

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

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
MINUTES
TUESDAY, JULY 27, 2010
At 5:30 At Town Hall**

Called to order at 5:30

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

Absent: Larry Whalen

I. Public Comment: Gwen Smith Patterson requested time to speak during the Roads portion of the agenda. Mike Starck presented a list of docking charges used by the Marina. Starck also announced that the Town had received a \$2000 grant from Ashland County for repair to the tennis courts

II. Vouchers approved in the amount of \$53,757.78 BF/JP 4A MC

III. Minutes

A. RTBM 7/27/10 approved as submitted. JP/HR 4A MC

Motion to move to item VII.B.1. Alternative Energy Committee BF 4A MC

- Burke Henry followed up on and clarified some of the discussion items regarding wind turbine energy from the RTBM on 7/13/10:
- The PSC has established draft siting set backs. They are larger than I had used previously. That means more land is needed to install a given number of turbines. **If Brown County recommendations are accepted, this will make it impossible to install a program on the Island.**
 - We have decided that larger turbines of the 1.65 MW class can not be used:
 - They will overwhelm our ability to get them to the Island. A landing is too expensive & might not receive permits.
 - They cannot meet the PSC setback requirements.
 - They are too noisy.
 - We can use FL600 – 11 to 12 dB less noisy, smaller, can deliver at Town dock on MI ferry.
 - With north end siting, most properties will be between 0.25 & 0.5 miles away from one turbine or another. This will cause problems.

Two turbine sites could be located on Town owned property, two on Nelson and one on Ashland County. A sixth would be on the property line between Nelson & Thomas. Thomas would have to participate since his property is violated or there could be no sixth. Lillie, Ryder, Golumski & Harvey properties would be totally violated and should be bought out.

Estimated sound levels from the FL 600s at ¼ mile will be approximately 30 dB(A) and at ½ mile will be approximately 24 dB(A)

Motion to return to the agenda as printed: HR 4A MC

Larry Whalen arrives at 5:38

IV. Public Works

A. Parks

1. Town Foreman memo:

a. Request to extend Parks Assistant Laborer hours & job benefits classification:
Motion to extend Dick Hardie's job to 1040 hours, including Parks Assistant/Laborer & Limited Term Employee Truck Driver, effective immediately at the present rate of pay. BF/HR 5A MC

b. Park Attendant's 90-day review: Motion to approve the recommendation in the Town Foreman's memo and raise the Park Attendant's rate of pay to the budgeted amount of \$13.53 effective July 27, 2010. HR/BF 5A MC

2. Big Bay Town Park Boundary Issues: nothing at this time

3. Ordinance regulating docking/camping at Joni's Beach & the Town Dock: the Town Board added the following to the current draft: (1.) Transient docking is defined as docking after 11 PM or before 6 AM. Docking is permitted from 6 AM to 11 PM. (2.) Use of a transient slip for commercial purposes is prohibited. (3.) Non-emergent boat repair at the docks is prohibited. (4.) No individual may have more than one boat (owned by him/her) in a transient slip. (5.) Each day of a violation is an added penalty.

4. Review of leases on non-motorized vessels at Town Park: postponed till the RTBM on August 10, 2010.

5. Letter from Arnie Nelson dated 7/14/10 re: use of Town benches, tables & possibly one grill: Motion to approve the request from Arnie Nelson: HR/LW 5A MC

B. Roads

1. Possible opening of cul-de-sac adjoining lot 2, Range 3 West Document #202758 section 32: Jim Patterson asked how one person can be expected to pay all the cost of laying a road and then seek reimbursement from future landowners. Ham Ross asked what the Town's responsibility is in this situation. Greg Nelson stated that he thought the language of the grant of easement could help owners recoup their costs. Gwen Patterson asked about wetland delineation. Jen Croonborg stated that it might expedite the process if the Town helped the Pattersons with any issues regarding wetland delineation or permitting. She further stated that the grant of easement and the wetland delineation are two separate issues.

