

TB	Post
Barb	Michael
Waggie	Mary R.
Keith	Gary F.
Jen	Mike A.
Ted	Attorney

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
TUESDAY, JULY 13, 2010  
At 5:30 At Town Hall**

Called to order at 5:30 PM

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

**I. Public Comment**

Judi Patterson suggested that the Town website should post a warning regarding the current bear problem. Darienne McNamara of Northwest Cooperative Weed Management spoke about invasive species.

Burke Henry presented a power point presentation from the Alternative Energy Committee regarding wind turbines. The power point showed the potential placement of six medium-sized 600 kw turbines for a community –owned wind project. and the means of egress for the equipment needed to set them up. He reported on his visit to Byron, WI, a farming town that has hundreds of wind turbines and talked about the pros & cons of living near them. They do make some noise, and the setbacks are too small. Both Burke Henry & Carl Frederickson also attended a public hearing held by the WI Public Services Committee on the subject of wind turbine setbacks and sound levels. These values will be established into state law. The project here would cost approximately \$12,500,000—which includes the purchase of parcels of property. The income to the Town would be from the sale of 7/5 million kilowatt hours per year of electrical power to Xcel Energy (thus reducing property taxes). Carl Frederick stated that the cost would be less if the Madeline Island Wilderness Preserve would donate the property to be used in the project.

**II. Vouchers** approved [by motion] in the amount of \$72,835.50 BF/JP 5A MC (Clerk’s note: vouchers should be \$72,740.33 due to last minute adjustments.)

**III. Alternative Claims** approved [by motion] in the amount of \$146,210.19. BF/HR 5A MC

**IV. Treasurer’s Report** approved [by motion] dated 6/30/10 BF/JP 5A MC

**V. Minutes**

A. RTBM 6/22/10 approved as submitted JP/BF 5A MC

**VI. Public Works**

A. Parks

1. Big Bay Town Park boundary issues: Greg Nelson asked if a clear title to the property is required. Town Foreman Keith Sowl responded that clear title is required in order to apply for grants to do improvements at the Park. Discussion followed regarding the best approach to this issue. By motion the Board authorized the Town Foreman to inform the state that “we believe that the road is and always has been ours, and that it goes to the Lake, and we will continue to use it.” BF/HR 5A MC

2. Ordinance regulating docking/camping at Joni’s Beach: motion to postpone till the RTBM on 7/27/10: HR/JP 5A MC

3. Review of leases on non-motorized vessels at the Town Park: motion to postpone till the RTBM on 7/27/10. LW/BF 5A MC

B. MRF

1. MRF Supervisor’s Report placed on file by unanimous consent of the Board.

C. Roads

1. Town Foreman’s Report placed on file by unanimous consent of the Board.

2. Invoice for Hagen Rd.: Motion to sign the invoice for \$195,915.59 subject to negotiation and reduction at the time of payment. BF/HR 5A MC

3. Possible opening of the cul-de-sac adjoining lot 2, Range 3 West Document #202758 section 32: discussion followed regarding the letter from Mike Fauerbach dated 7/13/10. Motion to request that Attorney Fauerbach draft language for Option #3 in his letter, which grants an easement to the parcel holders. The language is to include that the parcel holders share the expenses. HR/BF 3A 1Ab. (JP) MC The Town Board also authorized a wetland delineation of the parcels.

**Larry Whalen left at 7:20 PM to go on a fire call.**

**Motion to move to item VI. E. Airport HR/BF**

E. Airport

1. Airport Manager's Report placed on file by unanimous consent of the Board. Contained in the report was a draft of a hangar lease agreement. Motion to send the draft to Attorney Fauerbach for his perusal. BF/HR 4A MC

2. Letter from Mike Fauerbach dated 6/21/10 re audit item re Nelson Airport Hangar Lease. No information from insurance company yet.

**Motion to move to item XI. F. GN 4A MC**

XI. Town Hall Administration

F. Gene Nelson re: deduction of Wisconsin Inspection Fee. Gene Nelson stated that he didn't understand why the inspection cost so much when the inspector was in Bayfield (doing multiple site inspections) at the time he was called to inspect the propane tanks at the fire hall. [clerk's note: the inspector's fee included travel time and mileage of 190 miles.] The Clerk is directed to discover how far the inspector traveled and request itemization of time spent that day.

**Larry Whalen returned at 7:35 PM**

**Motion to return to the agenda at item VI. D. 1. BF 5A MC**

D. Harbors

1. Report from the committee placed on file by unanimous consent. Discussion followed regarding the contract with JJR. According to a letter from Attorney Mike Fauerbach dated 7/13/10, it is acceptable to sign the contract. Motion to authorize the Chair to sign the JJR contract for the consulting phase of the Harbor project. BF/LW 5A MC

2. Duluth Superior Area Community Foundation Grant. Motion to sign the grant for the amount of \$4000. BF/JP 5A MC

3. Boats parked in transient docking (at the Town Dock) for more than 24 hours. Covered earlier.

**VII. Library**

A. Library Committee Report dated 5/10/10 placed on file by unanimous consent of the Board

**VIII. Police**

A. Police Chief's report dated 7/8/10 placed on file by unanimous consent of the Board.

**IX. Emergency Services**

A. Ambulance Director's Report dated 7/10/10/ placed on file by unanimous consent of the Board.

B. Fire Chief's Report not available

C. Semi-annual Fire Inspections dated June, 2010, placed on file by unanimous consent of the Board.

**X. Committees**

A. Zoning

1. Zoning Administrator's Report placed on file by unanimous consent of the Board.

2. Appointment of two members to the Zoning Board of Appeals for three-year terms ending

7/1/13.

a. William Tibble

b. Bob Kron, Alternate

Motion to reseat Tibble & Kron to three-year terms ending 7/1/13. HR/JP 5A MC

B. Alternative Energy

1. Report from Burke Henry: covered previously

**XI. Town Hall Administrations**

A. Town Hiring Policies: postponed till the RTBM on 7/27/10

B. Monthly Budget Report placed on file by unanimous consent of the Board.

C. Proposed Contract for Septic Removal Services: motion to approve the language of the contract and authorize the Chair to sign. BF/LW 5A MC

D. Proposed Contract for Purchase of Propane: motion to approve the language of the contract and authorize the Chair to sign. BF/LW 5A MC

E. Memo from the Administrative Assistant dated 7/6/10: Town Hall Capital Outlay: Landscaping. Motion to pay for the installation of the light for the flagpole and the over-budget out of the contingency fund. BF/JP 4A 1No (HR) MC

- F. Gene Nelson re: deduction of Wisconsin Inspection Fee: covered previously
- G. Ordinance Changes: Ordinances #102 & 103 and possibly #100: revised parking & speeding ordinances: Motion to approve the Ordinance changes. HR/LW 5A MC
- H. Resolution #2010-0713: Selection of Madeline Sanitary District Commissioners: motion to approve Resolution #2010-0713. BF/HR 5A MC
- I. Review of Town's Insurance Policy postponed till the RTBM on 7/27/10
- J. Winter Transportation Collaborative Agreement with the Bayfield School District: postponed till the RTBM on 7/27/10

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

- A. Big Bay Town Park boundary issues
- B. Ordinance regulating camping/docking at Joni's Beach & the Town Dock
- C. Review of leases on non-motorized vessels at the Town Park
- D. Town Hiring Policies
- E. Proposed Contract for Septic Removal Services
- F. Proposed Contract for Purchase of Propane
- G. Review of the Town's insurance policy
- H. Winter Transportation Collaborative Agreement with the Bayfield School District

**XIII. Lawsuits & Legal Issues**

- A. 09-cv-215 Paul Brummer vs. the Town of La Pointe
- B. 04-cv-128 Town of La Pointe vs. Michael Mattingly

**XIV. Operators' Licenses**

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|---------------------|-------------------------------|
| A. Jody Nltsch      | E. Robert Marshall            |
| B. Josh Huff        | F. Paula Hyde                 |
| C. Amy Pearson      | G. Elena Tritchkova-Lamoreaux |
| D. Diana Kapanarova |                               |

Motion to approve all operators' licenses. HR/JP 5A MC

**XV. Adjournment at 8:30 PM**

Approved as submitted on July 27, 2010

*Patty Hobin*