

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
DRAFT MINUTES
TUESDAY, OCTOBER 27, 2009
At 5:00 PM At Town Hall**

Called to order at 5:30 PM.

Present: Beth Fischlowitz, Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

I. Public Comment

Leslie Mack states that the airport pilot's lounge flooded and has not yet been sterilized. She further requested a meeting with the airport manager.

Paul Brummer feels that property owners on Miller Farm Rd. (who have petitioned to become a Town Road) should pay for having the road graveled, crowned and ditched before the Town takes it over. He also states that property owners who sit on the Town Board need to abstain in all matters related to this petition.

II. Vouchers

Motion to approve vouchers in the amount of \$22,619.82. RG/HR. 5A. MC

III. Minutes

A. September 22, 2009 Motion to approve as submitted. RG/GN 4A 1 Ab. MC

B. October 13, 2009 Motion to approve as amended. RG/BF 5A MC

C. Budget Workshops

1. 10/14/09 Motion to approve as amended RG/BF 5A MC

2. 10/15/09 Motion to approve as submitted BF/GN 4A 1 Ab. MC

3. 10/19/09 Motion to approve as submitted RG/LW 5A MC

IV. Public Works

A. Parks

B. Roads

1. Easement across Baraga Street for Jennifer Croonborg Motion to sign the easement. BF/RG. 5A MC Keith Sowl has notified Ashland Cty. Housing Authority of this.

2. Town of La Pointe Resolution #2009-1027

a. Order to vacate a portion of Main St. Motion to sign the Resolution which resolves to vacate a portion of Main St. beginning at a one-inch pipe at the intersection of the easterly right of way line of Main St. and the southerly right of way line of Fort Road, and a portion of 6th Street, (also known as Baraga St.) that portion of Baraga St. from the east right of way line of Siskawet. St. to the northerly right of way line of Big Bay Rd. RG/HR 5A MC. Ric Gillman thanks Town Foreman Keith Sowl for his work on this issue.

3. October 19, 2009, application to lay a highway on existing private Miller Farm Rd. Greg Nelson states that he has reservations regarding the special assessment that would be needed. The land owners may need to widen the road and prepare it with gravel before the Town lays the highway. Motion to schedule a Public Hearing on December 8, 2009, to hear from the public in this regard. Motion withdrawn by consensus of the group. Motion to schedule the Public Hearing on Monday, December 7, 2009, at 5:30 PM. RG/BF 5A MC

C. Harbors

1. Wisconsin Coastal Management Grant application approval This grant will be ready to go out in the mail by the end of the week of October 26th, 2009.

2. Section 154 Fund Grant application approval. Alan Fischlowitz states that the Harbors Committee is not requesting money; that the purpose of the grants is to secure funding in advance for a long-range feasibility study. Motion to authorize Town Chair Greg Nelson to sign the applications. HR/RG 5A MC

3. Correspondence from Bob Davidson regarding the Evenson/Stoddard application for Docks. Jen Croonborg, Zoning Administrator, reports that Ashland County Health

and Safety is aware of the danger posed by this dock. Clerk to contact Ashland County to discover their stance on this dock, and report to John Spangberg, DNR Specialist.

D. Airport

1. Airport Manager Monthly Report & Inspection accepted & placed on file by unanimous consent. Keith Sowl, Town Foreman, replies to Public Comment by Leslie Mack: the airport lounge was mopped.

V. Library

A. Minutes dated August 31, 2009 accepted & placed on file by unanimous consent.

VI. Emergency Services

A. Fire Chief's Report not available

B. Semi-annual Fire Inspections for October, 2009 accepted & placed on file by unanimous consent.

C. Resignation of Brian Nelson as Fire Department mechanic. Motion to accept with regret. HR/LW 5A MC

D. Discussion and/or possible hiring of Fire Department mechanic. Discussion followed regarding the use of the Town's Road Crew personnel to fill this spot. Motion to ask Keith Sowl, Town Foreman to include the Fire Department Mechanic's job in the Road Crews' responsibilities. RG/BF 5A MC

VII. Committees

A. Zoning

1. Refund of fee for denied Certified Survey Map for C.A. Nelson estate. Motion to refund fees based on past practice when a CSM is denied. RG/LW 4A 1Ab. MC Greg Nelson abstained.

