

**TOWN OF LAPOINTE**  
**REGULAR TOWN BOARD MEETING**  
TUESDAY, DECEMBER 11, 2012  
AT 5:30 PM AT TOWN HALL

Called to Order at 5:02 PM

Present: Nick Nelson, Greg Nelson, Ham Ross, Larry Whalen

Absent: Jim Patterson

Staff Present: Pete Clark, Keith Sowl, Jen Croonborg-Murphy

Public Present: Mike Starck, Dave Thomas

**I. Public Comment A\* none**

**II. Town Administrator's Report** placed on file by unanimous consent. Discussion of Big Bay Town Park summarized by the following points:

-Discussion of "jetting" the posts for the boardwalk at Big Bay Town Park in response to the question of how deep posts would have to be sunk. It is apparently 800 feet to solid ground at the spot where the posts go in the ground.

-Ham Ross asked if the boardwalk project should be abandoned.

-Keith Sowl replied that according to Ed Slaminiski [Wisconsin Department of Natural Resources] the boardwalk is a vital aspect of the grant that was received from them.

He added that the Town has \$24,000 in a grant from Bremer Bank that is earmarked for the boardwalk.

-Greg Nelson suggested adding the boardwalk to the Section 106 [Corps of Engineers involvement due to possible Native American artifacts.]

-Pete Clark stated that Big Bay Lagoon is one of the most sacred spots on the Island to the Ojibwe.

-Keith Sowl added that there is already 100 feet of the boardwalk that is being reviewed in this regard.

-Pete Clark suggested avoiding the whole permitting process in that area.

Discussion followed regarding using treated lumber in that area: the consensus was that creosoted railroad ties would be the cheapest option; however, the possibility of leaching must first be investigated.

-Pete Clark said that the Corps of Engineers doesn't seem to care whether or not the Town uses treated timbers.

-Greg Nelson said that ties treated with creosote don't leach.

-Ham Ross suggested using cedar logs with a 2 x 12 keel.

-Keith Sowl felt that these would sink into the mud.

-Pete Clark pointed out that using cedar logs would put people to work in the winter cutting them.

**III. Public Works**

**A. Roads**

1. Foreman's Report for December, 2012, placed on file by unanimous consent

2. Proposals for maintenance of the 2012-2013 ice road season from Nelson Construction [per letter of 12/10/12] were approved by motion. HR/LW 3A 1 Ab [NN] MC

**B. Parks**

**C. MRF**

1. MRF Supervisor's Report for December, 2012, placed on file by unanimous consent

#### **D. Airport**

1. Review & possible approval of proposal from Nelson Surveying for services at the Industrial Zone [per letter of 8/20/12]: approved by motion in the amount of \$2450 with a \$600 retainer. HR/NN 4A MC

2. Airport Checklists 10/21-11/18, 2012 placed on file by unanimous consent

### **IV. Committees**

#### **A. Zoning**

1. Zoning Administrator's Report for December, 2012, placed on file by unanimous consent. Ham Ross asked Zoning Administrator Jen Murphy for her response to the McCue/Slater letter addressed to the Public Hearing of 12/7/12. Murphy stated that any neighboring property owner that expresses a concern about a commercial use adjacent to them in a residential zone is a valid concern, and the TPC will take the concern into consideration.

Next, Ross asked Murphy about the Zoning Board of Appeals (ZBOA) and the memo she had written about it. Ross stated that the ZBOA needs rules in order to operate. Murphy suggested that the ZBOA create their own bylaws or the Town can go through a Zoning Ordinance text change to include operational procedures in the Zoning Ordinance.

Pete Clark referred to the Bayfield County ZBOA model that Murphy had mentioned in her memo. He stated that it seems to be the most effective and the least explosive.

2. Review & possibly authorize the Town Chair to sign the Petition for a Zoning Map Change for part of parcel 014-00199-000; owner: Evan Erickson postponed by motion HR/NN 4A MC

3. Discussion of possible purchase & training for wetland delineation postponed pending more information. Town Administrator Pete Clark pointed out that a single delineation [which the Town hired someone else to do] costs the Town \$7500. ZA Murphy added that the software that is used for delineations has many other applications such as the generation of fire numbers, mapping infrastructure, accurate setback measurements, etc.. Clark added that the Town can charge for the delineations, and the software will pay for itself. Murphy pointed out that many other municipalities have an in-house delineator. She added that wetlands can be delineated before a project is even begun; in that way, the project can be designed in order to avoid the wetlands. Murphy went on to say that if she is going to be the delineator, she won't have time for some of what she does now. Her plan is to expand the responsibilities of the Zoning Clerical position into a Zoning Assistant and that the Town Plan Commission has approved the change. She said that the Town would need a GPS/GIS system, and that the start-up cost would be approximately \$15,000. Nick Nelson asked the ZA to look into the possibility of using the existing Ashland County GIS.

#### **B. Harbors**

#### **C. ad Hoc Committee on Tribal Relations**

#### **D. ad Hoc Committee on Local Food System**

#### **E. CAPP**

1. Resignation of CAPP member approved with regret by motion. HR/LW  
4A MC

#### **V. Town Hall Administration**

A. Budget Amendment Resolution #2012-03 approved by motion: LW/HR 4A MC  
B. 2012 Monthly Budget Report approved by motion HR/NN 4A MC  
C. Approval of 2013 Budget approved by motion per the directive of the citizens of the Town with certain changes/adjustments to be made in the coming months.  
HR/NN 3A 1 Nay: Larry Whalen states his reasons for voting no: he feels that the Town may be "crippling" the Ambulance Service in order to spend the money at Big Bay Town Park; he also disagrees with cutting the Town Plan Commission's legal expense line item. MC

D. Approval of 2013 Fee Schedule approved by motion HR/LW 4A MC  
E. Resolution #2012-1211 Use of 1.5% Accommodation Tax for Tourism Infrastructure Project: Town Administrator stated that the \$62,000 [the dollar amount of the 1.5% tax] would go to the General Fund for use on the Big Bay Town Park project. Nick Nelson stated his objection to using the money on the inland side of the park development. Pete Clark stated that a designated fund could be established in order to use the money only on the lake side. Motion to approve Resolution 2012-1211 Use of 1.5% Accommodation Tax for Tourism Infrastructure. HR/GN 2A 2N [NN,LW] Motion failed.

F. Lease agreement with Madeline Island Transportation for WTC vans approved by motion & signed: HR/LW 3A 1 Ab [NN] MC

H. Audit proposal Maitland, Singler & Van Vlack, S.C for year ending 12/31/12 approved by motion & signed: HR/LW 4A MC

I. Administrative Assistant's Report November 2012 placed on file by motion: HR/GN 4A MC

#### **VI. Vouchers approved in the amount of \$88,319.02 NN/LW 4A MC**

**VII. Alternative Claims** for November, 2012 approved in the amount of \$125,073.95; Library alternative claims in the amount of \$2661/92. NN/LW 4A MC [Clerk's note: the first number should be \$124,473.95; the Clerk inadvertently added a claim that should be included on 12/27/12.]

**VIII. Treasurer's Report** approved by motion showing the following balances: checking account: \$301,986.14; total: \$942,826.95NN/HR 4A MC

A. Approval to refinance loan #276046 with Bremer Bank to reduce the interest rate to 2.7%; final payment 8/15/18. Motion to approve Loan #276046, a refinance loan, from Bremer Bank to reduce the interest rate to 2.7%; final payment on August 15, 2018. HR/NN 4A MC

#### **IX. Minutes**

- A. Special Town Board Meeting November 12, 2012 approved as submitted HR/LW 4A MC
- B. Regular Town Board Meeting November 13, 2012 approved as submitted GN/NN 3A 1 Ab [HR] MC
- C. Special Town Board Meeting November 14, 2012 approved as submitted HR/GN 3A 1 Ab [LW]
- D. Regular Town Board Meeting November 27, 2012 approved as submitted HR/NN 4A MC

E. Public Hearing 12/3/12 approved as submitted HR/GN 4A MC  
Special Town Board Meeting December 3, 2012: approved as submitted HR/LW  
4A MC

**X. Police**

**A. Police Chief's Report**

**XI. Emergency Services**

A. Ambulance Service

1. Ambulance Director's Report placed on file by unanimous consent

B. Fire Department

1. Fire Chief's Report not accepted; discussion followed regarding the duties of the Fire Chief.

**XII. Library**

A. Library Board Minutes 10/8/12 placed on file by unanimous consent

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

- A. Land Swap with Evan Erickson
- B. Training & equipment for wetland delineation
- C. Ad Hoc Foods by-laws & resignation of member
- D. Use of 1.5% Accommodation Tax
- E. Rice St. Agreements
- F. Disposition of Fire Chief

**XIV. Public Comment B\*\***

**XV. Lawsuits & Legal Issues**

**XVI. Liquor & Operators' Licenses**

**XVII. Adjourned at 7:20 PM**

Submitted by Patty Hobin, Town Clerk

Approved as submitted on January 8, 2013.

Patty Hobin, Town Clerk