B. Airport

1. Draft of Hangar Lease prepared by Airport Manager: postponed till the RTBM on 8/10/10

2. Resolution regarding Airport 6-year Plan: Motion to approve & sign the Resolution: BF/HR 5A MC

3. Airport Inspections: Motion to place on file the inspections dated 7/11/10 & 7/18/10 JP/BF 5A MC

V. Library

A. Library Board Report: none at this time

VI. Emergency Services

A. Fire Department

1. Fire Chief's report: none at this time

2. Inspection of propane tanks: postponed till the RTBM on 8/10/10. Jen Croonborg offered to help with the inspections as she is working on the new fire numbers.

VII. Committees

A. Zoning: the Zoning Administrator reported that the first draft of the new Zoning Ordinance is with the Attorney

B. Alternative Energy

1. Burke Henry: status of Committee: previously covered

VIII. Town Hall Administration

A. Town Hiring Policies: postponed till the RTBM on 8/10/10.

B. Proposed Contract for Septic Removal Services: La Pointe Septic has asked that the contract be modified to show that \$.04 per gallon will be paid for every gallon over 2000 gallons. (Item #8 on the contract) In response, the Town Board asks that La Pointe Septic provide documentation or proof that the truck used to remove septic holds more than 2000 gallons.

C. Proposed Contract for Purchase of Propane: La Pointe Gas, Inc., has asked that item #8 on the contract be modified to show that La Pointe Gas, Inc., will fill the tank within 24 hours upon a request from the Town if the tank is at 15% filled or less. The Town wishes to make the percentage higher: 25% filled.

D. Review of Town's Insurance Policy postponed till the RTBM on 8/10/10.

E. Winter Transportation Collaborative Agreement with the Bayfield School District: the Agreement has been signed by the Bayfield School District and received by the Town.

F. 2010 Budget Amendment #1: Motion to approve Budget Amendment #1. HR/LW 5A MC

G. Administrative Assistant's Report placed on file by unanimous consent of the Board.

H. Timely submission of items for Town Board agenda: the Town Board directs that any agenda items not received by noon on the Friday before a Regular Town Board Meeting will not be considered at that meeting. The Clerk will notify department heads of this.

I. Madeline Island Softball Association application for Recreation Center Rental: no action required.

IX. New Agenda Items for Future Meetings

- A. Big Bay Town Park Boundary Issues
- B. Ordinance regulating docking/camping at Joni's Beach & the Town Dock.
- C. Review of leases on non-motorized vessels at Town Park
- D. Possible opening of cul-de-sac adjoining lot 2, Range 3 West Document #202758 section 32
- E. Draft of hangar lease prepared by Airport manager
- F. Inspection of propane tanks
- G. Town hiring policies
- H. Proposed Contract for Septic Removal Service
- I. Proposed Contract for Purchase of Propane
- J. Review of Town's Insurance Policy
- K. Inter-municipal Agreement

X. Lawsuits & Legal Issues

- A. 09-cv-215 Paul Brummer vs. the Town of La Pointe
 - 1. Letter from Mike Fauerbach dated 7/16/10
- B. 04-cv-128 Town of La Pointe vs. Michael Mattingly: the Zoning Administrator posed questions pertaining to the demolition & removal of the property in this case. Greg Nelson asked who will pay for the demolition & removal. Jen Croonborg responded that Dr. Mattingly will be billed for it.

XI. Liquor & Operators' Licenses

- A. Temporary (Picnic) License for Madeline Island Softball Association: withdrawn at the request of the Softball Association
- B. Non-alcoholic Beverage License for Madeline Island Softball Association: Motion to approve.
HR/JP 5A MC
- C. Operators' Licenses
 - 1. Rachel M. Roode
 - 2. Jessica Schillinger
 - 3. Katina LaCroix

Motion to approve all three Operators' Licenses. JP/LW 5A MC

XII. Adjournment at 7:16 PM

Approved as submitted on 8/10/10

Patty Hobin