwalls. Plan is to have bids by next Board Meeting (March 9) with a required completion of July 1. There will be a "bid" package for Champeau Road, Jody Drive and the Wequiock Creek Estates Development roads. We need a two week notice for bid letting. This will be on the agenda for the March 9, 2010 meeting.

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

**A. Clerk/Treasurer Roth:** In addition to the regular day-to-day activities:

- Working on Dog License and Kennel Licenses.
- Working on the preparation for the Feb.16, 2010 election.
- Began working on the quarry and blasting permits.
- Researched and copied the Town contracts for the Jan.26, 2010 meeting.
- Working on balancing the tax roll in regard to special assessments and special charges.
- Per Auditor, the 2010 budget report will not reflect the Storm Water Utility budget items (both the approximate 15 line items of expenses and the one line item on the revenue from the storm water special charges. The Storm Water Management Advisory Committee will be handling their own budget and will have their own checking account for this purpose. The Town will still have to do their payroll for salaries and FICA/Med, but the Storm Water Management will reimburse the Town for this.
- Working on my version of the 2009 financial statements for the 2009 Annual Meeting
- Did some work on the records retention/destruction project.
- One blast at the Gersek Quarry, one verbal complaint, Charlier talked to the people. The blast came in way under state maximum levels and Town ordinance standards.
- Recalculated the Town of Scott portion of the Fire Department Assessment.
- RE Tax Collections: we received .5% interest on collections at Nicolet Bank, and all funds were protected under a special program. LGIP was .2%. Baylake would have been a better interest rate, but not all of the funds would have been protected.
- Began working on the Feb Tax settlement.
- Dealt with some Census issues.
- Met with Duffy, Brosteau and Van Lanen: Wequiock Creek Paving, Storm Water
- Thank you letters sent to First Responders.
- Three parking complaints on Shore Crest Trail, called Sheriff, issue should be resolved

- Looked at 4659 Swan Rd, pavement sunk.
- Confirmed that our insurance does have “guaranteed replacement cost” for Town Hall and contents
- Reviewed Green Bay Press Gazette in regard to various municipal tax rates. The Town of Scott overall tax rate is still second to the lowest in Brown County. Even if the Town placed the special charges onto the levy instead of special charges, the Town’s overall mill rate would still be the seventh lowest in Brown County.
- Received proof from Brosteau (DNR 216 publication) that shows that the Town of Scott is required to do the Storm Water management.
- New copier coming on Feb. 18.

**B. Cerny (Economic Development Administrator):**

- Provided a handout regarding the calendar/scheduling for the completion of the Comp. Plan.

**C. Brosteau (Engineer):** Covered under previous Agenda Items.

**7. Reports from Town Officers/Committees/Commissions:**

- A. Chairman Mike Van Lanen: someone has been stating that Robert E. Lee has been stating that the Town was not required to do Storm Water management. Mike wants this stopped. The DNR has mandated storm water management for the Town. Roth copied the DNR mandate. Talked to the County about plowing in front of the Fire Station. The County will make sure that the Fire Station is plowed out. The Town of Humboldt does not contract with the County for snow plowing. There was some discussion of snow plowing.
- B. Supervisor Cy Van Lanen: Volks Landing parking issue.
- C. Supervisor Ken Jacobs: call about Volks landing and parking on Edgewater Beach. The Town has not plowed Volks Landing before. The parking was blocking one lane of Edgewater Beach Road.
- D. Supervisor Tom DePas:
- E. Supervisor Jeff Zlatohlavek: Back in December, he asked about the Hickory Nut easement. A small portion need to be vacated.

**8. Treasurer’s and Clerk’s Financial reports:** Ending balances are as follows:

Baylake Checking:	8,938.98
Baylake Money Market:	199,093.60
LGIP Investments:	0.00
LGIP Holding Tanks	7,800.00
LGIP Property Taxes:	0.00
LGIP Contingency Fund	50,162.03
LGIP Undesignated Fund	22,071.29
Nicolet Bank RE Tax	1,713,005.94 (tax collection money for all Municipalities, Feb. Settlement not done yet)
<b>Total:</b>	<b>2,001,071.84</b>

Vouchers #1536-1559 **totaled \$95,218.45** and receipts in the amount of **\$1888.36** (does not include property tax collections or interest). The final deposit report for the tax collections came in this afternoon. Roth still needs to calculate the Feb tax settlement checks.

Roth summarized the receipts and the expenses.

**MOTION TOM DEPAS/CY VAN LAANEN** to approve the Clerk’s and Treasurer’s reports and to pay the bills (vouchers #1536-1559) totaling \$95,218.45. Vote: Aye-5, No-0. Carried.

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

- **Feb.16 Election for Ward 5 only**
- **Feb.25 – 6:00pm Plan Commission**
- **Mar. 9 – 5:30pm Public Hearing**
- **Mar. 9 – 6:00pm Town Board Meeting: Audit, Bid/estimates for the three paving projects, Intermunicipal Road agreements**

**10. Meetings/Adjournment:**

**MOTION CY VAN LAANEN/MIKE VAN LANEN** to adjourn Vote: Aye-5, No-0. Carried. Meeting Adjourned at 7:35 P.M.

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John Roth, Clerk/Treasurer