2. Request James Price evaluate buildings on Michael Mattingly Property referred to in 04-CV-112 as the North and South 5-acre parcels. Zoning Administrator to contact Town attorney in this regard.

3. Resignation of Alan Fischlowitz (letter dated 10/12/09) from Zoning Board of Appeals—post position. Motion to accept with regret and post position with 30-day deadline. HR/RG 5A MC

4. Town Plan Commission recommended Zoning Fee Schedule for 2010. This fee schedule adds a \$50 non-refundable fee for a land use permit. Motion to approve the 2010 fee schedule as presented. BF/RG 5A MC

5. Request from Community Clinic to finish garage into an office. Presentation by Barb Christenson, Clinic Board President: this project will be done with private funding. The TPC has reviewed this and does not require a permit. Motion to grant permission for the Community Clinic to remodel for the purpose of providing office space. BF/LW 5A MC

6. Welsh-Gilman Properties, LLC regarding Certified Survey Map to combine lots 014-00293-0800 and 014-00001-0200 South Shore Rd. Recommendation from Town Plan Commission to approve with corrections. Motion to approve the recommendation from the TPC RG/HR 5A MC.

Motion to depart from the agenda and take up item 8.F. RG. 5A MC

8.F. Budget request La Pointe Chamber of Commerce/Town Celebrations Committee

1. Budget line item for Fourth of July Celebrations

2. Budget line item for watering of Town flower baskets.

Representative Segments of Discussion: Questions regarding the continued use of private donations for the fireworks and would a line item in the budget have the effect of drying up these donations. Would the budgeted \$6000 be spent if private donations were available? The answer was that this money would go into a designated fund. It was also pointed out that a golf cart for watering the flower baskets may not be either legal or the most cost-efficient solution.

Motion to return to item 7.B. RG 5A MC

7. CAPP

1. Alternative Energy Report dated 9/23/09 Accepted & placed on file by unanimous consent of the Board.

VIII. Town Hall Administration

A. Administrative Assistant's Report accepted and placed on file by unanimous consent of the Board.

B. Set 2010 Budget Meetings. Monday, November 2, 2009 at 5:00 PM

C. Revised Winter Transportation Collaborative Agreement between the Bayfield School District and the Town of La Pointe for the 2009-2010 operating season. There is disagreement on item 2.D. of the Agreement: equal payment of expenses related to maintenance and upkeep of the windsled over and above the \$7000 (equal portions) pledged by the Town, the School District and the Ferry Line. The School District is unwilling to pay any overages. Greg Nelson to clarify with the School District: the Town will not sign the Agreement without the inclusion of 2.D.

D. General Code Update

1. Dick Hoffman request to make General Code a budget item Mr. Hoffman also requested a job description for his job: the will of the Board is for him to continue dealing with only ordinances already in existence and that there will be no budgeted fee for him.

IX. New Agenda Items for Future Meetings

A. Leo Davis letter dated 10/27/09

B. Miller Farm Rd. petition

C. Appointed officials' wages

D. The website: requesting department heads to submit their minutes & reports electronically for inclusion on the website.

E. Resolution of abandoned semi in downtown

F. Collaborative Agreement with the Bayfield School District

X. Lawsuits & Legal Issues

A. 04-CV-128 Town of La Pointe vs. Michael Mattingly

B. 08-CV-112 Owen & P. Brummer vs. Craftivity & the Town of La Pointe Consensus of the Board to remove this from ongoing agenda items.

C. 08-CV-109 Winston et.al vs. the Town of La Pointe

XI. Adjournment

Adjourned at 7:55 PM

Submitted by Patty Hobin, Clerk of the Town

Approved as submitted on 11/10/09

Patty Hobin, Town Clerk