

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
TUESDAY, JULY 31, 2012  
AT 5:30 PM AT TOWN HALL**

**Called to order at 5:33 PM**

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

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

**Public Present: Kate Bortell, Dave Donkers, Tony Turritin, Dave Thomas, Glenn Carlson, Ann Ferguson, Gary Russell**

**I. Public Comment**

Tony Turritin & Dave Thomas each read letters into the record. Each was on the topic of the Harbors Feasibility Study and recommendation. Each urged the Board to caution in the passage of the Harbor improvement plan.

Ann Ferguson states that she favors progress and that Nelson Construction and the Ferry Line should get what they need.

**II. Vouchers** approved in the amount of \$45,710.48 HR/JP 5A MC

**III. Minutes**

1. Special Town Board Meeting on 6/14/12: approved as submitted JP/NN 5A MC
2. Regular Town Board Meeting on 7/10/12: approved as submitted JP/NN 4A 1 Ab [HR] MC
3. Special Town Board Meeting on 7/10/12: approved as submitted JP/HR 4A 1 Ab [NN] MC
4. Special Town Board Meeting on 7/11/12: approved as submitted NN/JP 5A MC
5. Special Town Board Meeting on 7/12/12: approved as amended NN/HR 5A MC
6. Special Town Board Meeting on 7/13/13: approved as submitted HR/NN 5A MC
7. Special Town Board Meeting on 7/16/12: approved as submitted LW/HR 4A 1 Ab [JP] MC
8. Special Town Board Meeting on 7/17/12: approved as submitted NN/LW 5A MC

**IV. Treasurer's Report** [Correction from July 10, 2012] approved as corrected on 7/10/12 showing the following amounts: Checking balance: \$1,156,462.75 Total: \$1,177,643.66 JP/NN 5A MC

**Motion by Larry Whalen to move to item VIII.A.1. Second by Ham Ross 5A MC**

**Motion by Ham Ross to return to the agenda as printed. Second by Nick Nelson. 5A MC**

**V. Public Works**

- A. Roads
- B. Parks

1. Request from Slow Food Madeline Island to waive fees for their event on 9/8/12: granted by motion. JP/NN 5A MC

2. Request from Nelson Construction to borrow picnic tables from Rec Center from 8/3/12 to 8/6/12. Granted by motion: HR/LW 5A MC

3. Review of amended bid from Pember Construction for BBTP Improvement Project and possible awarding of contract.. Foreman Sowl states that there is still a grant pending from the Prior Lake Band of the Ojibwe.

Nick Nelson asks the amount of the shortfall on this project: Foreman Sowl replies that he's not sure there will be a shortfall.

Ham Ross asks about eliminating some elements of the project: Sowl replies that the grants were granted because of the project design; the shelter & fireplace cannot be eliminated if the Town is to receive the grant money. He points out that one of the grants calls for matching funds from the Town, which will be in-kind amounts from Town labor.

Greg Nelson asks about the size of the holding tank [20,000 gallons]. Nick Nelson asks how it will be kept pumped out. Greg Nelson asks if this is code for this size project. Foreman Sowl replies that it is based on projected use per day. Ham Ross asks if this includes the showers. Sowl responds that the showers are pay showers.

Greg Nelson states that he is disappointed that more money was not shaved off the bids after a second proposal was requested. Keith Sowl says that he is disappointed as well.

Larry Whalen asks for an explanation of the matching in-kind amounts; Sowl explains that for every \$1.00 spent by the Town [labor costs], the grant will award 50 cents in reimbursement.

Greg Nelson harks back to the Special Town Meeting of June 10, 2011, when the Board stated that the Town would spend as little as possible out of the budget for the Big Bay Town Park improvements.

Ham Ross states that he would like to be able to cut some corners. Sowl replies that the Town would not have a viable campground at that point.

Nick Nelson if this is for the one side of the road only [current Park site]. Ham Ross says yes.

Ham Ross asks if the Town is being "leveraged" by Pember Construction. Sowl replies that Pember knows that the project is over budget.

Jim Patterson asks if there is any way to tell yet if the Town is receiving increased revenue from the Park. Sowl replies that it is hard to tell but that revenue should be up. Sowl reiterates that based on numbers that have been used from Big Bay State Park, the Big Bay Town Park improvements should pay for themselves in ten years; however, the whole plan has to be built. The Town is currently collecting from only 40 campsites.

Motion to accept the Pember bid in the amount of \$692,500 contingent upon receiving grants from the Wisconsin Department of Natural Resources. NN/JP 4A 1 Ab [LW] MC

4. Town Foreman memo relating to WQC permit update from USACOE concerning latest Tribal input for BBTP Improvement Project informational only.

5. Hiring of Big Bay Town Park Parks Assistant: motion to authorize the Town Foreman to advertise in the *Ashland Press* for this hiring. NN/LW 5A MC

6. Application for Rec Center Rental Aug. 11-12, 2012 [Star Bar] granted by motion HR/NN 5A MC

#### C. Airport

1. Airport Manager's Report & Checklist placed on file by unanimous consent for dates as follows: June 24, July 1, 8, 15, & 22, 2012.

#### D. Harbors

1. Recommendation from Harbor Committee to contract with SmithGroup JJR for Services described in Task 1 of proposal dated 6/1/12 (Rev. 6/21/12): **[This discussion is limited to the area from the Town Dock to the Special Anchorage Area.]**

Nick Nelson asks if the \$16,100 that is required in order to move forward will be recovered by the Town.

Gary Russell replies that SmithGroup/JJR will be looking for funding; also there is a possibility of some local funding, and the funding of the "fishing pier" may come from the Wisconsin Department of Natural Resources.

Greg Nelson adds that the Town was unable to apply for any grants until the feasibility study was in place.

