



**TOWN OF SALEM BOARD OF SUPERVISORS  
REGULAR MONTHLY BOARD MEETING AGENDA  
MONDAY, October 11, 2010 7 P.M.  
SALEM TOWN HALL  
9814 ANTIOCH ROAD, SALEM, WI 53168**

**ANNOUNCEMENTS**

- \*Salem's Spooktacular Holiday Vendor/Craft Fair, Saturday October 30<sup>th</sup> 10:00 a.m. to 3:00
- \*\*"Trick or Treat" in Salem is Sunday October 31<sup>st</sup> 4 p.m. to 7! BE SAFE!
- \*"Santa Comes to Salem" Saturday Dec 4<sup>th</sup> 10 a.m. to 2.
- \*RECYCLING helps TOS gain funds from the state via a grant! RECYCLE! Please!
- \*Please notice on the last page, future meetings and election dates!
- \*Please also make note that our grade schools each have Special Holiday Programs for our children.

Please notice: Any item other than Citizens Comments on this agenda may produce discussion and possible Town Board action.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. OPEN MEETING COMPLIANCE CHECK
5. APPROVAL OF AGENDA SEQUENCE

6. **CITIZENS COMMENTS** - *Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.*

**CITIZEN INITIATED BUSINESS**

**CLERK'S BUSINESS**

1. Motion: Approval of the minutes of the previous meeting: Regular Board Meeting on 9/13/10 and Special Board Meetings on 9/15/10, 9/21/10, and 9/28/10.
2. Consideration and possible action on operator licenses as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Misaque Adam Ducy

Margaret W. Padgett

Kristina Hanna

3. Consideration and possible action on setting a date for the FY 2011 Public Hearing and Special Elector's meeting. A summary of the budget and notice of the meeting will need to be published 15 days prior to the hearing and newspaper will need it a minimum of 5 days prior to publication.

## **TREASURER'S REPORT**

1. Treasurer's report for August 1, 2010 – August 31, 2010.
2. Motion: Approval of payment of the vouchers September 14, 2010 – October 11, 2010 as presented.

## **CHAIRMAN INITIATED BUSINESS**

1. Discussion and possible action regarding the results for our two polling places of the Non-Binding Referendum "Shall the Town Board of Salem begin exploration and gather information pertaining to the process of incorporation as a village?"
2. Status of the Brass Ball corners site regarding dumpsters and work to satisfy citizen request of several months ago.
3. Status of the Valmar Bridge.
4. Review and discussion on 3<sup>rd</sup> Quarter Performance to Budget using September 30, 2010 data.

## **ADMINISTRATOR'S BUSINESS**

1. Administrator Report for the preceding period.
2. Comments, discussion and possible action regarding the TOS Waste Hauler/Recycler – Green Valley.
3. Status on Town and County activity regarding businesses that are operating in residential areas.

## **FIRE AND HIGHWAY BUILDING PROJECT**

1. Status report and possible action regarding the Highway/Fire building project.
2. Consideration and possible action on payment of direct purchasing invoice #01916 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 184,760.86 .
3. Consideration and possible action on payment request #11 by Powers Lake Construction Co., Inc. in the amount of \$288,573.46 for Site Grading, Drainage, & Roadway Improvement Project at Highway/Fire Facility. Original contract amount \$1,553,443.30.
4. Consideration and possible action on payment request #11 by Miron Construction, in the amount of \$ 311,867.87. Original contract amount \$ 4, 500,474.00.
5. Status, discussion and possible action regarding the water supply system at the Fire/Highway building site.

## **DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS**

### **PUBLIC WORKS/HIGHWAY**

1. Public Works/Highway Department report

### **FIRE AND RESCUE**

1. Fire Department report.

## **BUILDING DEPARTMENT**

1. Building Department report.
2. Status, discussion and possible action on the County K Barn raze activity.

## **SEWER UTILITY DISTRICT**

1. Sewer Utility Department report.
2. Consideration and possible action on partial ayment request # PR1210802-19 by J.F. Ahern Company, for Digester Cover and Clarifier renovations, in the amount of \$111,747.29. Original contract amount \$790,000.00, amount added by change order \$299,851.00, amount deducted by change order \$35,022.00 less previous payments of \$916,710.98.
3. Consideration and possible action on a reimbursement and back billing policy, limiting refunds and back billing to a time period of two years for Sanitary Utility customers that were over or under charged.

## **STORM WATER DISTRICT**

1. Storm water district report
2. Motion to return item to table, consideration and possible action on Lee and Linda Vanderspool property located at 12029 220<sup>th</sup> Court to alleviate flooding and solve health issue by taking pipe to the lake and burying a pipe located in their back yard. This item was tabled from the August 9, 2010 and September 13, 2010 Regular Board meetings.
3. Consideration and possible action on Storm Water Facility Maintenance Covenants between the Town of Salem and Trevor – Wilmot Consolidated Grade School District, and agreement providing for School district's perpetual maintenance of drainage facilities..

