

**MINUTES
TOWN OF SALEM
ANNUAL ELECTORS MEETING
TUESDAY, APRIL 14, 2009 7:00 P.M.**

This Annual Elector's Meeting was called to order at 7:08 p.m. by out going Town Chairman, Diann Tesar with the following present:

Diann Tesar, Dennis Faber, Pat O'Connell, Joe Meier, Josephine Weidman, Administrator Pat Casey, Attorney Rich Scholze, Jack Rowland, Mike Slover, Brad Zautcke, Chris Lamb, Cindi Ernest, James J. Schultz, Jr., Judy Loth, Charles Loth, Dr. Brad Smith, DC, Ronald Gandt, Patty Gandt, Carol Husnick, Carole Dienethal, Jim Valentine, Linda Valentine, Arlene Langel, Mike Langel, Rick Zanow, Sue Heinlein, Christine Gustafson, Violet Miller, Don Edmond, Jim Cross, Barb Cross, Crysti Neuman, Tom Seep, Chris Krucek, Ray Hartl, Linda Seep, Camey Leonard, Chuck Leonard, Rose Lemcke, Frank Lemcke, Ty Hoeper, Victoria Siciliano, Rob Johnston, Billy Burchett, Pete DeRidder, Denny Howard, Dave Gyger, Pat Leslie, Shelly Burchett, Tim Vanderhoef, Dean Andrea, Bill Barhyte, Karen Barhyte, Len Scanlan, Kay Scanlon, Todd Smith, Charles Reynolds, Fausta Reynolds, William Messien, Mary Ann Messien, Ken Starrett, Sr., Patricia Starrett, Mary Sheen, Dennis Sheen, Peter DeBraun, Philip Dziki, Greg Brown, Pauline Teser, Mary Ellen Close, David Kersting, Lynn M. Pepper, Ann Berg-O'Brien, Thomas C. O'Brien, Dean Hintzman, William Winker, Virginia Winker, Sue Krunenheyer, Ramsa Pogachar, Grasy Pogacher, Dave DuPree, Patti DuPree, Tina O'Rourke, Eric Lemke, Brian DeBolt, Don O'Rourke, Jerry Leslie, Joe Soehn, Darren Soehn, David Sass, Paula Sass, Jason Stalker, John Tierney, Darin Noyes, Shaun Burchett, Cary Artac, Phillip A. Cayo, Brenda Starrett, Ken Starrett, Julie Schroeder, Vincent Mutchler, Gail Peckler-Dziki, Scott Ehlert, Mary Soehn, Fran Grego, Coleen Graves, Tracy Raditz, Ed Herried, Randy Herried, Kim Roper, Robert T. Eaton, Beverly Wilt, Casey Cross, Deanise Kersting, Gary Kersting, Gary Pogachar, Gary Schwall, Jennifer Schwall, Amber VanWie, Dan Graves, Julie Braakman, Chuck Franz, and Henry Will.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted by 3:00 p.m. on Friday, April 10, 2009 at the Town Hall Municipal Building, Salem Post Office, Camp Lake Post Office, Wilmot Post Office, and the Trevor Post Office. It was also posted on the Town's website. Notice of the annual meeting was also published in the Kenosha News.

1.) Minutes of the previous Annual Elector's Meeting of April 8, 2008 were available to electors as they arrived for this year's meeting.

MOTION BY elector Darin Noyes, second by elector Vince Mutchler to approve the minutes of the April 8, 2008 Annual Elector's Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) There were no town annual reports to be given.

3.) Town Administrator, Patrick Casey, presented the 2008 Annual Financial Report. He stated that we came in \$296,725 under budget. The revenues were down and the expenditures came in at \$76,286 over revenues. We are in a good position, but not great.

There were questions regarding conservation and development, signs and remodeling.

MOTION BY elector Phil Dziki, second by elector Virginia Winker to approve the 2008 Financial Report.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Ty Hoeper came before the electors, on behalf of himself and Bill and Michelle Burkett, to request that an eighteen foot (18') parcel owned by the Town, adjacent to their property, be vacated. The parcel was originally proposed to be a road, but was never completed. Over the years, erosion, which was caused by a run off channel, has made the Town's parcel less than four feet (4') wide.

They requested that this portion of 270th Avenue be vacated. (Mr. Hoeper's letter, including maps, was read into the minutes and are attached to these minutes as part of the record.)

Attorney Scholze advised those in attendance that there are provisions that require DNR approval if access to a navigable waterway is eliminated. How this would be interpreted by the DNR is unknown, but they should be notified.

Town Supervisor and elector Dennis Faber advised that the DNR requires, that property given up on a lake, , be replaced with property of equal or greater value on a lake. Jim Richey purchased said property on a channel east of the Last Resort and this may suffice as the replacement. Further discussion followed.

