

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, July 8, 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, Rich Scholze, Brad Zautcke, Mike Murdock, Mike Slover, Todd Taves, Town Financial Advisor, Maureen Schiel, Town Financial Advisor, Len Roecker, Town Engineer and Cindi Ernest

GUESTS: Pat O'Connell, Maurie Hartnett, Eric Vieth, Leon Edmark, Karen Mahoney, Roland Buhler, Ike D Miller III, Margie Gentner, Tim Burnier, Ron Schmidt, Marion Schmidt, Jenna Schmidt, Lorraine Burnier, Susan Spinler, Bryan Spinler, Yvonne Patterson and Tim Vanderhoef

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, July 5, 2013 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

ADMINISTRATOR'S BUSINESS

1.) Resolution No. 13 07 08, A Resolution Authorizing the Issuance and Sale of \$4,120,000 General Obligation Promissory Notes, Series 2013A was presented.

Todd Taves, the town's financial consultant from Ehler's informed the board that the bond issuance provided the Town with a couple of refinancing opportunities, which even though the rates have gone up a little, but there is a savings to include the refinancing.

Maureen Schiel, Ehler's financial specialist stated that there were eight (8) bidders on the bond. Raymond James & Associates, Inc. of Memphis, Tennessee had the lowest rate of 1.9702%. She further explained the final sizing for the promissory notes.

Upon the request of Supervisor Campion, Mr. Taves provided those in attendance information as to how the Town of Salem arrived at their AA Standard & Poor's Rating.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Resolution No. 13 07 08, A Resolution Authorizing the Issuance and Sale of \$4,120,000 General Obligation Promissory Notes, Series 2013A as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

HIGHWAY DEPARTMENT

1.) The bids for the 2013 Town Road Rehabilitation Project were presented as follows:

<u>Bidder/Contractor</u>	<u>Base Bid</u>	<u>Alt. A Total</u>	<u>Alt. B Total</u>	<u>Alt. C Total</u>	<u>Alt. D Total</u>
Payne & Dolan, Inc.	\$1,355,998.75	\$350,837.40	\$34,714.05	\$136,816.75	\$311,539.30
Stark Asphalt	\$1,281,488.95	\$297,388.10	\$31,552.00	\$111,888.45	\$816,965.50

Town Engineer, Len Roecker, gave the board and overview of the Highway paving project and the bids received. This year, 8.5 miles of roadway will be done and the funds leftover would be set-aside for 2014. He stated they have reviewed the proposal of the low bidder and recommended that the Town consider the award of the base bid and/or Alternate A, B, C, and D to Payne & Dolan, Inc. based on budget funds available.

Discussion followed.

MOTION BY Supervisor Culat, second by Supervisor Faber to award the bid for the 2013 Town Road Rehabilitation Project to Payne & Dolan, Inc. as presented.

Supervisor Kmiec questioned when would the town start planning for the 2014 projects to which Administrator Casey responded that we will begin the planning in the next couple of weeks and will have the plan by September – October.

Supervisor Culat commented that the way this project was coordinated was astonishing and will be done right once and for all.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PARKS

1.) A request by Sarah Brown for approval to serve fermented malt beverages/wine permit (Not for Sale) for a wedding ceremony/reception on September 1, 2013 in Community Park.

Approval of permit is contingent on applicant securing the required Certificate of Liability Insurance.

Administrator Casey suggested to the board that these types of permits be done "in house" rather than as an agenda item, to which the board gave a consensus that they can be done "in house" in the future.

MOTION BY Supervisor Kmiec, second by Supervisor Campion to approve the request by Sarah Brown to serve fermented malt beverages/wine permit (Not for Sale) for a wedding ceremony/reception on September 1, 2013 in Community Park. Approval of the permit is contingent on applicant securing the required Certificate of Liability Insurance.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of a Regular Board meeting on 06/10/2013 and Special Meetings on 6/17/2013 and 6/26/2013 were presented for approval.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 06/10/2013 and Special Meetings on 6/17/2013 and 6/26/2013 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Kimberly Millhouse	Kiersten M Friedli	Heather Bradley	Deborah A Rigney
Jennifer M Long	Sara Rans	Deborah J Ilenfeld	Roxanne Jackson
Patrick Hogan	Waqar Muhammad	Asam Akhtar	Teresa M Davis
Sherry L Warnke	Thomas Percy	Eileen Grimm	Katie Boehlen

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Amusement Machine License applications filed with the Clerk by Player’s Park South was presented.

The board will come back to this item later in the agenda after the Liquor License is addressed.

4.) Liquor License applications were 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 by the following, with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

CLASS "B" BEER AND "CLASS B" LIQUOR

Kick Stand Bar & Grill, LLC
9624 Camp Lake Rd.
Camp Lake, WI 53109
Agent: Ike D Miller III

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

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Liquor License for Kickstand Bar & Grill, LLC as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) Liquor License 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 by the following, with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

CLASS "B" BEER AND "CLASS B" LIQUOR

Out of the Park Enterprise, Inc
9251 Antioch Road
Salem, WI 53168
Agent: Tamara L Skrzypek

Player's Park South
9351 Antioch Road
Salem, WI 53168

A Mr. Hernandez addressed the board regarding a lawsuit requested that the board consider it when deciding to issue this license. He was informed that this was something the board couldn't consider.

MOTION BY Supervisor Faber, second by Supervisor Campion to table this Liquor License request and the Amusement Machine License request until the August meeting or sooner if the information needed is received.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

- Schultz-Hahn Post 293 American Legion, Kenosha County Fair Beer Tent , for Kenosha County Fair, Aug. 14, 2013 thru Aug. 18, 2013 daily.
- Silver Lake Sportsman Club, 27021 85th St, Salem, WI, for Silver Lake Sportsman Club High School Trap Shoot, July 28, 2013, 11:00 am until 7:00 pm.
- Silver Lake Sportsman Club, 27021 85th St, Salem, WI, for Silver Lake Sportsman Club Annual Picnic, August 24, 2012, 11:00 am until 12:00 midnight.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the Temporary Class B "Picnic License" applications as presented with approval contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

UNANIMOUS VOTE – AYE

MOTION CARRIED

7.) A Salvage Yard License application was filed with the clerk, with approval contingent on payment of delinquent taxes, assessments, and all necessary fees.

Highway 50 Auto and Truck Salvage

MOTION BY Supervisor Cular, second by Supervisor Kmiec to approve the Salvage Yard License application as presented with approval contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

8.) Ordinance No 13 07 08, An Ordinance Amending Section 305-3 of the Code of the Town of Salem Pertaining to Temporary Beer and Wine Licenses.

This ordinance would allow the clerk to issue these licenses without coming before the Town Board.

MOTION BY Supervisor Kmiec, second by Supervisor Culat to adopt Ordinance No 13 07 08, An Ordinance Amending Section 305-3 of the Code of the Town of Salem Pertaining to Temporary Beer and Wine Licenses.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for June 1, 2013 – June 30, 2013 as follows:

JUNE 2013 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

June 1, 2013- Beginning Balance **\$2,955,785.71**

<u>RECEIPTS</u>		\$ 106,675.80
Transfer from LGIP	\$	0.00
Prior Month Adjustment	\$	0.00

<u>DISBURSEMENTS</u>	\$ 364,779.29
PAYROLL	\$ <u>152,410.59</u>
Total	\$ 517,189.88

June 30, 2013 - Ending Balance **\$2,545,271.63**

State Pool - General \$ 1,679,084.46

Gen. Checking \$ 866,187.17

Totals \$ 2,545,271.63

JUNE 2013 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

June 1, 2013 - Beginning Balance **\$ 962.94**

<u>RECEIPTS</u>		\$.06
Trnsfr from Gen. Ck.	\$	0.00

<u>DISBURSEMENT</u>		
Trnsfr to Gen. Ck	\$	0.00

June 30, 2013 - Ending Balance **\$ 963.00**

JUNE 2013 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

June 1, 2013 - Beginning Balance \$ 443,289.20

RECEIPTS \$ 1,645.82

DISBURSEMENTS

June 30, 2013 - Ending Balance \$ 444,935.02

JUNE 2013 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-TOWN OF SALEM

June 1, 2013 Beginning Balance \$ 38,957.06

RECEIPTS \$ 2.47

June 30, 2013 Ending Balance \$ 38,959.53

JUNE 2013 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – TOWN OF SALEM

June 1, 2013 Beginning Balance \$ 186,450.62

RECEIPTS \$ 11.83

DISBURSEMENTS

June 30, 2013 Ending Balance \$ 186,462.45

JUNE 2013- CASH REPORT FOR THE TRAILS ACCOUNT – TOWN OF SALEM

June 1, 2013 Beginning Balance \$ 215,438.78

RECEIPTS \$ 13.67

DISBURSEMENTS

June 30, 2013 Ending Balance \$ 215,452.45

2.) The approval of payment of the vouchers for June 11, 2013, through July 8, 2013, was presented as follows:

Vouchers issued from June 11, 2013
through July 8, 2013 \$ 364,115.91

Payroll #13 Ending 06/15/13 \$ 62,958.62
Payroll #14 Ending 06/29/13 \$ 66,090.04

Total \$ 493,164.57

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the payment of the vouchers for June 11, 2013, through July 8, 2013, as presented.

Supervisor Campion commented that we are refining the accounts payable process.

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 Library Board met two (2) weeks ago, but there is nothing to report. The weeds have been treated on Hooker Lake and PumpkinDaze is scheduled for October 19, 2013.

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

Supervisor Faber reported that the CCLRD quarterly meeting would be held at 6:30 pm this Wednesday at the Town Hall. Vegetation growth in lakes is natural but can grow into a nuisance. The milfoil is under control.

In the SEWRPC study regarding housing was a resolution, which Supervisor Faber is hesitant to sign as our Comprehensive Plan addresses this. He requested that Planning Dept head Zautcke have Pat Meehan review this.

There was one (1) Board of Review petitioner this year at which time she gave an excellent presentation regarding her assessment.

On the lakes, Supervisor Faber requested that water advisory signs be posted regarding the Blue Green Algae. The Department of Health has recommended staying out of areas of the lakes which have Blue Green Algae.

Silver Lake Protection will have their annual meeting from 10:00am – 12:00 pm on Saturday at the Town Hall.

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

Supervisor Culat reported that former Kenosha County Sheriff Zarletti passed away.

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

Nothing to report.

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

Supervisor Campion informed that Kenosha County has a Guideline to Bike Trails and some Town roads are included in the guideline.

Improvement of the AP procedures and retention are being worked on.

He commended the Public Works Department for all the work they are doing.

Voltz Lake also has Blue Green Algae that is blocking an entire channel. He is recommending that Voltz Lake attend Silver Lake Protection Associations annual meeting.

Further discussion of the Blue Green Algae took place.

Supervisor Culat also commented on how proud he was of the Public Works Dept.

CITIZENS COMMENTS

Leon Edmark presented information to the Town Board regarding the feral cat problems in the Town. He took responsibility for the cats on his property, but others don't. He believes it there was Town regulation that other would have to take responsibility.

Discussion followed with him being informed that the Town couldn't enforce regulation of the feral cats on private property when the cats don't belong to property owners.

Lorraine Burnier and her son Tim read a letter to the board and circulated a petition with 93% of the lake front owners strongly opposed to the placement of buoys on Hooker Lake.

Discussion followed.

Yvonne Patterson stated that the complaints of erosion by Vanderhoef and Winkers are from the storm sewers, which were placed years ago.

Chairman Tesar informed those in attendance that anyone has the right to apply for a buoy if they have a plan. There will be no meeting on the 15th as there are no applications.

There was further discussion of the plans and procedure needed for a buoy placement.

Ron Schmidt pointed out to the board that it's been shown that there is overwhelming resistance to the buoys and questioned if we are restricting boating space for 7% at the expense of the other 97% of the petitioners.

Further discussion followed with Chairman Tesar pointing out that if someone applies for a buoy and has the plans, they have every right to do so. It then goes before the Town Board and then to the DNR for final decision.

ADJOURNMENT

MOTION BY Supervisor Culat, second by Supervisor Kmiec to adjourn this Regular meeting.
UNANIMOUS VOTE – AYE
MOTION CARRIED

This Regular Board meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Cindi Ernest, Clerk