

TOWN OF ST. GERMAIN
OFFICE OF THE CLERK
P.O. BOX 7
ST. GERMAIN, WISCONSIN 54558
www.townofstgermain.org

MINUTES TOWN BOARD MEETING: October 12, 2020

1. **Call to Order:** Chairman Tom Christensen called the meeting to order at 6:37 pm
2. **Pledge of Allegiance**
3. **Roll Call, Establish a Quorum:** Tim Clark, Jim Swenson, Brian Cooper, Tom Christensen and June Vogel town clerk are in Community Center room 4 with 2 community members. Ted Ritter and Marion Janssen town treasurer in attendance via Zoom.us with 10 community members attending via Zoom.us.
4. **Open Meeting Verification:** Mr Christensen noted that he had posted the meeting agenda at three locations in town on Saturday, October 10, 2020 before 6:30 pm.
5. **Citizen's Comments – Citizens are encouraged to share their concerns and ideas with the Board. Please limit your comments to five minutes or less.** Dierdre Strass thanked board for what they have done in addressing rental property. She indicated Mike and Denise have put property up for sale due to noise issue.
6. **Discussion /Action Items:**
 - a. **Fire Chief's Report.** August: 30 runs, 7 fire calls. Payments received \$6,472.65, manpower expense \$5,843.00 September: 16 ambulance calls, 2 fire calls. Payments received \$8,354.52, manpower expense \$4,550.00. Four people currently in EMR class.
 - b. **Recap of the reconstruction of greens 1, 5 & 6 at the Golf Course.** Aaron discussed the work that has been done for green 1. With the rains, able to see the surface change in action and it is satisfying. Good rooting going on. Green 1 ahead of schedule. Top dressing program will be put in place in spring to hopefully allow play in May. Green 5 has had the most amount of ice damage. After green shaved down, had a heavy rain. Crew was able to get tarps on it to protect and could actually see the rain sheeting off in the manner it was meant to. This represents how it will act in the winter. Green 6 is the biggest green on the property. Green is now 75% pinnable vs 30% last year. Delayed in rooting due to weather and shade. Very pleased with Golf Preservations. They were here for 12 days; within 14 day window. Have come in within budget, no unforeseen issues.
 - c. **Chamber Accommodations Tax Quarterly Report.** Report sent out to the board.
 - d. **Review correspondence from Attorney Garbowicz concerning non-compliance of John Williams with Chapter 12 – Accommodations Tax Ordinance.** Summarize what has happened in 2019/2020. Dispute began when we claimed John Williams owed the town room taxes for rental activity in 2019. He is contending that in 2019 he rented it to his son, stays exceeding 29 nights. Room tax applies to short term stays. There is evidence on Facebook that there were short term rentals occurring during this time. There may have been some Airbnb bookings also in 2019. In 2020 it appears that this property is being rented through Airbnb with the possibility he was taking bookings on his own to fill in the gaps in 2020. Attorney Garbowicz has confirmed this property is due tax to the town. Ordinance gives town treasurer ability to write letter to property owner and audit rental records of any property to see if proper taxes have been paid. Mr Ritter recommends pursuing audit per ordinance of John Williams' rental records to determine what taxes have been paid and what taxes are due. Next step would be to follow through with legal action if Williams does not comply. Discussion on do we set precedence to move forward and take action. Motion by Ritter to allow town treasurer to work under the guidance of Atty Garbowicz to proceed with attempting to audit Mr Williams' lodging records to determine if there are any room tax due to the town and whatever the response, continue what actions are necessary including legal actions to collect room tax; second Swenson. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper – no; Christensen – yes; Ritter – yes.
 - e. **Accommodations Tax payment problems with lodging marketplaces.** January 1, 2020 enacted new rules that were put into place, part of action included a new term, remote 3rd party property managers who are called Lodging Marketplaces. A Lodging Marketplace is any entity that provides a platform in which a 3rd party can offer a short-term rental. Entities must collect and pay room tax in accordance to each town room tax ordinance. Current ordinance was written to intentionally give us the ability to put responsibility on property owner. Potentially work with Vilas and Oneida counties and with Wisconsin Towns Association to discuss how to fix this issue.

