

TOWN OF ST. GERMAIN

OFFICE OF THE CLERK

P.O. BOX 7

ST. GERMAIN, WISCONSIN 54558

www.townofstgermain.org

MINUTES TOWN BOARD MEETING: JULY 10, 2017

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, Ted Ritter, John Vojta, Jim Swenson, Doug Olson Tom Martens, Town Clerk, Marion Janssen, Town Treasurer. There also 18 other people in attendance.
4. **Open Meeting Verification:** Mr. Christensen noted that he had posted the meeting agenda at three locations in town on July 8, 2017 before 5:00 P.M.
5. **Approval of the Agenda:** Motion Swenson seconded Vojta 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. **Read and Approve Minutes of Past Meetings:** Motion Ritter seconded Olson to dispense with the reading of the minutes and that the minutes of the June 12, 2017 and June 21, 2017 town board meetings are approved. By a voice vote: Yes – 5, No – 0. Motion carried.
7. **Citizen's Comments – Citizens are encouraged to share their concerns and ideas with the Board. Please limit your comments to five minutes or less:** Phil Monday stated that he had seen ATV's riding on STH70. Mr. Christensen added that he had seen one on STH155. The board advised Mr. Monday to call the sheriff's department. Mr. Monday said that he has called the sheriff's department several times about speeding on South Bay Road, but nothing ever happens. He added that he had reported a county patrol for speeding on South Bay Road.
8. **Report of the Standing Committees:**
 - a. **Zoning:** Mr. Ritter reported that there would be Conditional Use Permit hearing tomorrow night at 6:30 P.M. for a request by the International Snowmobile Hall of Fame. The committee is working the land division ordinance. The suggestion is to separate out condos.
 - b. **Finance:** Mr. Vojta noted that there has not been a meeting.
9. **Report of the Special Town Committees:**
 - a. **Lakes Committee:** There was no report
 - b. **Non-Motorized Trail Committee:** Mr. Swenson noted that the committee had done some signing by Pub n Prime and Thunderbird Pass. The committee plans on extending the hiking/skiing trail on the Asassa property.
10. **Report from Lake Districts and Other Organizations:** Mr. Vojta stated that there would be a Big St. Germain District meeting on Wednesday. Mr. Ritter added that all of the lake districts will be having their annual meetings over Labor Day Weekend.
11. **Discussion /Action Items:**
 - a. **Payment of Bills:** Motion Olson seconded Vojta that golf course account checks 15518-15562, general account checks 24925-24960 and direct deposit checks DD641-DD728 be approved along with the following extra bills: O'Brien, Anderson & Burgy \$375.00—legal fees; NASSCO \$762.50—golf course supplies; St. Germain Chamber of Commerce \$151.42—reim. Independence Day banner; Airgas \$185.26—tank rental; Aramark \$212.95—shop rags, etc; DirecTv \$70.38—golf TV. By a voice vote: Yes – 5, No – 0. Motion carried.
 - b. **Town Chairman's Report**
 1. **Culvert on Big St. Germain Drive at Lost Creek:** Mr. Christensen stated that he had received the signed change order from Legacy and that work would begin on September 11, 2017. Mr. Christensen added that MSA has been notified.
 2. **ATV/UTV Trail Crossing at Hwy 155 and Big St. Germain Drive:** Mr. Christensen stated that there had been a meeting at the Fern Ridge parking area on STH155. In order to get a perpendicular crossing, the ATV Club needs to ride for a short distance along STH155. The club will need to put up a light barrier 42" high. The barrier needs to be removed during the

winter so that snowmobiles and the groomer can cross the highway. The club also needs to put down a 12' x 20' pad to help stop erosion.

3. **Golf Course report:** Mr. Christensen reported that revenues are down approximately \$50,000 from last year. The big items in the budget that might have been adjusted have already been paid.

