

## TOWN OF HORTONIA

Town Board Meeting June 8, 2009

The Pledge of Allegiance was said.

The meeting was called to order by Chairman Jaeckle with board members Luedtke, Willenkamp, Martin and Hogan present. Twelve others were also present, including Constable Kevin Clegg, Attorney Rich Carlson, acting DNR Riverway Manager Brian Hefty.

The town board verified that public notice of the meeting and the agenda were published in The Post-Crescent and posted.

Motion made by Bob Luedtke and seconded by Nancy Willenkamp to approve the minutes of the April board meeting as published. Carried.

Motion made by Bob Luedtke and seconded by Nancy Willenkamp to approve the treasurer's report. Carried.

Clerk reported on summary of phone calls, summary of tasks completed per May Town Board meeting requests and stated that Town web site construction has begun. Clerk indicated that filing, based on records retention schedule, was done at Town Hall with the help of retired clerk, Faye Marks and Town of Dale clerk Marcia Kelly. Clerk also touched on zoning as it pertains to working with Outagamie County to make Hortonia's zoning information available on the OLI GIS web server.

Board members reported on meetings they attended in May. Summary of meetings was presented on the printed agendas.

Board discussed slow-no-wake ordinance along 300 ft of the Wolf River next to parcel 120-0287-00. Brian Hefty clarified the DNR's position and answered the Board's questions including cost of approximately \$150 per buoy. Lee Volz's Waterway Marker Application and DNR Permit could not be authorized pending marker location description. Rich Carlson offered to provide a legal description of the buoy locations.

Motion made by Bob Luedtke and seconded by John Jaeckle to table the adoption of the slow-no-wake ordinance pending identification of marker locations. Carried.

Board requested Attorney Carlson's insight into Stilen v. Hortonia and Esselman v Hortonia. Carlson indicated that the Insurance Company is going to defend the town in the Stilen matter, and that an answer was filed. Regarding Esselman, Carlson filed an answer believing that there is enough in the record to establish that there is a natural water course. Esselman suit does not involve any damages to be paid.

Board discussed WE Energy installation of some underground electric cable along Falling Wing Ln., between Woodduck Ct. and Pheasant Run. The purpose was to feed everything together so that if there is an outage and WE Energy needed to take a piece of equipment out of service it wouldn't affect as many people as prior to the upgrade.

Board discussed Graichen Sanitation. Bob Luedtke met with Lynn Graichen requesting a contract for garbage pickup – none received to date. Signed contract for recyclables does not reflect correct number of units. Board considered RFP due to county guidelines regarding recycling – county only reimbursing Town for the amount prior to January. Attorney Carlson cautioned Board about RFP for recycling because Board has a

signed contract with Graichen already. Chairman resolved to work with Clerk to get issues with Graichen hammered out.

Board discussed raft registration. Nancy Willenkamp met with Craig Strebig and collected \$750 for 50 raft registrations. Town reimbursed Strebig \$500 for administration of registrations. Supervisor Luedtke questioned the arrangement since Strebig is no longer constable. Constable Clegg indicated that Strebig has the equipment to do the job. Board concerned that Strebig did not inspect rafts for compliance. Brian Hefty verified that rafts need to be inspected annually. Board resolved to have Constable ride along with Strebig to check the rafts. Further discussion postponed to October Board meeting.

Board discussed proposal by Erickson and Associates to audit the town books. Motion made by Bob Luedtke and seconded by Nancy Willenkamp to have Erickson and Associates audit of the 2008 Town financial books for \$4800. Carried.

Board discussed the Building Inspector Service Agreement. Bob Luedtke met with Bob Viste regarding the expired contract. Suggested changes to the contract were forwarded to the Clerk who drew up a new, revised agreement. Changes to fee schedule, based on fees used by surrounding Towns, also discussed. Recommendations forwarded to the Clerk who drew up a revised Fee Schedule ordinance. Motion made by John Jaeckle and seconded by Nancy Willenkamp to change the raft fee from \$15 to \$20 in the revised ordinance to make it the same as the ordinance drafted in 2005. Attorney Carlson drew attention to the service agreement indicating the need for revisions regarding the inclusion of commercial building inspection.

Motion made by Nancy Willenkamp and seconded by John Jaeckle to have Clerk publish RFP for Building Inspector. Carried.

Motion made by John Jaeckle and seconded by Bob Luedtke to keep Dog License fees incorporated with Fee Schedule ordinance. Carried.

Motion made by Bob Luedtke and seconded by Nancy Willenkamp to adopt Ordinance O2009.06.1 Authorizing Alternative Claims Procedure. Ayes 3. Nays 0. Carried.

Board discussed insurance policy renewal, including information used to fill out the Summary of Insurance form.

Board discussed mowing of grounds adjacent to Town Hall and payment for the good work already done. Board instructed Clerk to draw up a rental agreement for the lawn care equipment as per recommendation of insurance agent.

Chairman Jaeckle discussed WTA position on prevailing wage law including the rationale for opposing the proposed change as it does not provide significant benefit to towns. The Town Board adopted Resolution R2009.06.1 Opposing Proposed Changes to Wisconsin Prevailing Wage Law.

Motion made by Bob Luedtke and seconded by Nancy Willenkamp to approve applications for Combined Class B Liquor Licenses, cigarette licenses and operator licenses for Old 45 Archery and Quiver'n Minnow. Carried.

Board heard from Irv Partika regarding the impact of the STH 15 bypass on his property. Board advised Irv that zoning changes to his property would not change his assessed value. Also, zoning changes do not impact taxes; taxes are based on land use.

Board discussed Old Business of meeting-based pay for town officers vs. salary and per-diem-based pay. Clerk had provided Board Salary Survey statistics. Spirited discussion ensued. Clerk will continue to assemble information for the purpose of presenting options to the Town Electors at the next Town Meeting.

Board heard from Irv Partika regarding problems with Givens Rd at the railroad tracks. Chairman Jaeckle agreed to contact Northeast to have them contact the railroad regarding the potholes between the rails.

Motion made by Nancy Willenkamp and seconded by Bob Luedtke to pay the bills as printed. Carried.

Motion made by Nancy Willenkamp and seconded by Bob Luedtke to approve Al Meyer's Fireworks Permit for sale of fireworks near the Benchmark building in New London pursuant to applicant's adherence to fire department regulations and proof of insurance. Carried.

Motion made by Nancy Willenkamp and seconded by John Jaeckle to approve Jim Kramer's Building Permit application for storage building. Carried.

The next town board meeting will be held on Tuesday, July 14, at 7:00 p.m.

Motion made by Nancy Willenkamp and seconded by Bob Luedtke to adjourn the meeting. Carried.

Andrew Hogan, Clerk