- f. **Draft amendments to Chapter 12 – Accommodations Tax Ordinance.** Marion and Mr Ritter went through ordinance that is in place and made changes. One suggestion is changing name from Accommodations Tax Ordinance to Room Tax Ordinance. Mostly language corrections to reflect changes from over the years. Changes to ordinance and how to enforce explained by Mr Ritter. Most people who have rentals want to run their business correctly. Discussion to property owner letting them know Lodging Marketplace is causing the town problems. Motion by Ritter that the amended chapter 12 Room Tax ordinance be approved for adoption following public posting and public comment opportunity; second Clark. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper –yes; Christensen – yes; Ritter – yes.
- g. **Review correspondence from both WTA and Attorney Garbowicz concerning an elected constable versus a hired law enforcement officer to enforce specified Town ordinances.** Should this question be a referendum in the spring? Mr Ritter has done research. He has now learned that we need to adopt a citation ordinance. A constable is an elected position. If we seek authorization from electors to create this position, the person filling this position will be elected for 2 year time and wages determined by electors. Town could hire an individual to be a citation enforcement officer and town board would outline what they do. Whether the town proceeds with - either elected constable or hired citation enforcement officer – the town is restricted to town ordinances only. This person cannot enforce state or county law which includes ATV, UTV, snowmobile, boating laws. Towns Association recommends citation officer, Atty Garbowicz recommends constable.

Break 8:13pm – 8:15pm

- h. **Continuing discussion concerning a Town Forest Management Plan.** Jill Nemec revised the plan for some concerns that were brought up at the meeting in the spring. Discussion on whether to move forward with plan or let forests stay as they are. Nonmotorized Recreational Committee recommends not to go forward with the original and revised plans as stated. Awassa could be used for DNR to see what happens with pockets of Red Pines; drastic change to forest or regenerate. Motion by Copper that 6h has nothing happen with it in accordance from it with recommendation from the committee; no second. Motion failed. Motion by Ritter to adopt Jill Nemec’s plan as it pertains to the town forests other than Awassa and Fern Ridge be adopted and that the Nonmotorized Recreational Committee put together their own management recommendation plan for Awassa and Fern Ridge for the town board’s consideration; second Swenson. Discussion: Review Ann’s recommendation and how it will pertain to recommendations for Awassa and Fern Ridge. By roll call vote. Clark – yes; Swenson – yes; Cooper – yes; Christensen – yes; Ritter – yes.
- i. **Appoint a Community Wildfire Protection Committee.** Motion by Christensen to appoint Brian Cooper as chairman to the Community Wildfire Protection Committee; second Swenson. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper – yes; Christensen – yes; Ritter – yes. No names from the chairman to be appointed to the committee.
- j. **Approve amount for Fall Borrowing.** Grant monies to cover Zoom room, most of Community Center cleaning and fire department doors on east side of building; grant total of \$33,621.00. MSA Found Lake Phase 2 \$29,600.00; MSA Peterson Road Phase 1 & 2 \$33,000.00; Pitlik Maplewood \$75,507.00; Pitlik Burnt Bridge \$138,640.00; Community Center cleaning \$1,839.55; Fire Department Roof \$126,930.00; Salt Shed Repairs \$77,600.00; New Patrol Truck Monroe Portion \$126,564.00; SOB Attorney \$8,500.00; Yard Waste Chipping \$15,000.00; Town Shop Updating \$12,000.00. Total \$645,180.55 to borrow for Fall 2020; \$1,529,576.00 of which we levy \$534,000, at about a 3 year out. Marion and Christensen will do more research on saving more and to lower budget. Motion by Christensen that our fall borrowing be in the amount up to \$645,180.55; second Cooper. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper – yes; Christensen – yes; Ritter – yes.
- k. **Determine what date and time for Trick or Treating will be this month.** Pass on to Chamber of Commerce of normal Trick or Treating times from 4:00 pm-6:00 pm.
- l. **Yard Waste facility update.** Quite a few people coming in. Public Works crew has been pushing pile aside. Looking for chipping to be done first week in November. Limit is 6” in diameter. Yard Waste facility will be open on weekends until the end of the month.
- m. **Approval of past meeting minutes.** Motion by Cooper to approve meeting minutes of October 5, 2020 as presented; second Swenson. Discussion none. By roll call vote: Clark – yes, Swenson – yes, Cooper – yes, Christensen – yes, Ritter – yes.
- n. **Cemetery Sexton’s Report.** Public works has been doing a good job with the ground work. August 3 burials, September 2 burials (3 people). Sold 5 full plots and 1 cremation plot in August/September. Fall clean-up of flags/decorations has been completed.
- o. **Treasurer’s Report. Balance General Account as of 09/30/2020:** \$122,088.42; Room Tax Account \$86,236.37; Lakes Committee Account \$2,373.28; Skateboard Park Fund \$2,849.86; Bike & Hike Trail \$42,842.32; mBank Money Market \$77,583.22; Playground Equipment Fund \$1,502.65; Public Works

