

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
MINUTES  
TUESDAY, DECEMBER 1, 2009  
At 5:30 At Town Hall**

Called to order at 5:33 PM

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

**I. Public Comment** Mike Starck offered two comments:

A. Starck feels that there is a comparison between dedicating Snowplace Rd. and Miller Farm Rd. vis-à-vis road standards. He feels that the residents of Miller Farm Rd. should pay to have the road brought up to standard before it is adopted.

B. Starck reiterated his feeling that the new ordinances (excluding zoning ordinances) should be sent to General Code before they are sent to the Town's attorney.

**II. Vouchers** Motion to approve vouchers in the amount of \$437,568.93. RG/BF 5A MC

**III. Minutes**

- A. October 20, 2009 amended. Motion to approve as amended. RG/BF 5A MC
- B. November 2, 2009 amended Motion to approve as amended RG/BF 5A MC
- C. November 9, 2009 (Budget) Motion to approve as submitted BF/HR 4A 1Ab MC
- D. November 10, 2009 RTBM Motion to approve as submitted BF/HR 4A 1Ab MC
- E. November 12, 2009 (Joint Session with Bayfield School District) Motion to approve as submitted. BF/HR 4A 1Ab MC

**IV. Treasurer's Report**

- A. Resolution #2009 1201 Waiver of a bond for the Treasurer. Motion to approve the resolution. RG/BF 5A MC
- B. Resolution #2009 1201B Resolution to approve short-term borrowing. Motion to approve the resolution. RG/LW. This loan is a stop-gap until grant money is received. If the grant money does not come, the Town will have to pay off the loan at a rate to be determined. 5A MC

**V. Public Works**

A. Roads

1. Dedication of Snow Place Rd. Resolution #2009 1201C Motion to adopt the Resolution for a road up to the gate of the Sanitary District. The Town will maintain the road, but if it needs repair, the Sanitary District will be assessed. RG/BF 5A MC

2. Purchase of a tandem truck. Motion to authorize the purchase of a tandem truck for a price of up to \$31,000. RG/BF 5A MC

B. Harbors

1. Authorization to attend Superior Days. Motion to authorize Alan Fischlowitz and Jerry Smith to attend Superior Days, costs to be paid for from the Harbors budget. BF/RG 5A MC

C. Airport

1. Rate Schedule at the Industrial Zone. Airport Manager Michael Dalzell suggested that wording should be added to the lease agreement to say that aviation needs for the land would take precedence over the light industrial uses and that the lease can be terminated in that event. Keith Sowl recommended setting the lease rate at \$750 a year. Motion to reduce the lease fee at the light industrial zone to \$750 a year. RG/LW 5A MC

D. MRF

1. MRF Supervisor's report placed on file by unanimous consent.

## **VI. Emergency Services**

- A. Fire Chief's report unavailable

## **VII. Library**

- A. Library minutes 10/12/09 placed on file by unanimous consent.

## **VIII. Committees**

- A. Zoning

1. Construction without required permits: 908 Nebraska Row: possible refund of fees. This refund applies only to denied permit and payment overages. Motion to refund fees in the amount of \$178. No penalties will be refunded. RG/BF 4A 1 No (HR voted no MC
2. Approval of a letter to Michael Mattingly seeking permission to enter his property. Motion to approve the letter. RG/BF 5A MC
3. Town of La Pointe, Madeline Island Yacht Club re: Certified Survey Map at intersection of Main St., Mondamin Trail, and Old Fort Rd. –Town Plan Commission recommendation to approve as submitted. Motion to approve as submitted. RG/BF 5A MC
4. Town of La Pointe, Madeline Island Yacht Club, Robert Hartzell re: Certified Survey Map at Main St. between Blocks 42 &43— Town Plan Commission recommendation to approve as submitted. Motion to approve as submitted. RG/BF 5A MC

### **Motion to move to item IX E & F of the agenda. RG 5A MC**

## **IX. Town Hall Administration**

- E. Contract between Windsleds, Inc. and Town regarding Winter Transportation Postponed till the December 15, 2009 RTBM.

- F. Contract between Madeline Island Ferry Line and Town regarding Winter Transportation. Postponed till the December 15, 2009 RTBM.

### **Motion to return to the agenda as printed. RG 5A MC**

5. Appointment of member to Zoning Board of Appeals for term ending 7/1/11. Motion to appoint Mike Starck to the Zoning Board of Appeals RG/BF 4 A 1 No. MC with instructions to the Clerk to post for an alternate to this Board B. CAPP

1. Affordable Housing
  - a. Report from the Committee dated 8/3/09 placed on file by unanimous consent.

## **IX. Town Hall Administration**

- A. Administrative Assistant's Report placed on file by unanimous consent. Motion to approve changes in the December Town Board meeting calendar as follows: Meetings scheduled for December 8, 2009 and December 14, 2009 will now be held on Dec. 15, 2009 & Dec. 29, 2009. RG/BF 5A MC
- B. Cafeteria Plan for Employees postponed till the Dec. 15, 2009 RTBM.
- C. Update from Zoning Administrator regarding General Code and letter from Matt Anich. The Clerk now has the records requested by Attorney Anich and will forward them to him.

- D. Northwood Paving/Mathy Construction: proposed issuance of a new bond. The Town Board finds this unnecessary by unanimous consent.
- E. Previously covered
- F. Previously covered
- G. Quit Claim Deed: Joseph R. Borman & Margaret M. Borman: a parcel of land in the SE ¼ of the NE ¼ Section 30. Motion to approve the Quit Claim Deed.  
RG/LW. 5A MC

**X. New agenda items for future agendas**

- A. Winter Transportation Agreement with Madeline Island Ferry Line
- B. Winter Transportation Agreement with Windsleds, Inc.
- C. Side by side comparison of insurance coverage of windsled transportation between the Town and Windlseds, Inc.
- D. Payment to the Library for 670 gallons of propane transferred to the Clinic.
- E. Alternate member to the Zoning Board of Appeals
- F. Cafeteria Plan for Town Employees
- G. Town Policy regarding conduct of employees while not on the Town payroll
- H. Response letters sent by Zoning Administrator to Tom Kromroy
- I. Line of Credit for Town as opposed to short-term borrowing
- J. The Miller Farm Road project

**XI. Lawsuits and Legal Issues**

- A. 04-CV-128 Town of La Pointe vs. Michael Mattingly
- B. 08-CV-109 Winston et.al vs. the Town of La Pointe

**XII. Adjournment**

Adjourned at 6:45 PM

Submitted by Patty Hobin, Clerk  
Approved as submitted 12/15/09  
Patty Hobin, Clerk