

**VILLAGE OF TURTLE LAKE
REGULAR BOARD MEETING MINUTES
APRIL 18, 2011**

CALL TO ORDER: Village President Laurie Tarman called to order a regular meeting of the Turtle Lake Board of Trustees at 6:30 p.m. on Monday, April 18th, 2011.

ROLL CALL: PRESENT: Tarman, Itzin, Koenig, Becker and Morton. Absent: Braastad. Others present were Clerk Danielle Maxwell-Parker, Public Works Director Cory Davis, Police Chief Al Gabe, Dave Slack of Halco Press; Jim Murray, Baker Tilly Virchow Krause, LLP; Paul Gont, SEH; Randy Paulson, Lake Country Dairy; Tom Ludy, Tim Peaster, Larry Peaster and Tom Stark of GreenWhey Energies, Inc.; Rick Phillips, business owner; Dennis Zemke, resident. Dezmond and Aimee Juan, St. Croix Casino, arrived at 6:38 p.m.

REVIEW OF CONSENT AGENDA: It was moved by Koenig and seconded by Morton to approve the consent agenda as presented.

Roll call vote: Yeas – all present. Nays – none. Motion carried.

PUBLIC COMMENT: President Tarman read aloud the Thank You from the family of the late Ray Hall. She continued by reading the Parents Who Host Lose the Most proclamation for April 2011. Tarman expressed appreciation for the work of Donna Cordes, Turtle Lake Police Department and Barron County Safe and Stable Families Coalition and their efforts to reduce underage alcohol use in the community. Rick Phillips inquired about the agenda's closed session items and possible development in the TID, including road improvements. He expressed concerns that the public is not aware of development, concerns over funding projects with a tight budget, and discussing the use of tax dollars in closed.

COMMITTEE REPORTS: The Tourism Committee met and reviewed the recent Governor's Conference on Tourism and ideas to implement in Turtle Lake.

DEPARTMENTAL REPORTS:

Administration – Clerk Maxwell-Parker reviewed recent activity within the Department, including the Spring Election, Earth Week activities, WI DOT Public Information meeting to be held on April 19th regarding US Hwy. 8 Bypass, Board of Review and Open Book scheduled for Wednesday, May 18th, and working with the Police Department to notify residents to clean up properties and remind them of the upcoming Spring Clean Up in the Village. She continued by providing an update on the B Plant and that the access agreement was signed and submitted; there were also complaints of raccoons, among other rodents, in the building which are becoming a nuisance to neighbors. Three landlords remain to be cited due to non-compliance of rental properties. In conclusion, she provided notice that due to the recent passing of Trustee Ray Hall, the Board will need to make an appointment at their next meeting in May.

Legal – None.

Police – Chief Al Gabe reported that the Unused Prescription Drug Drop Off day will be April 30th. A grant was received from Barron County Safe and Stable Families Coalition for Prom, also on the 30th, so that the Department may supply extra patrols throughout the night. Gabe continued that the Department had 24 arrests during the first half of April, officers are scheduled for school, and Gabe will be back to full time duty as of May 1st. The Department provided mutual aid for Rice Lake during the republican dinner as protesters were present. Rice Lake will provide reimbursement for the man hours; he noted that the event was fairly

quiet. National Night Out is scheduled for the first Tuesday of August; Gabe has made arrangements with organizations for food, entertainment, education, and planned activities. He explained that the theory behind the event is to get people of the community together so that they may get to know each other, including organizations and businesses. Gabe concluded that U-turn signs were removed during the downtown renovations and were not returned; he has heard several complaints and witnessed incidents where drivers have risked accidents by making such turns. The Department is looking to cite violators once signs are posted.

Public Works – Director Cory Davis described the recent snowstorm and issues with asphalt popping up on various roads. He stated that 2011 plans for roads will now vary due the heaving issues caused by the snow and frost. He continued that hydrants are being flushed, most all water meters have been upgraded to remote reads, and that there is a new version of the meter gun which is 14 times faster than the current model. A digital scale was installed at the well in the Park; he briefly described that DNR has mandates regarding scales. Davis reported that he had attended the WI Rural Water Association conference which had several good topics. He addressed cross connection control inspections which need to be administered to any buildings with water service, including homes and outdoor hoses; it was asked when the Village will be subject to a compliance date. Davis concluded by describing the WWTP, the sludge building is full and the plant is within its parameters. During the month of March, the Plant treated 15.1 Million gallons of waste, pumped 6.6 Million gallons of water, and had fourteen inches of snowfall.

UNFINISHED BUSINESS:

Digester Update by GreenWhey Energies, LLC – Tom Ludy shared with the Board that there was a change of plans to the building and that they have been holding biweekly meetings in Madison. He stated that he met with Davis and Tarman regarding discharge that will be discussed later on the agenda.

NEW BUSINESS:

Eagle Scout Project Donation – It was moved by Morton and seconded by Itzin to donate \$20 to Troop 59 for the Eagle Scout project in Skinaway Lake Recreational Park.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

2010 Audit Presentation – Jim Murray of Baker Tilly Virchow Krause, LLP, presented the 2010 Audit to the Board. He began with Internal Control report, noting possible weaknesses and concerns which are common with other municipalities of this size, as staff is limited. He offered potential solutions for some of the weaknesses described. He provided comparisons in the Utility and its current financial status; Murray recommended monitoring revenue and expenditures for potential increases. He explained that rules have become stricter regarding yearend purchases and budgeted items. He recommended looking at the relationship of non-profits with the Village; activities which provide a benefit should be included in the Village's financial statements and should be established in 2011. Murray continued to review various recommendations regarding the utility, ID theft policy, collateral agreement insurance, and potential journal entries that can be internally. He noted that the General fund has a total of \$365,000, the undesignated balance of \$298,000, the Revolving Fund Loans had \$30,000 worth of new loans, GO Debt Service has \$279,946; the Water had a \$16,000 loss and Sewer a net revenue of \$3,455. He continued to review 2010 activity and stated the Village had a savings of \$104,000 in interest due to the refinancing that took place; he concluded with a review of capital funding and other fund balances.

Public Works Department Equipment Purchase – Davis described the past practice of replacing the CAT Loader every three (3) years, at the time the warranty expires. He explained that this year offers a better deal due to new tires and a larger bucket, the unit has a three (3) year warranty, and would cost a total of \$32,669 with a \$110,000 trade-in value for a total of \$142,696. Davis continued stating that all of the Department's equipment is CAT; other brands are available for purchase but come at a greater cost as they are not immediately interchangeable with current equipment.

Davis also reported that he is looking to purchase a new lawn mower. He presented two units from Norton's Service Center, Hustler brand. Both units have a two year warranty for the majority of the components, a three (3) year warranty on the motor, and a lifetime warranty on the deck, hydraulics and some other components. The mowers discharge from behind which reduces the chance of spraying rocks at cars and buildings. The demo unit is \$1,000 lower in price and shares the same warranty as the new unit. Davis stated that the purchase fits in the Department's budget and the new seasonal hires would be using the equipment. Davis warned that there are price increases in the future due to fuel costs that will affect these types of equipment purchases. It was asked how much funds are available; Davis replied that there is \$45,000 in the Equipment Replacement Fund. Itzin stated that he would prefer to see two or three more quotes from other businesses. There was brief discussion regarding the condition of current mowers and the Department's ability to conduct maintenance with additional staff and current equipment.

It was moved by Koenig and seconded by Itzin to approve the trade and purchase of the CAT Loader as presented.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

The mower purchase was tabled until necessary for further review.

2011 Sewer and Water Utility Budget – The Sewer and Water Utility Budget was tabled until the May meeting.

St. Croix Casino's Class "B" and "Class B" Alcohol License One-Day Premise Extension – Clerk Maxwell-Parker describe the premises which the Casino's current license covers and that they had contacted the Village requesting that it be extended to the parking lot outside of the Event Center for a one day outdoor event. Aimee Juan, St. Croix Casino Marketing Director, explained that they will be hosting an evening boxing event under a big top tent, 60'x120', on May 21st and will provide extra security on site. Chief Gabe stated that three officers are scheduled that night and when asked if he had any concerns, he replied that he did not have an issue with the event as long as the Casino provides its own security.

Juan continued that the event will be held in a barricaded area, the attendees will be a mixed group and therefore will have wrist bands to segregate populations; they anticipate 300 to 500 people to attend in comparison to the Pow-Wow which brings between 1,000 and 1,500 visitors. Trustee Koenig expressed concerns related to extra Police force necessary for such large events and the Village not receiving anything in return. Juan explained that the event involves the youth, mainly a teenage sparing event, and the Casino does not foresee it to cause security issues. She stated that this is the same event that was held previously in Danbury. Juan continued to express that such events bring business into town. Koenig responded that it goes both ways where the Village services the Casino, as well. It was the consensus of the Board that the Casino must provide security for the event. Gabe recommended that the Casino require two (2) Tribal Police to provide the security.

It was moved by Becker and seconded by Itzin to authorize the request, providing that the Casino provide their own Tribal Police, to extend the Class "B" & "Class B" licensed premise of the St. Croix Casino into the adjacent parking lot of the Event Center for the one day event.

Roll call vote: Yeas – Tarman, Becker, Morton, and Itzin. Nays – Koenig. Motion carried.