MOTION BY elector James Schultz, Jr. to direct the Town to vacate parcels 1885, 1891, 1900, and 1906 contingent on an ingress easement being established.

Discussion regarding the property owner of parcel 1906 and whether he is aware of the request, to which Shelly Brechette replied that he was aware and because he lives in Illinois is not present.

SECOND BY elector Shaun Brechette.

STANDING VOTE AYE – 76

STANDING VOTE NAY – 3

MOTION CARRIED

5.) The floor was opened up to the Town of Salem electors for any other business granted under State Statute 60.10 – Powers of the Town Meeting.

Fran Grego, 9815 271st Ave, stated that her neighbor, Santa Ana Landscaping, is burning landscape refuse. She has gone to the highway department a number of times with complaints. She stated that she can't sit outside or hang her clothes out. She stated that the town issued this business a permit to do this.

Diann Tesar told Ms. Grego that this wasn't true and there has been no permit issued.

Ms. Grego continued that there is smoldering all along the channel.

Discussion followed.

Fire Chief Slover told those in attendance that there are “avenues” to take when there are problems like this. He told Ms. Grego to contact the Fire Department when this burning is happening and they will make contact and follow up with the Public Safety office.

Frank Lemke questioned whether there are meetings on the budget, to which Diann Tesar informed him that there were four (4) meetings and a public hearing prior to adopting the budget.

Jim Cross presented his packet of data, statistics, and comments stressing job losses and the fact that Kenosha County's tax delinquency is at 50%. He stated he is opposed to the ten (10) million dollars for the construction of a new facility for highway/fire facilities, \$4.9 million for sewer extension, storm water utility and \$28,000 for a sign for the Town Hall.

Diann Tesar told Mr. Cross that the facts he was stating were incorrect and false. She questioned where he got his information, as did other electors.

Pat O'Connell asked Utility Administrator Brad Zautcke to give an explanation of the wet weather flow project and that it is a state mandate not mound systems or extensions which Mr. Cross stated.

Discussion followed.

MOTION BY elector Jim Cross, second by elector Dr. Brad Smith to direct the Salem Town Board to table these projects in order to review them and do only those items that are absolutely necessary and only to the degree of immediate need, with the remaining portions to be done at a time of greater economic prosperity, and at a time when we the electors can afford them. We further direct the Salem Town Board to bring these conclusions before the town electors, at a special meeting if necessary, to reach a final agreement and vote on the projects and costs.

POINT OF ORDER and discussion by Phil Dziki.

Attorney Scholze advised that that State Statute 60.10, Powers of the Town Meeting limits certain actions which can be taken by the electors. These items do not fall within Statute 60.10. If the electors have a vote, it is not binding. It would be advisory only.

MOTION RE-ITERATED BY elector Jim Cross to direct the Salem Town Board to table these projects in order to review them and do only those items that are absolutely necessary and only to the degree of immediate need, with the remaining portions to be done at a time of greater economic prosperity, and at a time when we the electors can afford them. We further direct the Salem Town Board to bring these conclusions before the town electors, at a special meeting if necessary, to reach a final agreement and vote on the projects and costs.

Discussion followed with comments Dennis Faber, Pat O'Connell, Phil Dziki, Diann Tesar, Chuck Franz.

MOTION AGAIN BY elector Jim Cross to direct the Town Board not proceed with the following projects: the Fire Department deep well, the fire/highway facility, and the \$28,000 sign.

Discussion.

Jack Rowland called for a vote.

STANDING VOTE AYE – 44

STANDING VOTE NAY – 44

MOTION DID NOT CARRY

MOTION BY elector Virginia Winker, but interrupted by other electors.

Kim Roper questioned the possibility of renting for the fire/highway building.

Crysti Neuman told electors in attendance that this building has been in process since 2005. It has been on the agendas and they should have attended those meetings.

Fire Chief Mike Slover stated that he feels this whole discussion was ludicrous...absolutely ludicrous. The Town of Salem's firefighters strive to provide the best level of service. There has been an identification of needs. This is for two (2) buildings, road, and a well to put out fires. This is also part of the ISO insurance rating which keeps town resident's insurance rates down.

Frank Lemke questioned how many homes are going to burn on any given night?

POINT OF ORDER called by Mike Slover. He stated that he didn't know where the \$1.7 million figure came from, but it is inaccurate.

Discussion followed with comments by Rick Zanow, Ramsa Pogachar and Gary Pogachar.

MOTION BY elector Virginia Winker that since the Fire Department uses 1/3 of the mill rate that the Fire Department should pay for the building.

NO SECOND

Dennis Faber pointed out that the Fire Department does get .795 (seventy-nine and a half cents) out of the mill rate.

Joe Meier pointed out that anytime people complain about taxes they come to the town. People should take a look at their tax bill. He stated that because of taxes, his "house controls him". Out of \$7,000 only \$1080 is the town tax. The remainder goes to the schools and the county. The town can't exceed the levy limit. This town doesn't want to do anything. Because we don't want to raise taxes then the infrastructure goes down. The town does a lot at a decent price.

MOTION BY elector Jim Cross, second by elector Virginia Winker that the fire/maintenance building be phased in to provide items now and only spend for immediate needs.

STANDING VOTE AYE – 20

STANDING VOTE NAY – 55

MOTION FAILED

MOTION BY elector Phil Dziki, second by elector Darin Noyes to adjourn this annual electors meeting.

STANDING VOTE AYE – 24

STANDING VOTE NAY – 55

MOTION FAILED

MOTION BY elector James Schultz, Jr. to adjourn this annual electors meeting to another date.

NO SECOND

MOTION BY elector Carol Dienethal, second by elector Fran Grego to continue the annual electors meeting and if it gets to late to adjourn to another date.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Elector Linda Valentine presented her list of forty-eight (48) directives (attached to these minutes for the record) which she asked the electors to approve.

MOTION BY elector Linda Valentine, second by elector Shelly Burchette to direct the Salem Town Board on a continuing basis to present a timely, respectable, and up to date website to the public to

be used for communication, advertising of our community to the public and to be a primary source of information regarding the town of Salem.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Darin Noyes questioned Ms. Valentine about the added expenses that her requests will add to the town's budget.

MOTION BY elector Tom O'Brien, second by elector Bill Smith to direct the Town Board to consider items A-F on Ms. Valentine's list as a general enhancement of the use of the website.

Item "A" was already approved.

MOTION AMENDED BY elector Tom O'Brien, second by elector Jim Schultz, Jr. to direct the Town Board to consider items B-F on Ms. Valentine's list as a general enhancement of the use of the website.

Brian DeBolt questioned, as did Darin Noyes, the motions on these items and why Ms. Valentine was going over the town board rather than working with them on these matters.

Bill Barhyte questioned the business listing on item "E".

Judy Loth asked if Ms. Valentine's list could be tabled as most electors haven't had a chance to read them to make a decision.

Brian DeBolt questioned the costs of having the attorney review this list.

Discussion

UNANIMOUS VOTE – AYE

MOTION CARRIED

Further discussion of the list and why the items on it were being brought to the electors and not working with the board followed.

MOTION BY elector Linda Valentine, second by Kim Roper to give Ms. Valentine's email address of salemtownchair@gmail.com and have people email her with constructive criticism.

UNANIMOUS VOTE – AYE

MOTION CARRIED

MOTION BY elector Jack Rowland, second by elector Mike Slover to adjourn this annual electors meeting.

NO VOTE

Dr. Brad Smith thanked Diann Tesar for her years of service as Salem Town Chairman. He voiced his concerns about the current economy and encouraged the town to "put America first and take care of things in our own backyard". It was his humble recommendation that the town maintain accounts with financial institutions that are not taking bail out money from the federal government and that the electors create an advisory committee on assessments.

MOTION BY elector Chris Gustafson, second by elector Jim Cross to hold workshops for the creation of a resolution that prior to the start of any physical construction of municipally financed construction projects (in whole or in part) that requires a Town of Salem capital expenditure of \$20 million or more, that the Town of Salem shall submit to the electorate a binding referendum for approval of the project.

Again, Attorney Scholze advised that doesn't fall under the powers of the electors and is not binding.

MOTION CARRIED.

Carol Husnick thanked Diann Tesar. She informed those in attendance that if we don't get involved, then we have no business passing judgment on the board.

Darin Noyes stated that all of our communication is good. Let's not count pennies out of one purse.

B.J. Messein questioned whether we could get enough volunteers to build the highway/fire building.

Joe Stahl stated he wasn't pro or con to Ms. Valentine's motions, but he wants an earmark cost put to these items. Someone needs to be held accountable and get costs.

Rick Zanow stated a lot of tax dollars go to projects. These projects are things communities' need, but the town has to look at the costs and question "how do we save money on projects". What are we paying consultants? Consulting fees are out of this world and are probably 25-30% higher in this community. He suggested bidding out consultants.

Paula Sass stated she feels local people should have a chance to bid first.
MOTION BY elector Tim Vanderhoef, second by elector Brian DeBolt to adjourn this annual
electors meeting.
UNANIMOUS VOTE – AYE
MOTION CARRIED

This meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Cindi Ernest, Clerk