

**MINUTES  
TOWN OF SALEM  
ANNUAL ELECTORS MEETING  
TUESDAY, APRIL 15, 2014 7:00 P.M.**

**Chairman Diann Tesar** called this Annual Meeting of the Town of Salem Electors to order at 7:00 p.m. with the following present:

**ANNUAL MEETING CHAIRMAN:** Diann Tesar

**BOARD OF SUPERVISORS:** Supervisors Dan Campion and Ted Kmiec and newly re-elected Supervisors Dennis Faber and Mike Culat

**OTHERS:** Pat Casey, Attorney Richard Scholze, Brad Zautcke, Chris Lamb, Eileene Anderson, Jack Rowland, Mike Slover, Mike Murdock and Cindi Ernest.

**GUESTS:** Bill Guida, Darren Hillock, Gabriel Ferrara, Michael Ullstrup, Carol Husnick, Bill Barhyte, Vincent Mutchler, Patti DuPree, David DuPree, Ameer Janus, Cindy Cort, Dan Glaves, Pat Mulvey, Mike Langel, Johan Ihlen, Lydia Torres, Phil English, Nick English, Coleen Glaves, Ken Starrett, Duane Kellor, Linda Valentine, Arlene Langel, Jim Woodke, Kyle Christensen, Sandy Buhler, Roland Buhler, Shelly Burchett, Billy Burchett, Carrie Fisher, Tim Squire, Brent Starrett, B Campion, Patty Gandt, Ron Gandt, Julie Schroeder, Kim Roper, Carl Siegel, Mary Sheen, John McEnthgert, Sharon Pomaville, Julie Braakman, Lynn Murdock, Patti Zurla, John Roberts, Dennis Sheen and Jan Culat

**At this meeting there were 55 Town Electors present and 6 non-Town Electors present.**

**PLEDGE OF ALLEGIANCE**

Chairman Tesar 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 at least fifteen (15) days prior to this meeting.

Chairman Tesar explained to those in attendance what a Town Annual meeting is.

**1. ) PRESENTATION OF THE FISCAL YEAR 2014 TOWN AUDIT**

Administrator Casey read the beginning and ending balances for the recently completed Fiscal Year 2014 audit (a copy of which is attached to these minutes for the record).

Elector Michael Ullstrup questioned the purpose of the Debt Service, Capital Improvement, and Other Governmental Funds.

Administrator Casey explained that the Debt Service is for a number of things, including the debt on the Hwy/Fire facility, other old debt and parks. The Capital Improvement is some paving and other projects, replacement of vehicles and equipment, but most is for paving. The Other Governmental Funds includes Maintenance, Trails & Park accounts which are co-mingled in the Other Governmental Funds because they are smaller accounts.

Elector Patti Zurla questioned if Public Safety included payroll, vehicles and boats.

Administrator Casey explained that it includes Water Patrol and Ordinance Enforcement as well as payroll, boats and vehicles. We have a part time supervisor and several part time employees. It also includes the Fire/Rescue and Building Departments.

Elector Carol Husnick questioned if the money bequeathed (from Bushing Estate) to the Fire/Rescue Department is a special fund and if the money had been spent yet.

Administrator Casey responded that it is a reserved/restricted fund in the Capital Improvement Fund and none of it has been expended to date

**2.)** A request to renew the Town Board's authority to purchase park land for another year was presented.

This is the same as what the Electors approved last year. It would grant authority to the Town Board to negotiate and possibly purchase land which could be used for future development of parks. Impact fees in the Park Fund would be used for a purchase if such an opportunity presents itself. If the fees are not used, then they have to be refunded to the developer.

Elector Linda Valentine questioned how much money was in the account to which Administrator Casey responded close to \$350,000.

Discussion.

MOTION BY Elector Linda Valentine, second by Jim Woodke to extend the amount of time, for one more year, to spend the money from the Park Fund.

Further discussion followed relative to impact fees.

Point of Order called by Tim Squire stating he thought we had voted, but discussion is continuing. Wanted clarity because he thought we had voted on something.

Chairman Tesar apologized and had stated we were not voting and to put hands down.

Discussion continued.

Chairman Tesar again called for the vote.

RAISE OF CARDS VOTE AYE – 54

RAISE OF CARDS VOTE NAY – 1

MOTION CARRIED

**3.)** A request to authorize the Town Board to acquire, by purchase or exchange of Town owned lands, certain vacant parcels in Valmar Subdivision from Kenosha County for road, park or open space purposes and to vacate certain unimproved rights of way in Valmar Subdivision providing potential access only to County owned lands was presented. The County is trying to consolidate and get rid of some platting. These are non-buildable lots, will never be buildable no money will be exchanged. Most of it is swamp land.

MOTION BY Elector Linda Valentine, second by Shelly Burkett to have the Town proceed with Valmar Subdivision proposed right of ways vacation between the Town of Salem and the County.

RAISE OF CARDS VOTE AYE – 55

RAISE OF CARDS VOTE NAY – 0

MOTION CARRIED

4.) A request by Shelly Burchett that the Town vacate a 50 ft x 2 ft portion of property at the end of her property located at 26946 103<sup>rd</sup> Place.

This was brought before the electors at an Annual Meeting in April of 2009 regarding parcels owned by Bill and Shelly Burchett and Ty Hoeper. Parcel #'s 66-4-120-214-1900 & 66-4-120-214-1891 Below is an excerpt of the minutes regarding what transpired at that meeting.

**April 14, 2009 Annual Meeting Minutes Excerpt:** Ty Hoeper came before the electors, on behalf of himself and Bill and Michelle Burchett, 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.

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 Burchett replied that he was aware and because he lives in Illinois is not present.

SECOND BY Elector Shaun Burchett.

