

**MINUTES
TOWN OF SALEM
REGULAR MEETING
OF THE BOARD OF SUPERVISORS
Monday, April 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, Ted Kmiec and Dan Campion

OTHERS: Pat Casey, Attorney Scholze, Brad Zautcke, Mike Slover, Jack Rowland and Cindi Ernest.

GUESTS: David Hoke, Cheryl Hoke, Dale Norris, Vicki Norris, Norm Brades, Carl Siegel, Larry Simon, Mike Ullstrup, Steve Brown, Keri Strause, Tom Strause, Randy Bork, Tim Vanderhoef, Brian Filatreaultt, Andrew Nielsen, William Hoffman, Kerri Hoffman, Carol Husnick, B Campion, Roland Allen, Mike Culat, Mary Snelnk, Jan Culat, Patti Zurla, Deneen Smith and Darren Hillock.

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, April 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 at this point.

PUBLIC HEARING

Chairman Tesar opened this Public Hearing at 7:01 p.m. to hear and consider public comment of a proposed Notice of Intent to Raze property located at 10511 Antioch Road, Tax Parcel 66-4-120-261-0101 in the Town of Salem, Kenosha County, Wisconsin. Property owner: Thomas L. and Keri L. Strause, 3467 Country View Drive, Delavan, WI 53115.

Thomas Strause, property owner stated he is against certain buildings on the property being razed and would like to work with Building Inspector Rowland on the proposed raze.

There were no further comments.

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

CITIZENS COMMENTS

Brian Filatreaultt stated that the Town Board is considering rezoning of the property west of him. He stated he doesn't wish the rezone and it appears to be "spot zoning".

Randy Bork stated he agrees with Mr. Filatreaultt. He lost 300 feet of commercial zoning on his property when they built the new highway and should get the commercial back.

Andrew Neilsen expressed that he has the same feelings as the previous two speakers. Unless it is all zoned commercial, it will kill the property values.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Administrator Casey and Supervisor Campion attended the informational meeting relative to the Hackmatack Wildlife Refuge.

Supervisor Campion said that when the subject first came up, there was a survey and research prior to the new report. The proposed Hackmatack Wildlife Refuge is not going to include any property in Kenosha County, let alone the town. It will include property in McHenry County and west of Genoa City. There are no funds available at this time.

2.) Chairman Tesar is interested in reinstating various town board committees (Finance, Personnel, Fire/Rescue, etc.) as stipulated in the own Code of Ordinances.

Discussion of the committees included comments as follows:

Supervisor Faber – "Very much in favor of committees."

Supervisor O'Connell – "I'm not in favor of abolishing all of them, just some. The committees kept the board informed and acted as a go between."

Supervisor Kmiec – "We don't need all of the committees, but I am in favor of having committees."

Supervisor Campion – "I'm in favor of committees, but we need objectives for them."

There was a proposal that all committees meet late afternoon or early evenings, maybe on the 4th Monday of every month.

Committees discussed were as follows:

Administration - Finance, Personnel, Licensing

Public Works – Streets/Roads, Sewer, Stormwater, Public Facilities

Public Safety – Police, Fire, Water Patrol, Ordinance Enforcement

Judiciary – Probably not needed.

Health – Not needed.

Parks & Recreation, Planning & Zoning

Remove Service Mans Memorial

This item will be placed on next month's regular meeting agenda.

PLANNING & ZONING

1.) A request from Norm Brandes, 418 South Cogswell Drive, Silver Lake, WI 53170 (Owner), for a rezoning from

A-2 (General Agricultural District) to A-2 (General Agricultural District) and B-2 (Community Business

District), and approval of a Certified Survey Map (dated February 28, 2012 by Jeffery Kimps of

Pathfinders Surveying, Inc.) to subdivide an existing 7.3-acre parcel into one (1) 5.59-acre parcel and one (1)1.71-acre parcel, on Tax Parcel #65-4-120-091-0241 located in the Northeast Quarter of Section 9,

Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only this parcel is located on the south side of State Trunk Highway '50' approximately 0.4 miles west of 261st Avenue.

