

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
MINUTES  
TUESDAY, AUGUST 10, 2010  
At 5:30 At Town Hall**

Called to order at 5:33 PM.

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

Town Staff present: Keith Sowl, Jen Croonborg-Murphy

**I. Public Comment:** Greg Nelson expresses condolences on behalf of the Town to Dan Carpenter on the death of his father. Mike Starck announced that a dock is being towed from Ashland to the Island; Tony Williams, who is running for Ashland County Sheriff, discussed his qualifications & experience. Various Board members asked him for helping in patrolling the Star Bar Tournament.

**Motion to move to item X.A.2. Inter-municipal Agreement Between Ashland County & the Town of La Pointe** for providing duties & responsibilities of an Assistant Zoning Administrator for Ashland County: **BF 5A MC:** Mike Starck voiced budget concerns vis-à-vis Ashland County. Greg Nelson spoke to the prevailing notion that Islanders are wealthy. Jen Croonborg-Murphy pointed out the lack of facts & figures in the County's response to the Town's request for more money. Mike Starck asked what the Zoning Administrator does besides issue permits. The Zoning Administrator responded that she enforces several ordinances here. Greg Nelson said that it sounded like the County had already made up its mind not to give the Town the increase it requested. Mike Starck will encourage Jeff Beirl to come to the Island for the next meeting. The ZA points out that the budget request is due before the next regular town board meeting. Greg Nelson points out that the Town can withdraw from the Agreement, and it will cost the County much more than the \$3000 that the Town is requesting. Greg Nelson ended the discussion by asking Mike Starck, in his position as County Board Supervisor, to get the Town the requested additional \$3000 for a total budget request payment from the County to the Town of La Pointe of ~~\$18,000~~ \$18,500 for 2011.

**Motion to return to the agenda: HR 5A MC**

**II. Vouchers** approved in the amount of \$341,504.92 BF/HR

**III. Alternative Claims** approved in the amount of \$280,688.25 BF/LW 5A MC

**IV. Treasurer's Report** approved showing a total balance of \$788,924.02 with an available balance of \$71,572.09. BF/HR 5A MC

**V. Minutes**

A. RTBM 7/27/10 approved as submitted. JP/BF 5A MC

**VI. Public Works**

A. Parks

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

2. Ordinance regulating docking/camping at Joni's Beach & the Town Dock: Clerk is directed to add the following: "All boats must be seaworthy & registered by the Coast Guard." Clerk is further directed to send the Ordinance to the Town's attorney. BF/LW 5A MC

3. Review of leases on non-motorized vessels at Town Park: the Town Board agrees that the language of the ordinance (An Ordinance Amending Ordinance #2006-0613 of the Town of La Pointe Regulating Non-Motorized Vessels) is sufficient to prevent the transfer of stickers for non-motorized vessels.

#### B. Roads

1. Town Foreman's Report accepted by unanimous consent
  - a. Authorization to speak with Town's Attorney: the Town Board grants the Town Foreman a one-time authorization to speak to the Town's attorney
  - b. request to enter into a culvert contract with a supplier that provides the lowest bid. Motion to authorize the Town Foreman to enter into a contract with a supplier that provides the lowest bid for culvert materials for the Miller Farm Rd. Project. BF. LW 5A MC
2. Possible opening of a cul-de-sac adjoining lot 2, Range 3 West Document #202758 section 32 (off Mondamin Trail) The Zoning Administrator presented her Memorandum regarding her inspection of the site with John Spangberg. Ham Ross reiterated his fear of precedent: he says that there are many similar situations along that road. The consensus of the Board was to send the inspection results to the Town's attorney (Mike Fauerbach) and determine the cost of wetland delineation for that parcel. Additionally, Keith Sowl, as Foreman, is to provide an estimate of what it would cost to make a Town road in this location along with an alternative estimated figure for just a driveway: both estimates. The Clerk is to determine who owns the other properties on this cul-de-sac and ascertain how a Special Assessment could be levied.
3. Resignation of Town Road Crew member accepted with regret. HR/LW 5A MC Motion to post for the position with a deadline of August 23, 2010, for applications: BF/HR 5A MC

#### C. MRF

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

#### **Motion to move to item IX. C. Propane Tank Inspections. BF 5A MC**

Larry Hobin presented the fire department's concerns in this regard. Greg Nelson said that the fire department will need to establish a "local authority" for the purpose of the inspection & complaint process. Discussion followed regarding how best to move forward with the inspections.

#### **Motion to return to the agenda. BF 5A MC**

#### D. Airport

1. Draft of Hangar Lease prepared by Airport Manager not available yet.
2. Industrial Zone Lot Lease: Lot #3; P. Wroblewski: motion to accept & authorize the Chair to sign the lease. BF/LW 4A MC JP temporarily out of room

#### E. Harbors

1. Report from the Harbor Committee placed on file by unanimous consent.

2. Addition of members to Harbor Committee: from five to seven regular members, plus an additional alternate bringing the total to two alternates:  
Motion to allow the Committee to increase its size: BF/JP 5A MC

3. Renaming of Alternate Member to Regular Member: Michael Childers:  
Motion to approve seating Michael Childers as a regular member for a term ending March 10, 2013. BF/HR 5A MC

#### **VII. Library**

A. Library Board Minutes: June 7, 2010: placed on file by unanimous consent

#### **VIII. Police**

A. Police Chief's Report placed on file by unanimous consent

#### **IX. Emergency Services**

A. Ambulance Director's Report not available

B. Fire Chief's Report not available

C. Inspection of Propane Tanks covered previously

#### **X. Committees**

A. Zoning

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

2. Inter-Municipal Agreement with Ashland County Zoning revisited briefly at this point in the meeting to reiterate that the Town's budget request to the County is an additional \$3500: a \$3000 increase plus office supplies, travel expenses, postage, photocopying and access to records, for a total budget request of \$18,500 for the year 2011.

B. Alternative Energy Committee

1. Equipment Lease between Town of La Pointe Alternative Energy Committee & the Bad River Tribe: Agreement for Extension: motion to extend the equipment lease until October, 2011 for a lease payment to the Bad River Band Tribe in the amount of \$2000: BF/HR 5A MC

#### **XI. Town Hall Administration**

A. Monthly Budget Report: motion to accept & place on file: BF 5A MC

B. Town Hiring Policies postponed till October

C. Proposed Contract for Septic Removal Services: Clerk to pursue getting a signature from the provider.

D. Proposed Contract for Purchase of Propane: clerk to pursue getting a signature from the provider.

E. Review of Town Insurance Policy: Motion to accept the additional uninsured/underinsured motorist coverage at a cost of \$850. HR 5A MC

F. Winter Transportation Issues

1. Madeline Island Ferry Line & the Town

2. Windsleds Transportation, Inc. & Madeline Island Transportation, LLC

and the Town

3. The Winter Transportation Terminal Building Inventory

4. Ice Rescue Memorandum of Understanding

Clerk is directed to update and mail these agreements

G. Letter from Town Clerk: Absence of Clerk in late August and September: accepted with the best wishes of the Board.

H. 2010 Wage Resolution, Resolution 2009-1229 Attachment B: Motion to approve & sign Resolution 2009-1229: BF/LW 5A MC

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

- A. Ordinance regulating docking/camping at Joni's Beach & the Town Dock
- B. Possible opening of a cul-de-sac adjoining lot 2, Range 3 West Document #202758 section 32 (off Mondamin Trail)
- C. Draft of a hangar lease prepared by the Airport Manager
- D. Inspection of propane tanks
- E. Inter-municipal Agreement with Ashland County Zoning
- F. Proposed Contracts for Septic Removal Services & Purchase of Propane
- G. Winter Transportation Agreements
- H. Ordinance #103 regarding parking
- I. Spears Carlson letter re Block 16, Block 23 & Vacated 7<sup>th</sup> St., Plat of the Village of La Pointe

**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. Adjournment** at 8:07 PM

Submitted by Patty Hobin, Town Clerk

Approved as corrected on 8/24/10: corrections struck through; additions underlined.

*Patty Hobin, Town Clerk*