

TOWN OF ST. GERMAIN

OFFICE OF THE CLERK
P.O. BOX 7

ST. GERMAIN, WISCONSIN 54558

www.townofstgermain.org

MINUTES TOWN BOARD MEETING: JUNE 8, 2015

1. **Call to Order:** Chairman Tom Christensen called the meeting to order at 6:30 P.M.
2. **Pledge of Allegiance**
3. **Roll Call, Establish A Quorum:** Tom Christensen, Marv Anderson, Alan Albee, John Vojta, Jim Swenson, Marion Janssen, Town Treasurer, Tom Martens, Town Clerk. There were also 13 other people in attendance.
4. **Open Meeting Verification:** Mr. Christensen noted that he had posted the meeting agenda at three locations in town on June 6, 2015 by 5:30 P.M.
5. **Approval of the Agenda:** Motion Anderson seconded Albee that the agenda be approved in any order at the discretion of the chairman. By a voice vote Yes – 5, No – 0. Motion carried.
6. **Approve Minutes of Past Meetings:** Motion Albee seconded Swenson that the minutes of the May 11, 2015 town board meeting be approved as written. By a voice vote: Yes – 5, No – 0. Motion carried.
7. **Citizen's Comments:** Fred Bernchio said that Mr. Anderson's comments at the last meeting were wrong. Mr. Bernchio did respond to Mr. Anderson's letter. Mr. Anderson stopped at Mr. Bernchio's house and discussed the situation with Mr. Bernchio's dogs. Mr. Bernchio went to a P & Z meeting. He was supposed to be able to talk, but he didn't get to discuss the problem with the committee members until after the meeting had been adjourned. Mr. Bernchio handed a letter to the town board from a psychiatrist, Carol Barber stating that she strongly recommended that Mr. Bernchio be allowed to keep his dogs as emotional support animals to assist him in coping with his disability, so that he could fully use and enjoy the dwelling in which he resides. Phil Monday stated that two items on the agenda had already been on the agenda. He stated that the town clerk was given the authority to issue picnic beer licenses and bartender licenses with board approval last year. He also stated that the sale of the red 1-Ton truck had been approved at the October 13, 2014 town board meeting. Mr. Lambrecht wanted to know why Lambrecht was not plowed by the town. Mr. Christensen explained that the town only plows town roads and that a road needed to be brought up to town specifications in order to be accepted by the town, and that meant that it needed to be blacktopped.
8. **Town Chairman Report and Concerns:** Mr. Christensen reported that REI had obtained a connection permit to STH70 for Eagle Watch, but now, Mr. Christensen had to sign a right to work on the right of way permit. Mr. Christensen also noted that the ATV club had applied for trail permits in the Northern Highland State Forest. It could affect some of the town and county roads in town. REI has given the Bo-Boen Snowmobile Club a permanent trail easement over a portion of their land. Mr. Christensen, Mr. Vojta and a man from REI walked the property to mark the location of where portions of the snowmobile trail needed to be relocated.
9. **Town Board Members' Reports and Concerns:** Mr. Anderson stated that June 13th would be the last day that the yard waste facility would be open. The cost slightly exceeded the income for the nine Saturdays that it was open. Mr. Anderson also added that the Independence Day Committee will have one more meeting. The celebration next year will be on July 3, 2016. The Lions Club is going to purchase bracelets for all kids under the age of 12. Tim Ebert is getting detour signs to reroute traffic during the parade.
10. **Town Clerk's Report and Concerns:** Mr. Martens noted that the last time that the Independence Day Celebration was in July, there was a mix up with the dates. Some people thought that it was the last Sunday before the 4th of July and some thought that it was the last Sunday in June.
11. **Town Treasurer's Report and Concerns:** Balance General Account as of 6-30-2015 \$48,579.02; Room Tax Account 5,831.97; Lakes Committee Account 31,081.81; Lakes Committee CD 15,601.16; Skateboard Park Fund 2,842.05; Loan Reserve Fund 38,289.12; Bike & Hike Trail 25,463.39; First National Money Market 295,330.08; Play Ground Equipment Fund 4,394.32; Debt Reserve Account 39,750.45; Fire Department Restricted Acct 11,731.81; Fireworks Donation Account 2,551.67; Fire Dept Vehicle/Equipment 138,160.99; Community Development Acct 36,796.49; Golf Course Gen Acct

120,517.71; Golf Course Money Market 54,425.83. Ms. Janssen also noted that per State Statutes, the town bills need to be supported with invoices and not statements.

12. Fire Chief's Report and Concerns: Tim Clark reported that there had been 129 calls since the first of the year. The specifications for the new tanker truck should be ready soon. It is part of the contract that Pitlik will replace the hydrant at Little St. Germain River. The cost of replacing the hydrant at Lost Creek was not part of the contract. Mr. Clark added that additional equipment is needed in order to change the ISO rating. The association will contribute up to \$5,000. Mr. Clark asked if the town could also contribute. Mr. Christensen asked Mr. Clark to get an estimate of what is needed.

13. Report of the Standing Committees:

- a. **Finance:** Mr. Albee noted that Ann Small was concerned about how the new trails would be funded. Ms. Small also thought that any logging that was to be done should be away from the trails. Mr. Albee also noted that the committee was reviewing the town loans. The committee is considering recommending that the balance of the 2014 carryover be used to pay down the Baird loan. The committee is also looking to the costs of banking such as service charges and fees. The committee also agreed that the town board needs to decide what is to be done before the committee tries to figure out how it is to be financed.
- b. **Public Works:** Mr. Vojta stated that the committee is struggling with what to do with the roots along the bike trail. The Eagle River Fire Department will use their ladder truck to change the burned out bulbs at the ball park. The turnaround at the end of Weber Road is not part of the town road and is not big enough for the town trucks to turn around. The bike & hike trail bridge has been fixed. Mr. Vojta asked that public works items for the agenda be given to him.
- c. **Golf Course:** Mr. Christensen reported that the greens are in good shape. The NWAR event was a success. The Angel on My Shoulder event is this Friday. League play has started. Mr. Becker is going to restart the 40' x 60' grass nursery. Holes 15-18 have been repaired. Mr. Becker is working on some drainage issues. Sand has been added to four of the bunkers. Mr. Becker has completed the pesticide application certification program. Mr. Becker is also working on a sand wedge area between the concession stand and the Whitetail Inn. Mr. Vojta asked that Ms. Rogers give a weekly sales report rather than a monthly report.

14. Report of the Special Town Committees:

- a. **Lakes Committee:** Mr. Christensen noted that the committee has not met.

15. Discussion /Action Items:

- a. **Payment of Bills:** Motion Albee seconded Anderson that vouchers 515-581; 600-607; 22981-23049 and two extra bills; St. Germain Chamber of Commerce \$99.77—golf course marketing; and AutoZone \$465.99—golf course battery charger be approved. By a voice vote Yes – 5, No – 0. Motion carried. Mr. Albee added that there was a bill from MSA for \$5,175 for well monitoring. The monitoring had been reduced to once a year on a temporary basis. The town has never officially approved of the change. Mr. Anderson asked why the town should pay for the change order when the change had never been approved. Mr. Albee agreed, but also thought that the work had been done and that the bill should be paid. The change to annual monitoring would reduce the cost from \$7,000 per year to \$4,000 per year forever. The board agreed to hold the bill for now. The board is going to have to figure out how to pay for last year's expenses in this year's budget plus expenses for this year that were not budgeted.
- b. **Recommendation from the Golf Course Committee for the Disposal of the One-Ton Red Dump Truck:** As Mr. Monday pointed out, there had already been a motion to sell the 1-Ton truck at the October 13, 2014 town board meeting. The truck is not driveable. The board will have Woodland Auto haul the truck to the corner of STH70 & STH155 to try to sell it, noting everything that is wrong with it.
- c. **Recommendation from the Golf Course Committee for Payment of Invoices from the Beer Distributors:** Motion Christensen seconded Vojta that the town board authorizes the clerk, treasurer and chairman to pay the four beer distributors, Dean Distributing, Mid-Wisconsin Beverage, Miller Beer of the Northwoods and Zastrow the Beer Man on a weekly basis. By a voice vote: Yes – 5, No – 0. Motion carried. Ms. Rogers-Anderson will put the bills in Mr. Martens's mailbox on Fridays.

- d. **Recommendation from the Public Works Committee concerning the replacement of the lighting at the Veterans' Memorial:** Motion Vojta seconded Swenson to hire Trollan Refrigeration Heating & Electrical to replace the current light fixtures at the Veterans' Memorial with the equivalent LED light fixtures, per their proposal #531 dated May 16, 2015 in the amount of \$4,115.00 and this expense is to be paid out of the Community Development Account. By a voice vote: Yes – 5; No – 0. Motion carried. Mr. Anderson asked if the quotes were apples for apples. Mr. Christensen stated that all of the contractors were given the same specifications.
- e. **Recommendation from the Public Works Committee for the repair/replacement of the landscaping around the Community Center and Veterans Memorial:** Mr. Vojta said that the committee was still reviewing the landscaping issue. Mr. Anderson asked that someone keep up with the maintenance of the shrubs. Mr. Vojta stated that would be included in the plan.
- f. **Recommendation from the Public Works Committee concerning the replacement/repair of the failed defibrillator at the Community Center:** Motion Vojta seconded Swenson to purchase a new defibrillator for the community center from Allied 100 for \$1,250. By a voice vote: Yes – 5, No – 0. Motion carried. Mr. Vojta thought that it should be here by July. Some of the other defibrillators are also nearing the end of their life. Money should be put into the next budget for replacing them.
- g. **Recommendation from the Public Works Committee concerning the repair of the floor at the Vandervort Park Pavilion:** At this time, the public works committee is recommending that the cracks in the floor in the pavilion at Vandervort Park be patched and that the flooring not be replaced. Unless the pavilion is moved to higher ground, the floor is going to continue to heave with the frost.
- h. **Recommendation from Public Works Committee for replacement/repair of water treatment system at the Fire House:** Motion Vojta seconded Albee to hire Homite Water Service to install a new water treatment system in the fire house per their estimate #2070, dated May 15, 2015 in the amount of \$3,150.00 and that this expense is to be paid by using some of the carryover money from the budget year 2014. By a voice vote: Yes – 5; No – 0. Motion carried. Mr. Vojta stated that three bids had been requested. Two came back. Homite's bid also guarantees that there will not be spotting.
- i. **Recommendation from the Public Works Committee concerning the replacement of the culvert on Forest Primeval Road:** At this time, the public works committee is recommending that the culvert on Forest Primeval Road not be replaced. It already seems to be on the creek bed and a larger culvert would probably cause problem with the road height. Jack Harman and Ray were present. They own property on either side of Found Creek. Mr. Harman stated that over the years, the culvert has been replaced several times. Several years ago, rocks were placed under the upstream end of the culvert. As a result, the upstream is about 18" above the creek bed. It is forming a type of dam causing the water to back up and form a wetland. Mr. Harman also stated that what appears to be the creek bed, is not. Over the years, gravel that has been used to fill washouts on the sides of the culvert has washed downstream. Neither Mr. Harman nor Mr. thought that their properties would flood if a larger culvert were put in. Mr. Anderson also lives on Forest Primeval Road. He thought that a 36" culvert might help and that it wouldn't affect the road height. Mr. Vojta will take the culvert issue back to the public works committee.

j. Dog Ordinance Fee Update:

Regular Board Meeting June 8, 2015 Exhibit A

Change to Ordinance Chapter 11 – Dogs and Cats

Chapter 11.01 Licensing Paragraph (1) reads as follows:

(1)Licensing of Dogs and Cats

All dogs and cats kept or harbored within boundaries of the Town must be licensed and the license worn or the collar at all times. **Such fee to coincide with State Statutes; \$5 for female, \$2 for male or spayed female.** All dogs and cats over 5 months of age shall be licensed, renewable yearly. License deadline is February 1. **Penalty for no license is \$5.** Licenses may be obtained from the Town Treasurer **or the shelter agent at the County Animal Shelter.** Out-of-town license reciprocity will be honored.

Proposed Chapter 11 after changes:

(1)Licensing of Dogs and Cats

All dogs and cats kept or harbored within boundaries of the Town must be licensed and the license worn or the collar at all times. The dog and cat license tax will coincide with the Vilas County Ordinance Chapter 10 – Animal Control and Welfare. The dog and cat license tax is \$5.00 for a neutered male or spayed female, upon presentation of evidence that the dog or cat is neutered or spayed, and \$10.00 for an unneutered male or unspayed female, or one-half of these amounts if the dog became 5 months of age after July 1st of the license year. All dogs and cats over 5 months of age shall be licensed, renewable yearly. The license year commences on January 1st and ends on the following December 31st. License deadline is February 1st. Licenses may be obtained from the Town Treasurer. Out-of-town license reciprocity will be honored.

Mr. Vojta said that he had questions concerning Regular Board Meeting June 8, 2015 Exhibit A. Mr. Christensen said that it seemed as though part of Chapter 11.01 should be removed. Motion Vojta seconded Swenson that the dog license fee update be tabled at this time. By a voice vote: Yes – 5; No – 0. Motion carried.

