

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
TUESDAY, JULY 10, 2012  
AT 5:30 AT TOWN HALL**

**Called to order at 5:30 PM**

**Present: Nick Nelson, Jim Patterson, Greg Nelson, Larry Whalen**

**Absent: Ham Ross**

**Dept. Heads present: Jen Croonborg-Murphy, Keith Sowl**

**Public Present: Dave Thomas, Lisa Potswald, Ted Michaels**

**I. Public Comment**

Dave Thomas requested that the Town Board identify the funding source for the Big Bay Town Park Improvements Phase I and the two assistants that the Foreman wishes to hire.

Wayne Nelson asked to speak during item IX. A. 4.

**II. Vouchers** approved in the amount of \$34,577.51 JP/LW 4A MC **[Clerk's note: the correct total should be \$33,990.05. Superieur Petrol went from \$2242.92 to \$2242.96; La Pointe Gas went from \$4658.65 to \$4071.15. PH]**

**III. Alternative Claims** approved in the amount of \$77,524.78 JP/LW 4A MC

**IV. Treasurer's Report** approved showing balances of \$1,156,462.75 in the checking account and a total of \$1,177,643.66. JP/LW 4A MC [Clerk's note: these figures were corrected on 7/11/12 and will appear again on the agenda for the Regular Town Board Meeting on 7/31/12.]

**V. Minutes**

A. Regular Town Board Meeting June 26, 2012 approved as corrected to show those present & the time called to order; also the fact that Greg Nelson abstained in the vote on the propane bid. NN/JP 4A MC

**Motion to move to item IX.A.4. JP/NN 4A MC**

**Motion to return to the agenda as printed. JP 4A MC**

**VI. Public Works**

A. Roads

1. Foreman's Report placed on file by unanimous consent

B. Parks

1. Review of Bids for Phase I Improvements to Big Bay Town Park and possible awarding of contract: at the Town Foreman's recommendation, no bid was accepted; decision postponed till the Regular Town Board Meeting on July 31, 2012, [by motion] by which time Foreman Sowl will have new figures available and more funding information will be available. Motion to postpone a decision on this until the Regular Town Board Meeting on 7/31/12. JP/LW 4A MC

2. Posting for Park Assistant positions: motion to post for two Parks Assistant/Laborers at the request of the Town Foreman. JP/LW 4A MC

3. Approval of County permit applications for new structures at BBTP: approved by motion; the Town Chair will sign after the Zoning Administrator has approved the applications. NN/JP 4A MC

4. Awarding of BBTP beach boardwalk construction materials: motion to accept the proposal of the Isaacson Company for lumber and Olson Building for the hardware for an amount not to exceed \$15,000. NN/JP 4A MC
5. Possible scheduling of Special Town Board Meeting: none scheduled.

C. MRF

1. MRF Supervisor's Report: placed on file by unanimous consent

D. Harbors

**VII. Police**

1. Police Chief's Report: placed on file by unanimous consent

**VIII. Emergency Services**

A. Ambulance Service

1. Ambulance Director's Report: placing this on the agenda was an error on the Clerk's part.

**IX. Library Board**

A. Appoint member to Library Board: no recommendation available at this time

**X. Committees**

A. Zoning

1. Zoning Administrator's Report: placed on file by unanimous consent
2. Zoning Administrator request to waive fees for Ashland County Housing Authority Certified Survey: \$250 fee waived by motion. JP/NN 4A MC
3. Zoning Administrator request for Orders of Correction at 690 Main Street LP#014-00442-0000 & 014-00443-0000, owner: Edward Kale: motion to authorize the Zoning Administrator to issue Orders of Correction at the above-named parcels. JP/NN 4A MC
4. Zoning Administrator request for Stop Work Orders at 922 Middle Road Parcel #014-00179-0300 and 014-00179-0010 owner: HRA Investors. Much discussion followed, the points of which are summarized here:

The Zoning Administrator [ZA] began by giving the background to this project as stated in her Memorandum of July 9, 2012. She stated that the owner apparently did not believe that he needed a permit for the project he was doing.

Wayne Nelson spoke next: he referred to a letter of June 19, 2012, from the Jen Croonborg, Zoning Administrator to him regarding possible violations in which the second [sic: third paragraph] paragraph refers to land-disturbing activities. He then read from the zoning ordinance which calls "garden activity" an exemption from the permit process. W. Nelson stated that his client is "putting in a garden."

ZA Murphy reiterated that the Stop Work order is only for the land-disturbing activity [excavation, grading, fill and changing the water course] until the permits are issued; and that the proper channel for appeal is the Zoning Board of Appeals, not the Town Board. She further stated that had there been an application for a permit, the Town would have helped/advised regarding proper procedure for the project.

Nick Nelson stated that he assumes good intentions on the part of the owner **because the Zoning is difficult to interpret; however, the process needs to be followed: the wetlands still need to be protected.**

Motion to authorize the Zoning Administrator to issue a Stop Work Order at 922 Middle Rd. Parcels #014-00179-0300 and 014-00179-0010 owner: HRA Investors NN/JP 4A MC

B. CAPP

**X. Town Hall Administration**

- A. Budget Report accepted by motion JP/LW 4A MC
- B. Possible formation of ad Hoc committee on a local food system: consensus to post for this committee.
- C. Appoint member to ad Hoc Tribal Relations Committee: Stuart Campbell named to this committee by authority of the Town Chair.
- D. Town Administrator position: clarification of time frame: the Town Board hopes to make its final decision soon after the Regular Town Board Meeting on 7/31/12

**XI. New Agenda Items for Future Meetings**

- A. Clerk's Computer
- B. Request for handicap accessibility at the Harry Nelson Recreation Center
- C. Request for waiver of fees for Slow Food event
- D. Big Bay Town Park

**XII. Lawsuits & Legal Issues**

**XIII. Liquor & Operators' Licenses**

- A. Soda & Water License: Three Labs Up North DBA: Marv+N+Stewart: approved by motion. JP/LW 4A MC

**XIV. Adjourn at 7:08 PM**

Submitted by Patty Hobin, Town Clerk  
Approved as submitted on July 31, 2012  
Patty Hobin, Town Clerk