

TOWN OF ST. GERMAIN

OFFICE OF THE CLERK

P.O. BOX 7

ST. GERMAIN, WISCONSIN 54558

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MINUTES TOWN BOARD MEETING: DECEMBER 13, 2004

The chairman noted that this was a duly called meeting in accordance with the Wisconsin Open Meeting Law.

The chairman asked all present to rise to Pledge Allegiance to the Flag.

1. **Roll Call:** Jim Wendt, Linda McConnell, Ted Ritter, Peggy Nimz, Ed Odette, Tom Martens, Val Schuettner, Ms.. McConnell was absent.
2. **Approval of Agenda:** Motion Ritter seconded Nimz that the agenda be approved as posted. Approved.
3. **Approval of Minutes:** Motion Ritter seconded Nimz that the minutes of the November 8, 2004, November 23, 2004 and November 30, 2004 meetings be approved as written. Approved.
4. **Treasurer's Report:** Balance General Account as of 11-30-04: (-\$43,954.22); Money Market Account \$7,777.73; Lakes Account \$31,532.89; Park Fund \$6,004.02; Rental Account \$3,897.53; Bag Account \$8,600.12; Room Tax Account \$29,507.88; Debt Reserve \$274,039.98; Golf Course Regular Account \$63,292.25; Money Market \$25,097.37; Rainy Day \$106,150.00; Capital Improvement \$66,000.00; Debt Reserve \$236,329.00. Motion Odette seconded Nimz that the treasurer's report be approved as read. Approved
5. **Approval of Bills:** Motion Ritter seconded Nimz that vouchers 13932-13986 be approved along with the following extra bills; Jim Wendt \$8.31 – certified mail; Ed Odette \$4.42 – certified mail; Richard Mai \$382.24 – tax refund; Vogel Enterprises \$3,155.00 – Lost Lake Dam Project; and a bill for \$1,000 for plants at the Lost Lake Dam Project which will be coming soon. Approved. Attorney Steve Lucareli had sent a better breakdown of his bill. The check is to be sent.
6. **Communications:** Mr. Wendt noted that he had received a notice from Nicolet College of a community meeting which they will be conducting on December 16, 2004 from 4:30 P.M. until 6:00 P.M. at the Community Center to explain some of their programs.
7. **Reports:**
 - 7A. **Fire Department:** Tim Ebert reported that there had been 129 calls during the past six months. There have been 249 calls for 2004, so far.
 - 7B. **Finance Committee Report:** There was no report.
 - 7C. **Parks & Recreation Committee Report:** Ms. Nimz stated that the ice rink was being prepared. It should be cold enough to flood it this week. Tim Clark is to install the lights as soon as possible.

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7D. Lakes Committee Report: There was no report other than that Mr. Ritter stated that the lakes were getting harder.

7E. Golf Course Committee Report: There was no report other than Mr. Wendt stating that the greens were getting whiter and that the usual maintenance work was being done.

7F. Zoning Committee Report: Mr. Odette reported that Don Buchholtz had resigned. Todd Wiese had been appointed in his place. The next meeting will be on Monday, January 3, 2005 at 5:00 P.M. in the boardroom of the Red Brick Schoolhouse.

7G. Personnel Committee Report: Mr. Ritter noted that the contracts would be signed later during this meeting. Steve Spears is looking into health insurance alternatives.

7H. Public Works Committee Report: Ms. Nimz noted that we had run out of diesel fuel. The crew had to fill the trucks at one of the local stations. Ms. Nimz is check other companies for comparative quotes. Tim Ebert stated that the crew couldn't plow and sand at the same time. They go back the next day to do the sanding. Mr. Ritter reported that he had requests from some people in Forest Hills asking the hills be sanded. There was also a problem with the hill at the end of South Bay Road and one on Whitehorse Lane.

7I. Grants Committee Report: Ms. Nimz stated that she has no heard whether or not the TRIP grants had been approved. Tim Ebert had updated the list of town roads. There had been quite a few mistakes on the report. It should mean more highway aid for the town.

7J. Facilities Committee Report: Mr. Wendt stated that the committee had not yet met.

7K. Citizens Groups & County Rep.: Fred Radtke reported that he had been assured that the County Forestry Committee would approve St. Germain's bike trail. The county had tabled the rezoning on Winkle Road because of a lack of response from the St. Germain town board. The Vilas County Zoning Committee has approved St. Germain's zoning change concerning the Board of Adjustment. Now it has to be approved by the full County Board. Mr. Radtke also noted that he thought that there was a salt shed available in Boulder Junction, and possibly in Arbor Vitae, if the town was interested. Mr. Radtke also reported that the Prime-Timers had a stem cell speaker. They also donated \$500 to the St. Germain Elementary School.