k. Approval of Liquor, Beer, Cigarette and Operator Licenses: Motion Vojta seconded Albee that the Class B Combination, Class A Combination, Class B Retail, Class C Wine, Special Picnic Beer, Cigarette and Operator Licenses for 2015 & 2016 be approved as presented by the clerk with the exception that the Class B Combination license for Karen Stecker be approved subject to publication. By a voice vote: Yes – 5, No – 0. Motion carried. Mr. Martens explained that Ms. Stecker had filed her application in a timely manner, but that he didn't publish it since the property was to be sold as June 5, 2015. However, the sale did not go through. Krist Oil is going to have to be issued a provisional license since they did not return their application in time to meet the 15 day requirement for filing. The town board will approve the Krist Oil regular Class A Combination license at the July town board meeting.

l. Grant the Town Clerk the Authority to Approve Picnic Beer Licenses and Bartender Licenses:: Motion Anderson seconded Vojta to authorize the town clerk, Tom Martens, the authority to issue bartender and special picnic licenses without town board approval. By a voice vote Yes – 5, No – 0. Motion carried.

m. WPS request to use the Community Area Parking Lot for a staging area in the event of a devastating storm causing power outage to the area: Motion Anderson to grant the WPS request to establish a base camp in the vicinity of the community center as established by the fire chief and the town chairman to be used during catastrophic events. Motion died due to lack of a second. Mr. Vojta asked how long the town had to identify any damage that was caused. If damage was done during the winter, it might be found until spring. Item #4 of the agreement needs to take into account the season and time to inspect for damage. Item #9 should be eliminated. The yellow part of Mr. Christensen's sketch should be cut in half, keeping the half closest to STH70. The red part should be left out. Motion Christensen seconded Vojta that the Access Agreement and Temporary Land Use License for Emergency Utility Restoration Staging Area with Wisconsin Public Service be approved with the changes to item #4 and Mr. Christensen's sketch and that item #9 be eliminated. By a voice vote: Yes – 5; No – 0. Motion carried.

n. Extend hours in Park for Independence Day Celebration: Motion Vojta seconded Albee that the hours of operation for the town park be waived during the Independence Day Celebration, June 28, 2015. By a voice vote: Yes – 5; No – 0. Motion carried. Mr. Anderson noted that grills are permitted that fires on the ground, such as campfires, are prohibited.

o. Plan Modification Charge: Discussed under "Payment of Bills" above.

p. Town Insurance Bid Process: Motion Christensen seconded Albee that John Vojta be responsible for acquiring bids for the town's insurance. By a voice vote: Yes – 5; No – 0. Motion carried. Mr. Vojta asked that he be given any requests. Mr. Christensen said that he understood the scope of the insurance, but was still concerned about the housing authority.

q. Human Resource Committee: To be discussed at a later date.

r. Method to Appoint Ad Hoc Committees:

Regular Board Meeting June 8, 2015 Exhibit B

Creation of Ad Hoc Town Committees

1. The membership of an Ad Hoc Town Committee may be made up of at least one Town Board Member and the rest of the members will be chosen by the Town Board or be volunteers that are residents of the Town of St. Germain.
2. The Town Chairman will recommend to the Board, in the form of a motion, the Committee Chairman and any Town Board Member(s) assigned to the Committee. The Chairman and a Town Board Member can be the same person. The Committee Chairman does not have to be a member of the Town Board. In the event the motion does not receive a second or it fails by a majority vote of the Board present, a second motion may be made by any Town Board Member recommending the Chairman and any Board Member(s) to serve on the committee. A majority vote of the Board Members decides the Chairmanship and member person(s) on the committee. Only the Town Board may remove a Board Member from the committee by a majority vote at any Town Board Meeting. Vacancies are filled by using the same method as stated above.
3. The purpose of the committee will be a task or tasks assigned by the Town Board.
4. The committee's existence will end upon completion of the assigned task(s) by the Town Board.
5. Agendas for Committee Meetings must be posted in accordance with Wisconsin Open Meeting Laws and the minutes of any meeting must be turned into the Clerk after they are approved by the Committee.

Motion Vojta seconded Albee that the document labeled "Regular town board meeting June 8, 2015 exhibit B" be approved with "or be volunteers that are residents of the Town of St. Germain" removed be approved and all prior actions by any town board or town chairman are null and void concerning Ad Hoc committee organization and appointments. By a voice vote Yes -5, No - 0. Motion carried. Mr. Anderson asked about the existing committees. Mr. Christensen stated that there aren't any current Ad Hoc committees.

- s. Appointment of an Ad Hoc Committee concerning what to do with the Red Brick Schoolhouse:** Motion Albee seconded Anderson that the town board advertise for persons who are interested in serving on an Ad Hoc Committee concerning the Red Brick Schoolhouse. By a voice vote: Yes - 5; No - 0. Motion carried. The clerk is to post the notice in three places in town as well as on the website. Mr. Christensen will draft the notice. Responses are to be sent to P.O. Box 7.

- t. Method to Appoint Lake District and Lake Association Board Representatives, other organizations and non-town committees:**

Regular Board Meeting June 8, 2015 Exhibit C

Appointments of Board Members to Local Lake Districts/Associations, Organizations and Non-Town Committees

The Town Chairman will recommend to the Board, in the form of a motion, the appointments to the Lake Districts/Associations, Organizations or non-Town Committees. In the event the motion does not receive a second or it fails by a majority vote of the Board present, a second motion may be made by any Town Board Member recommending the appointments to the Lake District/Association, Organization or non-Town Committee. A majority vote of the Board Members decides the appointments. Only the Town Board may change an appointment by a majority vote at any Town Board Meeting. Vacancies are filled by using the same method as stated above.

Motion Christensen seconded Albee that the document labeled "Regular town board meeting June 8, 2015 exhibit C" be approved and all prior actions by any town board or town chairman are null and void concerning appointments to local lake districts/associations, organizations and non-town committees. By a voice vote: Yes - 5, No - 0. Motion carried.

- u. Appointments to the Lake Districts and Lake Association Boards, other organizations and non-town committees:** Motion Christensen seconded Albee that Alan Albee be the board representative for Big St. Germain Lake District, that Tom Christensen be the board representative for the Little St. Germain Lake District, that John Vojta be the board representative for the Alma/Moon Lake District and that Marv Anderson be the board representative for the Lost Lake District and that Tom Christensen be the board representative for the St. Germain cemetery committee. By a voice vote: Yes - 5; No - 0. Motion carried.

- v. Appointment of a Special Trail Committee to oversee the silent sport trails in our community:** Motion Christensen seconded Albee that Ann Small be appointed as chairperson, and that Mary Platner, Marion Janssen, Wally Geist and Jim Vogel to a Special Trail Committee to oversee the silent sport trails in our community. By a voice vote: Yes - 5, No - 0. Motion carried. Motion Christensen seconded Albee that Jim Swenson be the town board representative on the special trail committee. By a voice vote: Yes - 5; No - 0. Motion carried.

w. **Replacement Signs and Benches on the Hiking Trails:** Motion Vojta seconded Swenson that Ann Small be authorized to spend up to \$300 for signs and posts. By a voice vote: Yes – 5; No – 0. Motion carried.

x. **Report by Mr. Anderson on our Circuit Court Handling our Town Ordinance Compliance Compared to a Municipal Judge:** Mr. Anderson stated that he had talked to the Vilas County Clerk of Circuit Courts and the Municipal Judge in Presque Isle. The town ordinances need to have enforceable language. The board has to act on how that is going to be done. The town would have to appoint someone to issue citations. Only civil cases would be heard. The Clerk of Circuit Court told Mr. Anderson that towns seldom use the circuit court. The town needs to collect any penalties. Legal fees may use up most of the fine. The municipal judge can either be appointed or elected. The constable should be appointed. In Presque Isle, the clerk of courts is the town clerk. Mr. Anderson said that the Presque Isle judge would meet with the town and look over our ordinances. He also thought that it might be possible for the Presque Isle judge to serve as the judge for St. Germain. Mr. Vojta thought that there was a lot of work that needed to be done with the town’s ordinances before anything is done about a municipal judge. Mr. Anderson thought that the cost to the town would be about \$1,900 per year. Ted Ritter thought that cases would move through the municipal court much faster than they would through the circuit court. The question will be on the next agenda.

y. **Understanding the St. Germain Housing Authority:** At a later date.

z. **Replacement of Reader Board sign on the east side (Hwy. 155) of the Community Center:** The town could either use the chamber sign, have the public works committee look into a new sign, or do nothing. Mr. Vojta asked for more specifics before he would have the public works committee look into costs. The board agreed to look into a sign like the one at the fire department, with no electricity. Fred Radtke said that the letters for the old sign by the community center are a different size from those for the sign by the fire department. Mr. Anderson thought that if the money is spent for a new sign, there should also be new letters.

aa. **Update Planning and Zoning Committee:** At a later date.

bb. **Update Cable TV Service:** At a later date.

cc. **Update on Website Overhaul:** At a later date.

16. **Next Regular Town Board Meeting Date – July 13, 2015 at 6:30 P.M.** There will be a special town board meeting on Tuesday, June 23, 2015 at 6:30 P.M.

17. **Adjourn:** Motion Albee seconded Vojta that the meeting be adjourned. By a voice vote Yes -5, No -0. Motion carried. Meeting adjourned 10:00 P.M.

Town Clerk

Chairman

Supervisor

Supervisor

Supervisor

Supervisor