

## **Town Administrator's Report**

**September 9, 2014**

The areas, issues and initiatives with which we have dealt, and are dealing, are as follows:

- Law Enforcement Panel/Alternative Methods of Oversight – A good deal of time, on virtually everyone's part, has been devoted to finding clarity in the establishment of a panel to hear and decide on complaints against officers and/or the Chief of Police. Information and/or advice from a variety of quarters: Wisconsin Towns Association, Town Attorney and the Town's Employment Attorney.

There appears to be some greater degree of clarity, although the issues are seemingly complex and several options appear to be available to the Town to respond to the need for oversight and disciplinary authority vis-à-vis the police department, among them: the Law Enforcement Panel, presently being discussed; or bringing all members of the police department under contract which would establish authority of the Town Board to respond to complaints against officers and/or the chief.

It was the recommendation of the Town's Employment Attorney that the Town communicate with a municipal law attorney – someone who has the experience and expertness to advise the Town as to the most efficient and effective approach to take – an appropriate attorney was recommended by the Employment Attorney and referral was arranged. Preliminary conversation was had (without cost to the Town) with the attorney who agreed to field/answer a series of questions with respect to the statutes, options, opportunities, limitations and suggestions regarding this matter. Following discussions with Board members, the attorney, Jon Anderson – Godfrey & Kahn, was sent an e-mail containing nine (9) questions. Prior to undertaking answering those questions, a retainer agreement was sent the Town indicating the rates of both attorneys and paralegals – there is no

retainer required since this is a singular request, however, this does constitute the engagement of an attorney and the Board will need to agree to such engagement. The import of the issue and the pace of the process suggests that the Board should provide preliminary assent and entertain a motion as soon as possible. It is in the best interests of the Town to secure experienced and specialized counsel in this matter --- the gravity and implications are such that it must be done thoughtfully, correctly and based on the best and most experienced counsel possible.

- Resolution and Closing-Out Big Bay Town Park Project – The Administrator has been in communication and met with the General Contractor and the Plumbing/HVAC Contractor regarding concluding the BBTP Improvement Project. The work has, for all intents and purposes, been concluded with only several issues remaining – largely modifications to the well electrical and the installation of several vents in the Comfort Station. Discussions indicate that the General Contractor has been paid for all Change Orders and Draws – all that remains in the release of Retainage upon receipt of lien waivers from sub-contractors. The Plumbing/HVAC and Electrical Contractors have several alleged Change Orders that have not yet been satisfied. Communication and meetings with those contractors have been productive – the issues outstanding related to authorization and signed C.O.s – without such authorization and/or signed C.O.s, the Town is unwilling to honor requests for payment. Further, there is some suggestion, by the General Contractor that various payments have been made, Plumbing/HVAC/Electrical, relating to specific line items that have been assigned, by the contractors, to other line items. This has created some confusion and question as to what remains and what has been concluded. The Plumbing/HVAC/Electrical Contractors are meeting with the Administrator, current and former Town Foremen tomorrow (9/10) to address this confusion and these questions. The Administrator will provide the Board further information subsequent to that meeting.
- Issues Related to Concluding and Potential Fiber Optic Rehab Work - White Construction has, for the most part, finished its work on the fiber optic installation, for Norvado, on the Island. There remains the issue of

fiber optic installation along Chief Buffalo Lane – the Administrator was informed by Finley Engineering that they have undertaken NHPA Section 106 consultation with relevant Native American Bands to secure the appropriate permits to make that installation. In addition, rehabilitation, restoration and repair of private property damage has been assigned to Nelson Construction for evaluation and action. If the Town finds additional items or areas that need to be repaired or restored – we will advise White and Finley Engineering, make repairs and send bills to White.

- Meeting with Deputy Secretary of DNR – met with Dep Sec of DNR, Watershed Management Director and Regional Director regarding the previously proposed – and opposed by the Town – Storm Erosion Study. The Dep Sec and Dir of Watershed Mgmt were interested and tacitly amenable to the development of a study which represented a collaboration between the Island and the Sea Grant Institute – taking advantage of, and reflecting, the generations of experience of Island businesses in the organization of the study and the composition of the research team that would conduct it. We are continuing our contact and communication in that regard.
- Winter Transportation Committee – discussions with Bayfield School District and Windsleds Inc., regarding the composition of the committee and prospective expense for 2014-15 and beyond. The Amended Resolution the Board will take up tonight reflects the composition amendments. The Administrator appeared before the Bayfield School Board last evening regarding the prospective costs of repair and, ultimately, replacement of the windsleds – advising the Board that their contribution would be substantially greater than 2013-2014 and, greater in 2015-16 as windsled replacement is anticipated – particularly as it relates to local match for grants.
- Island Exchange – MRF management has reorganized and relocated the Island Exchange and it is now open and operating. The new location allows substantially greater scrutiny and oversight. The use of the Exchange will be monitored to ensure compliance with rules and regs.

- Outreach and Communication with businesses and community members and residents continues unabated – that outreach is reflected in discussions and proposals that come before the Board.