

**Town Board Meeting Minutes  
July 8, 2013**

Chairman Frank Frassetto called the regular monthly Town Board meeting to order at approximately 7:00 p.m. followed by the Pledge of Allegiance.

**Members Present:** *You may need to fill in this section.* Supervisor Robert Keller, and Chairman Frank Frassetto, Supervisor Mike Pollack was present via teleconference. **Others Present:** Treasurer John McDermott, Clerk Kim Hopkins, Zoning Administrator Tom Versteegen, Jenny Olsen of the Sanitary district Winnebago County Supervisor Pat Brennand, Town Constable Leo Lefebber. three townspeople and Deputy Olig with the Winnebago County Sheriff's Department.

**Motion by Supervisor Keller to approve the Town Board Minutes of June, 2013; seconded by Supervisor Pollack. CARRIED.**

**TREASURER'S REPORT:** Treasurer McDermott gave the Treasurer's report as of June 30, 2013. The Cash Balances were given and the ending book balance is \$667,477.00 in our various accounts. We are still trying to happen with the deposit as all attempts to contact Mr. Stranisky, including sending him a letter and calling with no return phone call, have yielded no response. This is a sizeable check that has not been cashed and is a refund for taxes. Frank asked what we do about situations like that as he is familiar with their being a time limitation of 90 days on cashing checks and if not cashed they become invalid. John advised our policy is now 1 year. The Cash Flow report was reviewed; John advised we received the recycling credit, the fire dues distribution and that will show up next month but we did receive that check as well. Rob Keller asked about the Transaction list by Vendor I see there is a \$7,583 from July, first replacement design fee? Rob then asked if that was from Donahue. John advised he had the bill if anyone wished to view it and Rob then said no, just confirming that it was the design fee. John advised it states Willow Harbor Creek approaches and Rob asked if that was from Donahue and John advised it was from the State, Wisconsin Department of Transportation. Rob then said if it is a part of the bridge and part of the design and why it was coming from the State, he really didn't understand. He said he can maybe find out. John said he should take a look at the bill. John added he would like to request to move funds from the West Point Money Market to the Bank First Money Market to an FDIC insured market which is up to \$250,000 for Government funds and we will get a better rate by a couple of hundred dollars. Frank asked how much and John advised the transfer would be less than \$48,000 in order to get to the \$250,000 level. There were no objections. **Motion to approve the Treasurer's Report by Supervisor Keller; seconded by Supervisor Pollack. CARRIED**

**CLERK'S REPORT:**

We have the Winnebago County 2012 surplus revenue ballot that we need to approve and sign since last year. Rob asked if we had two options and added they are asking us to sign for the municipalities to assume the initial obligation interest costs and they are changing the processing fee per tom? Kim advised our two choices are to approve or disapprove. Rob added approve or disapprove the amendment but within that they are saying Winnebago County shall maintain \$160,000 of surplus to

avoid recycling deficit and rebate \$194,000 so we can sign this and get \$194,000 and absorb the recycling revenue cost of \$160,000 that went to the County or we can get the whole \$355,000 and make them pay it and then they will raise the tipping fees. Rob asked if Frank understood that and Frank said he was a little confused last year when this came about because there were a couple of different monetary values that didn't seem to jive with what they were actually saying. Frank continued to say it was challenging and we knew as we were asking for money back last year that in the coming years we might up not getting any of those dollars basically so it really came down to let's give it to Winnebago County so they can take care of balancing their books and hope that they would get closer to balancing them in subsequent years. Kim added it was her understanding that it was all debt service and they have worked really hard to get a non DOW ground out of Winnebago so it was less than it was last year and they are continuing to work on that. Frank added while still offering us the opportunity to get a refund so as long as they continue their due diligence and offer us refunds, he is fine with our recently established protocol which is asking for a portion of that money back so that we could use it. Rob then said we should check the box that states Winnebago County shall maintain \$160,614. Frank then added we would sign the second box that states Winnebago would refund the surplus back to the signing municipalities. Rob then added they would then raise the tipping fees and Frank added they are charging the tipping fees right now but we are still getting refunds back. Kim said it was her understanding that last year, they voted to go ahead and let them keep the refund. Frank added to get it back in order, there was a significant deficit in this one particular line item account that none of us could really understand why it was there. Kim then asked if it was the debt service. Frank said it was not the debt service, there was something else that was not in 2012 but in 2011 and it might have been based on projections that were a little off and I think it came in to the favor of Winnebago County but I do not know that for certain. Kim then read a paragraph from said document. Rob said he would move that we approve the amendment but we would check the box where Winnebago County shall maintain \$160,614 in revenue to avoid the 2012 County recycling deficit and rebate \$194,445 to the signing municipality based on the municipality's actual tonnage processing. **Motion by Keller and seconded by Pollack. CARRIED.**

Kim continued with the Bonds for Town employees matter. We currently have an ordinance that exempts the tax collector from having to get a bond. As we talked, we thought \$10,000 for the Clerk, the Office Manager and the Treasurer and \$5,000 for the constable would cost \$145 per year or a two year discount payment. Since we have changed the elected to an appointed position, perhaps we would want to protect the tax collector and get the tax collector bonded as well which would be an additional \$187 per year. But we currently have an ordinance exempting the Treasurer from the tax collector from the bond that is set-forth by statutes. Rob asked if we have a tax collector and John added it is the Treasurer. John also added he didn't know there was a separation from an insurance standpoint. Rob added that he feels it is small price to pay for the security of having everybody bonded. John added he thought it would be nice to have a bond also. Kim then added the amount of money the bond covers is up to the Board. So she is making a suggestion for \$10K for the Clerk, Office Manager, Treasurer and \$5K for the constable and then cover the tax collector for the amount of our tax base. John then asked the cost would be \$187 for the tax collector with a 5 million dollar tax base. Kim added she thought it would be around \$285,000 and John said our tax base is about \$287,000. Kim added John did not have to be statutory bonded but that is up to the board and their importance of the matter. Rob said he would like to go with Kim's recommendation and add the tax collector. Kim asked if we have to do something with the ordinance. Frank added we will need to adjust the ordinance accordingly for the motion and publish it and then have it go to the 30 day publication deadline. Frank added it was odd the Treasurer would not have been included in bonding but also added that Winnebago County was requesting the exemption. John added some history on how this could have happened and what it was actually all about. John also added he was worried that he would end up being covered by Winnebago County anyway. John then reread the information and suggested

the bond be issued as it could have been Winnebago's way of getting out the \$187. Frank then added that essentially what you are saying is we will pay for the bond and have John bonded but we will still end up having to rescind the ordinance exempting our Treasurer. We will go ahead and do the bonding but we will revisit this at next month's meeting and let's go through exempting or rescinding the exception. **Motion by Keller and seconded by Frassetto. Motion to bond the Treasurer based on the tax levy of \$287,000 for \$187 annually and also bond the Clerk, Office Manager, Treasurer and Constable. CARRIED**

Kim advised we have had two letters that have gone out on the week ordinance this past month. The second residence immediately reacted and cut down but needed a couple of weeks to get to the rest of the trees but wanted to work with us. The other is Bill O'Connell who is the land owner and Ron Bucholtz is the farmer. Kim stated it has simply been too wet to do anything in the fields but we do have an open complaint and she feels the ordinance needs to be revised. Kim advised she did talk with the extension office and they said 1) if we could get weather permitting in there because the farmer cannot get out in his field and it is costing him money and this is frustrating to him also. Kim advised she would like to find a way to make this all work out. The complainant is requesting extreme measures with getting the fields cleaned out. She feels that he has valid points based on the way the ordinance is written but we need to do something. The noxious weeds that we currently have listed in our ordinance include such things as snapdragons and ones that horses graze on. The whole list needs to be redone. Another thing I would like to add is "weather permitting". So at this time, I will do that and take it to Planning and Zoning and we can go from there.

