

**TOWN OF LA POINTE  
REGULAR TOWN BOARD MEETING  
TUESDAY, AUGUST 24, 2010  
At 5:30 At Town Hall  
MINUTES**

The Town Board may go into closed session during the meeting for the purpose of considering financial, medical, social or personal histories or in accordance with Wisconsin Statute 19.85 (1)(f). After the completion of the closed session, the Board will come back into open session to complete the business of the meeting.

Called to order at 5:30

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

Town Staff Present: Ted Pallas, Jen Croonborg-Murphy, William Hagen, Keith Sowl, Mary Ross, Larry Hobin

**I. Public Comment:** none

**II. Vouchers** approved in the amount of \$43,753.48. BF/JP 5A MC

**III. Minutes**

A. RTBM 8/10/10 approved with corrections JP/BF 5A MC

**Motion to move to item IV.C.1. in the agenda:** 1. Possible opening of a cul-de-sac adjoining lot 2, Range 3 West Document #202758 sec 32 (off Mondamin Trail) & possible assessment process BF/LW 5A MC

Town Foreman Keith Sowl will get the estimate for making the cul-de-sac a town road and the wetland delineation will proceed. Every lot will need an easement.

a. Proposal Chequamegon Bay Engineering: Mondamin Trail private driveway Wetland Delineation: Motion to approve the proposal from Chequamegon Bay Engineering for Mondamin Trail private driveway Wetland Delineation at a cost of \$2900. BF/LW 4A 1 Ab. [JP] MC

b. Proposal Chequamegon Bay Engineering: Mondamin Trail Town Road & Cul-de-sac Wetland Delineation.

**Motion to move to item V.A.2.a. Inspection of Propane Tanks: Letter from Larry Hobin regarding naming of “Local Authority.”** BF/LW 5A MC

Motion to accept the recommendation of the Fire Department and name the two trained fire inspectors as the “Local Authority” to represent the Town in the inspection of propane tanks & the resolution of disputes. BF/HR 5A MC

**Motion to return to the Agenda as printed.** HR 5A MC

**IV. Public Works**

A. Parks

1. Ordinance #2010-01 An Ordinance Regulating Docking & Camping at Joni’s Beach & Town Dock: three changes to draft ordinance: “transient docking: is to be defined as 24 hours; all boats must be inspected & registered by the Dept. of Natural Resources; and the Regulation regarding the inspection & registration of boats is to be separated from “Launching” and become letter (A.) of the Regulated Activities. Clerk is directed to contact Bayfield regarding how a citation is actually affixed to a boat. Mike Fauerbach will be sent the updated draft.

Ludlow North appeared representing the Island Association and announced that the Association is giving the Town \$1000 to spend for Joni’s Beach. The Town Board thanks the Island Association.

B. MRF

1. Determination of accommodation for employee with restrictions: the conditions are being accommodated as the employee is not being asked to do any of the restricted activities.

C. Roads

1. Possible opening of a cul-de-sac adjoining lot 2, Range 3 West Document #202758 sec 32 (off Mondamin Trail) and possible assessment process **covered already**

a. Proposal Chequamegon Bay Engineering: Mondamin Trail private driveway Wetland Delineation

b. Proposal Chequamegon Bay Engineering: Mondamin Trail Town Road & Cul-de-sac Wetland Delineation.

2. Amendment to Ordinance #103 regarding parking: Motion to approve the Amendment to Ordinance #103 regarding parking, which adds Michel Cadotte Rd. to the list of restricted streets. JP/HR 5A MC

3. Ordinance Protecting Highways in the Town of LaPointe: Motion to enact into law Ordinance #2010-02, an ordinance protecting highways in the Town of La Pointe. HR/BF 5A MC

4. Spears Carlson letter re Block 16, Block 23 & Vacated 7<sup>th</sup> St., Plat of the Village of La Pointe: the will of the Board is that this is an issue between the property owners; it is the Zoning Administrator’s determination that the Town does not own the existing driveway. The Town Foreman is to call Jack Carlson in this regard.

5. Possible Hiring a Road Crew Employee: Town Foreman, Keith Sowl, declares that all would be fine road crew members but that his recommendation is to hire William Hagen. Motion to hire William Hagen at a rate of \$16.50 an hour with a 90-day review, employment to begin on September 1, 2010. HR/JP 4A 1N [GN] MC Motion to post for a MRF (Materials Recovery Facility) with a deadline of 5:00 PM on September 13, 2010. JP/BF 5A MC

**6. Miller Farm Rd. update**

**a. Proposed Special Assessment process:** The process for the Special Assessment for Miller Farm Rd. will commence upon the return of the Clerk in October.

**1. Airport Manager's Report:** placed on file by unanimous consent including the Airport Checklists for the following: 7/25, 8/1, 8/8, 8/15, & 8/22, 2010.

**2. Draft hangar lease:** not returned from the Attorney yet.

**E. Harbors**

**1. Dock Lease Between Town of La Pointe & Nelson Construction Co. of La Pointe ending Dec. 31, 2010:** Regarding questions about the lease of the bulkhead at the Town Dock, Greg Nelson explained that the intent of Mike Fauerbach's letter of 1995 was to not include town property along the bulkhead in the restriction on leasing the bulkhead. He further stated that the property along that bulkhead belongs to the Town. Therefore, 57 feet along that bulkhead will be included in the 2010 dock lease for the use of Nelson Construction. For the purpose of discussing the Dock Lease at the next meeting, the Deputy Clerk will ascertain the current Consumer Price Index-Update.

**V. Emergency Services**

**A. Fire Department**

**1. Fire Chief's Report:** not available. Beth Fischlowitz will request this by letter.

**2. Inspection of Propane Tanks**

**a. Letter from Larry Hobin regarding naming of "Local Authority" covered previously.**

**B. Ambulance Director's Report for July** placed on file by unanimous consent.

**VI. Library**

**A. Library Board Report 7/12/10** placed on file by unanimous consent

**VII. Committees**

**A. Zoning**

**1. Bohn, Lorene/Lindsey, Debra & Daniel re:** Certified Survey Map at parcel #'s 014-00045-0140 & 014-000450-0130 North Shore Rd. Town Plan Commission approved Motion to accept the recommendation of the TPC & approve. HR/BF 5A MC

**2. Lein, Eric & Laurel/Lein, Kristin/Lein,R. Kurt re:** Certified Survey Map at parcel #'s 014-00055-0900, 014-00056-0400, and 014-00056-0200 Big Bay Rd. Town Plan Commission approved. Motion to accept the recommendation of the TPC & approve. BF/JP 5A MC

**3. Inter-municipal Agreement with Ashland County Zoning:** Covered previously by Special Town Board Meeting on 8/24/10 at 4:30 PM. Minutes appear separately.

**B. Affordable Housing Committee**

**1. Appointment of alternate member to seated position:** Motion to seat Linda Fuller from an alternate to a seated position. BF/LW 5A MC

**VIII. Town Hall Administration**

**A. Administrative Assistant's Report:** placed on file by unanimous consent. Motion to approve the 2010 Budget Transfer from General Funds to Designated Funds per the spreadsheet presented by the Administrative Assistant. BF. 5A MC  
Motion to authorize the Administrative Assistant to attend a class in Cable, Wisconsin, regarding Town administration. GN/BF 5A MC

**B. Amendment of Resolution #2008-0513: Authorization for Contracting Legal Services:** Motion to approve adding the Town Foreman to the list of those Town employees who are empowered to contact the Town's attorneys. HR/JP 5A MC

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

**A. Ordinance #2010-01** An Ordinance regulating camping/docking at Joni's Beach & the Town Dock.

**B. Possible opening of a cul-de-sac** adjoining lot 2, Range 3 West Document #202758 sec 32 (off Mondamin Trail).

**C. Proposed Special Assessment** for the development of Miller Farm Rd.

**D. Draft of a proposed Airport Hangar Lease**

**E. Dock Lease** between the Town of La Pointe & Nelson Construction of La Pointe ending December 31, 2010.

**F. Fire Dept Local Authority**

**G. Appointed Officials' Hours**

**H. Lack of a signed contract** for Propane Purchase & Septic Removal Services.

**I. New members** to Harbors Committee

**J. Discussion** regarding division of labor between the two Town attorneys

**K. Non-alcoholic Beverage License** for the La Pointe Community Clinic Codger Game

**L. Membership** in the Madeline Island Chamber of Commerce for the Town of La Pointe

**M. Big Bay Town Park Issues**

**N. Town Hiring Policies**

**X. 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:** 60 days have elapsed on the Order to Raze Buildings & Remove Personal Property. James Price, Commercial Inspector, has been notified.

**XI. Liquor Licenses**

**A.** Temporary Class “B” License for Madeline Island Community Gardening Project, Inc.: Motion to grant the license and waive the fee for it as requested. JP/HR 5A MC

**B.** Temporary Class “B” License for the La Pointe Community Clinic: “Codger” Game: Motion to grant the license & waive all fees [clerk’s note: the apparent intent was to waive fees for both organizations] HR/JP 5A MC

**XII. Adjournment** at 7:22 PM

Submitted by Patty Hobin, Town Clerk

Approved as submitted on Sept. 28, 2010  
Patty Hobin