

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, June 28, 2011
AT TOWN HALL AT 5:30 pm**

Called to order at 5:32 PM

Present: Beth Fischlowitz, Jim Patterson, Greg Nelson, Ham Ross, Larry Whalen

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

Public Present: John Griffin, Susie Flores, Linda Fuller, Ted Michael, Nick Nelson, Gene Nelson

I. Public Comment

Susie Flores spoke about unattended dogs downtown: they bother her customers, plus several of her children have been bitten. The clerk is instructed to contact Ashland County Animal Control. She also said that Tom Nelson has again blocked the alleyway to Bel St. for the purpose of building his July Fourth float. She asked that the alley be kept open. Keith Sowl showed a photo of damage done by Japanese barberry bushes (not on Island), and Jen Croonborg-Murphy added that she is constantly fighting invasives from the Ashland County property next door.

II. Vouchers approved in the amount of \$74,562.14 BF/HR 5A MC

III. Minutes

A. STBM 6/10/11 approved as amended BF/JP 5A MC

B. RTBM 6/14/11 approved with one change from Keith Sowl. BF/JP 5A MC

IV. Public Works

A. Parks

1. Approval of revised Big Bay Town Park Master Plan accepted [by motion] as amended (changes made in response to STBM 6/10/11 presented by John Griffin) & submitted showing a 75' right of away. BF/JP 3A 2N [HR & LW] MC Keith Sowl stated that he had asked Ed Musik [Big Bay State Park, DNR] for a letter of support from the DNR to add strength to the Town's grant applications. Musik replied his position is "neutral."

2. Adoption of Parks & Recreation 2011-2016 5-year plan by motion BF/LW 5A MC Beth Fischlowitz asked about the "weight" of the document. Greg Nelson responded that it is an addendum to the Comprehensive Plan.

3. Setback determination for Big Bay Town Park: Beth Fischlowitz asked if, by approving the plan, haven't the setbacks been set at 75 feet. Greg Nelson mentions the variance process. The consensus of the Board was that the 75' setbacks were set for the purpose of appeasing the State but that the State has no standing to demand 75' setbacks. Jen Croonborg-Murphy asked how & where she is to measure. She also stated that it appeared to her that the Town had mitigated as much as possible on the setback issue: only the shelter is not 75 feet back. Motion to create setbacks of 40 feet as determined by the Zoning Ordinance. BF/HR 5A MC

4. Resolution #2011-0628A Outdoor Recreational Aids for Big Bay Town Park passed by motion. BF/JP 4A 1N [LW because it acts in support of the Big Bay Town Park Master Plan] MC

Motion to move to item VIII. I, J, H BF/HR 5A MC

H. Memo from Albrecht Backer Labor & Employment Law, S. C.: Method of counting employees for Family Medical Leave ACT (FMLA) Motion to count election officials, appointed officials, Madeline Sanitary District, Town Board & employees in the employee count, and not count elected officials & volunteers, thus giving the Town 52 employees [for maternity leave purposes for a current town employee]. BF/HR 5A MC

I. Adoption of 12-month period for Federal FMLA: Motion to adopt the calendar year for the federal FMLA for serious illness or injury. JP/BF 5A MC

J. Possible discussion of FMLA, reporting forms, procedures: Motion to allow the employee to choose whether or not to use accrued sick, vacation, personal, or comp times during their federal FMLA. BF/HR 5A MC

Motion to return to the agenda: HR 5A MC

B. Roads

C. Airport

1. Airport Manager's Report: the Airport renaming ceremony/dedication [Major Gilbert Field] will occur on July 9th from noon to 1:30 PM

2. Airport Inspection Check Lists placed on file for the dates 5/29, 6/5, 6/12, & 6/19 by unanimous consent.

V. Emergency Services

A. Fire Department

1. Fire Chief's Report not available

2. Propane Tank Inspections

a. Letter from Mike Fauerbach dated 6/21/11: still waiting for advice as to how to proceed.

VI. Library

A. Library Board Minutes placed on file by unanimous consent

B. One member needed for a term ending July 1, 2014: motion to accept recommendation of Library Board and reseal Ludlow North & Becky Hogan. BF/LW 5A MC

VII. Committees

A. Zoning

1. Zoning Board of Appeals

a. Two seated members needed for a term ending July 1, 2014: Motion to reseal Tom Nelson & Joe Crawford. HR/BF 4A 1N [GN]

b. One alternate needed for a term ending July 1, 2014: motion to appoint Charles Meech BF/LW 3A 1 Ab [JP] 1 Nay [HR] MC

2. Ives, Scott/Zuehlke, Stephanie re: Certified Survey Map to divide 723 Miller Farm Road, parcel 014-00196-0100, into (4) lots: Jen Croonborg-Murphy pointed out that according to Ordinance, permission of all owners is not necessary in order to divide property; also, she received attorney approval for this. Motion to approve the CSM. HR/BF 5A MC

B. CAPP

C. Housing Authority

1. One member needed for a term ending July 1, 2014: no one signed up. Clerk is directed to repost.

VIII. Town Hall Administration

A. Administrative Assistant's Report: UC to place on file. Regarding the 2012 budget workshop schedule, the Board wishes to follow the same time frame as last year.

B. Town Emergency Plan: consensus on the part of the Board that some of this plan needs some work.

C. Resolution: this is a typing error on the clerk's part.

D. Sealed Bids

1. Liquefied Petroleum Provider: one bid received from the Brummer Company. Because the proposal used the words "current market rate," there was some discussion regarding whether or not this is a proper bid. The sixth bulleted item on the Propane Proposal Information states that the rate must be stated per gallon. Some discussion followed regarding the possibility of buying propane as it is needed from the provider with the lowest bid. Greg Nelson pointed out that this would not work as providers need to know how much LP gas to keep in bulk storage for future needs. Motion to reject the Brummer Company proposal as being non-specific. BF/JP 4A 1 Ab [LW] MC

At the RTBM on 7/12/11, the Board will approve more specific language in the Agreement for Purchase of LP gas by Town of La Pointe and then repost using the revised Agreement.

2. Septic Waste Removal no proposals submitted; Greg Nelson stated that each time the Town holding tanks are full, the provider submitting the lowest price for removal will be hired.

E. Letter from Nick Nelson RE: signage in Town: much discussion regarding the Town Plan Commission's role in signage regulation. The Board felt that because this is a community effort not a business, it should be allowed. Motion to allow the Community Garden to use movable sandwich boards in two locations provided that the signs do not interfere with traffic or impinge on private property. BF/JP 4A 1 Ab [LW] MC

F. Letter from Marcia Clifford RE: electronic version of Code: postponed. Clerk is instructed to find out what happens if a change in the Code is needed after it has been put on a CD.

G. Agreement between the City of Ashland & the Town of La Pointe for Intercept Service: signed by motion. HR/JP 5A MC

All of the following covered previously in the meeting:

H. Memo from Albrecht Backer Labor & Employment Law, S. C.: Method of counting employees for Family Medical Leave ACT (FMLA) Motion to count election officials, appointed officials, Madeline Sanitary District, Town Board & employees in the employee count, and not count elected officials & volunteers, thus giving the Town 52 employees [for maternity leave purposes for a current town employee]. BF/HR 5A MC

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IX. New Agenda Items for Future Meetings

A. Reservation System for BBTP

B. Appointing of Alternate to Board of Review

C. Propane Tank Inspections

D. Approval of new Agreement language RE % of fill

E. Tom Ketchum RE LaPointe Town Board wished to meet with agent after policy was signed

X. Lawsuits & Legal Issues

XI. Liquor & Operators' Licenses

A. Retail

1. Beach Club

2. Bell Street

3. Café Seiche

4. Grampa Tony's

5. Tom's BDC

B. Non-alcoholic

1. Beach Club

2. Bell Street

3. Café Seiche

5. Grampa Tony's

6. Tom's BDC

7. Island Carvers

4. Madeline Island Ambulance Service

C. Operators

- | | |
|------------------------|--------------------|
| 1. Micaela Evenson | 5. Alicia Montagne |
| 2. Aleksander Chobanov | 6. Catherine Ashe |
| 3. Roberta Pallas | 7. Barb Nelson |
| 4. Paul Turner | |

D. Cigarette

1. Beach Club

E. Temporary Picnic

1. Madeline Island Ambulance (Fourth of July at the Rec Center) with waiver of fees

All approved by motion: HR/JP 5A MC

XII. Adjournment at 7:38 PM

Approved as submitted on July 12, 2011

Patty Hobin

Town Clerk