

MINUTES
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, February 8, 2016 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, Mike Culat, Ted Kmiec and Dan Campion

OTHERS: Attorney Scholze, Administrator Casey, Mike Murdock, Brad Zautcke
Dave Shortess , Jack Rowland and Cindi Ernest

GUESTS: Darren Hillock, Gail Peckler-Dziki, Jill Rozell, Bill Schulz, Jennifer Spahn, Steven Spahn, Michael Coleman, Kim Breuning, Dick Hujua, Cliff, Sham, Mark Sheen, Daniel Olejniczak, Karen Olejniczak, Mary Finesemore, Rita Brick, Joanne Sheen, Michael Sheen, Mary Sheen, Dennis Sheen, Mark Nordigan, Karen Ihlen, Mari Werth, Tom Wergl, John McEentgart, Joan Landry, Randy Landry, Stan See, Tim Driscoll, Kimberly Allen, Jennifer Kelch, Robert Kelch, Michelle Blacich, Bill Griffin, Carol Husnick, Lisa Steiner, Tom Steiner, Marla Andres, Mike Ullstrup, Carl Siegel, Stacey Pierce, Cindy Flower, Nguyen Ly, Bill Mazmack, Tammy Witt, Lynn Manna, Mike Manna, Scott Hermus, Joel Vaden, Nancy Bostanche, John Bostanche, Jim Kutzler, Judy Kutzler, Brian Filautreal, Mike Underhill, Greg Sheen, B Stichell and Jim Woodke.

PLEDGE OF ALLEGIANCE

Chairman Tesar led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted prior to 4:00 p.m. on Thursday, February 4, 2016 at the Town Hall Municipal Building and on the Town's website at www.townofsalem.net

APPROVAL OF AGENDA SEQUENCE

There was no change in the agenda sequence.

CITIZEN COMMENTS

Mark Nordigan of Randall, thanked Salem residents who signed his petition for District 21, Kenosha County. He is running for the District 21 County Board position.

Carol Husnick, representing the Western Kenosha County Historical Society, invited those in attendance to attend their meeting on Sunday at 2:00 pm.

Kim Breuning state she has represented Salem for ten (10) years on the Kenosha County Board. She has championed Youth in Governance and kept taxes low. She asked for continued support.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Representatives from the WI Department of Transportation, Stacey Pierce, Ngyuen Ly and Cindy Flowers, were in attendance to ask the Board to reconsider their Resolution opposing the proposed roundabout at the intersection of STH 83 and CTH C in the Town of Salem.

The project would be 90% funded by the federal government and 10% state funded. This is a grant, which the DOT may not be able to get again. It was suggested that the DOT hold another Public Informational Meeting, but they won't because of the Resolution the Town has in place opposing the roundabout.

Ngyuen Ly said that they won't proceed with the roundabout if the Town opposes, but reiterated to the Board the safety problems related to that intersection.

Stacey Pierce gave an overview of the funds, study and the problems. Lights would cost more than a roundabout, but still may not be as safe as a roundabout. There would be no reduction of crashes there.

MOTION BY Chairman Tesar, second by Supervisor Faber to allow the Department of Transportation to hold another PIM (Public Informational Meeting).

Supervisors Faber, Culat, Kmiec and Tesar – AYE

Supervisor Campion – NAY

MOTION CARRIED

2.) A complaint was made previously by Tom Steiner. He stated there have been threats on Facebook against his family by firefighters from Silver Lake. He has made the Town aware of the threats. He doesn't see how these threats back the high level of integrity the fire department is supposed to have. His family is concerned for their safety because of this and is concerned that the fire department may not respond to an emergency at their home. In the past his family has supported the fire department, but now they are being threatened. He brought this to the Town's attention in a meeting with Administrator Casey two (2) days after the incident happened, but these Silver Lake people were still hired.

Discussion followed.

Administrator Casey stated that the Sheriff's Department has no crime charged and no complaint has been filed. The Town of Salem has a much more stringent policy regarding social media. He doesn't recommend that the Town of Salem get involved. There was nothing for us to deny these people employment and they are volunteers.

No action was taken on this item.

3.) A complaint by the Lake Shangri-La Homeowners Association about a house, located at 22216 121st St, in the Lake Shangri-La Woods Subdivision was presented by Bill Schulz, Association President. A person living behind the house has stated that there are now animals in the house. They are now 2 ½ years behind on taxes.

Administrator Casey informed the Board that there is no record of a bank foreclosure on the property. The Town has no rights unless it is now at 50% of its value. The Town also doesn't have control over animals. The owner is in prison, so we can't write tickets on the property. Not much can be done until something changes.

Discussion followed with Administrator Casey reiterating that we can't violate a property owners rights and we will continue to monitor this.

No action was taken on this item.

4.) Ordinance No. 16 02 08, An Ordinance Amending Section 330-5A(2) and Repealing Sections 330-5A (7), (8) and (9) of the Code of the Town of Salem Regarding Slow No Wake Operation the Lakes Within the Town was presented. This ordinance makes the hours of "Slow No Wake" the same on all lakes in the Town of Salem.

MOTION BY Supervisor Culat, second by Supervisor Kmiec to adopt Ordinance No. 16 02 08, An Ordinance Amending Section 330-5A(2) and Repealing Sections 330-5A (7), (8) and (9) of the Code of the Town of Salem Regarding Slow No Wake Operation the Lakes Within the Town as presented.

Supervisors Culat, Kmiec, Campion and Chairman Tesar – AYE

Supervisor Faber – NAY
MOTION CARRIED

5.) Chairman Tesar announced the upcoming Primary Election – Tuesday, February 16, 2016 for Supreme Court Justice. Polls open from 7:00 am – 8:00 pm. Absentee voting is available at the Town Hall now through February 12, 2016.

PLANNING & ZONING

1.) Ordinance No 16 02 08, An Ordinance Approving An Amendment to the Comprehensive Plan for the Town of Salem: 2035. This amendment is in reference to Tax Parcel No 66-4-120-244-0120 was presented.

The Town of Salem Planning & Zoning Commission adopted Resolution 16-01-27, which recommends that the Town Board enact Ordinance 16-02-08, adopting the amendment to the land use designation on tax parcel # 66-4-120-244-0120 from “General Agricultural District” (A-2) and “Estate Single-Family Residential District” (R-2) to “General Agricultural District” (A-2) , “Estate Single-Family Residential District” (R-2) and “ Community Business District” (CB). A motion for approval carried 5-0.

MOTION BY Supervisor Culat, second by Supervisor Faber to reject the recommendation of the Planning and Zoning and not adopt Ordinance No 16 02 08, An Ordinance Approving An Amendment to the Comprehensive Plan for the Town of Salem: 2035. This amendment is in reference to Tax Parcel No 66-4-120-244-0120 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Due to the Town Board rejecting the Planning Commission’s recommendation and not adopting Ordinance No 16 02 08, referenced in item #1 above, the Salem Town Board did not act on this request by Grover & Felisa Donlon (Owners), Robert & Jennifer Kelch, 199 Westerfield Place, Grayslake, IL 60030 (Agents), for a rezoning from A-2 (General Agricultural District) to A-2 (General Agricultural District) and B-3 (Highway Business District) on Tax Parcel #66-4-120-244-0120 located in the northwest ¼ of the southeast ¼ of Section 24, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located west of the intersection of CTH ‘C’ (Wilmot Road) and 98th Street.

3.) An Amended Developer’s Agreement for Heritage Estates Subdivision and Amended Exhibit C were presented.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Amended Developer’s Agreement for Heritage Estates Subdivision and Amended Exhibit C as presented.

Supervisors Faber, Culat, Kmiec and Chairman Tesar – AYE

Supervisor Campion - ABSTAINED due to living in the subdivision.

MOTION CARRIED

HIGHWAY DEPARTMENT

1.) A request by the Highway Dept to order a replacement pickup truck in the amount of \$28,084 was presented. This truck will replace a truck that was damaged during plowing.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the purchase a replacement pickup truck in the amount of \$28,084 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

ADMINISTRATOR BUSINESS

1.) Partial Payment No 3, in the amount of \$169,460.73, to Reesman's Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Partial Payment No 3, in the amount of \$169,460.73, to Reesman's Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A contract between the Town of Salem and BS & A Software for financial management software was presented.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the contract between the Town of Salem and BS & A Software for financial management software as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) Partial Payment Request No. 7, by MZ Construction Incorporated, in the amount of \$112,147.50, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades was presented.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve Partial Payment Request No. 7, by MZ Construction Incorporated, in the amount of \$112,147.50, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of a Regular Board meeting on 1/11/2016 were presented for approval.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 1/11/2016 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Operator License 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.

Jennifer Kozak

Clara E Pauschert

Jacob J Horsch

Rose A Talbert

MOTION BY Supervisor Campion, second by Supervisor Faber 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.) The vouchers for January 12, 2016 through February 8, 2016, were presented for approval as follows:

Vouchers issued from January 12, 2016
through February 8, 2016

\$ 7,767,135.73

Payroll #1 Ending	1/09/2016	\$	86,612.19	19
Payroll #2 Ending	1/23/2016	\$	70,390.46	

Total **\$ 7,924,138.38**

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the payment of the vouchers as presented.
 UNANIMOUS VOTE – AYE
 MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for January 1, 2016 through January 31, 2016 as follows:

JANUARY 2016- CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

January 1, 2016- Beginning Balance **\$3,087,027.62**

<u>RECEIPTS</u>	\$ 8,591,577.11
Transfers In	\$ 5,460,190.71
Prior Month Adjustment	\$ 376.65
<u>DISBURSEMENTS</u>	\$ 7,816,743.22
PAYROLL	\$ 178,694.06
Transfers Out	\$ 0.00
Total	\$ 7,995,437.28

January 31, 2016- Ending Balance **\$9,143,734.81**
 State Pool - General \$ 794,585.08
 Gen. Checking \$ 8,349,149.73
Totals **\$ 9,143,734.81**

JANUARY 2016 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

January 1, 2016 - Beginning Balance **\$ 6,378,039.25**

<u>RECEIPTS</u>	\$ 963.02
Trnsfr from Gen. Ck.	\$ 0.00
<u>DISBURSEMENT</u>	\$ 5,127,188.74
Trnsfr to Gen Ck.	\$ 5,127,188.74

January 31, 2016 - Ending Balance **\$1,251,813.53**

JANUARY 2016 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

January 1, 2016 - Beginning Balance **\$ 408,414.32**

RECEIPTS \$ 4,891.70

DISBURSEMENTS

Transfer to LGIP 8 \$ 0.00

January 31, 2016- Ending Balance \$ 413,306.02

JANUARY 2016 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

January 1, 2016 Beginning Balance \$ 44,752.24

RECEIPTS \$ 612.17

January 31, 2016 Ending Balance \$ 45,364.41

JANUARY 2016 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM

January 1, 2016 Beginning Balance \$ 1,747,110.59

RECEIPTS \$ 3,880.78

Transfer In \$ 0.00

DISBURSEMENTS

Transfer Out \$ 0.00

January 31, 2016 Ending Balance \$ 1,750,991.37

JANUARY 2016- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

January 1, 2016 Beginning Balance \$ 216,006.70

RECEIPTS \$ 61.16

DISBURSEMENTS

January 31, 2016 Ending Balance \$ 216,067.86

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

Chairman Tesar (Library Board, Hooker Lake, & Administration, Public Works, Public Safety & Communication Committees) report.

Chairman Tesar reported that the Committee of the Whole schedule for next Monday has been cancelled and will be held at its regular time next month.

The Library Board meeting will be held on February 22nd at 6:30 pm at the Salem Library. Hooker Lake Management District will meet on February 18th at 7:00 pm. A final review of the lake plan will be reviewed.

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

Supervisor Kmiec had nothing to report.

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

Supervisor Champion reported that Voltz Lake Management District is in the process of getting bids for treatment of the weeds and will continue to use Caison.

He attended the PBS program on Western Kenosha County, "Around the Corner", at Wilmot. It was done with humor with a little bit of history. They did five (5) days of shooting, but 28 minutes of film. They also referred to Bristol as a City.

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

Supervisor Culat reported that it appears things are going well with building permits being issued by the Town. There are three new homes and Woodhaven Meadows subdivision is almost filled.

Supervisor Faber (CCLRD, SEWRPC, P&Z Joint Liaison, Board of Review, Public Safety & Communication Committees) report.

Supervisor Faber added that he was on the Board during the plotting and zoning process of Woodhaven. It was the first subdivision we have as a cluster and it's very impressive.

Relating to item number one (1) under the Planning & Zoning portion of this meeting, he related a previous situation regarding a property which was zoned A1 farming and the County approved a B zoning, but it was contingent on if the they went out of business, it would revert back to it's original zoning.

CCLRD did a mailing for treatment of the lakes. Riparian owners pay half of the treatment. Their next quarterly meeting will be Saturday from 9:00 am – 11:00 am.

The Multi-jurisdictional committee will update the comp plan on February 23rd.

CLOSED SESSION

1.) There was no Closed Session.

ADJOURNMENT

MOTION BY Supervisor Culat, second by Supervisor Faber to adjourn this Regular meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Cindi Ernest, Clerk