

PROCEEDINGS OF THE TOWN OF VERNON BOARD OF SUPERVISORS
Thursday, February 19, 2009
6:30 PM

Vernon Town Hall Meeting Room
W249 S8910 Center Drive

1. CALL TO ORDER. Chairman Brian Paff called the meeting to order.
2. PLEDGE TO FLAG. Town Board recited the Pledge of Allegiance.
3. MOMENT OF SILENCE. Town Board had a moment of silence.
4. ROLL CALL. Chairman Paff, Supervisors Reilly, Fortner, Finch, Ludwig, Clerk Salentine, Department of Public Works Director Salentine, Treasurer Kumershek, Engineer Ludwig and Fire Chief Buchholtz.
5. OPEN MEETING LAW COMPLIANCE CHECK. Chairman Paff asked the Clerk if the agenda was properly noticed. Clerk Salentine stated the Town of Vernon is in compliance pursuant to the open meetings law requirement.
6. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

Chairman Paff stated please address all of your comments to the Town Board as a body. In all likelihood questions directed to a specific supervisor or staff person will be deemed out of order by the Town Chair. As to whether a question will be answered will be determined by the Town Chair if addressed to the body or, if addressed to an individual, by that individual. No response will be made; however, until after the individual has finished his or her comments and returned to their seat. Please present all comments, questions, or concerns in a respectful, professional manner.

MOTION Supervisor Finch moved to open the meeting to public comments, seconded by Supervisor Reilly, motion carried.

Robert Mengel, S70W23195 National Ave, stated he used to be a Vernon resident, but was annexed into the Village of Big Bend. He stated he was at the meeting to discuss the Deluca property. Mr. Mengel had called the DNR to inspect the salt run off that has been coming from the Deluca property onto his property. He stated the DNR will be replacing soil on his property and billing the Deluca business. He stated the cable company next to him also has a salt shed and the DNR will be looking into this matter as well. Mr. Mengel stated he has had his water tested and it is in good shape. He told the Board his property is west of the Deluca property and the Board is welcome to view his property.

Mr. Mengel stated he came to the meeting via Big Bend Road and it was really rough and asked about putting a sign up. DPW Director Salentine stated that his department can put up a rough road sign.

Bill Craig, W232S8545 Chateau Ln, stated he was at the meeting to address line item #8a regarding the Fire Department Rules, Regulations and Guidelines. He reviewed with the Board the details of the Fire Board meeting on Monday, February 16th. Mr. Craig stated the Fire Board decided the Fire Department can use the Fire Department Rules and Regulations on an interim basis even though the Ordinance states there needs to be 14 days notice prior to approval from the Village of Big Bend, the Town of Vernon and the Fire Board. He stated this could cause a legal issue down the road. He would like the Board to table item #8a until a joint meeting is scheduled.

The Board agreed to deviate to line item #8a Miscellaneous Matters and continue through the remaining Miscellaneous Matters and then back to Correspondence.

7. REVIEW OF RECENT CORRESPONDENCE.
 - a. Letter from Wisconsin Department of Transportation regarding the Federal Stimulus Local Project Solicitation.
 - b. Letter from Time Warner Cable regarding the Enhanced Billing Statements.
 - c. Letter from Time Warner Cable regarding an Additional Channel called Primetime on

- Demand.
- d. Letter from Time Warner Cable regarding the 2009 Time Warner Cable "Teaching Creatively with Cable" Awards.
 - e. Letter from Time Warner Cable regarding Additional Channels and Changes to their Programming.
 - f. Gathering Waters Conservancy Winter 2009 Newsletter.
 - g. Waukesha County Collections Information and Open House.

Chairman Paff stated the items on the agenda listed as correspondence are for the Town Board's reading pleasure. He briefly reviewed each item with the Town Board.

8. MISCELLANEOUS MATTERS. The following matters will be discussed and possible action taken by the Town Board:
 - a. Big Bend/Vernon Fire Department Rules, Regulations and Guidelines.

Chairman Paff reviewed his discussions with Fire Board President Gauger and Fire Board Member Doble and Attorney Macy. Chairman Paff stated he would like to table the item to the next meeting.

Supervisor Reilly read a letter from former Fire Commission President John Maney. **Clerk's Note: Letter is attached to the minutes.** Supervisor Reilly stated he would like to put a committee together consisting of two members from each body (Town Board, Village Board, Fire Board and Fire Department). He stated the committee would review the document so the time frame would be met per the ordinance.

Supervisor Ludwig stated he was on the Ordinance Committee when he asked for the 14 days to be placed in the Ordinance. He stated the 14 day intent was for after the approval by the Fire Board.

Fire Chief Buchholtz stated he agreed on tabling the item so the Fire Department can review and meet the 14 day requirement by the Ordinance.

Chairman Paff clarified to the Fire Chief that the Rules and Regulations are not in place. Bill Craig stated the Fire Chief asked for the Fire Marshall requirements to be changed after the Rules and Regulations were approved. Mr. Craig asked how we know that the approved Rules and Regulations were the ones the Town Board, Village Board and Fire Board worked on.

Fire Chief Buchholtz stated the Fire Marshall requirements were included in the approved Rules and Regulations. He stated the 14 days began on February 17th, 2009.

MOTION Supervisor Finch moved to table the Big Bend/Vernon Fire Department Rules, Regulations and Guidelines to the March 5, 2009 meeting, seconded by Supervisor Ludwig, motion carried.

Supervisor Reilly asked Clerk Salentine to provide the Board members and candidates with a copy of the Guidelines, electronic or hard copy.

MOTION Supervisor Finch moved to suspend the rules and to open up the floor to public comments, seconded by Supervisor Reilly, motion carried.

Fred Michalek stated he should clarify that currently the Fire Department does not have rules in place.

- b. Recommendation from Plan Commission to Approve Final Plat for Falcon's View Estates (Roamer Strasser Development, LLC), Part of the SW ¼ of Section 8 and SE ¼ of Section 7, subject to all Planner, Engineer and Attorney conditions.

Engineer Ludwig reviewed the Final Plat for Falcon's View Estates with the board.

MOTION Supervisor Finch moved to approve the Recommendation from Plan Commission to Approve Final Plat for Falcon's View Estates (Roamer Strasser Development, LLC), Part of the SW ¼ of Section 8 and SE ¼ of Section 7, subject to

all Planner, Engineer and Attorney conditions, seconded by Supervisor Ludwig, motion carried.

- c. Update on possible Lease with the Painters Union with the purchase of Waynz World.

Clerk Salentine reviewed with the Board the insurance liability cost for the baseball diamonds and volleyball courts. She stated it would cost the Town an additional \$108 per year.

Supervisor Reilly asked Clerk Salentine to provide the Board members with the information provided to the Plan Commission.

- d. Cost Estimate for the Preparation, Review and Discussion and Adoption of a Rezone to the Enterprise Drive Business Park.

Chairman Paff reviewed the estimate that was given to the board by Foth. **Clerk's Note: Report is attached to the minutes.**

MOTION Supervisor Fortner moved to approve the Cost Estimate for the Preparation, Review and Discussion and Adoption of a Rezone to the Enterprise Drive Business Park as presented by Foth not to exceed \$5,500.00, seconded by Supervisor Finch, motion carried.

Deputy Breismeister from the Waukesha County Sheriff's Department stated they have had complaints on snowmobiles, but unfortunately the complaints are a day or two late. DPW Director Salentine stated the ditch runners of the snowmobiles and ATV runners are ruining the ditches again.

9. ANNOUNCEMENTS. The following individuals will be given the opportunity to make announcements at the meeting in regards to activities they have undertaken since the last meeting on behalf of the Town, future activities and citizen contacts. It is not contemplated that these matters will be discussed or acted on but referrals to the appropriate committees and/or individuals will be made.

- a. Town Board, Department of Public Works Director, Town Clerk, Town Treasurer and Building Inspector.

- Supervisor Reilly read a letter from Mrs. Tylinski. **Clerk's Note: Letter is attached to minutes.**
- Supervisor Fortner stated he was disappointed in a 17% low turnout for the primary and encouraged the public to vote in the Spring General Election.
- Supervisor Finch stated he had no announcements.
- Supervisor Ludwig stated he had no announcements.
- Chairman Paff stated he had no announcements.
- Department of Public Works Director Salentine stated there have been 3 snow operations since the last update. The department recently received 300 tons of road salt for the last delivery of the year. Rehabilitation at FS#3 has been completed. Tree trimming has begun and residents have been notified at least seven days prior via flyers.

Supervisor Fortner asked DPW Director Salentine if a snow fence can be put up in areas on Janesville Rd, L and Maple Ave for snow drifting.

DPW Director stated some of the areas mentioned are County responsibilities, but he will express the concern to the County supervisors. He stated the trouble areas mentioned in the Town of Vernon do have snow fences in place, but the

shaded areas will continue to be a problem as the salt does not melt the ice.

- Clerk Salentine stated she would first like to thank everyone who came out and voted in the Primary this past Tuesday the 17th. She also thanked all of the poll workers for their dedicated time and for the new Chief Election Inspector Linda Scherbarth down at Fire Station #3. Clerk Salentine stated the Town has a great group of poll workers and we are fortunate for the amount of poll workers the Town has. She thanked Floyd and Lorraine Michaels for their 8 years of election service. Mr. and Mrs. Michaels have decided this was their final election and they will be missed. Clerk Salentine stated she knows the poll workers at Fire Station #3 will miss hearing Floyd doing the "Hear Ye" at the beginning and end of the election hours and will have to recruit a new poll worker when James Schwartz is not at the polls working. She again thanked Floyd and Lorraine Michaels for their years of dedication to the Town.

Clerk Salentine stated the turnout for the February 17th Primary Election was 1,010 voters and of those were 155 absentee ballots, which is a 17% turnout (5876 registered voters). She stated the top two candidates that have advanced to the Spring Election ballot for the Treasurer position is Sandy Porter and Laureen Dashek and for the Clerk position is Marie Kumershek and Jamie Salentine. Clerk Salentine stated absentee voting for the April 7th election will begin on March 17th. She stated anyone who would like to absentee vote can sign up by either logging onto the Town's website or stopping in during the Clerk's Office hours to fill out an application. She reminded the public that you no longer have to be out of town to absentee vote.

- Treasurer Kumershek stated she had no announcements.

10. REPORTS. Information on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

- a. Building Inspection-Monthly Building Inspection Report (if applicable)
 - Chairman Paff stated the report is in their packet for review
- b. D.P.W. Committee
 - Department of Public Works Director Salentine stated the committee has not met and the next meeting will be on March 16, 2009 at 5:00 p.m.
- c. Fire Department
 - Chief Buchholtz reviewed the Fire Department report with the Town Board.
- d. Ordinance Committee
 - Supervisor Finch stated the committee has not met and the next meeting will be on March 16, 2009 at 7:00 p.m.
- e. Park & Recreation Committee
 - Supervisor Ludwig stated the committee has not met and they are working on a date for the next meeting.
- f. Plan Commission
 - Chairman Paff stated the Plan Commission decided to table the Deluca matter at their last meeting on February 12th.
- g. Public Health & Safety Committee
 - Chairman Paff stated there is no report.
- h. School Board
 - Supervisor Reilly reviewed his school board report with the Town Board. **Clerk's Note: The report is on file in the Clerk's Office.**

- i. SE WI Fox River Commission
 - Chairman Paff stated the report in their packet for review.
- j. Treasurer's Monthly Report
 - Treasurer Kumershek reviewed her monthly report with the Town Board.
- k. Village of Big Bend Agendas & Minutes
 - Chairman Paff stated the Village of Big Bend should have sewers permit in June and they are looking for commitments from the developers. He stated the Village is looking into a TIF district and President Soneberg suggested a special meeting to discuss just the TIF. Chairman Paff stated the Deluca/Bahl property was tabled. He stated the Village police department report included 2 hours and 57 minutes on assists to the Town of Vernon. Chairman Paff stated he would look into what those hours were for.
- l. Village of Mukwonago Agendas & Minutes
 - Supervisor Finch stated the Village is still working on their Smartgrowth and having closed sessions regarding a business property conducting farm operations. He stated the Village submitted a thirty-nine billion dollar list of infrastructure projects for a stimulus survey from the Governor's office.
- m. Big Bend Vernon Fire Board Agendas & Minutes
 - Fire Board Member Mike Doble reviewed some details from the Fire Board's meeting on Monday with the Town Board. He stated the Fire Board discussed the possible sale of an unused engine to a paramedic training college for ten thousand dollars and training credits toward the college. Fire Board Member Doble reviewed the Board's interpretation of the Ordinance pertaining to the approval of the documentation. Mr. Doble stated most of the rules and regulations in the documentation are currently in use from past rules and regulations put in place. Mr. Doble suggested to the Board that certain items within the documents regarding specific areas be double checked. Fire Board President Marilyn Gauger stated the possibility of forming a committee was brought up in the past, but Attorney Macy's recommendation was against it. President Gauger stated their next meeting will be on March 5th and some topics of discussion will be the updated list of equipment in the ordinance and new accounting procedures.
- n. Big Bend Vernon Fire Commission Agendas & Minutes
 - Chairman Paff stated the documents are in the packet for their review
- o. County Board Supervisor(s)
 - No Report.

11. FINANCES.

- a. Motion to approve Accounts Payable.

MOTION Supervisor Finch moved to approve the Accounts Payable in the amount of \$3,294,221.59, seconded by Supervisor Fortner, motion carried.

12. MINUTES.

- a. Motion to approve previous minutes.
 - i. January 15, 2009 Town Board

MOTION Supervisor Ludwig moved to approve the January 15, 2009 Town Board minutes with corrections, seconded by Supervisor Reilly, motion carried. Supervisor Finch and Supervisor Fortner both abstained.

- 13. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Sections 19.83(2) and 19.84(2) of the Wisconsin Statutes, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further

advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

MOTION Supervisor Finch moved to open the meeting to public comments, seconded by Supervisor Ludwig, motion carried.

Tom Bird S67W24325 Skyline Ave, reviewed details of the last Water Monitoring Committee meeting with the Board including the five criteria established for picking the test wells for the study. He stated the Committee will be able to monitor the water flow underground throughout the Town of Vernon. Committee Chairman Bird explained to the Board how the water flow would be tracked. The Committee's next meeting will be in March.

Rodell Singert, W254S7890 Hi-Lo Dr, stated the governor spoke the other night regarding the state budget. He reviewed the governor's budget with the Board. **Clerk's Note: Governor's budget is attached to the minutes.**

14. MOTION FOR ADJOURNMENT.

MOTION Supervisor Finch moved to adjourn, seconded by Supervisor Ludwig, motion carried.

Meeting adjourned at 8:42 p.m.

Meghan Mellor
Town of Vernon Deputy Clerk
Waukesha County

APPROVED:

As printed ()
With amendments ()

Brian Paff, Chairman

Date: _____