

Town Administrator's Report

October 9, 2012

Big Bay Town Park Improvement Project – TA has been involved in a broad variety of issues and challenges related to the accelerating progress of the BBTP project. Working closely and collaboratively with the Town Foreman, Contractor, Plumbing Contractor, Zoning Admin, Building Inspector and Engineering – we have worked through a broad variety of issues – some of which have revealed areas of contention and deficiencies in the roles and responsibilities of the respective parties. TA has, in conjunction with the Town Foreman, engaged in meetings, discussions and conferences to resolve bottlenecks and maintain progress on the project in the face of impending deteriorating weather and establish a workable, reasonable, process of inter-communication that will allow questions and issues to be responded to and resolved expeditiously while ensuring the interests of the Town and project are preserved.

TA and Town Foreman have reviewed, and are evaluating, Chequamegon Bay Engineering's most recent summary and request for payment; in many areas and instances it is an over-reach and over-charge. TA – with leave of the Board – will correspond, discuss and negotiate with CBE to reject inapplicable or unwarranted claims – deny payment for unwarranted and unreasonable charges – and, bring all areas into the realm of reason and balance. TA is determined to take a strong stand against, what is by any measure, an attempt by CBE to over-charge the Town for work that has not been done by the firm or for which the firm acted without authorization.

Rice Street Extension/Griggs Approach - Despite a concerted and aggressive effort to secure the reassignment of a portion of the 'earmark' funds, originally dedicated to the Rice Street Extension Project, to the Griggs Approach Project, the WI DOT denied that request – WI DOT was impressed by the effort and initiative of the Town of LaPointe, but remained unconvinced that all Army Corp and Section 106 (Archeological and Native American Notification/Assent) issues could be resolved by the deadline for funding determination which was set by the WI DOT at November 1.

TA, however, appealed to WI DOT to confirm and assign sufficient 'earmark' funds, to the Rice Street Project, to relieve the Town of financial responsibility for engineering work/drawings and wetland delineation already performed. TA advanced issues and arguments that WI DOT, which had, at a lower level of authority, preliminarily agreed to ameliorating the Town's financial responsibility, should confirm and allot sufficient funds to cover outside engineering, wetland delineation and 'out of pocket' Town expenditures. ***WI DOT, on October 5, agreed to and confirmed the assignment of \$95,000.00 of the 'earmark' funds to cover the \$71,000.00 engineering and delineation expense, as well as an additional \$24,000.00 to cover any other engineering expenses and Town expenses (time, labor, etc.)***

The Town Foreman ensured that the most recent quarterly report was submitted to the WI Coastal Management Program to preserve its grant of \$53,000.00 to the Town for the Griggs Approach Project. Under current terms, the Project – variously estimated at between \$112,000 and \$150,000 – can be scheduled and undertaken in the Spring of 2013 should the Board make that determination. TA will seek and review additional funding opportunities to further mitigate Town expenditures on the Project.

Brummer/MISA Issue – Conditional Use Permit – Official notification of the Town Planning Commission’s recommendation was received on September 28. The Town Board then has twenty-one (21) days within which to ratify, reject or revise that recommendation and issue a final determination in the matter. The TA has considered, researched, discussed and developed what, in his considered estimation, is a fair, reasonable, responsible and responsive statement of purpose and amended CUP language which are submitted to the Town Board for consideration and approval at its meeting of 10-9 – some eleven (11) days following notification.

Army Corps of Engineers/DNR - Representatives of the Army Corps of Engineers and WI DNR will be meeting with the Town Administrator and, ultimately, Town Foreman, on Thursday, Oct. 11, to discuss permitting issues related to the potential Harbor Development Project and Big Bay Town Park. TA has had preliminary discussions with the parties to establish an agenda and schedule the meetings. TA will be reporting on the substance of the meeting at the next TB meeting – 10-

Registration/Eligibility – National Register of Historic Places ---Traditional Cultural Properties - Town Administrator has been in continuing discussions with Brad Johnson of the Army Corp of Engineers related to: 1) Permits for Big Bay Town Park – Phase II, which is located on the inland side of the road, and 2) Increasing demand, by Native Americans to have ALL Madeline Island listed on the National Register of Historic Places as a Traditional Cultural Property. The discussions have been aggressive and substantive with the TA enquiring as to the broad ramifications and influence of such listing and declarations on development, progress and the rights of private individuals to use, enjoy, develop and dispose of their property as they choose. We understand, at this point, that any use of federal money, federal land or a requirement of a federal/Corp permit, subjects the targeted project to Section 106 of National Historic Preservation Act and the necessity of a Programmatic Agreement prior to the permit’s issuance. IT IS AN ISSUE OF SUBSTANTIAL CONSEQUENCE TO THE ISLAND!

The most recent discussion, 10-9, resulted in the Town Administrator requesting that Johnson and all other authorities, with respect to listing, eligibility, satisfaction of Section 106, issues related to Programmatic Agreements and permitting, and those capable of explaining all facets of the issue come to the Island to meet to fully ventilate, discuss, answer all questions related to the matter of Listing, TPC (Traditional Cultural Property), Programmatic Agreements and the rights and duties of citizens and landowners. That meeting may be scheduled for 2 weeks hence.

LaPointe Post Office – Town Administrator met with and discussed the US Postal Service’s proposal, to cutback LaPointe Post Office hours, with the Chamber and a variety of citizens and officials. In anticipation of the town meeting with postal officials (Oct 11 at 1:30), TA drafted a Resolution of the Town Board to submit at the meeting (the Resolution is on the 10-9 agenda). In addition, the TA will speak at the meeting in vigorous opposition to the proposed cutbacks.

County – Town Administrator met with Ashland County Administrator Jeff Beirl regarding the proposed/suggested cut of \$2500.00 from LaPointe Police Dept. vehicle maintenance budget request. TA, with the immense assistance of Barb Nelson and Chief Anderson, made the case for the validity, legitimacy and necessity of maintaining the full maintenance request of \$6500 – providing rationale and documentation for broad budget issues (personnel and maintenance) --- TA will be meeting with Beirl again to secure agreement on existing requests and explore additional program/dept opportunities.

Fire/EMT Compensation – Town Administrator discussed with EMT Director and authorities at Fire Dept., regarding changes – or desire to change/amend – methods of compensation for EMTs and Firefighters. TA – prior to appearing at EMT and Firefighter meetings – sought information and existing compensation arrangements from other towns in Ashland and Bayfield counties. Working with counties’ directors of emergency services, e-mail requests for information were dispatched to all towns. To date, three towns have responded. Copies of those responses have been delivered to Firefighters and will be submitted to EMTs at their meeting (10-10).

Town Administrator will attend EMT mtg and subsequent Firefighter mtg to listen to views and ideas regarding existing and alternative examples of compensation --- including those secured from other towns – from those discussions, a plan or menu of options will be developed and submitted for discussion and, when finalized, TB approval.

Respectfully Submitted

Pete Clark

Town Administrator