8. Informational Items for Consideration:

8A. Treasurer's Tax Bond: Ms. Schuettner had suggested that the town pass a resolution whereby it would not have to purchase a tax bond each year. Mr. Wendt stated that the bond was like an insurance policy. Without it, the taxpayers could become liable. Mr. Wendt is going to check with the WTA for an opinion.

8B. Sunset Bay Road Abandonment: The clerk is to send the paperwork to Attorney Steve Lucareli. Steve Favorite has completed the survey.

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8C. Subdivision No-Hunting Signs: Ms. Nimz had checked the WTA website as well as the League of Municipalities concerning hunting in subdivisions. The hunting laws allow a property owner to hunt on his own property as long as the projectile does not cross over the property line. St. Germain has an ordinance ST – 1 concerning the discharge of firearms. However, the town has no way to enforce the ordinance. There was a discussion concerning either a municipal justice, or taking advantage of the Vilas County Circuit Court’s municipal day each month. Mr. Ritter noted that with or without the signs, nothing has changed.

8D. Chamber of Commerce Sign: Bill Neider, from the Chamber of Commerce, noted that the present sign presents a safety hazard for the Chamber employees. There are also letters missing. It is now the Chamber policy that if an organization wants something placed on the sign; they will have to do it themselves. Mr. Neider an electronic sign with three lines of print. He already has approval from the D.O.T. He has asked for funding from the other organizations in town, but has not had any response. The sign would cost from \$22,000 to \$30,000. Mr. Ritter was concerned about the town’s reaction to an electronic sign. Mr. Neider also stated that the Chamber would contribute \$2,000 towards the replacement of the tables in the community center. The Lions Club will also give \$2,000. If the town would also give \$2,000, they could purchase approximately 84 tables. The parks and recreation committee will consider whether or not the town can contribute towards the tables.

8E. Recreational Trail Update: Brian Sherren passed out copies of a county land use permit for the trail, which is to be approved, by the county in February. Mr. Ritter asked what happens after the county approves the permit. Mr. Ritter wanted to know if the town had to approve the permit. Mr. Ritter was concerned about some of the statements in the permit. Mr. Sherren stated that he did not have the answers. The county forestry committee meets at 9:00 A.M. on the first Wednesday of the month. Mr. Wendt stated that the county resolution should not affect St. Germain since we had started planning the trail before the county passed its resolution. The Northland Pines School District has given permission for the trail to cross over school property. The trail committee met with the Bo-Boen Snowmobile Club. The Bo-Boens asked that the paved trail be either gravel or granite where it crosses a snowmobile trail. The trail in Boulder Junction is blacktopped at the intersections and it has not been a problem. Mr. Sherren suggested a Bike Trail Account to segregate the funds. The committee could also keep its own account.

8E. Radar Run Update: Planning is on schedule. Approval of the routes will be later during this meeting.

9. Action Items (Approve, Disapprove, Table)

9A. Town Road Snowmobile Routes: Motion Odette seconded Nimz that the snowmobile routes be approved as presented for the portions of the roads that lie within the Town of St. Germain. Approved.

9B. James Miller Property: Mr. Miller was present. He stated that he had hauled all of the trash to the landfill. The property was no longer an eyesore. He has contracted with a contractor who is supposed to begin work on the inside within two weeks. Mr. Miller stated that it should

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take a maximum of two months to complete the work. Mr. Wendt stated that the deadline for completion of the work and HUD certification is March 1, 2005. Mr. Miller agreed.

9C. Golden Retreat Drive: Motion Nimz seconded Odette that Golden Retreat Drive in Golden Retreat Subdivision be accepted as a town road. Approved. Mr. Wendt read a letter from Pitlik & Wick stating that the road had been constructed to town specs.

9D. Employee Contracts: Motion Nimz seconded Ritter that the contracts for the golf course employees and the two public works employees be approved. Approved. Mr. Ritter stated that he had given verbal and written agreement to discuss items in the public works contract throughout the coming year. Tim Ebert had concerns that he wanted addressed in the contract for next year. Mr. Wendt and Mr. Ebert initialed an addendum concerning those items. It was also agreed that Mr. Ebert could now call the golf course employees requesting them to fill in for public works. Motion Ritter seconded Nimz that with the understanding that John Shay had signed it, and that Ms. Nimz had it in her possession, that the transfer station attendant's contract be approved effective January 1, 2005 pending the signatures of the town board. Approved.

