

TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
MEETING minutes
August 1, 2011

Chairman Robert C. Hultquist called the meeting to order at 5:30 p.m. Supervisors present included Brian Wiemer, Jan Husak, and John Roelandts. Also present was Attorney Chapman, Administrator/Planner Herrmann, Chief Wallis, and Clerk/Treasurer Lesser. Supervisor John Koepke came in at 5:40 p.m. Highway Superintendent Salzman came in at 6:00 p.m. For audience attendance please see attached sign-in sheet.

Supervisor Husak made a motion to enter into closed session by roll call vote pursuant to State Statute 19.85(1)(g) 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 (Forseth). Supervisor Roelandts seconded the motion.

Supervisor Koepke: absent

Supervisor Wiemer: aye

Chairman Hultquist: aye

Supervisor Husak: aye

Supervisor Roelandts: aye

Motion carried unanimously.

The Board will reconvened into open session at 5:48 p.m.

All those present stood to recite the Pledge of Allegiance.

Supervisor Roelandts made a motion to approve the minutes from the July 18, 2011 Town Board Meeting and July 22, 2011 Special Board Meeting. Supervisor Husak seconded the motion. Motion carried unanimously.

Correspondence: Clerk/Treasurer Lesser indicated that each Board member was delivered a notification of a bike –a-thon sponsored by the Tall Pines Conservancy, and a sanitary sewer report from Attorney Stan Riffle.

Comments from the Floor on Agenda items or any other items: Judy Casper of N64W35294 Rollefson Road asked the Board to consider a rule change for burning permits. To make them an annual permit rather than they expire in two (2) weeks. Some residents burn more than once and know the rules and they shouldn't have to get a permit every time they want to burn. Chairman Hultquist requested that this subject be placed on the next board agenda.

OLD BUSINESS:

- 1. Consider and Act on Monterey Dam/Bridge removal/reconstruction.** Administrator/Planner Herrmann stated that on Friday, July 29, 2011 he met with Chairman Hultquist, Supervisor Koepke, Stan Lukasz of Daar Engineering, Kathy Kramer of WISDOT, Michelle Schneider and Jim D'Antonio of the WDNR, Cathy Balthazor of the Ashippun Lake Management District, Craig Kunkel of Kunkel Engineering Group and via telephone Mike Thompson and Dan Durig. This meeting was to figure out how long before the permits expire and if the Town would lose any money if they would replace the dam. Stan Lukasz stated that there is an agreement between the Town and the DOT to remove the bridge and replace it. There is an 80/20 split of the cost; the Town could lose the funding if the project is not bid out as planned on August 8th. Michelle Schneider stated that if the Town rescinds the abandonment permit, and the DNR will issue an order to remove the dam, there would be a 5 year window to replace the dam. Supervisor Koepke handed out a fact sheet indicating four (4) options:
Option 1: Do what we're doing, remove the dam and bridge, replace the bridge and rescind the abandonment application to allow possible dam replacement total cost to the town approximately is \$203,000.00 or our share.
Option 2: Forget the whole thing, remove the dam and bridge and do not replace either one of them. The cost that Supervisor Koepke came up with is \$500,000.00 the reason this amount has increased is because the town would lose the funding from the DOT because of not replacing the bridge.
Option 3: To go back to the drawing board, which is throw up our hands and start all over again. The town would lose the DOT funding, incur the design bills which is roughly \$135,000.00. The town would have to hope that funding can be obtained, re-route the bridge in an attempt to save the dam. Costs are really expensive, and possibly not get anything back.
Option 4: Is kind of the direction we're heading in, that's complete option 1, hire a consultant to pursue a dam grant and to do some design and will know a lot more by November 1st. That cost is \$203,000.00 plus engineering fees. This option is the general idea that came out of the meeting on Friday.

Administrator/Planner Herrmann stated that there is a \$50,000.00 grant that would reduce the \$203,000.00. If the town would be awarded funding to replace the dam the figures would change and the \$50,000.00 grant would not be included.

Supervisor Koepke also stated that the silt removal costs are not included in these costs, because any one of the options silt removal will need to be completed. He went on to say that the best option in his opinion for the town is to follow option #1.

Cathy Balthazor stated that she agreed with Supervisor Koepke that the town can't afford to lose the DOT funding. It doesn't stop the opportunity to complete further research on the dam replacement.

Supervisor Koepke asked Michelle Schneider if the DNR will keep the town application open for five (5) years. Michelle stated that yes; the dam permit will remain open for the five (5) year period. The grant would need to be completed by the end of December 2012.

