

**MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
Monday, August 8, 2011 7:00 P.M.**

**Chairman Diann Tesar** called this Public Hearing and 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, Joe Meier and Dan Campion

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

**GUESTS:** Pat Mulvey, Karen Maloney, Jeff Rau, Betty Greiner, Daniel Chang, A.B. O'Brien, and Bea Campion

**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 Friday, August 5, 2011 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.

**AGENDA SEQUENCE**

There was no change in the agenda sequence.

**CITIZEN COMMENTS**

Betty Greiner, Trevor, stated that she has concerns about the speed on the curves on CTH JF and 256<sup>th</sup> Ave. She feels the speed should be 35 mph.

Discussion took place with Mike Murdock informing the board that he would speak with Gary Sipsma, with Kenosha County Highway, about putting a 35 mph sign.

Pat Mulvey requested an agenda item for the September 2011 for discussion of the Camp Lake Oaks drainage channel and access for boats.

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

1.) Nothing.

**PLANNING & ZONING COMMISSION**

1.) A Conditional Use Permit application from Brad Pfeiffer for the purpose of selling trailers (Outdoor display & sales) was presented. Property address of 9730 Antioch Road. Property tax parcel 66-4-120-232-0400. For informational purposes only this parcel is adjacent to Town Hall directly north. This agenda item was tabled by Kenosha County pending additional review by the Town of Salem.

The Town of Salem Planning Commission tabled this item at their regular meeting held on August 8, 2011 due to the number of changes; Mr. Pfeiffer was advised to meet with Brad Zautcke and Kenosha County Planning and work out the changes.

The Salem Town Board also tabled this item.

2.) A rezoning request by UK Jung Chang, Full First Gospel Church, for tax parcel # 67-4-120-353-0301 was presented. The request is to rezone from I-1 (Institutional), A-2 (Agricultural) and C-1 (Lowland Conservancy) to I-1, A-2, C-1, R-3 (Single Family Residential), and C-2 (Upland Conservancy). For informational purposes only this parcel is located at the end of 125th Street, west of STH '83'.

The Town of Salem Planning Commission voted 4-0 to approve the rezoning request.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to take the recommendation of the Planning & Zoning Commission and approve the rezoning request by UK Jung Chang (Full First Gospel Church), for tax parcel # 67-4-120-353-0301 from I-1 (Institutional), A-2 (Agricultural) and C-1 (Lowland Conservancy) to I-1, A-2, C-1, R-3 (Single Family Residential), and C-2 (Upland Conservancy) as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **BUILDING DEPARTMENT**

1.) The board indicated intent at the June 2011 meeting, to raze 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. Mr. Alber is to attend monthly board meetings and provide an update of the status of his progress and tax payments with progress being monitored by Building Inspector Rowland. Mr. Roland did not appear before the board for this meeting. Building Inspector Rowland stated he hasn't heard from them, but has gone by the property once a week and it doesn't appear that anything has been done and it looked worse when he went by today. There is another hole in the roof.

This will be placed on the agenda next month and if there is no response we will proceed with the raze order.

## **ADMINISTRATOR'S BUSINESS**

1.) There was no Administrator's report, but it was placed on file.

2.) Supervisor Faber presented a request by Camp/Center Lake Rehabilitation District to purchase or rent town land for construction of a storage building. They currently lease land at the sewer facility, but there isn't enough room to put all the equipment in. He requested that the board entertain leasing town property to CCLRD and allow them to construct a building on the leased property, possibly near the old turkey farm. They are considering a 10,000 sq. ft building.

Administrator Casey indicated to the board that he would like permission to explore this. The board was in agreement that this could be looked at. Supervisor Faber stated that it will be on the CCLRD agenda to also explore.

**3.)** Resolution No. 11-08—08, A Resolution Providing for the Application by the Town of Salem for a Lake Management Planning Program Grant was presented.

MOTION BY Supervisor Faber, second by Supervisor Meier to adopt Resolution No. 11-08—08, A Resolution Providing for the Application by the Town of Salem for a Lake Management Planning Program Grant as presented.

UNANIMOUS VOTE - AYE

MOTION CARRIED

**4.)** Administrator Casey said that we have been without a utility engineer. He sent out Town of Salem Utility Engineer RFP's and received ten (10) back. It was narrowed down to four (4), who in turn each gave a presentation and was interviewed. He recommended Strand Engineering with Jeff Rau being the lead contact.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to accept Administrator Casey's recommendation of Strand Engineering as Town of Salem Utility Engineer, as presented.

Jeff Rau was present at this meeting. Supervisor Campion questioned if he had a local office.

Mr. Rau responded they have an office in Milwaukee and they typically have a fast response.

They are currently doing engineering for Kenosha County and the Village of Bristol.

UNANIMOUS VOTE - AYE

MOTION CARRIED

## **FIRE AND RESCUE**

**1.)** Supervisor Campion questioned with the recent announcement of annexation of the Hartnell Chevrolet property to Paddock Lake for water, what a trigger would be regarding renegotiating the Town of Salem/Village of Paddock Lake Fire / EMS agreement for service? The Village of Paddock Lake will be reimbursing us on the taxes for the next ten (10) years.

Administrator Casey explained that the agreement expires in 2025 when the growth area goes into Paddock Lake. This was an intentional date because then they will have a sizeable area which would necessitate a change in the agreement.

Discussion followed with Supervisor Faber suggesting talking to Paddock Lake about a possible sewer/water agreement.

No action was taken on this item.

## **SEWER UTILITY DISTRICT**

**1.)** Supervisor Campion expressed concerns about someone not being able to pay their taxes or fees owed to the Town and then want to hook up to sewer. He suggested adding requirements for connection with the sewage system. This would be the Town's leverage to get them paid.

MOTION BY Supervisor Campion to require payment of delinquent taxes and fees prior to sewer permits being issued.

Attorney Scholze advised that we probably can't require this if someone has a failing sewer system and doesn't have the money to pay.

SECOND BY Supervisor Meier.

Discussion followed.

MOTION RESCINDED BY Supervisor Campion to give Attorney Scholze time to look into this issue.

MOTION BY Supervisor Campion, second by Supervisor Meier to table this item until the September meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **FIRE AND HIGHWAY BUILDING PROJECT**

1.) Payment Application No. 3 for Camosy Construction in the amount of \$25,286.00 for Well Services Building was presented. The original contract amount is \$289,000.00. Balance to finish is \$158,437.10 including retainage.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Payment Application No. 3 for Camosy Construction in the amount of \$25,286.00 for Well Services Building as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Payment Application No. 2 from Phoenix Fabricators in the amount of \$325,920.30 for the Water Tank was presented. The original contract amount is \$762,074.00. Balance of \$292,376.45 including retainage.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve Payment Application No. 2 from Phoenix Fabricators in the amount of \$325,920.30 for the Water Tank as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **CLERK'S BUSINESS**

1.) MOTION BY Supervisor Campion, second by Supervisor Faber to approve the minutes of the previous meeting: Regular Board Meeting on 07/11/11 and a Special Meeting on 07/26/11 with the correction on page three (3) changing the wording "bypass" to "waste systems".

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.

Jennifer Long    Beth A Dubeau    Arthur S Boyle    Jeremiah Bond    Brandon L Rogers  
Alexander J Klotz    Sherry Drenner    Muhammad V Siddiqui    Ashmita Patel

MOTION BY Supervisor Meier, second by Supervisor O'Connell to approve Operator License applications 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.) Temporary Class B “Picnic License” applications were received by the clerk for the following: approval is contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

- The Sharing Center, 30820 111<sup>th</sup> Street, Kenosha County Fairgrounds, Wilmot, WI, Aloha Super Luau to benefit the Sharing Center. September 18, 2011
- Lake Shangri-La Property Owners Association, 22112 121<sup>st</sup> Street, Bristol, WI, Family Fun Day. September 10, 2011

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve Temporary Class B “Picnic License’s” for The Sharing Center, 30820 111<sup>th</sup> Street, Kenosha County Fairgrounds, Wilmot, WI, Aloha Super Luau to benefit the Sharing Center, September 18, 2011 and Lake Shangri-La Property Owners Association, 22112 121<sup>st</sup> Street, Bristol, WI, Family Fun Day, September 10, 2011.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER’S REPORT**

1.) Chairman Tesar gave the Treasurer’s report for July 1, 2011 – July 31, 2011.

2.) The payment of the vouchers July 12, 2011 – August 8, 2011 was presented as follows:

Vouchers issued from July 12, 2011 through August 8, 2011	\$ 717,752.36
Payroll #15 Ending 07/16/11	\$ 64,051.82
Payroll #16 Ending 07/30/11	\$ 73,161.63
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Total	\$ 854,965.81

MOTION BY Supervisor Meier, second by Supervisor Campion to approve the payment of the vouchers July 12, 2011 – August 8, 2011 as presented

UNANIMOUS VOTE – AYE

MOTION CARRIED

**MUNICIPAL COURT**

1.) Resolution No. 11-08-08A, A Resolution of the Salem Town Board, Town of Salem, Kenosha County, Wisconsin, Amending the Uniform Ordinance Bond Schedule For Ordinance Violations Enforced By the Town’s Public Safety and the Kenosha County Sheriff.  
This item will be tabled until the September meeting.

**LIBRARY BOARD**

1.) The term for Pat O'Connell on Library Board expired in April 2010, but he has continued to serve. Chairman Tesar recommended Pat O'Connell's appointment to the Library Board. The term will expire in April 2013.

MOTION BY Supervisor Faber, second by Supervisor Meier to accept Chairman Tesar's appointment of Pat O'Connell to the Library Board.

ABSTAINED – Pat O'Connell

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **STORM WATER DISTRICT**

1.) Nothing

#### **PUBLIC WORKS/HIGHWAY**

1.) Nothing

#### **PUBLIC SAFETY**

1.) Nothing

#### **PARK COMMISSION**

1.) Nothing.

#### **SALEM MOUND CEMETERY**

1.) Nothing

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

**Chairman Tesar** (Lakes Committee & Hooker Lake) report.

CHAIRMAN Tesar encouraged those in attendance to make a phone call to the State Legislature and show support for Assembly Bill 181. This bill would restore a town's ability to challenge unanimous direct annexations in certain circumstances. Currently, towns cannot challenge this annexation procedure on any grounds.

Supervisor Campion informed that Samantha Kerkman is a co-sponsor of this bill.

Chairman Tesar informed those in attendance that KABA will be sponsoring a candidate forum with Senator Robert Wirch and Jonathan Steitz. This will be held at the Kenosha Country Club, 500 13<sup>th</sup> Avenue in Kenosha on August 12, 2011 at 7:00 pm. There will also be a debate at Gateway at 7:00 pm in Kenosha.

Hooker Lake will hold their next meetings on August 11<sup>th</sup> and September 15<sup>th</sup> at 7:30 pm.

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

Supervisor Faber reported that CCLRD will hold its annual meeting on August 20<sup>th</sup>. There were some problems with the original mailing of the CCLRD newsletter/agenda/budget summary, but

it has been corrected.

Board of Review hearings were held on August 3<sup>rd</sup> and are now completed for the year.

**Supervisor Meier** report.

Supervisor Meier had nothing to report.

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

Supervisor O'Connell reported that Voltz Lake Management District will hold a meeting on Wednesday, August 10<sup>th</sup>.

The Library Board met with the Friends of the Library. Remodeling of the library in Twin Lakes will be beginning and it will be double in size when completed. They will be starting in mid September and hope to be complete by mid November. The Twin Lakes building will be closed during this time.

**Supervisor Campion** (County Liaison) report.

Supervisor Campion reported there are some issues with the City of Kenosha owing money to Kenosha County in a number of areas. One of these is Health Services owes a ½ million dollars. During last months meeting, we removed property owned by the County from the Storm Water fees. Two purchases have been made by the County and they want the Town to take it over and maintain it. Administrator Casey is looking into this.

**CLOSED SESSION**

**1.)** MOTION BY Supervisor Meier, second by Supervisor Faber 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 a possible purchase of public properties and pursuant to: Section 19.85(1)(c), Wis. Stats. for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; specifically to discuss non-represented or administrative contracts.

ROLL CALL VOTE

SUPERVISORS Faber, O'Connell, Meier, Campion and Chairman Tesar – AYE

MOTION CARRIED

**The Town Board moved into Closed Session at 8:07 p.m.**

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

ROLL CALL VOTE

SUPERVISORS Faber, O'Connell, Meier, Campion and Chairman Tesar – AYE

MOTION CARRIED

**The Town Board moved out of Closed Session at 8:35 p.m.**

4.) There was no action or announcements relative to Section 19.85(1)(e)referenced during the closed session.

5.) There was no action or announcements relative to Section 19.85(1)(c) 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 8:40 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk