

TOWN of FOX LAKE Monthly Board Meeting Minutes

Monday, June 13, 2016 — Town Hall at 7:00pm

Chairman Schley called the Town Board meeting to order at 7:00pm with 5 members of the Board and 36 other members of the public present.

The Cigarette & Liquor License Hearing is tonight at 8:00pm. The Fox Lake Fire Association Meeting is Tuesday, June 14, 2016 at 4:00pm. The Randolph Fire Association Meeting is Wednesday, July 13, 2016 at 7:00pm. The Next Town Board Meeting is Monday, July 11, 2016 at 7:00pm. The next Plan Commission Meeting will be Monday, June 27, 2016 at 7:30pm. The Town of Fox Lake Open Book will be Wednesday, August 10, 2016 from 3:00pm-6:00pm. The Town of Fox Lake Board of Review will be Wednesday, August 31, 2016 from 4:00pm-6:00pm.

A motion was made by Supervisor Kok, seconded by Supervisor Brieman, to accept the minutes of the regular Board meeting of May 9, 2016 and the special Board meeting of June 1, 2016. All in favor motion carried.

Clerk/Treasurer Zantow presented to the Board the May 2016 Treasurer's Report: The General Checking account had a balance at the beginning of the month in the amount of \$360,272.31 with receipts in the amount of \$13,178.41, disbursements in the amount of \$44,275.69 for an ending balance in the amount of \$329,175.03. The LGIPF account had interest receipts of \$69.85 for an end balance of \$196,334.61. The Tax Savings Account balance remained unchanged in the amount of \$252.39. The Municipal Court Savings Account remained unchanged with an ending balance of \$14,128.48. Finally, the newly-created Boat Launch Collections Savings Account balance remained unchanged throughout the month at \$20,694.18 for a total all accounts of \$560,584.69. A motion was made by Supervisor Brieman, seconded by Supervisor Eisenga to accept the Treasurer's Report as presented, all in favor motion carried.

Under Communications: Supervisor Flemming presented the following communications: a request was received to consider a driveway ordinance and Supervisor Flemming informed the individual that the Town could not do anything at this time due to the recent loss of village powers. A complaint was received regarding the mowing of Lake Emily Cemetery. A report was received regarding an audit of the Randolph Fire Department which received high ratings.

Under Public Input:

First, Ed Benter who presented to the Board a "Request for Special Town Meeting" invoking Wis. Stats. 60.12 regarding the requesting of special Town meetings per specific procedure of the electors, if 10% or greater of votes received at the last Governor's election. 127 signatures had been received from the electors for the purpose of requesting the call of a special electors meeting for the purpose of rescinding the Town Board authority to exercise certain zoning authority as defined in Wis. Stats. 60.10 (2) (b) and Wis. Stats. 60.62 (2). The document stated,

“this action is intended to be directive; this is not advisory in intent.” These materials were accepted by Chairman Schley and presented to the Clerk/Treasurer.

Next, Bill Kujawa presented concerns regarding a neighboring property which appears to be being used for purposes inconsistent with its current zoning. Per Chairman Schley the Zoning Administrator has been notified of the matter.

Arlene Runkel presented a request for buoy placement on the South side of Chief Kuno trail due to the fact that the aquatic weeds are quite thick this year. She stated that there used to be buoys placed in this location until last year when they were not placed.

Rodney Boelter presented a request for the Board to consider rescinding the Conditional Use Permit for the Michels Materials Pit on Alsum Road. He believes that the current use is inconsistent with the specific terms of the CUP as the north-facing berm has not been regraded.

Lois Babros presented concerns regarding the closed session meeting that was held on June 1, 2016 and stated that this was inconsiderate. She also stated that comments made during the open session meeting from Chairman Schley directed at Ed Benter were rude.

Tim Nehls requested contribution/donation from the Town for the July fireworks program. Since 2014 these requests have been denied. Per Chairman Schley this item will be added to the Agenda for the July meeting.

Jerry Cypert questioned the ability of the Town Board to deny the advisory motion of the Board from the 2015 Annual Meeting to contribute to Fox Lake fireworks.

Armond Alsteen presented concerns whether or not a letter was issued to prospective solicitors of donations within the Town.

Lastly, Joan Schmidt requested why the invoice sent to Chairman Schley had not been paid as of today's date. She also stated that the fees for zoning violation per Dodge County regarding the Schley property were \$1,200.00 and not \$9,000.00 as stated at a previous meeting.

Committee Reports:

Under Police & Lake Patrol Report: Chief Officer Terrence Gebhardt was present to report to the Board that over the month of May 2016 a total of 153.25 hours were worked over 1,902 patrol miles issuing 3 verbal warnings and 7 traffic citations and 0 parking citations, providing assistance for 2 accidents, assisting local agencies 5 times and local EMS 2 times.

Under Government Relations: Supervisor Flemming requested whether or not the Wisconsin Public Sector Employee Safety Report had been filed as of today's date. Supervisor Flemming also reported regarding the most recent FLILPARD meeting; the FLILPARD Annual Meeting will be August 6, 2016 starting at 12:30pm with the budget review. FLILPARD will perform

lettering on the truck in order to help the public in identification of the vehicle. She also presented photos of the 35 year-old FLILPARD system and repairs as they are being made.

Under Roads: Supervisor Kok reported that road work bids for 2016 have been accepted and that road work will begin shortly pending the schedule of the contractors.

Under Waste Disposal & Recycling Committee: Supervisor Brieman announced that the office of the Clerk/Treasurer had successfully submitted application for WI DNR Recycling Grant and \$5,774.97 had been received for 2016 Recycling Grants to Responsible Units. Clerk/Treasurer Zantow had provided further correspondence to the Board indicating that it was likely that the amount of grant monies available for 2017 should be in excess of monies received in 2016. This was not due to a flaw in the application process but due to fluctuations in the available monies at the State funding level. Supervisor Eisenga and Chairman Schley also explained that the reason for delay in the processing of scrap metal was due to an unforeseeable matter with the vendor.

Under Parks & Lakes Committee: Supervisor Flemming reported that a message has been received from the Beaver Dam Lake Improvement Association and the requested buoy placement and an additional request that the Town ordinances would need to be updated in order to affect this change. Supervisor Flemming informed this individual that due to the recent loss of village powers this would not be possible unless village powers are restored. The Town Park parking lot has been sealcoated and the No Overnight Parking signs have been received. A handout was provided to the Board regarding how the Fox Lake Dam was built. Clerk/Treasurer stated that per the minutes of the June 1, 2016 special meeting, and requested the Board to confirm that this information was indeed correct:

*The full effect therefore of the abovementioned motion [of the electors to rescind Village Powers] is that the Town may not, after April 23, 2016, enact or adopt any ordinances **which require the presence of Village Powers to enforce**, unless of course Village Powers are reinstated at some future date with a vote of the electors exceeding the number of electors voting to rescind Village Powers (i.e. more than 22 elector votes) [emphasis added].*

The Board members present believed that the Attorney must be consulted to determine which ordinances can in fact be enforced without the presence of Village Powers and which cannot.

Clarence Feucht reported that a significant bluegill kill had been observed on Lake Emily and WI DNR had been contacted. He also reported that the new screen for the Lake Emily Dam had been functioning well.

Nothing was reported per Public Safety & Service Committee.

Old Business:

Regarding “Revisit IoH Local Government Options”: Supervisor Flemming presented the results of a recent correspondence with WI DoT regarding Implements of Animal Husbandry (IoH) Local Government Options and that most municipalities had not selected Option F as the Town of Fox Lake had last year. More education would be helpful regarding finding the IoH option which best suits the unique needs of the Town. To this end a possible presentation from WI DoT to the Board may be available in the future, more details to come.

Regarding “Set Date When Town Employee Job Descriptions Due”: the Board members present discussed when the outstanding job descriptions would be completed. No further action was taken by the Board regarding this matter.

Regarding “Cameras at Town Hall”: Chief Deputy Gebhardt presented information to the Board per request on options for replacement of existing camera system with a new digital system. No further action was taken by the Board regarding this matter.

Regarding “Aerial Manure Spraying”: this item was not discussed and no action was taken by the Board regarding this matter.

Regarding “Selling of Old County Highway Shop Building – Get Survey Done”: a motion was made by Supervisor Kok, seconded by Supervisor Brieman to contract with surveyor Scott Hewitt to complete the required survey of the Old Dodge County Highway Shop and Salt Shed property so that further arrangements for land division and sale of property can be made. All in favor, motion carried.

Regarding “Incomplete Land Use Permit and Payment – Dale Paul”: the Board deliberated on this matter and it was determined that previous communications issued to the public regarding collection of Land Use Permit fees would need to be consulted before further action. Clerk/Treasurer Zantow will examine the records and provide the requested information to the Board as needed. No further action was taken by the Board regarding this matter.

The Public Hearing for Liquor, Cigarette, and Operators License Applications was called to order at 8:00PM. No comments or concerns were expressed regarding any of the applications. Supervisor Brieman made a motion seconded by Supervisor Eisenga to issue Beer & Liquor Licenses to the six businesses below:

Hayes, Robert R., Agent, d/b/a Hayes Haus of Fox Lake, Inc., W10551 Blackhawk Trail, Fox Lake, WI 53933

Haffele, Pene L., Agent, d/b/a Fox Lake Golf Club, N10500 Indian Point Road, Fox Lake, WI 53993

DNV LLC., Agent Vicki Matheys, d/b/a Boat House Pub & Eatery, N10575 Chief Kuno Trail, Fox Lake, WI 53933

Neuman, Charles M., Agent, d/b/a The Shores of Fox Lake, L.L. C., N10604 Chief Kuno Trail, Fox Lake, WI 53933

Palmiteer, David L., Agent, d/b/a Schaumburg Inc., N11935 County Road A, Randolph, WI 53956

Homan, Mary Jo Agent, d/b/a MJ's by the Lake, N10351 Howard Drive, Fox Lake, WI 53933

Supervisor Brieman made a motion, seconded by Supervisor Kok to issue Cigarette Licenses to the two businesses shown below. All in favor motion carried:

Haffele, Pene L., Agent, d/b/a Fox Lake Golf Club, N10500 Indian Point Road, Fox Lake, WI 53993
DNV LLC., Agent Vicki Matheys, d/b/a Boat House Pub & Eatery, N10575 Chief Kuno Trail, Fox Lake, WI 53933

Supervisor Brieman made a motion, seconded by Supervisor Flemming to issue Operators Licenses to the thirty-six individuals shown below, all in favor motion carried:

Monday June 13, 2016 At 8:00P.M.

OPERATORS LICENSES

Hayes Haus of Fox Lake Spencer Price 17-01 Henry M Price Jr. 17-02 Denise Wingers 17-03	The Shores of Fox Lake Melissa Klees 17-31 Martin J. Witkowski 17-32 Nicole Guell 17-33 Cristina Hall 17-34 Marcus Nummerdor 17-35 Samatha X. Teletzke
Fox Lake Golf, Inc. Andrew Schmidt 17-05 Michayla Swanson 17-04	Schaumburg Inc. Raymond HolInagel 17-23 Kimberly M Dreger 17-25 Judith Wolf 17-26 Candy Palmiter 17-24
Boat House Pub & Eatery Vicki Matheys 17-06 Steven Edwards 17-11 Alexas Callies 17-12 Angela Noltimier 17-19 Susan Scheder 17-07 Leanne J Fietz 17-18 Mary Vogl-Rauscher 17-14 Sarah Lyons 17-21 Kyle Schulz 17-13 Katie Beekman 17-09 Katrina Hanson 17-08 Kathryn Oldenburg 17-22 Melissa Schulz 17-15 Angela Floyd 17-16 Serina Ann Jogensen 17-17 Lee Ann Haase 17-20 Lisa Meyer 17-10	MJ's on the Lake Mary Jo Homan 17-27 Grace Badger 17-28 Emily Lockwood 17-29 Mylee Schrank 17-30

New Business:

Regarding “Adams Columbia Electrical Cooperative Blanket Permit”: A motion was made by Supervisor Kok, seconded by Supervisor Brieman to approve said Permit, all in favor motion carried.

Regarding “List All Permits on Website with Link to Proper Form”: Clerk/Treasurer Zantow provided screenshots of the current permits available for download on www.townoffoxlake.org, the official Town of Fox Lake website and explained some of the technical limitations due to the economy of the website. Board members were encouraged to provide constructive feedback regarding how the website could be enhanced or improved. No further action was taken by the Board regarding this matter.

Regarding “Fish Stocking Donation – How Much Each Lake?” Clerk/Treasurer Zantow provided a summary of boat launch fees collected per each of the three Town boat launches during fiscal year 2015.

A motion was made by Supervisor Kok, seconded by Supervisor Brieman to donate 10% of collected fees for each lake for fish stocking: \$1,343.00 for Fox Lake, \$681.00 for Lake Emily, \$45.00 for Beaver Dam Lake, all in favor motion carried.

Regarding “Date Set for Elector Meeting on Reinstating Village Powers”: A motion was made by Supervisor Flemming, seconded by Supervisor Brieman to set the date of the Special Elector Meeting for Tuesday, July 19 at 7:00pm. This meeting was called pursuant to Town of Fox Lake Code of Ordinances (Revised 2015) Chapter 2, Section 14, to be held at Town of Fox Lake Town Hall on W10543 County Road F (same location as the 2016 Annual Meeting) for the purpose of reinstating Village Powers under Sec. 60.22 (3) Wis. Stats. following rescension of same per Annual Meeting of April 23, 2016 by a vote of the electors 22 in favor, 6 opposed.

Regarding “Purchase of New Boat/Coast Guard Grant”: a motion was made by Supervisor Eisenga, seconded by Chairman Schley to allow Chief Deputy Gebhardt to proceed to the next steps required for purchase of a new boat per grant funding available. All in favor motion carried.

Regarding “Report on Zoning Fees that Should Have Been Collected 2013-2015” Clerk/Treasurer was requested for the record to document the following information presented via email correspondence with Zoning Administrator Robert Roth:

Good Afternoon:

The following numbers summarize what would have been zoning fees collected by the Town for calendar years 2013, 2014 & 2015. Keep in mind this does not include any agricultural permits, as the Town/GEC does not require building permits for most ag structures. Also note that in a few instances zoning fees were estimated as there was no building cost estimate/value provided to base the permit fee on.

2013	\$4,831.34
2014	\$9,877.44
2015	\$3,594.67
Total	\$18,303.45

Robert J. Roth, PE

Roth Professional Solutions

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Regarding “Kujawa Property – Letter Received by All Supervisors”: A motion was made by Supervisor Flemming, seconded by Supervisor Brieman to contact the Town Attorney regarding letter to be sent to a neighboring property to the Kujawa property which is suspected of use inconsistent with current zoning. All in favor, motion carried.

Regarding “FLILPARD Letter Regarding Camper Parked Illegally”: Chairman Schley reported to the Board that a camper has been identified in the Town which has potentially been using the sewer illegally as notified per FLILPARD. This matter has been referred to the Police Department for further follow-up.

Regarding “Asplundh Parking at Old Dodge County Highway Shop”: the Town Board agreed that permission should be granted to Asplundh to park in the parking lot of the Old Dodge County Highway Shop; No motion was made regarding this item.

Regarding “Lake Emily Cemetery”: A motion was made by Supervisor Brieman, seconded by Supervisor Flemming to donate \$50.00 for placement of flowers at Lake Emily Cemetery per Joan Siewert granted that the placement location is approved per two Board members, all in favor motion carried.

Regarding “Trailer Island”: this item was not discussed and no action was taken by the Board regarding this matter.

Regarding “Fire at Trailer Island”: Chairman Schley reported that a fire had occurred recently at Trailer Island which had been associated with misuse of fireworks. Per Charles Gallenberg the damages were scarcely noticeable.

A motion was made by Supervisor Kok, seconded by Supervisor Brieman to pay bills, all in favor, motion carried.

A motion was made by Supervisor Kok to adjourn.

Meeting adjourned at 9:30pm.

Respectfully submitted,

Mason Zantow, Town of Fox Lake Clerk/Treasurer