STANDING VOTE AYE – 76 STANDING VOTE NAY – 3 MOTION CARRIED

Ms. Burchett informed the Electors that Mr. Hoeper had a massive stroke, is in a wheel chair and can't speak. She state she had combined the parcels with the county last week and would like the piece back. When they purchased the home, they were told they would be riparian owners.

Discussion followed with Highway Department Head Mike Murdock requesting that the Board obtain and easement/right of way.

Further discussion followed as to whether the Town had purchased enough property that the DNR would allow this. The DNR will be consulted prior.

MOTION BY Elector Linda Valentine, to vacate the property commonly referred to as 26946 103<sup>rd</sup> Place, to the tune of 50 ft x 2 ft.

Attorney Scholze advised that the Electors have certain authority with regard to the sale of Town property which I think this would be Elector authority, but that authority is to authorize the Town Board to take action not directly to vacate a roadway. That is a power limited to the Town Board so it might be more proper to make a motion to authorize the Town Board to take action to vacate that portion of the parcel.

MOTION AMENDED BY Linda Valentine to authorize the Town Board to take action to vacate that portion of the parcel.

MOTION SECONDED BY Kim Roper.

RAISE OF CARDS VOTE AYE – 55

RAISE OF CARDS VOTE NAY – 0

MOTION CARRIED

5.) Any other Town business brought forth by electors of the Town of Salem under State Statute 60.10- POWERS OF TOWN MEETING

**SHARING CENTER FUTURE ANNUAL FUNDING**

Sharon Pomaville representing the Sharing Center reminded those in attendance that the Electors last year had voted that the Town of Salem fund an annual amount in the Town's budget for the Sharing Center. She presented information and resources regarding the use of the Sharing Center, with the majority of clients coming from the Town of Salem. She also discussed services and needs for clients.

Elector Tim Squire inquired as to the amount being requested and was told the Town had budgeted \$5,000 this year.

MOTION BY Elector Tim Squire, second by Elector Eileene Anderson to authorize the Town Board to place an additional amount of \$5,000, for a total of \$10,000, in the budget for the Sharing Center.

Chairman Tesar pointed out this would be in the year 2015.

Discussion followed relative to the number of residents, what other municipalities are contributing, and upon questioning the money would go towards the food reclamation program. Linda Valentine questioned when was the last time the Sharing Center provided the Board budget and meeting reports to the Town to which Ms. Pomaville responded that she would be happy to provide those reports tomorrow. Ms. Valentine again questioned if they had received the reports in the last year to which Ms. Pomaville responded that they had not requested it.

MOTION AMENDED BY Elector Linda Valentine that the Sharing Center provide regular board meeting reports.

Chairman Tesar advised Ms. Valentine that the motion had to be amended by the person who made the motion to which Ms. Valentine requested Mr. Squire amend the motion. Mr. Squire responded that he did not want to amend his motion. He reminded those in attendance that we have a responsibility as a community to take care of others. He also stated that because of the simple fact that the Sharing Center is willing to provide a budget tomorrow and we can do \$10,000 and do the reclamation and as a priest who works with a church in IL, this reclamation is a tremendously helpful and the fact that we can do \$10,000 and get back a \$100,000 worth of food and encouraged all to keep this in mind when taking the vote. He then stated he did not believe his motion needs to be amended.

Further discussion.

Mr. Squire will not amend his motion.

Discussion of determining residency of clients followed.

RAISE OF CARDS VOTE AYE – 53                      RAISE OF CARDS VOTE NAY – 2

MOTION CARRIED

**PURCHASE OF OTHER PROPERTY**

MOTION BY Elector Patti Zurla, second by Elector Tim Squier to authorize the Town to purchase property to benefit the Town.

Discussion followed with Administrator Casey saying that money authorized for this would come out of the General Fund and could be used for economic development. He also gave an overview of TIF's and the conditions of a TIF which the legislature authorized Town's to do.

A TIF freezes that value for a period of 23 years. Implementing a TIF is not something the Town would go to the Electors for and the Town Board has the authority to do one.

Further discussion followed with Mike Ullstrup pointing out that the Town would need to be careful if do something close to Silver Lake or Paddock Lake.

Linda Valentine pointed out that this is open ended and she has issues with no terms being presented and no panels being mentioned to which Town Supervisor Mike Culat stated that the Board is here for two (2) years. If they are not good stewards of Electors money then the Board would be removed. The current Board have been good stewards of the Town's money.

RAISE OF CARDS VOTE AYE – 48

RAISE OF CARDS VOTE NAY – 7

MOTION CARRIED

#### **COMMITTEE TO INVESTIGATE INCORPORATION**

Elector Kyle Christensen expressed his concerns regarding our current boundaries and tax base and indicated he believed it is in the best interests of the Town to form a committee to investigate what it would take for incorporation.

MOTION BY Elector Kyle Christensen, second by Tim Squier to request that the Town Board form a committee to investigate the possibility of incorporation.

Discussion followed regarding police criteria, parameters, qualifications and needs.

CALL FOR THE QUESTION BY Elector Tim Squier.

Further discussion continued.

Elector Linda Valentine requested that Kyle Christensen amend his motion to make it a citizen's only committee.

MOTION AMENDED BY Elector Kyle Christensen to make the proposed committee a citizen's only committee.

Elector Tim Squier stated that he would not support the amended motion.

Discussion.

AMENDED MOTION WITHDRAWN BY Elector Kyle Christensen who stated he is staying with his original motion.

RAISE OF CARDS VOTE AYE – 55

RAISE OF CARDS VOTE NAY – 0

MOTION CARRIED

Discussion

#### **ADJOURNMENT**

MOTION BY Elector Tim Squier, second by Elector Bill Barhyte to adjourn this Annual Town Electors Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Annual Town Electors meeting was adjourned at 8:26 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk