

**MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
Monday, February 11, 2013 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:** Pat Casey, Town Attorney Brian Wanasek, Dave Shortess, Brad Zautcke and Cindi Ernest

**GUESTS:** James Woodke, Wayne Everts, Alice Everts, Sandy Wilson Karen Ihlen, Robert Welter and Robin Welter.

**PLEDGE OF ALLEGIANCE**

Chairman Tesar led the Pledge of Allegiance.

**OPEN MEETING COMPLIANCE CHECK**

The agenda was posted by 4:00 p.m. on Friday, February 8, 2013 at the Town Hall Municipal Building, Salem Post Office, Camp Lake Post Office, Wilnot 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.

**CITIZEN COMMENTS**

Wayne Everts, 21933 Salem Road, presented and read a letter to the Town Board relative to the proposed transmission line routing. He stated they are not opposed to the transmission line, but is opposed to the 216<sup>th</sup> Avenue routing option. His reasons for the opposition were read as follows:

- The proposed line would be exceptionally close to various houses – some even less than possibly 50 feet.
- The value of homes and properties along 216<sup>th</sup> Ave. and adjacent route would suffer excessive devaluation.
- This transmission line routing would go directly through certified wetlands, across front lawns and beside our homes. Beautiful large oaks and other irreplaceable trees would be cut down. A 100 foot wide clear cut right-of-way under the line would be cut. This is totally unacceptable.
- There are numerous harmful health effects due to electromagnetic radiation, etc. in the proximity of these lines. Please research websites for the many proven studies on the harmful effects.

- High voltage lines are not a thing of beauty across your front yard or next to your house. No garage or construction can be built in the proximity/right-of-way of the transmission line.
- Many other possible transmission line routings are more desirable with less environmental and adverse impact.

## **BUILDING DEPARTMENT**

1.) The update, discussion and possible action 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 will be postponed until the March Regular Board meeting due to Mr. Alber being unable to attend. This item was tabled from the January 2013 Regular Board meeting.

MOTION BY Supervisor Campion, second by Supervisor Kmiec to have Building Inspector Rowland, with permission of the property owner, take pictures of the inside and outside of the home for the March meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **PLANNING AND ZONING**

1.) A request by Jerome J. & Coleen P. Epping, 29000 75<sup>th</sup> St., Salem WI 53168-9533 (Owner), for a variance was presented. Section V. B. 12.28-7: which states that non-conforming structures which encroach upon the yard requirements of this ordinance, but which met yard requirements of the applicable zoning ordinance at the time of construction, may be structurally enlarged or expanded if the existing structure is located at least fifty (50) percent of the minimum setback requirement and further provided that the alteration does not create a greater degree of encroachment on yard, height, parking, loading, or access requirements in the B-3 Highway Business District) to construct (31' x 20'), (48' x 31') and (36' x 31') additions onto the existing non-conforming structure, which is located 29.75 feet (required setback 65 feet) from the right-of-way of STH "50" (75<sup>th</sup> Street) on Tax Parcel #65-4-120-082-0101, Northwest Quarter Section 8, Township1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on the southeast corner of CTH "B" (288<sup>th</sup> Avenue) and STH "50" (75<sup>th</sup> Street).

The Planning & Zoning Commission made the recommendation to approve the variance, as stated on the Zoning Permit Application dated 12/11/2012, with a vote of 7-0.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of the Town Planning & Zoning Commission and approve the request by Jerome J. & Coleen P. Epping, 29000 75<sup>th</sup> St., Salem WI 53168-9533 (Owner), for a variance as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) There was an announcement of the Planning & Zoning Commissioner terms expiring in 2013 and acceptance of applications for appointment or re-appointment during the April Town Board meeting. Terms expiring are Kimberly Breunig, Steve Arnold and Karen Baker. These are three year terms.

## **CLERK'S BUSINESS**

1.) The minutes of the previous meetings of a Regular Board meeting on 01/14/2013 and Special Board Meeting on 01/21/2013 were presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 01/14/2013 and Special Board Meeting on 01/21/2013 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Madison Langer  
Hussain

Trisha L Gritzik

Susan Warden

Mohammed Baseer

Mark A Abear

Danielle Brudette

Colleen Radke

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.) A Pawn Broker, Secondhand Article Dealer and Secondhand Jewelry Dealer License application was submitted to the Clerk by Michael G Levandoski, DBA MT Coins, Inc. 8607 Antioch Road #8, Salem, WI 53168. Approval is contingent on background check clearance, and payment of the necessary fees, delinquent taxes and assessments.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the Pawn Broker, Secondhand Article Dealer and Secondhand Jewelry Dealer Licenses for Michael G Levandoski, DBA MT Coins, Inc. 8607 Antioch Road #8, Salem, WI 53168 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Ordinance No. 2013 02 11, An Ordinance Creating Section 45-9 of the Code of the Town of Salem Authorizing an Alternative Procedure for Approving Financial Claims Against the Town of Salem was presented.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to adopt Ordinance 2013 02 11, An Ordinance Creating Section 45-9 of the Code of the Town of Salem Authorizing an Alternative Procedure for Approving Financial Claims Against the Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### TREASURER'S REPORT

1.) Chairman Tesar read the Treasurer's report for January 1, 2013 – January 31, 2013 as follows:

#### JANUARY 2013 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

January 1, 2013- Beginning Balance

**\$6,814,506.11**

**RECEIPTS**

**\$ 11,009,920.61**

Prior Month Adjustment \$ 0.00

**DISBURSMENTS** \$ 4,602,509.97  
PAYROLL \$ 210,846.96  
Transfer to Lgip#9 \$ 9,000,000.00  
**Total \$13,813,356.93**

January 31, 2013 - Ending Balance **\$4,011,069.79**  
State Pool - General \$ 1,179,167.95  
Gen. Checking \$ 2,831,901.84  
**Totals \$ 4,011,069.79**

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**JANUARY 2013 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM**

January 1, 2013 - Beginning Balance \$ 0.00

**RECEIPTS** \$ 524.24  
Trnsfr from Gen. Ck. \$ 9,000,000.00

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

January 31, 2013 - Ending Balance **\$ 9,000,524.24**

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**JANUARY 2013 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM**

January 1, 2013 - Beginning Balance \$ 550,263.52

**RECEIPTS** \$ 60.83

**DISBURSEMENTS** \$ 0.00

January 31, 2013- Ending Balance **\$ 550,324.35**

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**JANUARY 2013 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM**

January 1, 2013 Beginning Balance **\$ 38,105.43**

**RECEIPTS** \$ 4.21

January 31, 2013 Ending Balance **\$ 38,109.64**

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**JANUARY 2013 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM**

January 1, 2013	Beginning Balance		<b>\$ 475,446.30</b>
	<b><u>RECEIPTS</u></b>	<b>\$</b>	<b>52.57</b>
	Transfer from LGIP 8	\$	0.00
	<b><u>DISBURSEMENTS</u></b>		
	Transfer to Gen Fund	\$	0.00
January 31, 2013	Ending Balance		<b>\$ 475,498.87</b>

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**JANUARY 2013 - CASH REPORT FOR THE TRAILS ACCOUNT – SALEM**

January 1, 2013	Beginning Balance		<b>\$ 225,819.71</b>
	<b>RECEIPTS</b>	<b>\$ 24.97</b>	
January 31, 2013	Ending Balance		<b>\$ 225,844.68</b>

2.) The payment of the vouchers for January 14, 2013 through February 11, 2013, was presented as follows:

Vouchers issued from January 14, 2013 through February 11, 2013		* \$ 4,718,095.83
Payroll #2 Ending 01/12/13	\$	57,072.54
Payroll #3 Ending 01/26/13	\$	62,492.50
		<hr/>
Total	\$	4,837,660.87

\*This includes the first tax settlements for January.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the payment of the vouchers for January 14, 2013 through February 11, 2013, as presented.  
UNANIMOUS VOTE – AYE  
MOTION CARRIED

**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 first Pumpkin Daze meeting was held on Tuesday. The next meeting will be held on February 20<sup>th</sup> at 6:00 pm. The Park Board meeting will be held the same night at 7:00 pm and she requested that all board members attend as there will be a presentation and discussion regarding the Marchuk property.

There is a WI Town's Assoc. Tri-County meeting on the 27<sup>th</sup> of February and a P7 Z meeting also that night. For the board committee meeting, Chairman Tesar requested the following for the agenda: Public Safety ordinances, Pumpkin Daze and ATC proposed transmission lines.

Utility Supervisor Brad Zautcke reported that Susan from Root Pike would like to come and talk to the board about their programs. He will coordinate for the March meeting.

The next Hooker Lake District meeting will be held on March 14<sup>th</sup> at 7:00 pm.

**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 quarterly meeting on February 28<sup>th</sup> at 6:30 pm at the Town Hall. A mailing for 50-50 was sent out to riparian property owners.

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

Supervisor Culat had nothing to report.

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

Supervisor Kmiec reported that they are reviewing Public Safety ordinances.

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

Supervisor Campion reported that he attended two (2) association meetings, Voltz Lake, who are reviewing weed bids and Arboretum Woods.

He commended the Public Works department for their work during the snows.

On February 21<sup>st</sup> there will be a CPR class at the Fire Station in Trevor. The County has been quiet.

## **CLOSED SESSION**

**1.) MOTION BY** Supervisor Culat, second by Supervisor Faber to move into Closed Session pursuant to: Section 19.85(1)(g), Wis. Stats. for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. This closed session is relative to a sewer utility contract.

ROLL CALL VOTE

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

MOTION CARRIED

**The Town Board moved into Closed Session at 7:35 pm.**

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

ROLL CALL VOTE

Supervisors Faber, Culat, Kmiec, Champion and Chairman Tesar – AYE

MOTION CARRIED

**The Town Board moved out of Closed Session at 7:56 pm.**

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

#### **ADJOURNMENT**

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Regular Town Board meeting was adjourned at 7:57 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk