

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Tuesday, November 12, 2013 7:00 P.M.**

Clerk's Note: The Regular monthly meeting was changed due to Veteran's Day holiday on Monday November 11, 2013.

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, Attorney Rich Scholze, Engineer Len Roecker, Brad Zautcke, Mike Slover, Mike Murdock, Dave Shortess and Cindi Ernest

GUESTS: Vincent Lightfoot, Sharon Pomaville, Johan Ihlen, Mike Langel, Judy Cannon, Debbie Waldron Smith, Mary Sheen and Dennis Sheen

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, November 8, 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

There were no citizen comments.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar and Public Safety Department Head Dave Shortess, who spearheaded the fundraising project, presented a check to Sharon Pomaville of the Sharing Center a check in the amount of \$1,003. The check represented the proceeds from selling koozies during the Town's PumpkinDaze event. Officer Shortess went door to door advancing the sales of the koozies.

2.) Vincent Lightfoot, President of the Western Kenosha County Senior Citizens Council, Inc., located at STH 45 & CTH C gave a background of the building and the organization. They currently have about 200 members with membership fees of \$10 for single or \$15 for couples.

All work at the center is done by volunteers and they have one paid person. Major funding for the center comes from grants and ADRC. They are in the process of working with Red Cross to designate the center as place where people can go during a disaster. They have four (4) acres of walking paths and are working with nursing services to offer blood pressure checks and other tests.

Debbie Waldron-Smith, Director of Western Kenosha County Senior Citizens Council, Inc., told the board that they are a 501C3 nonprofit. There are currently several people from Salem on their board of directors and are looking for more representation from the Salem area.

Judy Cannon discussed their programming with bingo being the largest. She gave highlights of the programs and activities that they have.

Ms. Waldron-Smith expressed some of their needs, including snowplowing, and asked the board to consider helping, possibly by providing services.

3.) An overview of the 2014 proposed Town Road Rehabilitation Program was presented by Len Roecker of R.A. Smith National, Town Engineers. He informed the board that this year the Town ended up doing about 6.15 miles of roadway and saved approximately \$400,000 this year. Next year they are anticipating opening it up to a sewer contract, storm water contract and road paving rather than putting it all under one contract. The paving costs were \$1,486,700, storm water \$201,700 and sewer costs were \$220,300.

Anticipated projects for 2014 include sanitary sewer collection system rehabilitation (Salem Oaks, Cross Lake & Yaws Subdivisions), Drainage improvement project (Salem Oaks Subdivision), and paving project (Salem Oaks, Cross Lake & Yaws Subdivisions).

PUBLIC SAFETY

1.) Ordinance No. 13 11 12, An Ordinance Amending Section 330-5 A. (10) of the Code of the Town of Salem Regarding Slow No Wake Operation on Center Lake was presented. Dave Shortess informed the Board that this document was due to technical corrections.

MOTION BY Supervisor Faber, second by Supervisor Culat to adopt Ordinance No. 13 11 12, An Ordinance Amending Section 330-5 A. (10) of the Code of the Town of Salem Regarding Slow No Wake Operation on Center Lake as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PLANNING & ZONING

1.) A request by Liberty Cemetery Association, John Schultz (agent), for a Conditional Use permit to allow for an addition to Liberty Cemetery, PO Box 183, Salem WI 53168 (Owner) in the I-1 (Institutional District) on Tax Parcel #66-4-120-261-0301 located in the east 1/2 of Section 26, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only, this property is located on the east side of STH 83 (Antioch Road) approximately 0.23 miles south of the intersection with CTH C (Wilmot Road).

The Town of Salem Planning and Zoning Commission made a recommendation for approval of the Conditional Use Permit on a vote of 5-0.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of the Planning & Zoning Commission and approve the request by Liberty Cemetery Association, John Schultz (agent), for a Conditional Use permit to allow for an addition to Liberty Cemetery, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request by Lawrence A. Short, 22840 128 Street, Bristol WI 53104 (Owner), Ken Dahlin, Genesis Architecture, 6929 Mariner Drive, Racine WI 53406 (Agent), for variances was presented. (Section IV. C. 12.21-4(g)1: which states that all structures shall be no less than 30 feet from the right-of-way of all other roads and Section IV. C. 12.21-4(g)3: which states that all structures shall be no less than 10 feet from any side property line in the R-4 Urban Single-Family Residential District) to construct a 33' x 24' attached garage and covered porch onto the east side of an existing non-conforming residence, to be located 6.5' (required setback 30 feet) from the right-of-way of 128th Street and 4.8' (required setback 10 feet) from the north side property line on Tax Key Parcel #67-4-120-363-0240, Southwest ¼ Section 36, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on the west side of 128th Street approximately 400 feet west of the intersection with 228th Avenue. The Town of Salem Planning and Zoning Commission made a recommendation for denial of the requested variances on a vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the recommendation of the Planning & Zoning Commission for denial of the variance requests by Lawrence A. Short, 22840 128 Street, Bristol WI 53104 (Owner), Ken Dahlin, Genesis Architecture, 6929 Mariner Drive, Racine WI 53406 (Agent), to construct a 33' x 24' attached garage and covered porch onto the east side of an existing non-conforming residence, to be located 6.5' (required setback 30 feet) from the right-of-way of 128th Street and 4.8' (required setback 10 feet) from the north side property line on Tax Key Parcel #67-4-120-363-0240 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

ADMINISTRATIVE

2.) A request by the Highway & Fire/Rescue Departments to sell the following Town vehicles was presented:

5856	Equipment Squad	1999	Freightliner Equipment Van, (air cascade)	\$25,000
5857	Equipment Squad	1995	Chevy Equipment Truck (air cascade)	\$8,500
5851	Rescue/Extrication	2003	Pierce/Ford F550 Rescue Truck	\$90,000
	Chevrolet	1996	S-10	mileage 114,000
	Ford	1997	Ranger	mileage 109,000
	GMC	2004	Sierra	mileage 110,000
	Chevrolet	2000	Blazer	mileage 78,000

The vehicles will be listed on WI Surplus bid site and they will come back to the Board with a final sales price before selling.

MOTION BY Supervisor Kmiec, second by Supervisor Campion to sell the vehicles as listed.
UNANIMOUS VOTE – AYE
MOTION CARRIED

FIRE/RESCUE

1.) A request by the Fire/Rescue Dept to donate the 2005 Ford Explorer Command Vehicle, as is, to United Hospital's Medical Director to use as a response vehicle contingent on signing a hold harmless and a needed repair clause was presented.

Chief Slover indicated to the Board that it would be advantageous to having a doctor responding to calls. The Blue Book value is \$6,000, but it will need about \$4,000 in repairs which they would pay for.

Discussion followed with the Board requesting that Chief Slover have the Medical Director come to a meeting and discuss his needs.

HIGHWAY

1.) A request by the Highway Department to purchase a chipper. Quotes on three chippers were presented from Vermeer and Bobcat Plus. We are receiving about a \$5,000 trade in on our old chipper.

MOTION BY Supervisor Culat, second by Supervisor Faber to purchase the chipper from Vemeer in the amount of \$35,804.

MOTION AMENDED BY Supervisor Culat, second by Supervisor Faber to allocate a portion of the purchase of the chipper out of Storm Water Fund and General Fund/Highway.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Project Payment No. 3 request by Payne & Dolan, Inc, in the amount of \$ 492,788.05 for the 2013 Town Road Rehabilitation Program was presented. The Town is withholding about \$13,955 in contract dollars until all remaining sanitary sewer video logs have been submitted and approved by Strand. There will be one more payment after this.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Project Payment No. 3 request by Payne & Dolan, Inc, in the amount of \$ 492,788.05 for the 2013 Town Road Rehabilitation Program as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY

1.) A request to purchase a 2014 Ford F-250 Crew Cab from Kayser Automotive Group, Madison, WI in the amount of \$26,860.00 was presented. This vehicle is being purchase for the Sewer Dept and their Blue Ford will be handed down to the Public Safety Dept. This will be paid out of the Storm Water Utility Fund.

MOTION BY Supervisor Faber, second by Supervisor Culat to purchase the 2014 Ford F-250 Crew Cab from Kayser Automotive Group, Madison, WI in the amount of \$26,860.00 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of the previous meetings of a Regular Board meeting on 10/14/2013, Budget Workshop on 10/15/2013 and a Special Meeting on 10/21/2013 was presented.

MOTION BY Supervisor Culat, second by Supervisor Kmiec to approve the minutes of the Regular meeting on 10/14/2013.

UNANIMOUS VOTE – AYE
MOTION CARRIED

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the minutes of the Budget Workshop on 10/15/2013.

