

**MINUTES
TOWN OF SALEM
ANNUAL ELECTORS MEETING
TUESDAY, APRIL 12, 2011 7:00 P.M.**

Chairman Linda Valentine called this Annual Meeting of the Town of Salem Electors to order at 7:05 p.m. with the following present:

ANNUAL MEETING CHAIRMAN: Linda Valentine

BOARD OF SUPERVISORS: New Chairman Diann Tesar, and Supervisors Joe Meier, Dennis Faber and new Supervisor Dan Campion

OTHERS: Pat Casey, Attorney Rich Scholze, Brad Zautcke, Jack Rowland, Mike Murdock, Chris Lamb, Crysti Neuman, Eileene Anderson and Cindi Ernest.

GUESTS: Darren Hillock, Deneen Smith, Jason Stalker, Randy Herried, Deputy Harvey, Jim Valentine, Wayne Kleinfelder, Michael Ullstrup, Donna Olsen, Geonie Olsen, William Schulz, Carol Husnick, Violet Miller, Freda Pryga, James Maze, Lucas Buzzell, Julie Schroeder, Gregg Peterson, Bruce Bozman, Gail Peckler-Dziki, Greg Brown, Denny Williams, AB O'Brien, Elaine Tesar, Tim Vanderhoef, Matt Cardnalz, Lynn Murdock, Chris Skrzynecki, Reid Lopama, Arlene Langel, Mike Langel, Len Scanlan, Kathleen Scanlan, Mary Laschinski, James Laschinski, Patty Gandt, Susan Heinlein, Sue Farna, Dr. Brad Smith, Judy Loth, Jeff Marles, Patrick O'Connell, Susan Grant, Larry Kamin, Joe Polacheck, Vincent Mutchler, Marc Paulsen, Gail Kirby, Barbara Hanson, Philip Dziki, Wayne Vaughn, Phyllis Vaughn, Hal Ditzig, Linda Rise, Terry Rise, Tom O'brien, Bill Barhyte, Linda Rizzo, Mike Murdock, Cindy Cort, Jeff Barningham, Mike McGuire, Brenda Bortko, Taylor Tesar, Dan Glaves, Leroy Vanderspool, Fran Grego, James Cross, Marguerite Young, Michael Young, Brian Lolmaugh, Kaet Johnson, Bill Carey, Ron Pasterz, Ted Tsoumas, Dan Tesar, Jan Canut, Linda Vanderspool, Louise Lin and Linda Meyer

Chairman Valentine explained to those in attendance what an Annual Town meeting is.

PLEDGE OF ALLEGIANCE

Chairman Valentine led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

A notice of the meeting was published in the Kenosha News and at the Town Hall Municipal Building, Salem Post Office, Camp Lake Post Office, Wilmot Post Office, and the Trevor Post Office and on the Town's website 15 days prior to this meeting. The agenda was posted prior to 3:00 p.m. on Monday, April 11, 2011 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.

MOTION BY Elector Cindy Cort, second by Elector Vince Mutchler to approve the minutes of the previous Annual Electors Meeting of April 2010 as presented.

VOTE BY RAISE OF HANDS TAKEN

MOTION PASSED WITHOUT OPPOSITION

PRESENTATION OF THE FISCAL YEAR 2010 TOWN AUDIT

Administrator Casey indicated that he would give the beginning and ending balances for the Fiscal Year 2010 audit. The Town's auditor will be present at the May 2011 regular board meeting to present the audit and answer questions.

General Fund

Beginning Balance \$1,268,246
Ending Balance \$1,367,576

Park Fund

Beginning Balance \$ 859,908
Ending Balance \$ 773,073

Capital Projects Fund

Beginning Balance \$1,361,038
Ending Balance \$1,094,241

Debt Service Fund

Beginning Balance \$ 0
Ending Balance \$ 3,766

Other Governmental Funds

Beginning Balance \$ 248,900
Ending Balance \$ 250,143

Sewer Utility Fund

Beginning Balance \$3,681,214
Ending Balance \$3,250,176
A change of -\$431,038

Storm Water Fund

Beginning Balance -\$ 44,660
Ending Balance \$ 146,417

PURCHASE OF PROPERTY

It was requested that the electors grant authority to the Town Board to negotiate and possibly purchase land for future development of parks. The balance of the impact fees in the Park Fund would be used for this purchase.

MOTION BY Elector Philip Dziki, second by Elector Larry Kamin to allow the Town Board to negotiate, make purchases for land and/or development specific to parks on the behalf of the

electors up to but not greater than the impact fees residing in the PARK FUND as of April 12, 2011 for the period not to exceed the next annual meeting of April 10, 2012.

Elector Tom O'Brien questioned the request, what are we voting on, what are impact fees and indicating that there isn't any information on the amount of those impact fees to be used.

Administrator Casey responded that the Park Fund has a balance of \$773,073 of which all is impact fees.

Gail Peckler-Dziki questioned if there was any land in mind to which Administrator Casey responded that we have been exploring possibilities, but we don't have any specific plot or land in mind.

Jim Maze asked if there are any provisions in the budget for maintaining the land, in a park setting once it is purchased. Is it going to be developed?

Chairman Valentine asked what happens to the money if we don't spend it.

Administrator Casey told those in attendance that the money is forfeited. If we don't spend the impact fees then the money goes back to the developers, those who paid it. He went on to explain that the Town is seeking this permission from the electors so that the accumulated money in the Park Fund from impact fees could be spent if the right land was found without having to call another electors meeting. The motion gives the town board authority to make this purchase within a year.

Discussion followed regarding spending the money right away and how long for the authority.

Denny Williams stated that the board has too much authority now. He thinks it should be a vote.

Chairman Valentine explained that what this vote does is gives the board the

Sue Heinlein questioned where the funds come from, taxes or new development.

Administrator Casey explained impact fees and how they are generated from every new home, which is built in a new subdivision. The developer or homeowner to the development has to pay a certain amount of money to put that house up. So it's not tax dollars, but dollars that are paid when a new house goes up.

Town Supervisor Faber gave further elaborated on impact fees and that if the money isn't spent within a certain time period then the money has to go back to the developer.

Elector Bill Schulz questioned whether it also includes parks already developed to which Administrator Casey responded no that it has to be used for a new park or for undeveloped ground.

Elector Chris Skrzynecki asked whether subdivisions are expecting parks in their subdivisions to which Administrator Casey said no that this wouldn't be part of subdivisions.

Elector Chris Skrzynecki questioned if there is a timeline on developing a property and if there is an expiration date on the funds to which Administrator Casey answered no that there isn't a timeline on developing the property and that there are different expiration dates on the funds.

Elector Barbara Hanson asked whether there would still be opportunity for people to look at and have input on the property before development.

Elector and Park Board member Larry Kamin said that there are ordinances in Town that new subdivisions have to set aside land for a park. This impact fee would be to set aside money for parks for the entire Town for everybody to use.

Elector Tim Vanderhoef questioned if there is a minimum or maximum parcel size to which Administrator Casey responded, "No."

Elector Fran Grego questioned whether there were DNR strings attached to this to which Administrator Casey responded only if we use their money of it is close to the water.

Elector Cindy Cort asked if this will be one parcel or several to which Administrator Casey responded that it could be several.

Elector Pat O'Connell stated that the big advantage to approving this is that the Town won't have to go out and borrow money in the future.

7:28 PM.

SHOW OF HANDS VOTE

AYE – 79

NAY – 3

MOTION CARRIED

OTHER ELECTOR BUSINESS

Elector Denny Williams said that the police department was voted out years ago and now we have a police department again.

Chairman Valentine informed Elector Williams that they aren't a police department, but ordinance enforcement. Elector Williams then questioned why they act like they are a police department. He then asked when is the Town going to get a fire department that knows where to go and why fifteen (15) people show up on a call. He also questioned why the ambulance in Paddock Lake is cheaper.

Administrator Casey said that drivers make mistakes and he did not believe the ambulance in Paddock Lake is cheaper. He stated he wasn't qualified to answer the question regarding the number of people who respond to a call, but that it can depend on certain things and the type of call.

Elector Linda Rise questioned if there were statistics on how many calls didn't get to houses. With GPS they shouldn't not know how to get to a home. It has happened three (3) times that she knows of.

Elector Brian Lolmaugh stated that the ambulance has been to his house for his daughter and there has never been a problem getting there.

Administrator Casey pointed out that the Town Board entered into the agreement with the Village of Paddock Lake and in four (4) years it will be up to what the Town pays and then it rises every year after that. It is a twenty (20) year contract with an inflation indicator.

Elector Bill Schulz raised some points regarding Chapter 20 Lakes and Beaches. The Town has been working on Chapter 20 for almost 2 years. There were forty-five (45) homeowners at Lake Shangri-La's annual meeting who voted unanimously to change to 100 ft from the shoreline. WI stats state no wake 100 ft from the shoreline, but the Town's ordinance says 200 ft. Lake Shangri-La/Benet is a little lake and at 200 ft would eliminate parts of the lake for use. He requested that Lakes Shangri-La/Benet follow the state statutes of 100 feet from the shore zone.

Elector Vince Mutchler questioned how long the ordinance has been like that to which Mr. Schulz responded twenty – five (25) years.

Supervisor Faber said that many years ago this was enacted. The state passed the law regarding the shore zone last year. Previously it had only applied to piers. The signs, which have been placed at Lake Shangri-La and others, are a DNR requirement. If the ordinance should change, the signs would change to reflect it.

MOTION BY Elector Bill Schulz, second by Elector Gail Kirby to change the rules to match state statutes and make the shoreline rules 100 ft for Lakes Shangri-La /Benet.

Attorney Scholze advised that the electors don't have the authority for this motion, but that this motion would be advisory.

Elector Lee Vanderspool lives on lake Shangri-La and sees what goes on. He stated they watch properties deteriorate from the wakes and thinks this is a bad idea for just those who want to ski.

Elector Bruce Bozman said that this was requested two (2) years ago and voted on by a majority who want 100 ft from the shoreline.

Elector Carol Husnick questioned whether all of the lake is in Salem?

It was explained that most is in Salem, but there is a small amount in Bristol, but Bristol doesn't patrol it.

Supervisor Faber explained that there are requirements in WI Statutes Ch. 30, which have to be met. The DNR is involved in the process and there would be a minimum 90-day turnaround to have our ordinance enacted.

Elector Gail Kirby said she bought her property for skiing and there is also a gentleman in his 70's who skis barefoot on the lake.

Elector Jeff Barningham said that we are only asking for what DNR regulations are. You may have to wait on the DNR if you are more restrictive. He reminded the board that there are members of the board who have a big influence on the lakes.

7:59 PM.

SHOW OF HANDS VOTE

AYE – 55

NAY – 5

MOTION CARRIED

Elector Mary Laschinski of Trevor state that expenses have gone up and stated we all have been trying to save money and she has a list of how the Town can cut money.

MOTION BY Elector Mary Laschinski, second by Elector Jim Laschinski to change the building inspector position from full time to a sub contracted position based on need.

Discussion followed relative to the amount of money that would be saved, other work the building inspector performs, and the importance of a building inspector.

Supervisor Meier advised that the Town had tired an independent inspector and brought people in to inspect. It cost the Town more money.

Further discussion followed relative to the Laschinski's problems with the inspector.

Elector Jim Valentine questioned how many complaints have been received concerning the inspector to which Administrator Casey responded only two (2) or three (3) and one with the state. He stated that contractors would sometimes come in and take things out after inspections have been done.

8:12 PM.

SHOW OF HANDS VOTE

AYE – 6

NAY – 66

MOTION FAILED

Elector Jeff Barningham, who has been present at the lake meetings. He requested to make a second motion. He said within all of these lakes meetings that were held most of the lakes were represented. During the last meeting there was a very large group of people because of the debate of motorcycles using the lakes. During that meeting there was a comment about going back to the state statutes on regulation of the lakes. Just by a show of hands, there was an overwhelming majority who agreed with just going back to the statutes. That is the sentiment that the board took at that time.

MOTION BY Elector Jeff Barningham, second by Elector Bill Schulz to change the slow no wake

hours on Lakes Shangri-La/Benet, in only July and August, to be consistent with the WI State Statutes law of slow no wake hours.

Elector Linda Vanderspool stated there is an issue with lack of enforcement on the lake with what's happening now. You can change the ordinance, but it doesn't get enforced.

Elector Jim Valentine questioned why they are requesting only two (2) months to which Elector Barningham responded because of hours of daylight and working.

Elector Ted Tsoumas said a valid point was made and the lakes are over regulated. People who work have a hard time getting out and enjoying the lake.

When Elector Brian Lolmaugh questioned if there are other lakes with exceptions, Supervisor Faber responded Hooker Lake is Tuesday and Thursday an hour and a half longer.

8:23 PM.

SHOW OF HANDS VOTE

AYE – 56

NAY – 5

MOTION CARRIED

Elector Mike McGuire requested to change the hours on Camp Lake also. He proposed sundown to 10:00 am as slow no wake hours. He would like to enjoy the lake a little more.

MOTION BY Elector Mike McGuire, second by Elector Bill Schulz to change the slow no wake hours on Camp Lake from sundown to 10:00 a.m.

Discussion followed regarding skiing and whether there would be opposition from people on Camp Lake.

Supervisor Faber stated he is the board representative for CCLRD and there are people who would like to rest when they come home.

8:32 PM.

SHOW OF HANDS VOTE

AYE – 55

NAY – 4

MOTION CARRIED

Elector Mary Laschinski said that when the issue of whether to hire an administrator went to referendum, the electors voted no, but the Town Board still hired him. She would like to direct the board to not renegotiate the contract of the administrator.

MOTION BY Elector Laschinski, second by Elector Denny Williams to remove the position of town administrator at the next earliest opportunity.

Discussion and comments followed relative to the administrator's position, who would do the job if we didn't have an administrator, and with a town of 12,000 the need for a full time

professional to carry on business.

Attorney Scholze again advised that this is advisory only.

Elector Jeff Barningham said the referendum said No to an administrator, but didn't an annual meeting of the electors say yes? It was confirmed that the elector's annual meeting did say Yes.

Supervisor Faber pointed out the other municipalities with an administrator including Paddock Lake, Twin Lakes, Pleasant Prairie, Town of Somers, and Village of Bristol.

8:32 PM.

SHOW OF HANDS VOTE

AYE – 8

NAY – 58

MOTION FAILED

Elector Laschinski questioned Chairman Valentine whether she should continue.

New Town Chairman Diann Tesar thanked Linda Valentine for her dedicated service and wished her well for the future.

There were no further comments.

ADJOURNMENT

MOTION BY Elector Mike McGuire, second by Elector Dr. Brad Smith to adjourn this Annual Town Electors Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Annual Town Electors meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Cindi Ernest, Clerk