Nick Nelsons states that he favors moving slowly but allowing the Harbors Committee to proceed.

Ham Ross states that he is "conservative on harbors."

Gary Russell states that funding for the ferry dock is easy because it's commercial. He adds that there are now many entrepreneurs trying to make a living on the waterfront, and he feels that this is a good thing, that these people should have an opportunity.

Greg Nelson points out that the Town can always reject grant proposals.

Jim Patterson asks about having a Public Hearing on this subject.

Larry Whalen asks if now is the time for a Public Hearing.

Greg Nelson states that he has no problem with Task 1. [Town Dock & Special Anchorage Area.]

Keith Sowl asks if there weren't already public hearings held.

Consensus answer: yes.

Dave Thomas points out from the audience that these were called Listening Sessions, not public hearings.

Motion to postpone this item till the Regular Town Board Meeting on August 14, 2012. HR/LW 5A MC

## VI. Emergency Services

### A. Fire Department

1. Fire Chief's Report not available

## VII. Library

A. Library Board Minutes 6/11/12 placed on file by unanimous consent

B. Recommendation regarding appointment of a member to a term ending 7/1/15: Motion to appoint Holly Tourdot per the Library Board's recommendation. NN/JP 3A 1N [GN] 1 Ab [HR] MC

C. Board Procedure

D. Lack of quorum

These two items were deleted from the agenda by Ham Ross, who placed them on the agenda.

### VIII. Committees

#### A. Zoning

1. Osterbauer, Morris re: Certified Survey to reconfigure (2) land parcels - 938 South Shore Road. This item has been approved by the Town Plan Commission pending Ashland County review. ~~and was sent to Ashland County for review over two months ago.~~ Zoning Administrator Jen Croonborg-Murphy explained that **the Town's subdivision ordinance has a 60 day time limit for a decision on csms. A continued delay on the Certified Survey Map waiting for Ashland County's review we may be in violation of that time limit.**

Motion to approve based on the recommendation of the Town Plan Commission: JP/HR 5A MC

2. Havens Investment Co re: Certified Survey to join and reconfigure (4) land parcels into (3) - 1099 & 1081 South Shore Road approved based on the recommendation of the Town Plan Commission: HR/NN 5A MC

#### B. CAPP

### IX. Town Hall Administration

A. Administrative Assistant's Report placed on file by unanimous consent

B. Sale of Ashland County-owned Land: W1/2 SW1/4 NE1/4 & W1/2 NW1/4 SE1/4 Section 14, Town ship 50 North, Range 3 West, Town of La Pointe: no action taken

C. Purchase of new computer for Clerk approved by motion for an amount not to exceed \$1700 [per budget] HR/NN 5A MC

D. Appointment of committee members needed for ad Hoc Committee for a Local Food System: Dave Thomas, Kate Bortell, Michael Brenna, Regina & Jeff Theune with Nick Nelson as a Town Board member all appointed to this committee by Town Chair Greg Nelson.

E. Requests for NAGPRA Gathering in August [Native American Graves Protection & Repatriation Act]: The Bad River Band of the Ojibwe, which is hosting this gathering, asked for three things, as follows:

- 1.) use of the Windsled van: denied due to the fact that this is owned by three entities: the Bayfield School District, the Town and the Ferry Line.
- 2.) use of three picnic tables from the Rec Center: granted by consensus
- 3.) permission to camp at Ojibwe Memorial Park and at the Recreation Center: granted by consensus.

F. Town Administrator Position: decisions made as follows:

1. The job is to be a salary position
2. The salary structure includes paid vacation & holidays.
3. The rate of pay is \$27.50 per hour for 2080 hours per year = \$57,200 in pay
4. Benefits as follows:
  - (1) Eligible to enroll in Town provided Health Insurance Policy. Town pays 100% of single coverage (pre-tax deduction) \$760 per month cost to the Town  
If he enrolls, he is able to enroll in Flex Plan. Town contributes \$725. He will be eligible to contribute up to \$775 per year in pre-tax payroll deductions. \$725 annual cost to the Town
  - (2) Life & Disability enrollment in Town provided policy Town pays 100% \$329 annual cost to the Town
  - (3) Enrollment in Wisconsin Retirement (pre-tax for Fed & State. Employee contribution is 5.9% (set by State)for 2012. Town will pay 5.9% of wages
  - (4) Personnel Policy states:
    - 8 hrs sick time accrued per month, up to a total of 720 hrs
    - 32 hrs personnel time accrued the first of the year
    - 40 hrs accrued vacation time upon one year anniversary
  - (5) Of course, you have FICA & Medicare Employee's deduction is currently 5.65% and the Town's contribution is 7.65%, and Worker's Comp which will be approx. \$3.91 per \$100 of wages

5. Additional benefits will be discussed with Town Administrator Pete Clark
6. Clark will be an at-will employee with a 90-day review
7. Probationary Period per above item #6
8. – 12. will be worked out with Clark [with an August 15 start date per Pete Clark in an email dated August 1, 2012.]

All by motion HR/JP 5A MC

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

- A. BBTP Parks Assistant
- B. Harbors
- C. Town Administrator Report???
- D. Approval of new agenda format to include a TA report

**XI. Lawsuits & Legal Issues**

**XII. Liquor & Operators' Licenses**

- A. Application for Temporary Class "B" Picnic License for Star Bar [name of Madeline Island Softball League]
- B. Application for Non-intoxicating Beverage Permit for Star Bar [name of Madeline Island Softball League]

Both approved by motion for use at the Recreation Center site on August 11-12, 2012 NN/HR 5A MC

**XIII. Adjournment at 8:00 PM**

Submitted by Patty Hobin, Town Clerk  
Approved as corrected on 8/14/12; correction underlined.  
Patty Hobin, Town Clerk