

**MINUTES
TOWN OF SALEM
PUBLIC HEARING & REGULAR BOARD MEETING
OF THE BOARD SUPERVISORS
Monday, January 9, 2012 7:00 P.M.**

Chairman Diann Tesar called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:00 p.m. with the following present:

CHAIRMAN: Diann Tesar

BOARD OF SUPERVISORS: Pat O’Connell, Dennis Faber, and Dan Campion

OTHERS: Pat Casey, Attorney Richard Scholze, Brad Zautcke, Dave Shortess, Mike Murdock and Cindi Ernest.

GUESTS: Jim Kasovic, Carl Siegel, Ed Antaramian, AB O’Brien, Steve Brown, Mike Ullstrup, Jim Walker, Pat Mulvey, John Roberts, Tim Vanderhoef, Frank Bell, Doug Hughes, Jason Rossell and B Campion.

PLEDGE OF ALLEGIANCE

Chairman Tesar led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted prior to 3:00 p.m. on Friday, January 6, 2012 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.

APPROVAL OF AGENDA SEQUENCE

There was no change in the agenda sequence.

PUBLIC HEARING

Chairman Tesar opened this Public Hearing at 7:02 p.m. to hear and consider public comment of a proposed Resolution to lay out an extension of 104th Street and 104th Place in the Town of Salem, Kenosha County, Wisconsin legally described in the attached exhibit.

Chairman Tesar asked for any comments either for or against the proposed lay out of an extension of 104th Street and 104th Place.

There were no comments for or against.

This Public Hearing was closed at 7:04 p.m.

CITIZENS COMMENTS

Ed Antaramian introduced himself as a candidate for Circuit Court Judge, Branch 2. He informed those in attendance that he is the only candidate West of the I and has the most experience. He gave his background and stated that he is committed to the community.

Jason Rossell introduced himself as a candidate for Circuit Court Judge, Branch 2. He informed those in attendance that he is the current appointed Circuit Court Judge, for Branch 2 and previously worked in the DA's Office for five (5) years. He gave further information on his background and he is committed to being a Rule of Law judge.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar gave a little background on the history of the area to which this agenda item pertains.

Mrs. Lorraine Paull, 24200 84th Street, Salem requested to have flood plain designation removed from her property on Hooker Lake.

Administrator Casey told her that the Town has no power to change the flood plain. Only the County and SWRPC have that ability. The Town would pay for a new survey of the area and will send it to the County and to SWRPC. The pipe is on private property. The Town has no easement. Other than doing the survey the Town can do nothing.

Mrs. Paull presented a map which she had received from Kenosha County. She stated she was never notified of the flood plain project and property values, including hers have decreased due to the flood plain designation. It isn't a tributary, but drainage from the west. She also stated that she has been a good resident and taxpayer for over forty (40) years and the drainage has made her property worthless.

Discussion followed.

Supervisor Kmiec arrived at 7:22 p.m.

Administrator Casey informed Mrs. Paull that she will be contacted after the Town hears from SWERPC regarding the new survey.

2.) A request by James Kasovic to remove the billing for garbage service at 12008 Antioch Rd from the property tax bill was presented.

Chairman Tesar stated that there are two parcels at this location and one is zoned B3 Commercial and the other is zoned B3 Residential. There currently is no tenant on the residential parcel. She did speak to Mr. Kasovic prior to the meeting and he will explore other options so there was no action taken on this matter.

PLANNING & ZONING

1.) A request by Richard & Carol Flocker to rezone a portion of tax parcel # 66-4-120-212-1000 from R-4 (Urban Single-Family Residential) to R-4 and C-2 (Upland Resource Conservancy) and attach it to tax parcel # 66-4-120-212-1020, to match the existing use of the property and provide for future access to maintain the Center Lake dam that exists on the north side of CTH 'SA'.

Doug Hughes informed those in attendance that the dam, which Camp Center Lake Rehabilitation District will take over and provide funds to rebuild is located next to this property. The DNR requires that both sides of the dam be owned. CCLRD has negotiated with the Flockers for this property and Kenosha County recommended a lot line adjustment.

The Salem Planning & Zoning Commission did not have an opportunity to make a recommendation on this item due to conflicts with scheduled meeting dates.

MOTION BY Supervisor O'Connell, second by Supervisor Kmiec to approve the request by Richard & Carol Flocker to rezone a portion of tax parcel # 66-4-120-212-1000 from R-4 (Urban

Single-Family Residential) to R-4 and C-2 (Upland Resource Conservancy) and attach it to tax parcel # 66-4-120-212-1020, to match the existing use of the property and provide for future access to maintain the Center Lake dam that exists on the north side of CTH 'SA'.

SUPERVISORS O'Connell, Kmiec, Campion and Chairman Tesar – AYE

SUPERVISOR Faber – ABSTAINED (due to conflict of interest)

MOTION CARRIED

BUILDING DEPARTMENT

1.) The awarding of bids for possible demolition of the following properties: 9607 Camp Lake Road, Camp Lake, WI Tax Parcel No. 66-4-120-212-1350, 9949 272nd Avenue, Trevor, WI Tax Parcel No. 66-4-120-214-1410 and 26902 111th Street, Salem, WI Tax Parcel No. 66-4-120-284-1255 was presented. Sixteen (16) bids were received.

Administrator Casey indicated that the combination bids should be thrown out. The property located 272nd will not be razed at this time and the single bids are less.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to award the bid for the property located at 9607 Camp Lake Road, to Siegler Grading and Excavating in the amount of \$10,000.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Attorney Scholze gave the board a background on foreclosure and judgment.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to award the bid for the property located at 26902 111th Street to Fox Trucking in the amount of \$5,065.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request for a raze order and setting a public hearing for property located at 11619 306th Court, Tax Parcel # 67-4-120-303-0975, Lunsford Family Revocable Trust, 497 McHenry Road, Wheeling, IL 60090 was presented. There were two (2) fires at this location over the holidays. The first fire did minimal damage, but the second fire gutted a hole in the roof and created a very dangerous situation.

MOTION BY Supervisor O'Connell, second by Supervisor Campion to proceed with the public hearing and set a date for the raze of property located at 11619 306th Court, Tax Parcel # 67-4-120-303-0975.

PUBLIC SAFETY

1.) A request by the Public Safety department regarding the process of taking legal civil action in Kenosha County Circuit Court against two properties in the Town of Salem. The two properties are identified as 7910 305th Ave. and 12020 254th Ave was presented. The properties historically have substantial property maintenance issues.

Supervisor Kmiec questioned the costs of court action on these properties to which Attorney Scholze stated the cost of preparing if there were no objections from the property owners would be about \$1,000. If they object and it goes to trial it will be more. The costs can be placed on the tax roll, but not the full amount of attorney fees. Discussion followed.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to proceed with legal action on properties located at 7910 305th Ave. and 12020 254th Ave., as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

ADMINISTRATOR’S BUSINESS

1.) Administrator Casey reminded the board and those in attendance about the information Park meeting to be held on Wednesday, January 18, 2012 at 7:00 p.m. The community is invited to attend and participate.

FIRE AND HIGHWAY BUILDING PROJECT

1.) Payment Application No. 5 from Camosy Construction in the amount of \$81,431.24 for the Well Services Building was presented. The original contract amount is \$289,200.00 Balance to finish plus retainage is \$0.

MOTION BY Supervisor Campion, second by Supervisor O’Connell to approve Payment Application No. 5 from Camosy Construction in the amount of \$81,431.24 for the Well Services Building as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

2.) Payment Request No. 18 from Miron Construction in the amount of \$4,382.00 for the Highway & Fire Facility was presented. The original contract amount is \$4,500,474.00. Balance to finish plus retainage is \$163,162.61.

MOTION BY Supervisor O’Connell, second by Supervisor Faber to approve Payment Request No. 18 from Miron Construction in the amount of \$4,382.00 for the Highway & Fire Facility as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

HIGHWAY DEPARTMENT

1.) A Highway Order to lay out an extension of 104th Street and 104th Place in the Town of Salem, Kenosha County, Wisconsin was presented.

A public hearing was held at 7:00 p.m. prior to this Regular Meeting. There were no comments for or against this Highway Order.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the Highway Order to lay out an extension of 104th Street and 104th Place in the Town of Salem, Kenosha County, Wisconsin as presented.

Supervisor Campion commented that this is part of the purchase of the property purchase to straighten out the road.

UNANIMOUS VOTE – AYE
MOTION CARRIED

CLERK’S BUSINESS

1.) MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of a Regular Board Meeting on 12/12/11 and a Special Meeting on 12/21/11.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Operator License applications were presented as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Kathryn L Brown Christin N Bonebrake Linnea M Elliott Nikolina Shafer

MOTION BY Supervisor O'Connell, second by Supervisor Kmiec to approve the Operator License applications as with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) An Amusement Machine License application as follows was presented with approval contingent on payment of delinquent taxes, assessments, and all necessary fees.

Lumpy's Sports Bar & Grill

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the Amusement Machine License application as presented with approval contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER'S REPORT

1.) Chairman Tesar gave the Treasurer's report for December 1, 2011 – December 31, 2011 as follows:

DECEMBER 2011 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

December 1, 2011- Beginning Balance **\$1,083,570.22**

<u>RECEIPTS</u>		\$ 6,392,028.88
Transfer from LGIP#11	\$	0.00
Prior Month Adjustment	\$	0.00

<u>DISBURSEMENTS</u>	\$	548,179.75
PAYROLL	\$	211,090.71
Prior Month Adjust.	\$	<u>0.00</u>
Total	\$	759,270.46

December 31, 2011 - Ending Balance **\$6,716,328.64**

State Pool - General	\$	531,309.65
Gen. Checking		<u>\$ 6,185,018.99</u>
Totals	\$	6,716,328.64

DECEMBER 2011 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

December 1, 2011- Beginning Balance \$ 0.00

RECEIPTS \$ 0.00

Trnsfr from Gen. Ck. \$ 0.00

DISBURSEMENT

Trnsfr to Gen. Ck \$ 0.00

December 31, 2011 - Ending Balance \$ 0.00

DECEMBER 2011 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

December 1, 2011 - Beginning Balance \$ 526,699.34

RECEIPTS \$ 62.41

DISBURSEMENTS \$ 0.00

December 31, 2011 - Ending Balance \$ 526,761.75

DECEMBER 2011 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

December 1, 2011 Beginning Balance \$ 35,536.42

RECEIPTS \$ 4.21

December 31, 2011 Ending Balance \$ 35,540.63

DECEMBER 2011 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM

December 1, 2011 Beginning Balance \$ 432,277.55

RECEIPTS \$ 51.22

DISBURSEMENTS

Transfer to Gen Fund \$ 0.00

Supervisor Faber (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee, & Board of Review) report. Supervisor Faber reported that construction on CCLRD's storage shed is moving along with the poles up and the fence moved. They will be able to use some of the fence. He commented that there was an interesting article in the WI Town's Report regarding beavers. The state is looking at the problems with beavers and is considering trapper subsidies for them.

Supervisor O'Connell (Library Board & Voltz Lake District) report. Voltz Lake District will hold its winter meeting on January 19th at the Town Hall. The library building in Twin Lakes is taking a little longer than anticipated, but is coming along. The meeting last month wasn't long as they didn't have a quorum.

Supervisor Kmiec report. Supervisor Kmiec announced that he will be reporting on the Parks and will be attending the meeting on January 18th.

Supervisor Campion (County Liaison) report. Supervisor Campion stated there was nothing to report on the County. He did request that the Town form a committee on Information, Communication and Technology and would like to see elector involved.

ADJOURNMENT

MOTION BY Supervisor O'Connell, second by Supervisor Faber to adjourn this Regular Board Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Cindi Ernest, Clerk