

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
MINUTES
TUESDAY, AUGUST 25, 2009
AT 5:30 AT TOWN HALL**

Called to order at 5:37.

Members present: Beth Fischlowitz, Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

1. Public Comment

Beth Meyers, Executive Director of CORE, a non-profit serving seniors in Red Cliff, Bayfield, Bayview, Russell, and La Pointe, asked for volunteers from Madeline Island. She discussed the various activities of CORE and pointed out that seniors who volunteer in the schools receive a \$400 tax credit.

Beth Alsgaard said that there is grant money available for bringing fiber optic services to the Island. Greg Nelson responded that Cheqtel is doing this in the future.

Mike Starck said that he felt it would be wrong to waive the commercial inspection process for the Sanitary District's new project.

Keith Sowl said that he has received the paving timetable for downtown and that the next two weeks will be somewhat difficult in the downtown area.

Muffy Harmon announced several Slow Food events: August 27, 2009 at the Rec Center will be a food-tasting; an "Eat-in" will be held on Labor Day—this is aimed at promoting the Child Nutrition Act. Also Slow Food is currently holding a membership drive.

Leslie Mack asked for reimbursement for pilots who have had to land at other airports and pay for ferry or water taxi transportation to the Island.

2. Vouchers Motion to approve vouchers in the amount of \$138,537. RG/BF. 5 ayes. Motion carried.

3. Minutes

A. Review of RTBM minutes from 7/14/09. Motion to approve as presented (*amended by Clerk*). RG/LW. Five ayes. Motion carried.

B. RTBM 8/11/09. Postponed till the September 8, 2009, RTBM.

4. Public Works

A. Parks

1. Approval of combined job description: *Temporary Laborer for Parks, Roads, and Materials Recovery Facility*. Motion to approve. BF/RG. Five ayes. Motion carried.

2. Modification of Greg Thury's job title. Motion to change Greg Thury's job title to Temporary Laborer for Parks, Roads & Materials Recovery Facility. RG/BF. 5 ayes. Motion carried.

3. Update on Tom Kromroy's letter regarding the North Shore Trail Park. The Town Chair expressed his displeasure with the letter. Motion to authorize the Town Clerk and the Zoning Administrator complete and send the letter. RG/BF. 4 ayes; 1 nay. Motion carried. Greg Nelson voted no.

B. MRF

C. Roads

1. Vacation of a portion of Main St.

a. Vacation of a portion of Main St.

b. Amendment of Agreement Hartzell/MIYC/Town. (Town Chair has been authorized to sign the document after the other parties have signed and the Certified Survey Maps are complete 8/11/09.) Motion to authorize the Town Chair to sign, as the property owner for the Town, the necessary documents to begin the CSM process. RG/BF 5 ayes. Motion

carried. There will be two CSM's required. Motion to waive the fees for the CSM's for the vacation of a portion of Main St. RG/LW. 5 ayes. Motion carried.

c. Consent easement to Madeline Island Golf Club—Culvert Easement. Motion to authorize the Town Chair to sign the Town of La Pointe's consent agreement for the 17th St. Culvert Easement. RG/HR. 5 ayes. Motion carried.

d. Town of La Pointe Resolution #2009-0825A. Motion to sign Resolution #2009-0825A (to vacate certain roads). RG/BF. 5 ayes. Motion carried.

(1.) Order to vacate 7th St. also known as Library St. Motion to sign. RG/LW. 5 ayes. Motion carried.

(2.) Order to vacate 17th St. from Old Fort Rd. to Chief Buffalo Lane. RG/BF. 5 ayes. Motion carried.

(3.) Order to vacate 6th St. also known as Baraga St. Postponed till the September 8, 2009, RTBM due to easement negotiation.

(4.) Order to vacate Baraga St. (*typing error on Clerk's part*)

(5.) Order to vacate Baraga St. Motion to sign. RG/BF. 5 ayes. Motion carried.

(6.) Order to vacate the alley in Block 16 between Lots 10 & 3. Motion to vacate. RG/BF. 5 ayes. Motion carried.

D. Harbors

E. Airport

1. Personal & Confidential Letter from Michael Dalzell. (The Board did not go into Closed Session.) It was the will of the Board to thank Leslie Mack for her services and let her know that they would not be needed any more. Concerns regarding who is in charge at the airport were addressed: pilots will be informed via letter and website posting regarding whom to contact with questions about the airport. The Airport Manager will define what volunteers at the airport can and cannot do.

F. Library

1. Library Board Minutes 7/13/09 placed on file by unanimous consent of the Board.

5. Emergency Services

A. Fire Dept.

1. Chief's Report

2. Grant Awarded: *U.S. Dept. of the Interior*. Approval of the Administrative Assistant's signature by unanimous consent.

6. Committees

A. Zoning

1. AT&T/Cingular accessory and cell tower addition at 412 Big Bay Rd. authorization for project on Town-owned land. It was the will of the Board that Alltel should authorize the Verizon addition.

2. Madeline Sanitary District project at 949 Snowplace Lane.

a. *Fees for project* Motion to waive the late/double fees assessed due to the project being started before the fees were paid. RG/BF. 5 ayes. Motion carried.

b. *Request for waiving of commercial inspection process*: Unanimous consent of the Board to refuse to waive the commercial inspection process.

3. Request from Nelson Surveying for a waiver of fees for CSM #523 located on Chief Buffalo Lane. Unanimous consent to waive these fees.

4. Town Plan Commission Zoning Ordinance Revision Progress Report

5. Zoning Clerical Assistant notice of resignation effective October 12, 2009.

Motion to accept with regret and post with a deadline of September 12, 2009. HR/RG 5 ayes; Motion carried.

B. CAPP

C. Alternative Energy

1. Report of Committee filed by unanimous consent of the Board.

2. Update of Wind Project Siting. (none given)

7. Town Hall Administration

A. Clerk's Report: Approval of \$15,000 budget request to Ashland County (cost of Zoning Dept. on the Island) Report filed by unanimous consent. Motion to approve the budget request. BF/RG. 5 ayes. Motion carried.

B. Review of General Ordinances (Non-Zoning) Part I. Postponed till the Sept. 8, 2009, Regular Town Board Meeting.

C. Administrative Assistant's Report filed by unanimous consent of the Board.

D. Budget Amendment Resolution #2009-03. Motion to approve. BF/RG. 5 ayes. Motion carried.

E. Draft Audit Report & Draft Discussion & Analysis Motion to approve the Management Discussion & Analysis. RG/HR. 5 ayes. Motion carried.

F. Town Budget Summary Reports Motion to accept the May, June & July Budget Summary Reports. RG/BF. 5 ayes. Motion carried.

8. New Agenda Items for Future Meetings

A. Wind Siting Project

B. 8/11/09 Minutes

C. Non-zoning Ordinance Review

D. Vacation of a portion of Main St.

E. Vacation of a portion of Baraga St.

~~F. Payment to Greg Nelson for his legal fees related to Pete Rogers Complaint/personal letter.~~ *Payment of legal fees to Town's Attorney for work regarding the personal letter sent from Pete Rogers to Greg Nelson, Town Chair.*

9. Lawsuits & Legal Issues

A. 04-CV-128 Town of La Pointe vs. Michael Mattingly: the Zoning Administrator has received communication from Attorney Anich regarding documentation in this case.

B. 08-CV-112 Owen & P. Brummer vs. Craftivity & Town of La Pointe: A meeting regarding this (remand from the Circuit Court) will occur on September 8, 2009, with the Town Board acting as Zoning Board of Appeals.

C. Pete Rogers Complaint with the Dept. of Commerce (new)

10. Operator's License

A. Kelsey Peterson Motion to approve an Operator's License for Kelsey Peterson. RG/HR. 5 ayes. Motion carried.

Adjournment at 8:00 PM

Submitted by Patty Hobin

Approved as corrected: Corrections struck through; changes in italics.

Patty Hobin