Kim then recommended we raise our dog license fee from \$3 and \$8 to \$5 and \$10. It is difficult in the office to deal with these \$1 as we do not have a petty cash fund and we are significantly below the other municipalities around here who are charging \$15 and \$20 so the change sounds reasonable. Rob then asked what the costs are involved such as record keeping etc? Kim said we have processing time, tags, accounting, record keeping and so on. John said we collect about \$800 in dog licenses each year and now we are talking about \$1100 increase to this amount. John said that his option is "no" we do not come close to covering our costs but it is a State Law to have your dog licensed. Rob added the town should be trying to cover the fees for having such. Rob also added that we cannot just drastically increase the costs of licenses or people will not license their animals. John added he also likes the \$5 and \$10 fee. Leo then added that one of the things he is finding is dogs are running around with no tags but they are nice dogs. He recently found a very nice dog but no one was around to ask who he belonged to so he had to take it to the Humane Society. Leo was wondering about a fee for those who do not have their dogs licensed and he then must take them to the Humane Society. John said he thought that maybe the ordinance should be tweaked to include such. Leo explained how this just happened with a black lab. Frank then added from recouping our fees for something like that, we should look the ordinance. Rob then added we have to pay for this when animals are brought in. Frank added that one way of keeping the expenses down was years ago we put in place that anyone could not just take the dog to the shelter. One way to keep that from happening is to put some teeth into it and say because of your inability to control your animal, those will be fees that will be recouped. Leo said he spoke with Kim about adding licenses to the next newsletter so that people know they need to do this. Frank said to make sure we get this added to the Planning and Zoning agenda and added we would have to get the ordinance changed. **Motion made by Frassetto to increase the licensing fees to \$5 and \$10 up from the \$3 and \$8, overwhelmingly seconded by Keller and Pollack. CARRIED.**

Kim went on to advise our printer in the office is dead and other runs very slowly. We have been looking into a replacement and we did a cost comparison with the copy machine. Our feeling is we could save a significant amount of time and money if we replace it. The one we are looking at, we can rent for less than what we are paying for the current copier and then purchase it outright next year, to be

budgeted next year. I strongly recommend we do that. Frank asked about the particulars of this machine and she advised yes, it will do everything that we need. We have had the current machine since 1999 and have paid large dollars for it. The one we are looking at will scan, email, collate, copy etc. Frank wanted cost an Kim advised we would rent for \$50 per month and then purchase it out in January. It is an used copier but we are getting a good deal. Frank advised we did not need a motion for this.

Kim then discussed the landscaping out front. She received information from Landscape Solutions who advised the first step is to clean it up and then come back later and replant with plants that are not so large and then return next year to rock it. The cost for this year would be around \$1996 and then \$1650 for next year. Rob advised he felt it needed it. Frank said we do budget money for town property upkeep and maintenance. Rob then advised after talking with Richard Neitzel, we need some weed and feed and it hasn't gotten it. Frank then said the meeting was open to the public if anyone wanted to have input they could.

Mr. Buyer advised he was not comfortable with mandatory coloring of dogs. He asked how it could be enforced? If a dog is roaming around and that dog could be tied to an owner and that dog could not be identified, then that person should get a fine. Frank then advised that was the whole nature of it. It isn't about enforcing colors, it is about dogs that are out and out of control and we are now saying you are liable for costs associated with that. Leo said that one of the scariest things about this is that if a dog had rabies and someone is bit by that dog, you don't know if the dog had rabies or not because we don't know the owner? Then what, whomever is bit would have to go in for rabies shots.

Winnebago County officer Olig advised that speeding on R and 45 seems to be down. The speed limit is 55 and if it was marked down to 35 for the section of R, it could be enforced. Rob asked if he had seen any engine braking in that area and he advised he had not seen many trucks in that area.

A resident then asked about fireworks as he was just curious how that works. The officer advised our county does not have an ordinance for fireworks but there is State statute but he can say he recalls anyone being arrested for such. We try to address the neighbors if a complaint is made and try to get them to be polite to their neighbors.

Frank advised the Power Point we were looking (follow-up to put a visual to our lake access points). They are identified in the comprehensive plan and have been identified by conversations that have been going off and on for the last couple of months. Actually, we visited this years ago and P&Z had no interest in pursuing it. Over the course of time, our plan committee has talked more about recreational uses and he just wanted to visit this again and take a look at the access points. The first part of the map shows where they all are. Elm, Ripple Road, Fisk Road, Nekimi, Point Comfort, Decorah, E Decorah and US Hwy 45 then in drops down to County Road Z (by TJ's) and then the last one is Lone Elm. Frank advised he went through to all of those areas and took some pictures and get an idea of what they really like. Some of them are actual boat landings and others are not recognizable. The one on Elm has the sign and the rest appears to be a yard. If you look underneath it, it looks like old utility poles and apparently these areas were used by the fire department but they no longer use them. Frank continued to show pictures of the shallow channel on Elm. On Ripple Road, this is an asphalt driveway that takes you to a driveway but as you walk out, it looks like a lawn where folks are having bonfires, the little clump of plants is where the landing is. It is overgrown and indicates that is town property. He moved onto Fisk and advised it is a good landing for 14' boats, there is a deep spot that would work for larger boats. It is not debree free but is a landing that is used in the winter's as well. This is an actual access point with better characteristics than Ripple or Elm

lane. Nekimi hooks up with Lake Road. Beyond the neighbors dock, there is nothing to indicate this is an access point or the Town of Black Wolf property. Point Comfort was intentionally left blank because he couldn't find it. What we do know is there is a bridge and a channel. Tom said we can pull the map and Frank added yes, that would need to be done. Decorah Avenue also intentionally left blank because he couldn't find it. E. Decorah, headed down to point, is clearly delineated, you can tell what it is, there is a little tiny whole going out to the bay but there is not area to get through as it has not been kept up. There is also a driveway that then goes into the property owners house. Leo said that most only the locals no about this. South US Hwy 45 could also not be found. Rob then indicated there was a walking path on the South end of S. Decorah. Frank asked if this would be on the plat maps but he didn't see anything that would identify public lands and Tom said "yes" it would be on the maps. Little Evergreen has been cleaned up a little bit and the one area gathers a lot of debris. Frank advised this is one of those access points that we may want to do something with. Leo said he has been taking care of maintain the grounds out there. One tree on JJ's side has a tree with low hanging branches and the county is going to cut some of them back. Leo went on to say the trees were trimmed up a lot before the last party. Rob said that Bill Demler looked at the the large trees a week ago and they plan to clean it up. Lone Elm also had no property signs in the area. Some of these areas could be conducive to non-motor craft and some others, no reason for us to be spending money like that and better off to just sell of those lots to the adjacent landowners. He would like to continue the process and try to build some momentum and be progressive with how we deal with these access points and he thinks it is a recreational opportunity for us. Rob suggested a recreational advisory board and Frank said we have that but we need to find resources, make decisions, and a vision with some of the things we are looking at, find a way to make them better and pay for them.

Frank received a copy of the letter from Winnebago County regarding the farmland preservation the county had put together. The Secretary doesn't like what we came up with because we didn't have enough farm land protected. But the Town of Black Wolf didn't want to be a part of that and wish to be left alone. The Secretary said that we needed to be more proactive with getting people involved in the Agricultural preservation areas and dooly designate them and we chose not to. To be continued.

### **SUPERVISOR I REPORT**

Mike Pollack (on speaker phone) asked about the weed ordinance he thought he heard Kim taking about. Rob then reviewed what Kim had said and added she will be taking the changed ordinance to Planning and Zoning. Mike then added his own personal issues with weeds. Mike then added he is support of the "weather permitting" wording.

### **SUPERVISOR II REPORT**

Rob said he is looking at possibly putting up some signs for compression braking at R & Z due to complaints. He talked to Bill Demler about it who was going to speak with his contact about where to locate those. He also sent an email to the Winnebago County Hwy commissioner, Ernie Winters asking him about where they would go and have them involved because they are all county and state roads. This is about all I have right now on this subject.

Road maintenance report involves mainly trees this year. We took down the three trees on Country Club, there was an evergreen tree on Evergreen which will be trimmed. Brush on Fisk avenue will be trimmed. Stretch lane has two curb signs that cannot be seen. Bill is going to talk to his sign guy about finding a better location for the signs rather than cut the brush back. Rob said he went underneath the culvert on Fisk avenue and it looks bad. There are rusty rods, swollen concrete etc. so he left a message for Ernie Winters and he also talked to Bill Demler on this and he will let everyone know. He also asked Demler for cost of chip sealing and he said Demler thought we would have money left over.

**CONSTABLE REPORT**

Leo advised he talked about his issues earlier in meeting. He then added that no one has ever called him for a missing dog but it would be difficult for anyone to find their dog if it is brought to the shelter as they are not there on Monday's.

**WATER UTILITY DISTRICT:**

**SANITARY DISTRICT REPORT:**

**BUILDING INSPECTOR'S REPORT:**

**APPROVAL OF BILLS: Motion to approve the bills by Supervisor Keller; seconded by Supervisor Pollack. CARRIED.**

**Chairman Frassetto moved to adjourn until August 12, 2013.CARRIED.**

Respectfully submitted,

Kim Hopkins, Town Clerk