Town Planning & Zoning Commission approved the request 3-1 with the following conditions:

- The removal/demolition of buildings within six (6) months of the last required approval of the CSM and should be indicated on the face of the CSM.
- A cross-access easement should be shown on the CSM, with the document number, to allow both parcels to have an interconnecting drive(s) between the two (2) lots for access to STH '50'.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the request from Norm Brandes, 418 South Cogswell Drive, Silver Lake, WI 53170 (Owner), for a rezoning from A-2 (General Agricultural District) to A-2 (General Agricultural District) and B-2 (Community Business District), and approval of a Certified Survey Map (dated February 28, 2012 by Jeffery Kimps of Pathfinders Surveying, Inc.) to subdivide an existing 7.3-acre parcel into one (1) 5.59-acre parcel and one (1)1.71-acre parcel, on Tax Parcel #65-4-120-091-0241 located in the Northeast Quarter of Section 9, Township 1 North, Range 20 East, Town of Salem as recommended, with conditions, by the Planning and Zoning Commission.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Further discussion of this item followed.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to direct the Planning & Zoning Commission to look at Neighborhoods two (2) and five (5) for potential comprehensive plan amendments.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Applicants for the appointment or re-appointment of Planning and Zoning

Commission terms that expire in 2012 were Randy Melind (3 Year Term) Ron Gandt (3 Year Term).

MOTION BY Supervisor O'Connell, second by Supervisor Faber to re-appoint Randy Melind for a three (3) year term and to appoint Ron Gandt to a three (3) year term, replacing Ruth Gray, to the Planning & Zoning Commission. Both terms will expire in April of 2015.

UNANIMOUS VOTE – AYE

MOTION CARRIED

BUILDING DEPARTMENT

1.) Discussion took place relative to a proposed raze order for property located at 10511 Antioch Road, Salem, Tax Parcel # 66-4-120-261-0101, Thomas L. and Keri L. Strause, 3467 Country View Drive, Delavan, WI 53115. Strause's will work with Building Inspector Rowland. This item will be placed on the June agenda.

ADMINISTRATOR'S BUSINESS

1.) Administrator Casey reported that the Vendor Fair/Spring Fling/Easter Egg Hunt was successful. We may want to look at long term staffing.

Chairman Tesar thanked the volunteers who helped.

Supervisor Campion commented that there were over 100 children between the ages of 2 -10.

2.) There was discussion of the DNR Lake Grants.

- Town Wide Lake Planning Grant – August 1st Deadline. Administrator Casey said that the original DNR Lake Grants was a town wide grant. The DNR believes we will have a better chance in the fall.
- Chapter NR 191 Lake Protection Grant – May 1st Deadline. Administrator Casey reported that NR Chapter 191 recommends one of the grants, but not both. Supervisor Faber stated we have never really taken a look at buoy placement and he is in favor of this grant.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to reapply for the Town Wide Planning Grant, August 1, 2012 deadline and apply for the Chapter NR 191 Lake Protection Grant, May 1, 2012 deadline.

UNANIMOUS VOTE –AYE

MOTION CARRIED

- Rock Lake Grant Request – August 1st Deadline. Mr. David Hoke would like to move ahead with this grant. He stated he appreciates all the Town Board has done. He currently has ten (10) pledges from homeowners of \$200 and he requested that the Town donate \$2,000. He stated the Town wouldn't need to come up with it until the homeowners do.

Discussion.

MOTION BY Supervisor O'Connell, second by Supervisor Kmiec to approve the \$2,000 cost share to Rock Lake for the grant request, contingent on the homeowner's contributions being in place.

MOTION AMENDED BY Supervisor O'Connell, second by Supervisor Kmiec to approve the cost share to Rock Lake for the grant request in an amount not to exceed \$2,000, contingent on the homeowner's contributions being in place.

UNANIMOUS VOTE –AYE

MOTION CARRIED

PARK COMMISSION

1.) A request by Krystal Carter to serve beer for a wedding reception at Salem Oaks Park on 7/21/2012 was presented. Approval is contingent on proof of liability insurance and payment of park use fees.

MOTION BY Supervisor Kmiec, second by Supervisor Faber to approve the request by Krystal Carter to serve beer for a wedding reception at Salem Oaks Park on 7/21/2012 as presented with approval contingent on proof of liability insurance and payment of park use fees.

UNANIMOUS VOTE –AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of the previous meeting of a Regular Board Meeting on 3/12/2012 was presented. MOTION BY Supervisor Campion, second by Supervisor Faber to approve the minutes of a Regular Board Meeting on 3/12/2012 as presented.

UNANIMOUS VOTE –AYE

MOTION CARRIED

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

Janet9 M. Scholp
Donna Rae Fisher

Nicole L. Isferding
Jayne Clark

Melissa Sershon

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve the Operator License applications filed with the clerk as presented. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE –AYE

MOTION CARRIED

3.) An application filed with the Clerk of the Town of Salem, Kenosha County, Wisconsin for retail licenses to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes was presented. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees:

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

Class “B” (Beer only, consumption on premises, six (6) month license)

Wilmot Fire Association
30400 Wilmot Road,
P.O. Box 332
Wilmot, WI 53192
Agent: Sam Barranco

Wilmot Fire Association
Kenosha County Fairgrounds
30820 111th Street
Wilmot, WI 53192

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the application filed with the Clerk for retail licenses to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes as presented. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE –AYE

MOTION CARRIED

4.) ORDINANCE NO. 12 04 09, An Ordinance to Extend Town Officer Terms in Response to Election Law Changes was presented.

Chairman Tesar explained the reason for the change in terms due to changes in the state election statutes. She also congratulated Mike Culat on his Board Supervisor win and thanked Steve Brown and Gail Peckler –Dziki for running for office.

MOTION BY Supervisor Kmiec, second by Supervisor O'Connell to adopt ORDINANCE NO. 12 04 09,
 An Ordinance to Extend Town Officer Terms in Response to Election Law Changes as presented.
 UNANIMOUS VOTE –AYE
 MOTION CARRIED

5.) Chairman Tesar explained that WI State Statutes also changed the date of the annual elector's meeting. The date Annual Electors Meeting in 2013 will be April 16, 2013, the third Tuesday in April.

TREASURER'S REPORT

1.) Chairman Tesar gave the Treasurer's report for March 1, 2012 – March 31, 2012 as follows:

MARCH 2012 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

March 1, 2012- Beginning Balance **\$3,704,200.60**

<u>RECEIPTS</u>	\$ 427,531.18
Transfer from LGIP#9	\$ 589.37
Prior Month Adjustment	\$

<u>DISBURSEMENTS</u>	\$ 1,201,295.42
PAYROLL	\$ 158,357.87
Prior Month Adjust.	\$ 0.00
Transfer to LGIP #9	\$ <u>0.00</u>
Total	\$ 1,359,653.29

March 31, 2012 - Ending Balance	\$2,772,667.86
State Pool - General	\$ 2,300,684.29
Gen. Checking	\$ <u>471,983.57</u>
Totals	\$ 2,772,667.86

MARCH 2012 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

March 1, 2012- Beginning Balance **\$ 589.37**

<u>RECEIPTS</u>	\$ 0.00
Trnsfr from Gen. Ck.	\$ 0.00

<u>DISBURSEMENT</u>	
Trnsfr to Gen. Ck	\$ 589.37

March 31, 2012 - Ending Balance **\$ 0.00**

MARCH 2012 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

March 1, 2012 - Beginning Balance \$ 528,496.28

RECEIPTS \$ 1,686.49

DISBURSEMENTS \$ 0.00

March 31, 2012 - Ending Balance \$ 530,182.77

MARCH 2012 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

March 1, 2012 Beginning Balance \$ 35,789.82

RECEIPTS \$ 4.65

March 31, 2012 Ending Balance \$ 35,794.47

MARCH 2012 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM

March 1, 2012 Beginning Balance \$ 432,424.60

RECEIPTS \$ 56.17

DISBURSEMENTS
Transfer to Gen Fund \$ 0.00

March 31, 2012 Ending Balance \$ 432,480.77

MARCH 2012- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

March 1, 2012 Beginning Balance \$ 225,510.42

RECEIPTS \$ 29.29

March 31, 2012 Ending Balance \$ 225,539.71

2.) Payment of the vouchers for March 13, 2012 – April 9, 2012 was presented as follows:

Vouchers issued from March 13, 2012
through April 9, 2012 \$ 345,605.54

Payroll #6 Ending 3/10/12	\$ 63,480.04
Payroll #7 Ending 3/24/12	\$ 63,503.21

Total	\$472,588.79
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MOTION BY Supervisor O’Connell, second by Supervisor Faber to approve the payment of the vouchers for March 13, 2012 – April 9, 2012 as presented.

Supervisor Campion questioned the WE Energy bill for a raze order.

Administrator Casey stated he believes it is a disconnection fee.

UNANIMOUS VOTE –AYE

MOTION CARRIED

A report was given on the status of the Zandrowicz raze and Lunsford raze.

Mr. Alber reported on the progress of the repairs on his home. He will keep in touch with Building Inspector Rowland and was urged that he needs to keep this communication going.

REPORTS ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS

Chairman Tesar (Lakes Committee & Hooker Lake) report.

Chairman Tesar reported that the Hooker Lake meeting is at 7:00 pm at the Town Hall. Joe Meier’s birthday is today and she would like the board to consider some kind of an honor for him.

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

Supervisor Faber reported that the CCLRD building is complete ahead of schedule and under budget. CCLRD also has a Plant Management Plan being reviewed by the DNR.

Supervisor O’Connell (Library Board & Voltz Lake District) report.

Supervisor O’Connell would like to recommend Supervisor Dan Campion as his replacement to the Voltz Lake Management District. He will continue to stay on the Board of Review and someone needs to be appointed to the Library Board as a board member. There will be a new president in May. The Library is in good shape and Twin Lakes is up and in use. He also stated it has been a pleasure to serve the Town of Salem for the last nine (9) years.

Supervisor Faber thanked him and stated how much he has enjoyed working with Pat and misses Joe Meier.

Chairman Tesar stated Thank you Pat!

Supervisor Kmiec (Park Commission)report.

Supervisor Kmiec reported there was nothing to report for March as there was no meeting. The Preliminary Park Plan will be discussed at their April meeting.

Supervisor Campion (County Liaison) report.

Supervisor Campion reported that the County went from 28 County Supervisors down to 23 and Salem’s Kim Breunig is up for the Vice Chairman position.

Joe Clark invested his own funds to determine how much the City of Kenosha spent in their lawsuit. The attorney fees were over \$500,000.

He would accept the Voltz Lake position if offered.

Longtime Salem resident Arthur Bushing passed away. His funeral will be Friday.

Chairman Tesar reminded those in attendance that the Annual Elector's Meeting is tomorrow evening at 7:00 pm.

CLOSED SESSION

1.) MOTION BY Supervisor Campion, second by Supervisor O'Connell to move into closed session pursuant to: Section 19.85(1)(e), Wis. Stats. for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This closed session is relative to collective bargaining.

ROLL CALL VOTE

SUPRVISORS Faber, O'Connell, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

Board moved into Closed Session at 8:20 pm.

2.) MOTION BY Supervisor Campion, second by Supervisor Faber to move out of Closed Session and reconvene in Open Session.

ROLL CALL VOTE

SUPRVISORS Faber, O'Connell, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

Board moved out of Closed Session and into Open Session at 8:47 pm.

3.) Chairman Tesar announced that there were no decisions made or announcement relative to Section 19.85(1)(e) referenced during the Closed Session.

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 8:48 p.m.

Respectfully submitted,

Cindi Ernest, Clerk