## **PLANNING AND ZONING COMMISSION**

1. Consideration and possible action on a variance request by David Gilbertsen to construct a three season room and surrounding deck. Property address of 9700 276<sup>th</sup> Avenue. Property tax parcel 66-4-120-212-1410. For informational purpose only this property is located on the southwest corner of the intersection of CTH 'AH', CTH 'SA' and Canadian National Railroad. Note: Non-conforming structures which do not meet at least 50% of the required setback dimensions cannot be enlarged or expanded (Section V.B. 12.28-7). Required street yard setback from CTH 'AH' is 50% of 65 feet (32.5 ft). Variance requested is for a 23 ft street yard setback.
2. Consideration and possible action on variances requested by Patrick & Marianne Kane (owners) to allow for the construction of a sunroom addition, covered porch addition and attached garage onto a residence. Property address of 27100 100<sup>th</sup> Street. Property tax parcel 66-4-120-214-1415. For informational purpose only this property is located on the east side of 100<sup>th</sup> Street, between 271<sup>st</sup> and 272<sup>nd</sup> Avenues. Note: Non-conforming structures which do not meet at least 50% of the required setback dimensions cannot be enlarged or expanded (Section V.B. 12.28-7). Minimum side yard setback is 50% of 10 feet (5.0 ft). Variance requested is for a 4.7 ft side yard setback: Minimum street yard setback from a Town road is 30 feet. Variance requested is for a 25 ft street yard setback.
3. Consideration and possible action on a rezoning request from Sharon Gureczny (Owner) Rebecca Deering, Donnellan Builders, (Agent) to rezone a parcel from R-5 (Urban Single-

Family Residential) & B-2 (Community Business) to B-2. Rezoning request is to eliminate a split zoning on a single parcel and allow for the construction of a restaurant tavern. Property address of 27624 113<sup>th</sup> Street. Property tax parcel 66-4-120-283-0635. Note: For informational purposes only this parcel is located on the southeast shoreline of Camp Lake on 113<sup>th</sup> Street approximately 1200 feet north of CTH 'C' and formerly known as the Last Resort Tavern.

4. Consideration and possible action on a conditional use permit application from Sharon Gureczny (Owner) Rebecca Deering, Donnellan Builders (Agent), to allow for an outdoor dining/entertainment area. Property address of 27624 113<sup>th</sup> Street. Property tax parcel 66-4-120-283-0635. Note: For informational purposes only this parcel is located on the southeast shoreline of Camp Lake on 113<sup>th</sup> Street approximately 1200 feet north of CTH 'C' and formerly known as the Last Resort Tavern.

5. Consideration and possible action on Letter of Credit reduction for Heritage Estates Subdivision. Current retainage is \$832,866.00. Requested retainage is \$728,039.00 and reflects completion of certain obligations on the developments.

## **PUBLIC SAFETY**

1. Public Safety report

## **PARK COMMISSION**

1 Park Commission report:

2. Consideration and possible action on payment request # 4 (final) by B. R. Amon & Sons, Inc., for Park Improvement Project – Passive Use Area, in the amount of \$21,157.34. This is less contract completion penalties in the amount of \$5,000. Original contract amount \$157,682.00 with the final contract total of \$159,569.85.

## **JUDICIAL**

1 Judicial report

Salem Municipal Court at 5:00 p.m. on October 12, 2010.

	Adult/Juvenile
Initial Appearances/Non Traffic (Water Patrol: 3 – Ordinance: 25)	28/0
Initial Appearances/Traffic	45/ 0
Good Cause/Poverty Hearings	9/0
Trials	1/0
Follow-ups and Reviews	27/0
Totals	110/0

## **SALEM MOUND CEMETERY**

1. Salem Mound Cemetery report.

## **LIBRARY BOARD**

1. Consideration and possible action on an appointment to the Library Board. This item was tabled from the May 2010 Regular Board meeting on a motion by Supervisor Faber, second by Supervisor Meier to add this item to the October 2010 agenda.

2. Report and discussion and possible action on Library activity.

## **BOARD OF REVIEW**

**REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS. and considerations by the Board.**

**Chairman Valentine** (Lakes Committee, Bikes Committee/County) report.

**Supervisor Faber** (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee, Board of Review) report.

**Supervisor Meier** report.

**Supervisor O'Connell** (Library Board, Voltz Lake District) report. \_\_\_\_\_

**Supervisor Tesar** (Hooker Lake) report.

**Closed Session**

1. MOTION: To move into closed session pursuant to: Section 19.85(1)(g), Wis. Stats. for the purpose of conferring with Town legal counsel concerning strategy to be adopted by the Town with respect to litigation in which it is likely to become involved. **Board will discuss recent correspondence, events and strategy relating to that correspondence.**- Ernest

**ADJOURNMENT**

***This Notice was posted at the following places:***

*Camp Lake Post Office  
Salem Post Office  
Trevor Post Office  
Wilmot Post Office  
Town of Salem Municipal Building*

***By Authority of Linda Valentine, Chairman***

*Please note, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact Town at 262-843-2313. "Notice is hereby given that a majority of any other town commission, committee or board may be present at this meeting to gather information about a subject over which they may have decision making responsibility. It is intended that this notice shall constitute an adequate notice of meeting pursuant to State ex rel Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W. 2d 408 (1993 , although none of the other town commissions or boards will take any formal action at this meeting".*

Cc Town of Salem Website [www.townofsalem.net](http://www.townofsalem.net)  
Community Library

**TABLED ITEMS FOR FUTURE AGENDAS**

**For November 2010 Agenda**

1. July 2010 – Heath property raze.

**SCHEDULE OF FUTURE MEETINGS/EVENTS**

General Election 11/02/10 Polls Open 7:00 a.m. – 8:00 p.m.

Special Budget Meeting	10/13/10 5:00 p.m.
Special Budget Meeting	10/18/10 6:00 p.m.
Salem's Spooktacular Holiday Vendor/Craft Fair	10/30/10 10:00 a.m. – 3:00 p.m.
Regular Town Board Meeting	11/08/10 7:00 p.m.
Town Offices Closed – Holidays	11/11/10, 11/25/10 & 11/26/10, 12/23/10, 12/24/10, 12/31/10, & 01/03/11
Regular Town Board Meeting	12/13/10 7:00 p.m.
<b>Lakes Committee Chapter 20 activity</b>	<b>01–12-2011</b>