

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JANUARY 22, 2013
AT 5:30 PM AT TOWN HALL**

Called to order at 5:32 PM

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

Staff present: Pete Clark, Jen Croonborg-Murphy

Public present: Marty Curry, Greg Thury, Meg Brown, Mike Starck, Dave Thomas, Glenn Carlson

- I. Public Comment A*** Larry Whalen asked that the Town Administrator's annotated agenda be available on the Friday before Town Board Meetings.
Larry Whalen asked that the Town Administrator's annotated agenda, if it contains reviews or recommendations related to Zoning, Land-Use or the Town Plan Commission, be available on the Friday before Town Board Meetings.

II. Town Administrator's Report: January, 2013 presented by Pete Clark.

Clark reported that there was a Harbors Committee meeting last week at which JJR/Smith Group reported that the final draft of the Harbor funding strategy will be available in about two weeks.

He stated that he is meeting with the Madeline Island Chamber of Commerce this week in order to discuss a micro-loan program for small businesses that would be available through the Chamber.

He also reported that he has been in touch with the Army Corps of Engineers and has reason to believe that permits for the Big Bay Town Park project will be issued in February, 2013.

Nick Nelson asked if there would be any follow up regarding the process of issuing permits relative to any talk of the Island becoming a Traditional Cultural Property.

Clark responded that the Section 106 process would continue as it stands.

Nick Nelson then asked if the Harbors Committee will be pursuing grants in the February, 2013, grant cycle.

Clark said no; any plans would be submitted to the Town Board for approval first. This February is not realistic; 2014-2015 is a more likely target date.

III. Public Works

A. Roads

B. Parks

1. Letter from Chequamegon Bay Engineering RE: possible discussion: discussion regarding the letter from Chequamegon Bay Engineering [CBE] dated 12/29/12: Town Administrator [TA] Pete Clark reported that the Town would be rejecting the claim from CBE that \$55,000 is owed to them by the Town; also, the Town will be seeking a return of \$20,000 which represents one-third of the \$60,000 that has been paid. This amount represents the last one third of the contracted, which has not been completed by CBE. Clark explained that in dealing with both Commercial Inspector James Price and the Town of La Pointe, CBE has waited until near the deadline for a response to respond. Clark intends any further dealings with CBE to occur through legal counsel. Counsel will be instructed to seek a settlement with CBE.

Motion to refer this matter to Attorney Mike Fauerbach for contact with Chequamegon Bay Engineering for the purpose of negotiating a settlement that is favorable to the Town. JP/NN 4A MC

C. Airport

1. Airport Manager's Report & Checklist: no checklist available; report placed on file by unanimous consent.

2. Resolution #2013-0122A Honoring Melissa and Dave Donkers for their contribution to the Major Gilbert Airport: Motion to adopt Resolution #2013-0122A honoring Melissa & Dave Donkers for their effort, initiative, and selfless generosity towards the Town of La Pointe JP/NN 4A MC

IV. Committees

A. Zoning/Town Plan Commission (TPC)

1. Zoning Administrator's Annual Report: Correction made by Zoning Administrator Jen Croonborg-Murphy: "The average number of permits issued in the past six years is 189 including 2012." Should be "The number of permits issued in the past six years is 189 per year including 2012. Motion to accept and place on file the Annual Report of the Zoning Administrator. NN/JP 4A MC

2. Zoning Administrator's request for Wetland Delineation Training: ZA Croonborg-Murphy explained the nature of the wetland training that she's already had, calling it "basic." She explained that the Town can staff trained to do these delineations or hire someone to do it.
 - Nick Nelson asked for clarification regarding the required courses.
 - The ZA explained that she is requesting two advanced classes.
 - Nick Nelson asked if the total cost of the classes is around \$2000 and whether or not more classes would be required.
 - The ZA explained the classes and the order in which they are taken; she added that currently she does not feel well-trained.
 - Jim Patterson asked if the ZA would be able to fit this added duty in with her other responsibilities.
 - The ZA replied that she can once the Town hires an assistant.
 - Jim Patterson asked for the financial bottom line.
 - Nick Nelson replied that his understanding is that the first three courses are under \$2000, but that another class is required which costs between \$5000 and \$10,000; plus another \$30,000 would be needed for the equipment that is necessary to actually do the delineations.
 - The ZA explained that she could do the delineating, but for the map the Town could hire Nelson Surveying.
 - Greg Nelson questioned whether or not the ends justifies the means in this situation: even with the training the Town would still have to hire someone to do the map; the funds have not been budgeted, and the ZA will need time in order to train the new assistant. He does not favor the training at this time; he stated that he feels the time to discuss this is next year at budget time. He further questioned whether or not this would generate revenue.
 - Nick Nelson pointed out that having the ZA trained might improve the Town's working relationship with the Department of Natural Resources. Also, the training might make it possible for the ZA to help people who are applying for a permit.
 - Greg Nelson stated that he does not feel the expense is justified.
 - Jim Patterson also suggested looking at the training during next year's budget process.Consensus of the Board was not to pursue the wetland delineation training at this time

3. Resolution #2013-0122 Cooperation w/TPC re: Comprehensive Plan: TA Pete Clark explained that this resolution is designed to create a relationship among the various committees of the Town for the purpose of revising and rewriting the Comprehensive Plan. Motion to adopt Resolution #2013-0122. NN/JP 4A MC

B. CAPP

1. CAPP recommendations re: Road Conversion/Absorption: motion to accept and adopt the recommendations as an advisory document and/or suggested considerations/guidelines. NN/JP 4A MC

C. Committee on a Local Food System

1. Local Food Summit Sponsorship: Motion to allocated \$500 for the upcoming Summit at Northland College to be used at the discretion of the Committee on a Local Food System. The intent of the Board is that the committee divide the money among those committee members designated to attend the summit. NN/JP 4A MC

2. Amendments to By-Laws: Nick Nelson explained that the purpose of the changes is to give the Town Board final approval of all expenses incurred by the committee. The language is to be changed as follows: Instead of "The Town Board shall reimburse members for expenses" to "The Town Board may reimburse members for expenses. The other change is to Item A, which should have the following added on to the end of the sentence: "based on organic perma-culture and sustainable practices."

Larry Whalen asked if Item #9 was changed to give the Town Board final approval on changes in the by-laws. Greg Nelson answered yes.

Motion to approve and adopt the changes to the By-laws of the Committee on a Local Food System. NN/JP 4A MC

3. Appointment of Committee member to fill out term ending April 30, 2014: motion to appoint Holly Tourdot to a term ending 4/30/14. JP/LW 4A MC

D. ad Hoc Trails Committee

1. Report from the Committee: TA Pete Clark reported that the Trails Committee met on January 21, 2013, but that there are no minutes as yet.

V. Town Hall Administration

A. Administrative Assistant's Monthly Report: Motion to accept and place on file the Administrative Assistant's report dated January, 2013: JP/N 4A MC

B. La Pointe Community Center: Nick Nelson asked for Town Board consensus in looking at the possibility of a Community Center. Motion to recommend that the Town Foreman and the Town Administrator review and present plans for a Community Center and explore funding possibilities for same. NN/JP 4A MC

C. Alternative Claims December 2012: motion to approve in the amount of \$117,162.29 and Library Alternative Claims in the amount of \$5598.13. JP/LW 4A MC

D. Treasurer's Report December 2012: motion to approve and accept the Treasurer's Report dated December, 2012 showing amounts as follows: cash balance of \$498,209.17; checking balance of \$677,987.30; total of \$2,373,286.31 JP/LW 4A MC

E. Budget Report December 2012 approved & accepted by unanimous consent

F. 2012 Budget Amendment #2012-5 adopted by motion: JP/NN 4A MC

G. 2013 Budget Amendment #2013-01 TA Pete Clark explained that the purpose of this resolution is to restore to the budget items that were eliminated when the budget was approved; they are the following: that \$2000 NOT be removed from the Library General Designated Fund into the General Checking Fund; that \$8000 be added to Ambulance & EMT; that \$617.00 be added to Ambulance FICA; that \$2000 be added to Shop Operations-Materials; that \$15,288.00 be added to Library Building Maintenance and that \$3500 be added to Library Equipment/Books; that \$1500 be added to Town Plan Commission Legal; and that \$32,905.00 be added to "Fund Balance Applied."

Jen Croonborg-Murphy asked the process for getting more money into this line item.

Nick Nelson said that he thought the amount was too low and would require the ZA to ask for more money two or three times a year.

Greg Nelson agreed that it doesn't make sense to revisit this every three months.

Jim Patterson added that the Town is aware that there may be litigation in the near future.

Nick Nelson suggested that the TPC be asked to spend less on attorney's fees.

Motion to adopt Budget Amendment #2013-01 with one correction: the \$1500 for TPC legal expenses is to be changed to \$5000. JP/LW 4A MC

H. Personnel Policy & Job Description Amendments – Liaisons, Supervision, Organizational: Glenn Carlson spoke to the need for aligning the personnel policy with the reality of the new Town Administrator position and show that the TA is to supervise department heads. Motion to state that it is the Town Board's intention that the Town Administrator's job description will be reflected in all future revisions of the personnel policy that those powers previously approved for the Town Administrator will be placed in the personnel policy; and that the Town Administrator's job description will supersede conflicting language in the personnel policy.
NN/JP 4A MC

VI. Vouchers approved in the amount of \$10,991.74 JP/LW 4A MC

VII. Minutes

1. Regular Town Board Meeting, January 8th, 2013: approved as submitted. JP/NN 3A 1 Ab [LW] MC
2. Special Town Board Meeting, January 14th, 2013: approved as submitted. NN/GN 2A 2 Ab [JP, LW] MC

VIII. Emergency Services

A. Fire Department

1. Administrative and Leadership: Nick Nelson reported that "something had been worked out." He added that a letter of resignation signed by the Chief is being brought to the Board.

IX. Library

A. Library Board Minutes: none at this time

X. New Agenda Items for Future Meetings

A. Fire Department Administration & Leadership

XI. Public Comment B**

XII. Lawsuits & Legal Issues

XIII. Liquor & Operators' Licenses

XIV. Adjournment at 6:59 PM

Submitted by Patty Hobin, Town Clerk

Approved as submitted on 2/12/13
Patty Hobin, Town Clerk