

**MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
Monday, August 11, 2014 7:00 P.M.**

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

**CHAIRMAN:** Diann Tesar

**BOARD OF SUPERVISORS:** Dennis Faber, Mike Culat, Ted Kmiec and Dan Campion

**OTHERS:** Attorney Scholze, Brad Zautcke, Mike Slover, Mike Murdock, Jack Rowland and Cindi Ernest.

**GUESTS:** Pat Leslie, Jerry Leslie, John Poole, Mark Nelson, Laurie Nelson, John Roberts, Len Scanlan, Randy Borri, Carl Siegel, Kay Scanlan, Tim Squier, Patty Gandt, Ron Gandt, Chris Skrzynecki, Erik Marker, Bert Garcia, Diana Garcia, Darren Hillock and Jill Rozell.

**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 Wednesday, August 6, 2014 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**

Tim Squire reminded that he will be coming to every meeting until something is done with the chickens and bees. He came before the Board previously requesting an ordinance regarding chickens and bees. The Board decided not to change the Town's current ordinance and he stated he found it disappointing in light of the homework he did on the subject and presented to the Board. He again encouraged the Board to do an ordinance.

John Roberts questioned why the referendum for the November election is non-binding. Administrator Casey responded that it was because those for and against was pretty evenly split. The non-binding referendum would give the Board an opinion of what constituents want. Further discussion followed.

Chris Skrzynecki questioned the Board as to what the process will be for writing the ordinance if it passes.

Chairman Tesar responded that if it does pass the Board, working with the Town's attorney, would do the ordinance.

Discussion followed.

Mr. Skrzynecki then asked if the emails will be started again to which Chairman Tesar responded, "Not at this time."

Discussion followed.

Jerry Leslie stated that on May 19<sup>th</sup> meeting recording there were several times where the Board indicated they were all for the atv routes. He asked the Board to think about the kids.

Chairman Tesar stated that wasn't necessarily so.

Discussion followed.

Carl Siegel stated he would like to see the Board email agendas again. He said it was a lot easier to read the email then to look on the website.

Mark Dawson stated that people will want to come here because of the atv trails. He said the Board needs to make sure it is safe.

## **PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS**

**1.)** Resolution No 14 08 11, A Resolution Authorizing the Placement of a Non-Binding Referendum on the November, 2014 General Election Ballot Relating to the Use of Certain Town Roads as ATV Routes was presented.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to adopt Resolution No 14 08 11, A Resolution Authorizing the Placement of a Non-Binding Referendum on the November, 2014 General Election Ballot Relating to the Use of Certain Town Roads as ATV Routes as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **PLANNING & ZONING**

**1.)** A request by Randall & Janice Borri, 26626 75<sup>th</sup> St., Salem, WI 53168-9530 (Owner/Agent), for a rezoning from A-1 (Agricultural Preservation District), C-1 (Lowland Conservancy District) and C-2 (Upland Conservancy District) to B-2 (Community Business District), A-1, C-1 and C-2 on part of Tax Parcel #65-4-120-044-0200 was presented. This parcel is located in the Southeast 1/4 of Section 4, Township 1North, Range 20 East, Town of Salem was presented. For information purposes only this parcel is located on the north side of STH '50' approximately 2,100 feet west of 265<sup>th</sup> Avenue.

The Town Planning & Zoning Commission recommended approval of the rezoning request on a vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the request by Randall & Janice Borri, 26626 75<sup>th</sup> St., Salem, WI 53168-9530 (Owner/Agent), for a rezoning from A-1 (Agricultural Preservation District), C-1 (Lowland Conservancy District) and C-2 (Upland Conservancy District) to B-2 (Community Business District), A-1, C-1 and C-2 on part of Tax Parcel #65-4-120-044-0200 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**2.)** A request by Borri-Culbert Enterprises, 17622 Burlington Road, Union Grove, WI 53182-9413 (Owner), Randall Borri, 26626 75<sup>th</sup> Street, Salem, WI 53168 (Agent) for an amendment to an existing Conditional Use Permit to allow an expansion of the existing veterinary service in the B-2 (Community Business District) on Tax Parcel #65-4-120-044-0210 was presented. This parcel is located in the

Southeast 1/4 of Section 4, Township 1 North, Range 20 East, Town of Salem. For information purposes only this parcel is located on the north side of STH '50' approximately 2,100 feet west of 265<sup>th</sup> Avenue. The Town Planning & Zoning Commission recommended approval of the Conditional Use Permit request on a vote of 5-0.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of the Town Planning & Zoning Commission and approve the request by Borri-Culbert Enterprises, 17622 Burlington Road, Union Grove, WI 53182-9413 (Owner), Randall Borri, 26626 75<sup>th</sup> Street, Salem, WI 53168 (Agent) for an amendment to an existing Conditional Use Permit to allow an expansion of the existing veterinary service in the B-2 (Community Business District) on Tax Parcel #65-4-120-044-0210 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** A request by Walter F. & Roxanne Graber, 817 Hickory Road, Twin Lakes, WI 53181 (Owner), Remberto & Diana Garcia, 11733 286th Avenue, Trevor, WI 53179 (Agent), for approval of a temporary use to temporarily operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #67-4-120-332-0220, was presented. (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district). This parcel is located in the Northwest 1/4 Section 33, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on the south side of CTH C (Wilmot Road) at the intersection with 277th Avenue.

The Town Planning & Zoning Commission recommended approval of the Temporary Use Permit request on a vote of 5-0.

MOTION BY Supervisor Faber, second by Supervisor Culat to accept the recommendation of the Town Planning & Zoning Commission and approve the request by Walter F. & Roxanne Graber, 817 Hickory Road, Twin Lakes, WI 53181 (Owner), Remberto & Diana Garcia, 11733 286th Avenue, Trevor, WI 53179 (Agent), for a Temporary Use Permit to temporarily operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #67-4-120-332-0220, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**4.)** A request by Leonardo & Maria Hernandez, 27232 West Nippersink, Ingleside, IL 60041 (Owner), Remberto & Diana Garcia, 11733 286th Avenue, Trevor, WI 53179 (Agent), for approval of a temporary use to temporarily operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #66-4-120-263-0120 was presented. (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district). This parcel is located in the Southeast 1/4 Section 26, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on the west side of STH 83 (Antioch Road) approximately 300 feet north of the intersection with 112th Street.

The Town Planning & Zoning Commission recommended approval of the Temporary Use Permit request on a vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the request by Leonardo & Maria Hernandez, 27232 West Nippersink, Ingleside, IL 60041 (Owner), Remberto & Diana Garcia, 11733 286th Avenue, Trevor, WI 53179 (Agent), for a Temporary Use Permit to temporarily operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #66-4-120-263-0120 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **SEWER UTILITY DEPARTMENT**

1.) Partial Payment Request No. 2 by Staab Construction Corporation, in the amount of \$56,702.65 for the Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Partial Payment Request No. 2 by Staab Construction Corporation, in the amount of \$56,702.65 for the Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **HIGHWAY DEPARTMENT**

1.) Project Payment No.1, by Black Diamond Corporation, in the amount of \$658,983.73 for the 2014 Road Paving Project was presented.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve Project Payment No.1, by Black Diamond Corporation, in the amount of \$658,983.73 for the 2014 Road Paving Project as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **STORM WATER DEPARTMENT**

1.) Project Payment No.4 which includes Project Change Order No 2, by Wanasek Corporation, in the amount of \$59,162.28, for the 2014 Drainage Improvement Project was presented.

MOTION BY Supervisor Campion, second by Supervisor Culat to approve Project Payment No.4 which includes Project Change Order No 2, by Wanasek Corporation, in the amount of \$59,162.28, for the 2014 Drainage Improvement Project as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **ADMINISTRATOR'S BUSINESS**

1.) Administrator Casey informed the Board that Woodhaven has completed everything and he recommended a Deposit Reduction Request, in the amount of \$751,918.00, for improvements to be dedicated in the Woodhaven Meadows Subdivision.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the Deposit Reduction Request, in the amount of \$751,918.00, for improvements to be dedicated in the Woodhaven Meadows Subdivision as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **CLERK'S BUSINESS**

1.) The minutes of the previous meeting of a Regular Board meeting on 7/14/2014 and a Special Board Meeting on 7/31/2014 were presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the minutes of a Regular Board meeting on 7/14/2014 and a Special Board Meeting on 7/31/2014 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Christine Smejkal    Tracy Royce    Caitlyn Crawford    Tia L Carbone-Koop    Susan Ogden  
 Joshua Maddox    Amber Hofer    Allyson Crutchfield    Sandra Ries    Thomas Krueger  
 Kathleen Duffin    Erin McGrath

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

3.) The payment of the vouchers for July 15, 2014, through August 11, 2014, were presented as follows:

Vouchers issued from July 15, 2014 through August 11, 2014	\$ 562,072.05
Payroll #15 Ending            7/12/14	\$ 75,753.10
Payroll #16 Ending            7/26/14	\$ 70,580.82
	_____
<b>Total</b>	<b>\$ 708,405.97</b>

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the payment of the vouchers for July 15, 2014, through August 11, 2014, as presented.  
 UNANIMOUS VOTE – AYE  
 MOTION CARRIED

**TREASURER’S REPORT**

1.) Chairman Tesar gave the Treasurer’s report for July 1, 2014 through July 31, 2014 as follows:

**JULY            2014 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM**

July 1, 2014- Beginning Balance	<b>\$1,369,864.80</b>
<b><u>RECEIPTS</u></b>	<b>\$ 699,296.80</b>
Transfers In	\$ 0.00
Prior Month Adjustment	\$ 0.00
<b><u>DISBURSEMENTS</u></b>	<b>\$ 561,515.23</b>
PAYROLL	\$ 240,631.09
Transfers Out	\$ 0.00
<b>Total</b>	<b>\$ 802,146.32</b>
July 31, 2014- Ending Balance	<b>\$1,267,015.28</b>
State Pool - General	\$ 611,560.26
Gen. Checking	\$ <u>655,455.02</u>
<b>Totals</b>	<b>\$1,267,015.28</b>

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**JULY 2014 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM**

July 1, 2014 - Beginning Balance **\$ 1,130.81**

**RECEIPTS** **\$ .09**  
Trnsfr from Gen. Ck. \$ 0.00

**DISBURSEMENT**  
Trnsfr to Gen. Ck \$ 0.00

July 31, 2014 - Ending Balance **\$ 1,130.90**

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**JULY 2014 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM**

July 1, 2014 - Beginning Balance **\$ 344,571.75**

**RECEIPTS** **\$ 6,419.62**

**DISBURSEMENTS**  
Transfer to LGIP 8 \$ 0.00

July 31, 2014- Ending Balance **\$ 350,991.37**

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**JULY 2014 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM**

July 1, 2014 Beginning Balance **\$ 41,819.01**

**RECEIPTS** **\$ 361.59**

July 31, 2014 Ending Balance **\$ 42,180.60**

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**JULY 2014 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM**

July 1, 2014 Beginning Balance **\$ 2,255,282.87**

**RECEIPTS** **\$ 3,433.17**  
Transfer In \$ 0.00

**DISBURSEMENTS**  
Transfer Out \$ 0.00

July 31, 2014 Ending Balance **\$ 2,258,716.04**

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**JULY 2014- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM**

July 1, 2014 Beginning Balance **\$ 215,629.93**

**RECEIPTS** **\$ 16.54**

**DISBURSEMENTS**

July 31, 2014 Ending Balance **\$ 215,646.47**

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**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 there will be a Library Board meeting on Monday, August 25, 2014 at the Salem Library at 6:30 pm.

The Hooker Lake budget workshop will be held on Thursday, August 14<sup>th</sup> at 7:30 pm at the Salem Town Hall and Hooker Lake's Annual meeting will be held Thursday, September 18<sup>th</sup> at the Town Hall.

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

Supervisor Faber reported that Camp/Center Lake Rehabilitation District will hold its Annual meeting this Saturday, August 16<sup>th</sup> from 9:00 am – 11:00 am. The CCLRD budget remained the same from last year. They received a grant for a transporter from the WI Waterways Assoc in the amount of \$49,500.

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

Supervisor Culat had nothing other than to report how good the roads look. Thank you.

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

Supervisor Kmiec reported that he was impressed with the contractors working on the road project. They did a great job and he is glad we are addressing the Town's infrastructure.

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

Supervisor Campion reported that he thought Wilmot looks tremendous with the roads done and the striping which allows people to park properly.

He attended meetings with the County regarding the intersections of STH "83" and CTH "JF" and they have since posted new speed signage of 35 mph going both north and south bound prior to the intersection. Repairs have also been made on 224<sup>th</sup> Avenue.

Stating he is a supporter of communication, he said that the Town should go back to sending out agendas.

**CLOSED SESSION**

**1.)** MOTION BY Supervisor Faber, second by Supervisor Culat to move into closed session pursuant to: Section 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of employees over which the governmental body has jurisdiction or exercises responsibility. This closed session is relative to an administration employee.

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

**The Board moved out of Open Session and convened into Closed Session at 7:50 pm.**

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

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

**The Board moved out of Closed Session and reconvened into Open Session at 8:37 pm**

**3.)** There was no discussion, action or announcement relative to Section 19.85(1)(c) referenced during the closed session.

#### **ADJOURNMENT**

MOTION BY Supervisor Campion, second by Supervisor Kmiec to adjourn this Regular meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Regular Board meeting was adjourned at 8:37 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk