

TOWN of FOX LAKE Monthly Board Meeting Minutes
Monday, October 10, 2016 — Town Hall at 7:00PM

Meeting began following the special meeting of the electors which went later than anticipated, beginning at approximately 8:00PM.

Chairman Schley called the regular Town Board meeting to order with 5 members of the Board and 30 other citizens present.

Chairman Schley at the outset of the meeting decided to begin with New Business agenda item, "Consider and Vote on the Outcome of the Special Electors Meeting of October 10, 2016 at 5:30p.m." Supervisor Flemming made the following statement and requested that it was recorded in the minutes (also copies were distributed to the Board):

As an elected Town Board member we are public servants. The definition of a "public servant" is a person holding a government office or job by election or appointment; a person in public service.

All of us sitting here at this table were elected by the electors of the Town of Fox Lake. We are responsible for being responsive to them and when they come together and vote like they have this evening we must listen.

As an elected official of this community we need to be aware that we cannot always vote as we would personally like. It is our job to listen to the voters and even if we don't agree [with] them, we must act for the majority. Tonight we have seen a meeting where many of the Town of Fox Lake residents came out to vote. They have told us how they want us to vote. If we decide, for our own personal reasons, not to vote for what the voters want we have shattered their trust in us.

The Board members present made comments regarding the outcome of the special electors meeting. A motion was made by Supervisor Flemming, seconded by Chairman Schley that the Town Board send a resolution to Dodge County rescinding the previous resolution (editor's note: Resolution 2016.2) rescinding Town zoning authority. The motion was restated clarifying that a "yes" vote was in favor of retaining Town zoning authority, whereas a "no" vote was in favor of continuing to allow the County to have zoning authority for the Town of Fox Lake. A roll call vote was requested per the Chairman with the following votes: Chairman Schley yes, Supervisor Flemming yes, Supervisor Kok no, Supervisor Eisenga no, Supervisor Brieman no; motion failed.

The next item selected for the meeting chronology by the Chairman was Old Business item "Oaks Road Deed Change"; there are some concerns regarding the Quick Claim Deed which was issued per the Town Board earlier in the year per Dodge County Land Resources Department office in terms of the legal description of the property and one of the neighboring properties. Supervisor Kok requested if Chuck Gallenberg would be able to accompany him to discuss this matter in-person with Dave Addison of the Department in order to assist with resolution of the outstanding questions.

The next item selected for the meeting chronology by the Chairman was Old Business item "Incomplete Land Use Permit and Payment and Building Permit - Dale Paul". Chairman Schley reported to the Board that he had received an invoice from the builder which indicates that the start date May 11, 2015 (invoice date) and that it was paid on September 28, 2015; the costs were not disclosed. Chairman Schley explained that the enforcement date for the Town to be collecting actual payments (following the

initial cost-free “grace period” October 15, 2013 and April 17, 2015 during which payments for projects begun and completed were not required but filing of a Land Use Permit was required) was for projects begun April 17, 2015 or later. Several communications were made per Zoning Administrator to communicate this with Mr. Paul and no payment has been received. The charge if unpaid should be issued as a special assessment charge on the property tax bill. Chairman Schley made a motion that Mr. Paul should be sent a bill stating the costs that were incurred for Land Use and Building Permit and to retrieve those unpaid costs with Land Use Permit fees doubled per existing zoning at the time and for the unpaid charges to be added to his property tax bill if not paid, seconded by Supervisor Flemming. Chairman requested a roll call vote on the matter with Chairman Schley voting yes, Supervisor Flemming yes, Supervisor Kok yes, Supervisor Brieman yes, Supervisor Eisenga yes, unanimous in favor. all in favor motion carried.

The next Fox Lake Fire Association (budget meeting) is Tuesday, October 11, 2016 at 8:00PM. The next Plan Commission meeting TBA. The next Randolph Fire Association meeting is Wednesday, October 12, 2016 at 7:00PM. The Special Budget Prep Meeting is Wednesday, October 19, 2016 at 7:30PM. The Budget Hearing is Monday November 14, 2016 at 6:30PM. The Special Electors Meeting will immediately follow the Budget Hearing. The next Regular Board Meeting is Monday, November 14, 2016 at 7:00PM. The November Election is Tuesday, November 8, 2016 from 7:00AM-8:00PM. The Special Informational Meeting on Implements of Animal Husbandry (IoH) will be Wednesday, November 2, 2016 at 10:00AM at Town Hall.

A motion was made by Supervisor Brieman, seconded by Supervisor Kok to accept the minutes of the September 12 Regular Board Meeting with corrections, all in favor motion carried. A motion was made by Supervisor Kok, seconded by Supervisor Brieman to approve the minutes of the Special Board Meeting of September 7, 2016, all in favor motion carried. A motion was made by Supervisor Brieman, seconded by Supervisor Kok to approve the minutes of the Special Board Meeting of September 20, 2016 all in favor motion carried.

A motion was made by Supervisor Brieman, seconded by Chairman Schley to approve the Treasurer's Report as presented and printed, all in favor motion carried. The Treasurer's Report for the General Checking Account showed receipts of \$7,286.16, disbursements of \$100,794.94, with a transfer from Municipal Court Savings in the amount of \$579.40 and a transfer from Boat Launch Collections in the amount of \$9,900.00 with an ending balance of \$329,305.38. The LGIPF account had interest receipts of \$68.65 with an ending balance of \$196,612.19. The Tax Savings Account balance had interest receipts in the amount of \$0.05 for an end balance of \$252.49. The Municipal Court Savings account had a transfer to General Checking in the amount of \$579.40 with receipts in the amount of \$1,649.80 for an end balance of \$18,357.09. The Boat Launch Savings account had a transfer to General Checking in the amount of \$9,900.00 and interest receipts in the amount of \$3.91 for an end balance of \$10,802.22 for a total all accounts of \$555,329.37.

The next item selected for the meeting chronology by the Chairman was Old Business item "Salt Shed Roof - Mike Kamp to Speak". The timeline of the various discussions at the Board level regarding whether or not the Salt Shed should have a metal roof were discussed with various pro/con for and against this proposal. No motion was made by the Board regarding this item.

Communications: Supervisor Flemming reported that a citizen had contacted her regarding absentee ballot voting with some questions regarding the process and Deputy Clerk/Treasurer Joy Pufahl

indicated that she had made a visit to the home of this individual to personally answer her questions (she was thanked by Supervisor Flemming and Clerk/Treasurer Zantow for doing this). A dumpster was not picked up by the vendor but the garbage was picked up instead by Supervisor Breiman and brought to the dumpster at Town Hall in order to expedite the removal. Louis Leizenger had reported that 2,000 walleye were stocked recently at Town Park, 200 muskie at the Boat House, and 2,000 walleye at The Shore landing (per donation of the Town for fish stocking); per report of Chairman Schley students at the SAGES school were also involved with this activity. Chairman Schley read a letter thanking the Town Board for fish stocking donations to the Fox Lake Preservation Organization. Chairman Schley read a letter from the Fox Lake Community Fire Department thanking for recent donation for the annual car show. Chairman Schley reported a letter addressed to the Town of Fox Lake Board members from the Dodge County Board of Adjustment that a public hearing will be held by the Dodge County Board of Adjustment on Thursday, October 20, 2016 at 7:30P.M. or shortly thereafter on the first floor of the Dodge County Administration Building in Juneau, WI on the appeal of Dennis Mayo for a variance to the terms of the subdivision provisions of the Dodge County Land Use Code on said property. Chairman Schley also announced a notice of a public hearing will be held by the Dodge County Planning, Development and Parks Committee on Monday, November 7, 2016 at 7:00P at the abovementioned location in Juneau to amend the Shoreland Protection Ordinance of Dodge County in order to bring said Ordinance into compliance with the applicable Wis. Stats.

Committee Reports: Chief Officer Gebhardt was not able to be present so there was no police report. Nothing was reported for Government Relations. Regarding Roads part of Howard Drive has been completed. Supervisor Kok indicated that CenturyTel had contacted the Board regarding proposed work in the Town right-of-way and above ground (aerial work on existing poles) and that this individual will be at the next Town Board meeting. The Roads Committee had met with Kopplin & Kinas regarding upcoming plowing process and the Roads Committee will handle calls out for plowing this year. Chairman Schley reported that a dead tree branch had been removed with some brush by himself. Regarding Waste Disposal & Recycling Chairman Schley reported that a possible individual for Waste Monitor may have been identified. Parks & Lakes: Tim Nehls reported that the Fox Lake aerators had been tested again and that preparations were being made to unclog one line which is still not working properly. Clarence Feucht reported that the Lake Emily aerators had been tested and seem to be working fine, and that 1,000 jumbo perch had been stocked per the Lake Emily Fishing Organization.

Old Business:

"Town Municipal Judge Replacement": A motion was made by Supervisor Flemming, seconded by Supervisor Brieman to appoint Jerry Cypert as the new Municipal Court Judge, all in favor motion carried.

"Appoint Plan Commission Board of Appeals": No action or motion was made by the Board regarding this matter.

"Listing of Old Dodge County Highway Shop": A motion was made by Supervisor Kok seconded by Chairman Schley to retain Tim Nehls of Nehls Realty for listing of the Old Dodge County Highway Shop, all in favor motion carried.

"Review Ordinance About 'No Parking' on Certain Roads": Further investigation must be made regarding this matter; No motion was made by the Board regarding this matter.

New Business:

"Town Property Destroyed by Linda Truelove and Compensation Sought": Supervisor Brieman reported that Linda Truelove had presented the flash drive with the recording of the July 23, 2016 special "work session" and that it was indeed not destroyed. It was handed to the Town Clerk. No further action was taken by the Board regarding this matter.

"Town Insurance": Clerk/Treasurer Zantow presented information regarding quotes received for replacement Town insurance. A motion was made by Supervisor Kok seconded by Supervisor Eisenga to accept quote presented by Horton Group for Town insurance replacing Rural Mutual's soon to expire policies, all in favor motion carried.

"Budget Prep Meeting - October 19, 2016 at 7:30PM"; No action was taken by the Board regarding this matter.

"Aerator Repairs": No motion was made by the Board regarding this matter.

"Patches Around Manhole Covers on Chief Kuno Trail": A motion was made by Supervisor Kok, seconded by Supervisor Breiman to accept quote presented by Northeast Asphalt for patching around manhole covers on Chief Kuno Trail, all in favor motion carried.

"Lake Emily Dam": A motion was made by Supervisor Flemming seconded by Supervisor Kok to replace Lake Emily Dam grill, all in favor motion carried.

"Process to Find New Town Auditor": No action was taken by the Board regarding this matter.

"Lake Road Sign Ordinance": No action was taken by the Board regarding this matter.

"Appoint Committee of 3 to Approve or Disapprove Private Garbage Contract": No motion was made by the Board regarding this matter. Clerk/Treasurer Zantow reminded the Board that there are deadlines coming up in the coming weeks for special assessment charges per Dodge County and that decisions will need to be made swiftly.

"Land Division Request - Dennis Mayo Property": This item was tabled as further investigation is required regarding this matter. No motion was made by the Board.

Public Input was retained for the very end of the meeting per the Chairman; Arlene Runkel of Chief Kuno Trail thanked the Board for placement of the two additional buoys this year and requested that three additional buoys are placed further West to help mark the path for the aquatic weed harvester in order to create an appropriate "trail". Supervisor Breiman commented that this will be taken into consideration during budget proceedings. Next was Joan Schmidt of State Road Hwy 33 who requested that the returned recording of the July 23, 2016 meeting with Linda Truelove is listened to in its entirety to ensure that nothing was deleted. This matter is still under review. She also requested if Chairman Schley had paid for his invoice for the culvert (per previous motion of the Board) and the Chairman stated that he had not and that he felt that the public did not need to be informed of this and that he had not received the check or payment from the Clerk/Treasurer yet; Clerk/Treasurer Zantow stated that the

check was mailed with the new invoice as per Board motion immediately following the meeting; evidently a new invoice will need to be mailed.

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

A motion was made to adjourn. Meeting was adjourned at approximately 11:15PM.

Respectfully submitted,

Mason Zantow, Town of Fox Lake Clerk/Treasurer