Equipment Fund \$17.25; Fire Department Restricted Account \$37,130.30; Fireworks Donation Account \$1,787.93; Hometown Bank Ambulance Acct \$10,828.85; Fern Ridge Trail Savings \$5,730.57; Road Work Savings \$482,792.15; Cemetery Savings Account \$79,517.25; Community Development Account \$45,662.13; Golf Course General Account \$467,553.03; St. Germain Ambulance Fund \$100.05; Awassa Trail Fund Savings \$8,210.39; Fire Dept Donation Account \$788.22.

- p. Payment of bills.** Motion by Clark to pay the bills as presented less the bill for Coopers Dam Lake Auto and Cycle; second Cooper. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper – yes; Christensen – yes; Ritter – yes. Motion by Swenson to pay the Cooper Dam Lake Auto and Cycle; second Clark. Discussion none. By roll call vote. Clark – yes; Swenson – yes; Cooper – abstain; Christensen – yes; Ritter – yes.

7. Report of the Standing Committees

- a. Independence Day Celebration Committee** Next meeting November 10, 2020.
- b. Lakes Committee** Meeting postponed and rescheduled later in the year, want to meet in person via Zoom.
- c. Non-Motorized Recreational Trails Committee** Trails are cleared. Reroute at Fern Ridge is still pending, hopefully to be completed by end of month. Awassa new trail should be completed by end of month as well.
- d. Parks and Recreation Committee** Appreciate town crew painting the announcers booth. Soffit of the announcers booth needs to be painted. Irrigation has been turned off of sprinkler system. Light poles at town ball park need to be replaced. Community members asking for basketball hoops/court. Comments on thinning out brush between ball park and playground park; so they can see kids at park. A volunteer went through skateboard park and tightened up what was all loose. General maintenance on tennis court and playground fences. Request for agenda and meeting minutes be put on website. Karen Anderson is going to be doing minutes.
- e. Zoning Committee** Fees for zoning permits, driveway permits, driveway numbers has increased by 30% this year.
- f. Sexually Oriented Business Committee** Research being done on signs. Meeting being rescheduled due to internet problems with last month.
- g. Community Wildlife Protection Committee** Laura Hayes from DNR has been helping out in the first step of getting approval for Yard Waste grant. Projects to be looked at.

8. Reports from Lake Districts and Other Organizations. Lost Lake Board of Commissioners will be meeting on Thursday, October 15, 2020.

9. Next Regular Town Board Meeting Date – Monday, November 9, 2020, 6:30 PM, Community Center Room #4

10. Adjourn: Mr Christensen adjourned the meeting at 9:18 pm

<div>Town Clerk</div>		
<div>Chairman</div>	<div>Supervisor</div>	<div>Supervisor</div>
<div>Supervisor</div>	<div>Supervisor</div>	