Juan presented a donation from the Tribe's Cribbage Tournament of \$176.00 to the Turtle Lake Food Pantry.

EXECUTIVE/CLOSED SESSION: It was moved by Tarman and seconded by Koenig to enter into Executive/Closed Session as allowable under Wisconsin State Statutes 19.85(i)* at 7:58 p.m.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

**Clerk Note: following the adjournment of the Village Board meeting, it was discovered that the Statute for the Executive/Closed Sessions listed was incorrect; the proper Statute that should have been used is WI State Statute 19.85(1)(e).*

Items discussed in Executive/Closed Session include: Discussion and Consideration of Waste Water Treatment Plant Capacity Issues, Consideration of Land Agreement between the Village and GreenWhey Energies, Inc., Consideration of Land Agreement between the Village and Midwest Stainless Technologies d/b/a Wisconsin Whey Proteins, Consideration of Design and Bid Stipulations for Improvements in TIF District #3, and Discussion of Improvements related to business development in TIF District #3.

Attendees in addition to the Board included Clerk Maxwell-Parker, Director Davis, Paul Gont, Randy Paulson, Tom Ludy, Tom Stark, Tim Peaster, and Larry Peaster.

Gont and Paulson exited the meeting at 8:54 p.m. Ludy, Stark, T. Peaster and L. Peaster exited at 9:04 p.m.

It was moved by Becker and seconded by Koenig to exit Executive/Closed Session as allowable under Wisconsin State Statutes 19.85(i)* at 9:43 p.m.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Waste Water Treatment Plant Capacity Issues – Paul Gont of SEH, Inc., reviewed the scenarios in regards to various situations at the WWTP with development compared to the original twenty (20) year design of the Plant, "Loading Projections Loading Summary." Gont explained the opportunity for the Village to designate portions of unused capacity. The WWTP is not currently at capacity but the sludge is exceeding capacity. The possible issue is that the solids have too much liquid remaining which makes it pile quicker. An evaluation is needed for the sludge issues. Another possible cause could be due to the recent WWTP upsets; data needs to be compiled to review chemicals and phosphorus relating to sludge. Gont continued to review other factors such as the WWTP Digester not destroying enough sludge or loading being a cause. Gont expressed that the evaluation will not go over current capacity versus keeping capacity and expanding the WWTP.

It was noted that the Western Lift Station requires pumping upgrades regardless of the Plant's needs with the GreenWhey Energies, Inc., digester. There was an inquiry regarding the increase load volume to the Plant and whether or not it could handle those amounts. Gont explained that due to the lower loads and impacts to the other mechanisms of the Plant, the

WWTP would be able to handle higher volumes. There was some discussion regarding sludge and the Village's options with disposal. Ludy stated that GreenWhey will be giving the Village 100% of its capacity to the WWTP. The Casino's capacity is three times its current loads. There was brief discussion of the Western Lift Station upgrade and associated costs. Director Davis recommended looking at the project specifications to send out for bids. He noted that a DNR submittal is required for the upgrade. Gont is to get specs for the lift station upgrade.

It was moved by Tarman and seconded by Becker to allocate the unused capacity from the Casino Expansion and Horseshoe Lake Addition Waste Water Treatment Plant designs to be used for development in the immediate future.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Land Agreements - It was moved by Morton and seconded by Tarman to table items G and H, Land Agreements between the Village and GreenWhey Energies, Inc. and between the Village and Wisconsin Whey Proteins.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Design and Bid Stipulations for TIF District #3 Improvements – It was discussed that the Water Tower road needs to be completed regardless of other improvements. The Village instructed WI Whey Proteins to eliminate one driveway from Western Boulevard by using the Water Tower road. Short Elliot Hendrickson, Inc. (SEH), submitted a quote for design work and bid specifications for a total of \$18, 640.

It was moved by Becker and seconded by Itzin to approve the design and bid stipulations for Cemetery Avenue from Hwy. 63 to Western Boulevard and a road design to Water Tower #2 by SEH, Inc., as presented.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Improvements related to business development in TIF District #3 – There was not enough information available for the Board to make determinations in regards to possible negotiations for prospective development.

Tarman noted that a grant extension from Focus on Energy should be declined as it is no longer necessary due to development in the TID; the Board agreed with no further discussion.

BILLS AND CLAIMS:

It was moved by Becker and seconded by Koenig to approve the bills and claims for the Village as presented.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

ADJOURNMENT:

It was moved by Koenig and seconded by Itzin to adjourn this meeting of the Turtle Lake Board of Trustees at 9:53 p.m.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Prepared by:
Danielle E. Maxwell-Parker
Village Clerk