c. **Treasurer's Report**

1. **Town Bank Account Balances:** Balance General Account as of 6-30-2017: \$ 57,571.23; Room Tax Account \$14,437.08; Lakes Committee Account \$23,058.42; Lakes Committee CD \$15,653.81; Skateboard Park Fund \$2,845.26; Bike & Hike Trail \$11,256.98; mBank Money Market \$141,134.11; Playground Equipment Fund \$3,049.17; Fire Department Restricted Account \$7,548.76; Fireworks Donation Account \$6,549.11; Community Development Account \$49,946.60; Golf Course General Account \$85,731.54; Awassa Trail Fund Savings \$11,401.30. Ms. Janssen added that the ATV Club had helped pass the hat at the fireworks and collected about \$1,100.00. There is also a \$1,186.00 donation that will be split between the Awassa Trail and the Bike & Hike Trail.
- d. **Fire Chief's report concerning the operation of the Fire Department:** Tim Gebhardt reported that there had been 101 calls for various things since his last report. The department membership is up.
- e. **Report by John Vojta concerning the Public Works Department:** Mr. Vojta reported that Deadman's Gulch Road is now passable. It took over 100 yards of gravel to fill in the washouts. There will be a meeting concerning the new bathrooms at the town park. The picnic tables will be refinished this winter. The portion of the fascia on the community center that was falling down has been temporarily tacked up. The crew is going to stop mowing along STH70 towards Thunderbird Pass for this summer. Roadside mowing will begin next week. A DNR forester is going to do a timber survey for the Fern Ridge property and the Awassa property. Mr. Ebert has been conducting job interviews.
- f. **Report by Funktion Design Studio Concerning the Red Brick Schoolhouse and the Community Center:** Melody Hamlin and Rick Schroeder from Funktion Design Studio handed out their agenda for the meeting. The scoring matrix determined that keeping the 1941 portion of the Red Brick Schoolhouse and demolishing the 1965 portion and the present community center or to build a new facility altogether were the two most cost effective options. The revised cost projections ranged from \$2,373,000 to \$4,848,000. Ms. Hamlin noted that a 20% contingency had been built in to the costs. The optimum facility recommendation from Funktion Design Studio was option #3, to incorporate the 1941 Red Brick Schoolhouse into a new facility. The 1965 portion of the school and the present community center would be demolished. Funktion will send a final design report on July 28, 2017.
- g. **Fern Ridge and Stump Dump property survey:** Motion Ritter seconded Vojta to accept the quote from Eagle Landmark Surveying for \$2,950.00 to survey the boundaries of the Fern Ridge Property and the Stump Dump Property with the money coming from the community development account. By a voice vote: Yes – 5, No – 0. Motion carried
- h. **Approval of Lakes Committee request to place the AIS trailer on Town property in front of the Hearthside Motel during the late summer:** Motion Ritter seconded Olson that the lakes committee request to place the AIS trailer on town property in front of the Hearthside Motel from mid-August to mid-October be approved. By a voice vote: Yes – 5, No – 0. Motion carried. The trailer will also be at the Big St. Germain boat landing for two weeks, the Little St. Germain boat landing for two weeks and the Found Lake boat landing for two weeks.
- i. **Animal Control Officer Report:** Don Baumann reported that he had five reports of lost dogs. Four of them were found, but the fifth was hit by a car and died. Mr. Baumann also issued one warning citation. Mr. Ritter asked if Mr. Baumann has been periodically driving past the home with all of the dogs to take notes and possibly establish a case. Mr. Baumann noted that he has driven past. The dogs run out.
- j. **Consider possible actions to assist County Health Department with Cottage Drive property:** Mr. Ritter reported that the problem seems to have gotten better. Motion Ritter seconded Swenson that the matter be tabled until further communication with the Vilas County Health Department. By a voice vote: Yes – 5, No – 0. Motion carried

- k. **Dollar General Liquor License for package goods:** The consensus of the board was to wait until the store applies for a package goods license. If there are no grounds to not issue a license, the license would be granted. There is no quota on package goods licenses
- l. **Signature of Town/Chamber Accommodations tax contract:** Tabled until the next meeting.
- m. **Review proposed revisions to Chapter 12 – Accommodations Tax Ordinance, consider approving for later Adoption.:** Motion Ritter seconded Christensen to approve the following revisions to the Accommodation Tax Ordinance as highlighted in red for adoption on October 9, 2017:

**Motion to approve following revisions to
St. Germain Code of Ordinances, Chapter 12 - Accommodations Tax
Motion by Supervisor Ritter, July 10, 2017**

12.03 DEFINITIONS: *In this ordinance,*

Quarterly Amended Accommodations Tax Return means a form prescribed and provided by the Town Treasurer for the purpose of amending ~~a quarterly~~ an accommodations tax return previously filed with the Treasurer.

Permittee means the person to whom the Town has issued an accommodations tax permit, whether the owner of rental property subject to accommodations tax reporting or a property manager who represents one or more rental property owners. (Revised September 2017)

Person means a natural person, sole proprietorship, partnership, limited liability, company, corporation, association, or the owner of a single-owner entity that is disregarded as a separate entity under chapter 71, Wis. stats.

Quarterly Accommodations Tax Return means a form prescribed and provided by the Town Treasurer for computing and submitting ~~quarterly~~ payment of the accommodations tax. Such ~~quarterly~~ accommodations tax return shall report the gross receipts subject to the accommodations tax hereunder, the amount of the accommodations tax due and shall contain certain additional information as the Town Treasurer may require on such form. (Revised September 2017)

Transient means any person residing for a continuous period of less than ~~one month~~ 30 days in a hotel, motel or other furnished accommodations available to the public

Wis. Stats. means the Wisconsin Statutes, including successor provisions to cited statutes.

12.05 ADMINISTRATION OF THE ACCOMMODATIONS TAX:

(B) Application for an Accommodations Tax Permit:

(1) Every person furnishing retail rooms or lodging to transients and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations shall file annually with the Town Treasurer an application for accommodations tax permit for each place of business.

(a) Owners of rental property subject to this chapter have the option of either applying for the required accommodations tax permit themselves or requiring their Property manager to obtain the permit on their behalf.

(b) ~~Managers of properties subject to reporting accommodations taxes must annually identify, and provide names and mailing addresses for, owners of all rental properties they represent.~~

(c) The party to whom the accommodations tax permit is issued shall be held fully responsible for complying with all provisions of this chapter.

(2) Every application for an accommodations tax permit shall be made upon a form prescribed and provided by the Town Treasurer and at no cost to the applicant.

(D) Quarterly Accommodations Tax Return and Tax Payment Due Dates: Every person furnishing at retail, rooms or lodging to transients and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations, shall file ~~a quarterly accommodations tax returns and tax payments~~ with the Town Treasurer ~~on or before January 30, April 30, July 30 and October 30 of each year for the calendar quarter ending on the last day of the previous month.~~ within 30 days of the end of the applicable month or quarter as follows:

(1) Accommodations businesses that submit their Wisconsin Sales Tax returns on a monthly basis shall also submit their Accommodations Tax returns on a monthly basis.

(2) Accommodations that submit their Wisconsin Sales Tax returns on a quarterly or annual basis shall submit their Accommodations Tax returns either monthly or quarterly, but not annually.

(I) Responsibility for Unpaid Tax:

(1) If any person liable for any amount of tax under this chapter sells his or her business, stock of goods, or quits the business, the original owner and, his or her successors or assigns shall be jointly and severally liable for any unpaid tax due under this chapter.

(2) If any permittee, who is a property manager, fails to comply with §12.05(F) & (G) of this chapter, the Town Treasurer shall notify in writing, within 10 days of the delinquency commencing, all rental property owners represented by said property manager:

(a) That their property manager is delinquent in filing a tax return.

(b) That the tax return for their rental property or properties is subject to an interest rate of 1% per month on the unpaid balance.

(c) That their property manager may become subject to the enforcement provisions of §12.10 of this chapter, including revocation of accommodations tax permit for their property.

12.11 EFFECTIVE DATE: This revision supersedes St. Germain Code of Ordinances, Chapter 12 - Accommodations Tax adopted June 21, 2017 and is effective on publication or posting as required under §60.80, Wis. stats., and is applicable to all property rentals effective January 1, 2018.

Adopted this 9th day of October 2017

Attest:

Tom Christensen
Town Chairman

Tom Martens
Town Clerk

n. Yearly Audit of the Town's books: Motion Vojta seconded Swenson to table the audit until the July 19, 2017 meeting. By a voice vote: Yes – 5, No – 0. Motion carried .

o. Review Little Bass Lake “No Motor Boat” Ordinance: Mr. Martens had reported that although the person was not using the gasoline outboard motor, there had been a bass boat on Little Bass Lake. It was Mr. Martens’ opinion that just having the motor on the lake was taking a chance of causing pollution. Mr. Martens thought that the ordinance should be rewritten so that combustion motors were no allowed on the lake at all, whether they were being used or not. The DNR was against having the landing be a “carry in only” landing. The board was concerned about trying to enforce the ordinance to keep combustion motors off of the lake. Motion Ritter seconded Olson that the Little Bass Lake Ordinance be tabled indefinitely. By a voice vote: Yes – 5, No – 0. Motion carried

p. Discuss how to achieve State enforcement of air and/or water environmental pollution standards when violations occur on private lands within our town: Mr. Ritter that the discussion had come up at a zoning committee meeting with the discussion of a demolition permit. People in town have been burning hazardous materials and also burying hazardous materials. It is

a violation of State Laws to either burn or bury hazardous materials. What can the town do about people who are in violation of a State Law. Another problem is the proper capping of old wells.

12. Next Special Town Board Meeting Date – July 19,2017

13. Next Regular Town Board Meeting Date – Monday, June 12, 2017, 6:30pm

14. Adjourn: Motion Ritter seconded Swenson that the meeting be adjourned. By a voice vote Yes – 5, No – 0. Motion carried. Meeting adjourned 9:29 P.M.

Town Clerk

Chairman

Supervisor

Supervisor

Supervisor

Supervisor