9E. Board Member Response – Directives: Mr. Wendt stated that he had received an email from Ms. McConnell stating that she had every intention of fulfilling her obligations to the town board. Mr. Wendt also stated that he did not question her motives for being gone. However, how can Ms. McConnell participate while being gone for an indefinite period of time? Mr. Ritter had two suggestions: (1) Ms. McConnell return for every regular town board meeting and committee meeting. (2) Ms. McConnell call at the start of every regular town board meeting or committee meeting and be on a conference call during the meeting so that she could participate, at her expense. Mr. Wendt was still concerned about Ms McConnell not being available to the taxpayers. Mr. Wendt also had two suggestions: (1) Ms. McConnell resign. (2) The town board start proceedings to remove Ms. McConnell from her position on the town board. Motion Odette seconded Nimz that the town chairman write a letter to Ms. McConnell listing four alternatives: (1) Ms. McConnell return to St. Germain for all regular town board meetings and committee meetings, of which she is a member, (2) Ms. McConnell call at the start of each regular town board meeting and committee meeting, of which she is a member, and be on a conference call during the meeting so that she could participate, at her expense, (3) Ms. McConnell resign, (4) the town board start proceedings to remove Ms. McConnell from her position on the town board. Motion carried. Mr. Wendt was opposed. If Ms. McConnell should agree to the conference call alternative, she would also be responsible for any postage to send papers for her signature.

9F. Radar Run Routes: Motion Odette seconded Nimz that the routes along Hwy .70 for the use of ATV's be approved as presented. Approved.

9G. Vilas County Zoning Letter: Mr. Wendt stated that he had not sent a letter to the county concerning the rezoning. He wanted to see what the county's position would be. The county wants a yes or no answer. The county was concerned that the town board had not made a decision. Mr. Wendt felt that the county was looking for a way to deflect the heat. Why would the county want to rezone. What is their plan? Mr. Ritter stated that perhaps the town's ordinance should be changed. If the town doesn't agree with the rezoning, has the town board sanctioned our own flaw, if there is one? Mr. Ritter also stated that there were a lot of

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unanswered questions. He also wanted to know the motive behind the rezoning. Dave Consoer wanted to know why everyone was assuming what was going to happen. Was it just because the name Eliason was involved? Mr. Consoer stated that there was no motive behind the rezoning. Steve Favorite stated he had sent a letter to the town zoning committee on October 8, 2004 requesting input to Vilas County. His letter has never been brought up. Mr. Odette had given it to Mr. Wendt. The 60-day period for the process has expired. There are no plans for the property. It is listed for sale now. Ruth Consoer owns approximately seven of the 9.3 acres involved. By supporting the rezoning, the town board would be supporting St. Germain's zoning ordinance. The density would be similar to what it could be now. Right now, if a duplex were built on the property, each additional duplex would require only 12,000 square feet. If the property is rezoned, R1 and R2 would be gone and the duplexes could not be built. Ed Johnston stated that only 20% 30% of the property zoned community business is currently being used for business. Why does the town need more? Mr. Johnston was also concerned that the setbacks would be different. And, if a municipal sewer system were needed, the lots could end up as small as 5,000 square feet. Beth, Ed Johnston's daughter, stated that highway business lots were available. Why would the town want to expand the business district down a town road? She also stated that there had been many letters of objection to the county. Steve Favorite also stated that the average lot size beyond the 300' downtown business district was 28,000 square feet. The rezoning would be in line with the existing conditions. Motion Wendt seconded Odette that the town board send a letter to Vilas County stating its agreement, in principle, for the rezoning, but that in no way does the town board support any project or proposed development. Approved by a unanimous voice vote. Mr. Ritter stated that he appreciated the opportunity to discuss the matter and that he felt more comfortable with the board's decision.

10. Citizens Concerns:

10A. Rosalie Sherwin: Ms. Sherwin asked Mr. Odette if he had ever heard her state that Marlene Bartelt and Patty Schoppe were lining their pockets with Red Brick restoration money. Mr. Odette stated that he had not.

10B. Certificates of Insurance: Fred Radtke asked if Mr. Wendt had talked to Meyer Insurance concerning insurance certificates. Mr. Wendt stated that Pat Lamon stated that the groups were covered by the town's insurance as long as whatever might happen happened on town property. If someone got drunk and was hurt off of town property, the organization would not be covered by the town's insurance.

10C. Ellen Allen: Ms. Allen asked that from now on the Red Brick Schoolhouse be considered as one building and not the front section and the rear section.

11. Board Concerns:

11A. Tapes of Minutes: The town board directed the clerk to keep the tapes of the meetings for one year before reusing the tapes.

12. Adjournment: Motion Odette seconded Nimz that the meeting be adjourned. Approved. Meeting adjourned 9:40 p.m. The next meeting will be Monday, January 10, 2005.

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Town Clerk

Chairman

Supervisor

Supervisor

Supervisor

Supervisor