

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 23, 2013
AT 5:30 PM AT TOWN HALL**

Called to order at 5:35 PM

Present: Nick Nelson, Jim Patterson, Greg Nelson

Absent: Ham Ross, Marty Curry

Staff present: Pete Clark, Lisa Potswald

Public Present: Mike Starck, Dave Thomas

I. Public Comment A*

A. Nick Nelson reported that the Community Center work group is continuing to meet during the summer, and that the survey that they are working on is nearly complete.

II. Town Administrator's Report presented by Pete Clark & placed on file by unanimous consent

- A. Clark reported that the Griggs Approach improvement project is complete now: the final cost of the improvement was \$103,000, which was \$17,000 less than budgeted.
- B. Clark met with representatives of Norvado, White Construction & Finley Engineering in order to obtain for the Town some protection against "long-term remediation repair" necessitated by the laying of the fiber optic: ". . . an understanding and agreement was reached on all points.

III. Public Works

A. Roads

B. Parks

1. Use of reservations for Picnic Shelters: Administrator Clark reports having gone to the campground at Big Bay Town Park to ask campers what they thought a fair distribution of use for the shelter there might be.

Greg Nelson added that people should be able to plan an event at the shelter.

Jim Patterson stated that he thought campers would honor requests to use the shelter, but that there should be some time restriction placed on events held there. He added that this could be an extension of the already-existing reservation system and that clean up should be expected of all who use the shelter.

Pete Clark will create a plan to present at the next Town Board Meeting.

2. Request from Nelson Construction of La Pointe to borrow picnic tables: motion to allow Nelson Construction to use picnic tables, benches and a grill on August 3, 2013, to be returned on August 5, 2013. JP/GN 2 A 1 Ab. [NN] Motion Carried.

C. Airport

1. Airport Manager's Report & Checklist: placed on file by unanimous consent for the following dates: [Clerk's note: the Town Board apparently approved an Airport Manager's report that had previously been approved.] Jim Patterson asked that the junk cars at the airport be removed. Administrator Clark will deal with this.

IV. Committees

A. Zoning

1. Zoning Administrator's Report June/July 2013: presented by Lisa Potswald & placed on file by motion [NN/JP 3A Motin Carried] with compliments from Jim Patterson.

2. Zoning Administrator Job Description approved by motion based on Town Plan Commission [TPC] recommendation: JP/NN 3A Motion Carried.

3. Amendment to rental agreements/permits RE: Declaration of Safety & Sufficiency: the following wording [created with Town attorney & TPC input] will be added to new/renewal rental agreements/permits in order to provide assurance of safety to renters and reduce liability exposure for the Town:

"To the best of my/our knowledge and belief, the subject property, identified as _____, is without defects or deficiencies in its utilities (electrical, plumbing, septic and heating systems and [sic] the structural integrity of the property, and, therefore, is safe and appropriate as a rental unit.

Nothing in this declaration or in the issuance of the permit will create any liability for the Town of La Pointe to either the owners or the renters of the subject property."

Motion to adopt: JP/NN 3A Motion Carried

B. CAPP

1. Letter from Pete Rogers RE: By-laws for CAP Award Committee: the consensus of the Board was to agree with the points made by Mr. Rogers and to let the committee amend the by-laws as it sees fit.
2. Resignation of CAPP member: resignation of Larry Hobin accepted with gratitude for his service by motion: NN/JP 3A Motion carried.
3. CAP Award Committee member declines to serve

V. Town Hall Administration

- A. Administrative Assistant's Report accepted by motion: NN/JP 3A Motion Carried.
- B. Appointment of member to Madeline Sanitary District Board of Commissioners: 6 year term; term ends July 31, 2019:
Nick Nelson asked how long the incumbent [Paul Brummer] has served. Consensus answer: 12 years.
Administrator Clark stated three reasons [in his annotated agenda] for the appointment of a new member to the Board of Commissioners:
 - 1.) The incumbent is also a member of the Zoning Board of Appeals, which would put him on two independent, quasi-judicial bodies.
 - 2.) At least one of the other candidates has a "substantial body of technical knowledge" and
 - 3.) It is good public policy to not view Board or Commission membership as a lifetime appointment.Greg Nelson stated that he objects to the lack of communication from the Sanitary District in general. Mike Starck spoke to his own qualifications [inaudible.]
Motion to appoint Gary Krubsack to the Sanitary District Board of Commissioners for a term ending on July 31, 2019. NN/JP 3A Motion Carried.
- C. Procedure for selecting Interim Clerk: Motion to authorize posting for an Interim Town Clerk [to complete a term ending April, 2015] with a seven-day deadline for applications, and to authorize a Special Town Board Meeting to be held at 6:30 PM on Tuesday, August 6, 2013, for the purpose of hiring an Interim Clerk: JP/NN 3A Motion Carried.
- D. Revision of Rental Permit Application: previously covered
- E. Restrictions on access to Town's attorney: Town Administrator [TA] Pete Clark & Zoning Administrator [ZA] Lisa Potswald have worked out that access to the Town's attorney will go through the ZA for questions from the Town Plan Commission and/or Zoning Department, and through the TA for all other Department Heads and all others. Town Board members will continue to have unrestricted access.
- F. Vacating acceptance of 2013 Septic Waste Removal bid: no longer applicable.
- G. Uniform Advisory/Disclaimer For All Town Permits, Licenses and Leases: per motion, the following Uniform Advisory Disclaimer will now appear on all Town permits, licenses and leases:
"Nothing in this declaration or in the issuance of the permit will create any liability for the Town of La Pointe to [sic] either the owners or the renters of the subject property." JP/NN 3A Motion Carried
- H. Disclaimer of Liability on all Town documents: see item G.
- I. Borrowing for the Griggs Approach project: Motion to authorize the Treasurer, Carol Neubauer, to negotiate with Bremer Bank for the following: a.) initiate a loan for \$63,000 for the Griggs Approach at 2.5%; b.) review all existing town loans; and c.) look into the possibility of consolidating all existing Town loans at a rate of 2.5% NN/JP 3A Motion Carried.
- J. Budget Amendment #2013-5 Transfer of funds to Big Bay Town Park Capital Outlay, Repair of Excavator 120C & Bulldozer 450G, and Zoning & Town Plan Commission Legal: following a discussion of the use & repair of some of the equipment, motion to adopt & sign Budget Amendment #2013-5. NN/JP 3A Motion carried.

VII. Minutes

- A. Regular Town Board Meeting June 25, 2013: postponed till the RTBM on 8/13/2013
- B. Regular Town Board Meeting July 9, 2013: approved as submitted by motion NN/JP 3A Motion Carried.

VIII. Emergency Services

A. Ambulance Service

1. Ambulance Director's Report: not available

B. Review and Approval of Certificate of Appreciation Language and Format: approved by consensus.

IX. Library

A. Library Board Minutes not available

X. New Agenda Items for Future Meetings

XI. Public Comment B**

XII. Lawsuits & Legal Issues

XIII. Liquor & Operators' Licenses

A. Temporary Class "B" License to sell beer RE: Star Bar

B. Non-alcoholic Beverage License RE: Star Bar

Approved by motion: NN/JP 3A Motion Carried.

XIV. Adjourned at 6:47 PM

Submitted by Patty Hobin, Town Clerk

Approved as corrected on August 13, 2013

Patty Hobin, Town Clerk