SUPERVISORS Faber, Culat, Campion and Chairman Tesar – AYE

SUPERVISOR Kmiec, due to absence – ABSTAIN

MOTION CARRIED

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the minutes of the Budget Workshop on 10/21/2013.

SUPERVISORS Kmiec, Culat, Campion and Chairman Tesar – AYE

SUPERVISOR Faber, due to absence – ABSTAIN

MOTION CARRIED

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

Jessica Barhyte

Kristy Cuellar

Michelle Beyer

MOTION BY Supervisor Kmiec, second by Supervisor Faber to approve the Operator License applications for Jessica Barhyte and Kristy Cuellar, contingent on background check clearance, completion of beverage server class, and payment of the necessary fees and to table the Operator License application for Michelle Beyer pending further information.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) An application filed with the Town Clerk for a retail license 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 was presented, 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 "A" BEER AND "CLASS A" LIQUOR

Razmataz, Inc.
9840 272nd Avenue
Trevor, WI 53179

Mac's Deli & Grocery
9610 Camp Lake Road
Camp Lake, WI 53109

AGENT: Ramza L. Hitti-Pogachar

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the application filed with the Town Clerk for a retail license to sell fermented malt beverages and intoxicating liquors, as presented, with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A Cigarette License application filed with the Town Clerk was presented as follows. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

Razmataz, Inc.
 9840 272nd Avenue
 Trevor, WI 53179
 AGENT: Ramza L. Hitti-Pogachar

Mac's Deli & Grocery
 9610 Camp Lake Road
 Camp Lake, WI 53109

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Cigarette License application filed with the Town Clerk as presented with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.
 UNANIMOUS VOTE – AYE
 MOTION CARRIED

TREASURER'S REPORT

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

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

October 1, 2013- Beginning Balance		\$2,608,529.05
	<u>RECEIPTS</u>	\$ 699,701.80
	Transfers In	\$ 0.00
	Prior Month Adjustment	\$.00
	<u>DISBURSEMENTS</u>	\$ 1,070,595.64
	PAYROLL	\$ 152,934.48
	Transfers Out	<u>\$ 0.00</u>
	Total	\$ 1,223,530.12
October 31, 2013 - Ending Balance		\$2,084,700.73
State Pool - General	\$ 763,529.23	
Gen. Checking	<u>\$ 1,321,171.50</u>	
Totals		\$ 2,084,700.73

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

October 1, 2013 - Beginning Balance		\$ 963.16
	<u>RECEIPTS</u>	\$.07
	Trnsfr from Gen. Ck.	\$ 0.00
	<u>DISBURSEMENT</u>	

RECEIPTS **\$ 16.16**

DISBURSEMENTS

October 31, 2013 Ending Balance **\$ 215,504.64**

2.) Approval of payment of the vouchers for October 15, 2013, through November 12, 2013, was presented as follows:

Vouchers issued from October 15, 2013
through November 12, 2013 \$ 860,079.76

Payroll #22 Ending 10/19/13 \$ 61,170.64
Payroll #23 Ending 11/02/13 \$ 79,258.85 (includes Fire Dept
Incentive)

Total **\$ 1,000,509.25**

MOTION BY Supervisor Faber, second by Supervisor Culat to approve payment of the vouchers for October 15, 2013, through November 12, 2013, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

About half of the voucher amount includes the payment on the roadway project.

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 Nov 26th at 6:30 pm and a Public Hearing and Special Electors Meeting on Thursday, Nov 14th at 7:00 pm. PumpkinDaze was a success and we are looking forward to next year.

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

Supervisor Faber reminded that yesterday was Veterans Day. Roger Phillips, former Planning & Zoning Board member passed away.

The spillway, between Camp & Center Lake, is under construction. CCLRD is putting away cutting equipment.

He attended the WI Town's Assoc conference and indicated we wanted to be included on TIF's and hopes something will come of that. Director Rich Stadelman is retiring next year and Tommy Thompson and Governor Walker both made presentations.

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

No report.

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

No report.

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

Supervisor Campion reported that Roger Philips had a lot of representation with the Town.

Voltz Lake held their annual meeting and adopted their budget.

The County budget had an increase of about 1.7%.

The Town Board will be holding a joint meeting with Silver Lake at 6:00 pm at the Salem Town Hall.

ADJOURNMENT

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Cindi Ernest, Clerk