Administrator/Planner Herrmann stated that he has that in writing from Michelle Schneider.

Supervisor Koepke made a motion to rescind the dam abandonment application, proceed with the bridge replacement plans and removal of the dam. Supervisor Husak seconded the motion. Administrator/Planner Herrmann wanted to make it clear for the record that the town is removing the dam, removing the bridge, replacing the bridge and working on a study to replace the dam. Motion carried 4-0 with Supervisor Roelandts abstaining from the vote.

2. **Consider and Act on Resolution Authorizing Kunkel Engineering Group to Perform an Analysis of the Monterey Dam and Submit a Grant Application to the Department of Natural Resources and/or Other Work as Assigned by the Town Board:** Supervisor Husak made a motion to adopt the resolution authorizing Kunkel Engineering Group to perform an analysis of the Monterey Dam and to submit a grant application to the WDNR for replacement funding. Supervisor Koepke seconded the motion. Motion carried 4-0; Supervisor Roelandts abstained from the vote.
3. **Consider and Act on Resolution for Distribution Easement with WE Energies for electric facilities at STH 67 & McMahan Road/Soccer Complex:** Supervisor Roelandts made a motion to approve the resolution for a distribution easement with WE Energies for electric facilities at the soccer complex. Supervisor Wiemer seconded the motion. Motion carried unanimously.

NEW BUSINESS:

1. **Consider and Act on Contract Amendment from Lake Country Municipal Court Accepting the Village of Merton into the Inter-municipal Agreement:** Supervisor Husak made a motion to accept the Village of Merton into the inter-municipal agreement for Lake Country Municipal Court. Supervisor Roelandts seconded the motion. Motion carried unanimously.
2. **Consider and Act on Provisional Operator License Fee Refund for Lindsey Loehner and Paul Schauwitzer:** Clerk/Treasurer Lesser stated that both Lindsey Loehner and Paul Schauwitzer applied for a provisional operator license the would allow them to work independently until their official operator license was approved by the Board and issued. However, the provisional licenses were never issued and therefore a refund (\$15.00 each) is being requested. Supervisor Wiemer made a motion to approve refunding the provisional license fees. Supervisor Husak seconded the motion. Motion carried unanimously.
3. **Consider and Act on Mulch Delivery Refund for Eric & Tammy Depies:** Highway Superintendent Salzman stated that the mulch was delivered to the wrong address, which was the neighboring property, and the Depies had to manually transport the mulch to their own property and they are requesting a refund of the delivery charge (\$50.00). Supervisor Wiemer made a motion to approve refunding the delivery fee to the Depies. Supervisor Roelandts seconded the motion. Motion carried unanimously.
4. **Chairman Hultquist:** Nothing
5. **Supervisor Reports**
 - a. **John Koepke:** Nothing
 - b. **Brian Wiemer:** had the privilege to ride along with the Chief during the Okauchee tie-up, it was an eye-opening experience. It was unbelievable as to what is all involved. Supervisor Wiemer would like the board to think about offering a bonus to the officers who worked that day. Please place this on the next agenda for consideration.
 - c. **Janis Husak:** Nothing
 - d. **John Roelandts:** Nothing
6. **Attorney Chapman:** Nothing
7. **Highway Superintendent Salzman:** Nothing
8. **Police Chief Wallis:** Saturday was a busy day starting at 7 a.m. and continuing until 1:30 a.m. the next day. The whole department worked. Chief Wallis wanted to give kudos to the DNR wardens; they brought seven (7) boats, with two (2) wardens per boat. The Town of Merton had two (2) boats. Pro-health had once again had a phlebotomist on site. There were 21 drunk boating arrests and 1 drink driver arrest. Estimations of 300 to 500 people were in attendance.
9. **Administrator/Planner Herrmann:** Nothing
10. **Clerk/Treasurer Lesser**
 - a. **Consider and Act on the following New Operator License Applications for Jeremy Petrie and Nadeem Qureshi, Emily Helwig, John Jensen, Barbara Gumieny-Brown, Muhammad Butt, Ana DeOliveira, and Angela Harris:** Supervisor Husak made a motion to approve the operator licenses subject to Chief Wallis' approval. Seconded by Supervisor Wiemer. Motion carried unanimously.
11. **Approve Vouchers and Checks:** Supervisor Wiemer made a motion to approve vouchers and checks subject to Administrator/Planner Herrmann's approval. Supervisor Koepke seconded the motion. Motion carried unanimously
12. **Adjourn:** Supervisor Roelandts made a motion to adjourn at 6:17 p.m. Supervisor Husak seconded the motion. Motion carried unanimously.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer