

**MINUTES
TOWN OF SALEM
REGULAR MEETING
OF THE BOARD OF SUPERVISORS
Monday, June 11, 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: Dennis Faber, Ted Kmiec, Dan Campion and Mike Culat

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

GUESTS: Roland Buhler, Elizabeth Greiner, D. P. Greiner, Charlotte Nitzel, Bryan Stevens, David Hoke, Cheryl Hoke, Ceil Stankiewiz, Jerry Stankiewiz, Pat Mulvey, John Fischer, Cathy Fischer, Lois Tieze, Judy Jenny, April Webb, Mike Webb, Johan Ihlan, Dean Hintzman, Karen Ihlen, Kim Roper, Julie Braakman, Pam Coats, Erik Backe, Robert Rauch, Mike Marciniak, Jack Millee, Michael Koch, Nicole Bonds, Bonita Skurski, Steve Skurski, Elizabeth Ihlen, Gary Grogan, Robert Pluta, Mary Kelly, Cory Boivin, Diana Garvey, John j Garvey, John Henry, Cindy Cort, Vicki Norris, Ethan Davis, Gail Peckler – Dziki and Deneen Smith

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, June 8, 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.

CITIZENS COMMENTS

Erik Badke, President of Rock Lake Highlands informed the Town Board that the Rock Lake Highlands Lake Association has over 100 residents as members. The association would like for the board to hear all comments regarding the mechanical harvesting of Rock Lake and he requested a motion that Rock Lake Highlands Lake Association always be included on lake management issues.

Kim Roper told the board she would like to make a case to the board to revoke the permit which was issued to Rock Lake Preservation Association and discourage all chemical treatment of the lake. In a 2004 lake survey, the DNR doesn't recommend that the lake be harvested or chemically treated.

Ms. Roper also complained of the treatment of a citizen trying to prevent the mechanical harvest by a town public safety officer, who also refused to show any identification. There were zebra mussels and oil dripping off of the machine. The board should reconsider and revoke their permit for mechanical harvesting.

Dave Hoke, president of the newly formed Rock Lake Preservation Association. They incorporated and went to the DNR who wrote a letter to Mr. Badke that they wouldn't revoke the permit. Mr. Hoke went on to describe to the board some other problems at the lake and presented pictures. Some of the problems include: Beach property not being maintained, Rock Lake Highlands wants it private, private signs on the property which were noted by a DNR warden that they should have been approved by the DNR.

Julie Braakman told the board they want to get along and help to pull weeds.

Mary Apolinar has lived on both sides of the lake and there are issues. She wants the weeds removed. People can't get onto the lake because it's all bogged up by weeds.

Pam Coats questioned why the town used taxpayer money. She also told the board that the harvesting machine was dirty and had zebra mussels on it. It was filthy. The Army Corp of Engineers is interested in stopping the mechanical harvest. She also questioned why the Town of Salem was listed as a participant on the permit.

Supervisor Faber responded that when a lake is chemically treated each person on each side of the area must be notified. We own property and that's why we may be listed.

John Fischer stated that it's the Town's property and they have a right to have it cleared for public use.

Mike Webb said he has lived on Rock Lake for over 35 years. Where he is located, the water and muck are deep and weeds can't be pulled by hand. Most of those in attendance don't even live on the lake and it's not the same on the other side of the lake.

Mike Marciniak state this is about preserving the lake for the future and he has never seen a motor or spraying on the lake. We should all be upset about the zebra mussels.

Discussion followed with Chairman Tesar offering a mediation meeting between the two groups. Supervisor Culat offered to moderate the mediation.

The meeting between the two (2) associations will take place on Monday, June 18, 2012 at 7:00 pm.

BUILDING DEPARTMENT

1.) An update on property located at 9949 272nd Avenue, Trevor, WI 53179-9797, Tax Parcel No. 66-4-120-214-1410, belonging to Roland Alber 9949 272nd Avenue, Trevor, WI 53179 and Mary K. Lester 10920 267th Avenue, Trevor, WI 53179 was given.

Mr. Alber wasn't present.

The board discussed the need for Mr. Alber and the board to set goals on completing the house. Building Inspector Jack Rowland will contact Mr. Alber and ask him to attend the July town board meeting.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

Chairman Tesar reminded those in attendance that Thursday is Flag Day. She also pointed out the art work on the board room walls which was done by and donated by the students at Salem Grade School.

1.) An ordinance request by Rock Lake Highlands to allow electric motors only on Rock Lake was presented by Karen Ihlen. She stated this was approved by the board on March 14, 2005 and requested that an ordinance be approved. She presented a petition to the board for this request. This needs to be reviewed by the DNR and the Town Attorney prior to any decisions. Administrator Casey cautioned that the harvester is powered by gas.

Johan Ihlen pointed out that the electric motor question has gone on for thirty (30) years. Homeowners all have electric motors and no one wants gas motors. This item will be placed on the July regular meeting agenda.

ADMINISTRATOR'S BUSINESS

1.) Administrator Casey gave his report. The house on the Fox River received a judges order to clear the property.

Kueny Architects has looked at the building at the Marchuck property. The construction management class from Central High School built a gazebo at Community Park. Trevor Grade School had to evacuate 514 kids from their school. The children were held at the new highway/fire building until parents could pick them up.

2.) Resolution No. 12 06 11, A Resolution of the Town Board of the Town of Salem, Kenosha County, Wisconsin Relating to Aquatic Invasive Species Control Grants was presented. The grant will be asking for removal of invasive species from the new park and Sunset Oaks Park with a 75%/35% match. Buckthorn is pretty invasive in several areas.

MOTION BY Supervisor Faber, second by Supervisor Faber to adopt Resolution No. 12 06 11, A Resolution of the Town Board of the Town of Salem, Kenosha County, Wisconsin Relating to Aquatic Invasive Species Control Grants as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Supervisor Champion questioned if this would come out of the Park Fund to which Administrator Casey responded, "Maybe or the General Fund."

3.) Ordinance No. 12 06 11, An Ordinance Amending Section 330-9 of the Code of the Town of Salem Regarding Regulation of Water Tube Activities was presented.

This ordinance would allow two (2) tow lines with two (2) tubes and the capacity of the tubes doesn't exceed the manufacturer's recommendation for capacity.

MOTION BY Supervisor Faber, second by Supervisor Culat to adopt Ordinance No. 12 06 11, An Ordinance Amending Section 330-9 of the Code of the Town of Salem Regarding Regulation of Water Tube Activities as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) Resolution No. 12 06 11A, A Resolution Confirming and Approving the Town of Salem Utility District Compliance Maintenance Annual Report for 2011 was presented.

Brad Zautcke pointed out to the board the last page summary. We received a "C" because we didn't put money into the replacement fund because we want to wait for completion of the Master Plan. MOTION BY Supervisor Faber, second by Supervisor Culat to adopt Resolution No. 12 06 11A, A Resolution Confirming and Approving the Town of Salem Utility District Compliance Maintenance Annual Report for 2011 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PLANNING & ZONING

1.) A request by James & Linda Dvorscek, 27924 Silver Lake Road, Salem, WI 53168 (Owner), for a variance (Section IV 12.21-3g) was presented: that rear yard setback be not less than 25ft in the R-3 (Urban Single-Family Residential District) variance requested is for a 11 ft rear yard setback, to enclose an existing deck into a three season room, on Tax Parcel #65-4-120-162-0360, SW ¼ of NW ¼ Section 16, T1 N, R20 E, Town of Salem. For informational purposes only, this property is located on Silver Lake Road at the termination of 278th Avenue.

The Planning and Zoning Commission motioned to **deny** this variance and it passed with a vote of 4-1.

MOTION BY Supervisor Faber, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and deny the request by James & Linda Dvorscek, 27924 Silver Lake Road, Salem, WI 53168 (Owner), for a variance (Section IV 12.21-3g) as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PARK COMMISSION

1.) Chairman Tesar presented a recommendation to re-appoint Jo Weidman (**Zone 7 & 8**) to the Park Commission Board for a term of seven (7) years. Her term will expire in June of 2019.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of Chairman Tesar and re-appoint Jo Weidman (**Zone 7 & 8**) to the Park Commission Board for a term of seven (7) years.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) Approval of the minutes of the previous meeting of a Regular Board Meeting on 5/14/2012 was presented.

Supervisor Campion previously had given the clerk spelling corrections to the minutes.

MOTION BY Supervisor Campion, second by Supervisor Kmiec to approve the minutes of the previous meeting of a Regular Board Meeting on 5/14/2012 as presented with the corrections.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Chris Wolfe

Kathleen Duffin

Susan Ogden

Kenny Maslowski

Heather Kearney

Gayle Glassman
Karrie Brankey
Marie Jonas
Bakula Patel

Monty Lowrey
Patricia Neu
Aaron Emond

Gary Naber
Eileen M Griffin
Bruce Francart

Gina Knox
Ashley Nieze
Eugene Stevens

Richard Knox
Michael C Jonas Jr
Karen Stevens

MOTION BY Supervisor Campion, second by Supervisor Culat to approve the Operator Licenses as presented with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Applications 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 were 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 “A” BEER

Wilmot Auto Service, Inc.
12001 304th Ave.
Trevor, WI 53179
Agent: Dwayne J. Garwood

Wilmot Auto Service & Convenience Store
11307 Fox River Road
Wilmot, WI 53192

CLASS “B” BEER

Linda’s Wilmot Café
28619 108th St.
Trevor, WI 53179
Agent: Linda L. Orvis

Linda’s Wilmot Cafe
11312 Fox River Rd.
Wilmot, WI 53192

CLASS “A” BEER AND “CLASS A” LIQUOR

Amarsukh, Inc.
22817 Deer Meadow Dr.
Kansasville, WI 53139
Agent: Amar Singh

Salem Mini Mart
8246 Antioch Rd.
Salem, WI 53168

EZ Gas, Inc.
12617 Antioch Rd.
Trevor, WI 53179
Agent: Gill Balit

EZ Gas
12617 Antioch Rd.
Trevor, WI 53179

HWY. 83 Gas Mart, Inc.
24416 88th Street
Salem, WI 53168
Agent: Bakula Patel

HWY. 83 Gas Mart, Inc.
2511 Antioch Road
Trevor, WI 53179

C & D Tess, Inc.
26627 75th St.
Salem, WI 53168
Agent: Donna M. Tess

Tess' Market
9610 Camp Lake Rd.
Camp Lake, WI 53109

HasiSqi, LLC
23610 128th Street
Trevor, WI 53179
Agent: Kiran Patel

JP Food & Liquor
11110 Antioch Road
Trevor, WI 53179

Shahid & Associates, Inc.
737 Crosswind Lane
Lindenhurst, IL 60046
Agent: Claire Ladewig

Trevor Mini Mart
25921 Wilmot Road
Trevor, WI 53179

CLASS "B" BEER AND "CLASS B" LIQUOR

Colony House, Inc.
110 Katie Dr.
Silver Lake, WI 53170
Agent: Lisa Francart

Colony House
25811 119th Street
Trevor, WI 53179

Foxy's, Inc.
11230 260th Ave.
Trevor, WI 53179
Agent: Steve Zaborowski

Foxy's
11230 260th Ave.
Trevor, WI 53179

Hawg Heaven Bar, LLC
3395 116th St.
Pleasant Prairie, WI 53158
Agent: Michael Frost

Hawg Heaven Bar
10306 Antioch Rd.
Salem, WI 53168

Zandrowicz, LLC
9624 Camp Lake Rd.
Camp Lake, WI 53109
Agent: Kenneth Zandrowicz, Sr.

Kickstand Bar and Grill
9622 Camp Lake Rd.
Camp Lake, WI 53109

Food, Family, Friends, Inc.
9808 W 304th Ave
Burlington, WI 53105
Agent: Richard J. Puchalski

One Eyed Jack's
9524 Camp Lake Rd.
Camp Lake, WI 53109

Su-Jim, Inc.
2811 280th Ave.
Salem, WI 53168
Agent: Susan Wittnebel

Kelly's Pub
25827 Wilmot Rd.
Trevor, WI 53179

Out of the Park Enterprise, Inc.

Player's Park South

9251 Antioch Road
Salem, WI 53168
Agent: Cindy Keefe

9251 Antioch Road
Salem, WI 53168

Pahl Properties, LLC
12400 336th Ave.
Twin Lakes, WI 53181
Agent: Gregory Pahl

Wilmot Riverside
30602 114th Street
Wilmot, WI 53192

Jonas, Jonas, & Jonas, Inc.
23409 127th Street
Trevor, WI 53179
Agent: Michael C. Jonas, Sr.

High Spirits
12417 Antioch Rd.
Trevor, WI 53179

Otto's Hideaway Tavern
23601 84th St.
Sale, WI 53168
Agent: Theresa J. Otto

Otto's Hideaway Tavern
23601 84th St.
Salem, WI 53168

Ralph's Ace of Hearts, Inc.
11625 306th Ct.
Wilmot, WI 53192
Agent: Jeanette Young

Ralph's Ace of Hearts
10720 Antioch Rd.
Trevor, WI 53179

Rob's River Edge
7603 Shorewood
Salem, WI 53168
Agent: Robert Piper

Rob's River Edge
7603 Shorewood
Salem, WI 53168

Kastle, LLC
202 E Maple Street
Silver Lake, WI 53170
Agent: Patrick R. Maddox

Grumpy's Pub & Grub
28624 Wilmot Rd.
Trevor, WI 53179

Marybeth Morey
26229 75th St.
Salem, WI 53168
Agent: Marybeth Van Every

75th Street Inn
26229 75th St.
Salem, WI 53168

Emond Properties, LLC
6309 248th Ave.
Salem, WI 53168
Agent: Aaron Emond

Siebert's Pub
8403 Antioch Rd.
Salem, WI 53168

Spring Valley Corp.
23913 Wilmot Rd.
Trevor, WI 53179
Agent: Joyce Wagner

Spring Valley Country Club
23913 Wilmot Rd.
Trevor, WI 53179

State Line Inn
20720 116th St.
Bristol, WI 53104
Agent: Glen Rzyzsko

State Line Inn
12725 Antioch Rd.
Trevor, WI 53179

Twin Oaks Country Inn, LTD
30807 114th St.
Wilmot, WI 53192
Agent: Richard Knox

Twin Oaks Country Inn
30807 114th St.
Wilmot, WI 53192

Wilmot Stage Stop, Inc.
30646 111th St.
Wilmot, WI 53192
Agent: Nancy Hackett

Wilmot Stage Stop
30646 113th St.
Wilmot, WI 53192

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the applications 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.) Cigarette License applications were filed with the clerk as follows, contingent on payment of delinquent taxes, assessments, and all necessary fees.

Salem Mini Mart	JP Food & Liquor	Highway 83 Gas Mart
Wilmot Auto Service	Hawg Heaven Bar	EZ Gas
Trevor Mini Mart		

MOTION BY Supervisor Campion, second by Supervisor Kmiec to approve the Cigarette License applications filed with the clerk, contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE –AYE
MOTION CARRIED

5.) Amusement Machine License applications were filed with the clerk as follows, contingent on payment of delinquent taxes, assessments, and all necessary fees.

Stateline Inn	Hawg Heaven Bar	Wilmot Riverside	Otto's Hideaway Tavern
Foxy's Bar	Kickstand Bar	The 75 th Street Inn	One Eyed Jack's
Rob's River Edge	High Spirits	Grumpy's Pub & Grub	Kelly's Pub
Ralph's Ace of Hearts	Colony House	Siebert's Pub	Arlene's Washtub
Player's Park South			

MOTION BY Supervisor Kmiec, second by Supervisor Campion to approve the Amusement Machine License applications filed with the clerk, contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE –AYE
MOTION CARRIED

7.) Salvage Yard License applications were filed with the clerk as follows, with approval contingent on payment of delinquent taxes, assessments, and all necessary fees.

Highway 50 Auto & Truck Salvage

MOTION BY Supervisor Faber second by Supervisor Culat to approve the Salvage Yard License applications filed with the clerk, contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE –AYE
MOTION CARRIED

8.) Temporary Class B “Picnic License” applications were filed with the clerk for the following, approval is contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

- Center Lake Woods Property Owners Association, 9700 271st Ave, Trevor, WI, for Assoc. Carnival, June 30, 2012, 12:00 noon until 10:00 pm.
- Center Lake Woods Property Owners Association, 9700 271st Ave, Trevor, WI, for Assoc. Mexican Dinner, Sept. 15, 2012, 6:00 pm until 10:00 pm.
- Center Lake Woods Property Owners Association, 9700 271st Ave, Trevor, WI, for Assoc. Progressive Dinner, Aug. 18, 2012, 6:00 pm until 10:00 pm.
- Center Lake Woods Property Owners Association, 9700 271st Ave, Trevor, WI, for Assoc. Chili Cook Off, Oct. 20, 2012, 6:00 pm until 10:00 pm.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Temporary Class B “Picnic License” applications filed with the clerk, approval is contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

UNANIMOUS VOTE –AYE
MOTION CARRIED

TREASURER’S REPORT

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

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

May 1, 2012- Beginning Balance **\$2,889,632.10**

<u>RECEIPTS</u>	\$ 141,862.16
Transfer from LGIP#9	\$
Prior Month Adjustment	\$
 <u>DISBURSEMENTS</u>	 \$ 368,848.44
PAYROLL	\$ 149,309.09
January Adjust.	\$ 40,661.37
Transfer to LGIP #9	\$ <u>0.00</u>
Total	\$ 558,828.90

Supervisor Faber reported that CCLRD has launched their equipment for harvesting. There were no objections filed for Board of Review, but one person did come in and had his questions answered by the Assessor. Water Patrol is now patrolling full force. Requested for next month's agenda, discussion of commission chairman abstaining from voting, due to a possible conflict on the County level. Chairman Tesar reported that there are now four (4) students participating in the Youth in Governance Program for Salem.
Tegan Miles – P & Z
Austin Feeney – Parks
Grant Mackinnon – P & Z
Danielle Tesar – Parks

Supervisor Culat (Park & P & Z Commissions Joint Liaison, Public Works Committee) report.

Supervisor Culat questioned what we should budget for in the Highway Dept to which Mike Murdock responded that we have a five (5) year budget forecast. Every two (2) years, we have to report to the state the condition and ratings of the Town's roads. Supervisor Culat questioned whether we can look into a communication system for the Town Hall. He also questioned whether we have a current contract for M. Casey to which Chairman Tesar responded, yes. A first neighborhood watch meeting was held and he complimented the clerk on the past election. During a meeting, a resident offered to build a volleyball court at the new park. Supervisor Culat also suggested a lake to lake volleyball tournament with a suggested buy in of \$150 which would include shirts and maybe a pig roast, in September.

Supervisor Kmiec (Park Commission Joint Liaison, Administration, Public Safety, & Communication Committees) report.

Supervisor Kmiec reported that he would like to see the Town have more 4th of July activities.

Supervisor Campion (County & Voltz Lake Liaison, Administration, Communication & Public Works Committees) report.

The County is up and running with its new board. There was no Voltz Lake meeting, he attended a budget workshop, did a ride along with the highway department and our administrator did a duck rescue.

ADJOURNMENT

MOTION BY Supervisor Campion, second by Supervisor Culat to adjourn this Regular Board Meeting.
UNANIMOUS VOTE – AYE
MOTION CARRIED

This Regular Board meeting was adjourned at 8:57 p.m.

Respectfully submitted,

Cindi Ernest, Clerk