

**VILLAGE OF TURTLE LAKE
REGULAR BOARD MEETING MINUTES
MAY 16, 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, May 16th, 2011.

ROLL CALL: PRESENT: Tarman, Koenig, Itzin, Braastad, and Becker. Morton arrived at 6:34 p.m. Absent: None. Others present were Clerk Danielle Maxwell-Parker, Public Works Director Cory Davis, Police Chief Al Gabe, Dave Slack of Halco Press; Tom Ludy of GreenWhey Energies, Inc.; Pat Wick, Rick & Brenda Danca, Rick Phillips, business owners; Jill Strasser, Town of Beaver resident; and Village residents, Bill Scribner, Ken Mandley, Pat & Jamie McCready.

REVIEW OF CONSENT AGENDA: It was noted that the statute from the April meeting cited was incorrect and should have cited 19.85(1)(e). It was moved by Koenig and seconded by Itzin to approve the consent agenda as presented.

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

PUBLIC COMMENT: Jill Strasser asked the Board to elaborate on the bid stipulations and design of Cemetery Avenue; Director Davis explained that the process is simply to be prepared with the necessary information if and when the Village decides to move forward with sewer and water utility extensions and road repairs. Rick Phillips asked why the items of last month's meeting were discussed in closed session; President Tarman cited the error and stated that agendas will be reviewed by the Village Attorney.

COMMITTEE REPORTS: The Personnel Committee and Micro Loan Committee met; a loan was approved for the Random Stuff store downtown.

DEPARTMENTAL REPORTS:

Administration – Clerk Maxwell-Parker reviewed recent Village activities including the Hwy. 8 Bypass Public Input meeting with Wisconsin Department of Transportation on April 19th, the third Public Advisory Committee will be scheduled sometime in August or September and the second Public Input meeting will be held in the fall or winter of 2011. She reviewed Earth Week activities and projects with the Turtle Lake School District and community members. Pack 59 Cub Scouts visited Village Hall as a part of their Scout program. WisDOT met with local officials regarding the proposed roundabout on Hwy. 8 and the Public Informational meeting for the roundabout is scheduled for June 2nd at the Turtle Lake School. Maxwell-Parker concluded that the Open Book and Board of Review are set for May 18th.

Tarman reported that the Cumberland Ambulance Service is moving forward and may present at either the June or August meeting. A five year financial plan workshop has been scheduled with Sean Lentz of Ehlers & Associates for May 31, 2011 at 6:00 p.m. She continued that they will be readdressing the Police Department's contract and formalize corrections. The Brownfield Grant program will not be available in 2011 and the future of the program may be limited. It was noted that the B Plant building does need to come down and a portion of the building is to be razed; there is also possibility of the building materials to be crushed for development.

Municipal Judge Dennis Zemke reported that the Court Administrator from District 10 inspected the Court facility in Village Hall, processes, and court software and found no discrepancies with the new law that was implemented in January.

Legal – None.

Police – Chief Al Gabe informed the Board that the Department received \$500 from Safe and Stable Families Coalition for upgraded alcohol equipment. Officers have evicted homeless people from sleeping in their cars in various area of the Village. The EMS Open House is scheduled for May 18th. The Click-It-Or-Ticket national campaign is to begin; warnings have been issued to kids and parents regarding skateboarding in the Village. Gabe clarified that skateboarding is prohibited in the ATV Parking Lot off of Elm Street but it is permitted in the Village Park.

Public Works – Director Cory Davis expressed that he is very pleased with the new part-time staff in the Department. He reported that the Department has been busy with repairing lawns from plow damage, the new loader purchase, hauling sludge, and the Spring Clean-up which was a bit slower due to the rain. He described the Earth Week activities and appreciation for the kids and staff of the School District for their volunteer work in the community. He met with developers interested in property within the TID. Davis continued that there is a small trickle of water under the motor at Well House 3 which just passed its one (1) year warranty. He explained that they are three months passed the warranty and it will cost \$3,000 or more to have the motor pulled. The DNR has the authority to enforce repair of the unit; it was asked if it was possible to obtain other bids. He reported that the sludge spreading went well and was done quickly. Davis concluded that Paul Gont of SEH is still working on the WWTP capacity issues, the parks are up and running, water is on and lawns mowed. He noted that there is a mess in the Ritsche Pavilion due to pigeon nests that will be evacuated.

UPDATES OF DEVELOPMENTS IN TIF DISTRICT #3 – Tom Ludy provided a status update with the GreenWhey Energies stating that they need an air permit from the DNR, the building plans are final, they are currently working with Commerce, soil samples indicated that the building location will need to be adjusted. GreenWhey Energies and WI Whey will bring requests to the Board in regards to TIF, fencing and blacktop. Davis asked if WI Whey is flipping the direction of their building; Ludy confirmed that they have.

UNFINISHED BUSINESS:

2011 Sewer & Water Utility Budget – Davis stated that the budget will be formatted once a question to the auditors is fulfilled due to the untypical format of utility budgets. It will be reviewed for approval at the May 31st meeting.

NEW BUSINESS:

Rick Danca regarding US Hwy. 8 Roundabout Presentation – Business owner Rick Danca presented a petition of approximately 275 signatures from his patrons and Turtle Lake residents in regards to the proposed Roundabout on US Hwy. 8 by WisDOT. Danca supplied maps of an alternative that would close access points and eliminate a roundabout. He requested that the Board repeal their commitment of \$37,500 as the Village's contribution toward the project. He stated that he had not been contacted as a business owner and questioned if it was considered to hold a referendum to spend the \$37,500 of tax dollars. It was noted that there will be a Public Informational meeting on June 2nd at the Turtle Lake School. Trustee Koenig expressed that Federal Safety Funds were designated for this project with a provision that the Village to contribute a maximum of \$37,500.

Resolution 11-03 “2010 Compliance Maintenance Annual Report” – Davis explained that the CMR is completed by the DNR and the main issue in 2010 was with BOD levels when the clarifier plugged which resulted in a 10 point violation. The rating overall was good with seven (7) A’s and three (3) B’s in the grading system.

It was moved by Tarman and seconded by Koenig to approve Resolution 11-03, “2010 Compliance Maintenance Annual Report” as presented.

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

Village Trustee Appointment – Tarman reported that there were two interested candidates to fill the vacant Village Trustee position for the remaining term until April 2012, Ken Mandley and Pat McCready. Mandley addressed the Board describing his background in the US Air Force, he has been a Village resident for six (6) years, is currently a pastor, former Chamber President, currently active member of the Planning Commission, and Downtown Façade & Micro Loan Committee. McCready stated that he had spoke with Tarman and would concede if a more qualified person expressed interest. Mandley informed the Board that he avoided the election process but had always stated he would accept the position if written-in or appointed. Mandley concluded by expressing his philosophy of choosing to live in Turtle Lake and therefore choosing to participate in the community. Tarman asked McCready if he would be interested in a committee appointment on the Zoning Board of Appeals; McCready accepted.

It was moved by Becker and seconded by Itzin to appoint Mandley to the vacant position of Village Trustee, with an expiring term of April 2012.

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

2011-2012 Board/Committee/Commission Appointments – It was moved by Tarman and seconded by Itzin to approve the 2011-2012 Board of Review appointments as presented and to approve the remaining appointments at the Special Board meeting on May 31, 2011.

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

New Legal Counsel Designation – Tarman explained that a new attorney for municipal issues and a prosecuting attorney for Court matters were considered. She had contacted the League of WI Municipalities for recommendation of municipal attorneys. William Thiel of Weld, Riley, Prenn & Ricci was recommended and has experience with several municipalities throughout the State and region. Chelsea Whitley of Amery was interviewed and was recommended to be considered as the Village’s prosecuting attorney. It was noted that both attorneys have lower hourly rates.

It was moved by Itzin and seconded by Becker to retain new legal counsel of William Thiel and Chelsea Whitley.

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

Patrol Officer Resignation & Vacancy – Chief Gabe described that Officer Eric Rieland submitted his resignation and will cease employment with the Village effective July 31, 2011, as his family is relocating. It was the recommendation of the Personnel Committee to begin the hiring process with the assistance of former intern Brian Nordquist to handle the applications, letters, references, tests, etc. It was asked if a listing exists from the last hiring process; Gabe replied that the list is three (3) years old. He explained that currently State law prohibits municipalities from reducing the level of services that were offered in 2009; the number of part-time officers needed would be significant to avoid the 600 hour threshold to avoid Wisconsin Retirement System contributions.

It was moved by Koenig and seconded by Becker to complete the hiring process for a full-time police officer and to authorize the hiring of intern Brian Nordquist to assist with the process.

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

EXECUTIVE/CLOSED SESSION: It was moved by Becker and seconded by Morton to enter into Executive/Closed Session as allowable under Wisconsin State Statutes 19.85(c) and 19.85(e) at 8:25 p.m.

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

Items discussed in Executive/Closed Session include: Discussion and Consideration of Current Staffing for the Administration Department and Discussion and Consideration of Union Contract and Labor Negotiations.

It was moved by Becker and seconded by Koenig to exit Executive/Closed Session as allowable under Wisconsin State Statutes 19.85(c) and 19.85(e) at 8:56 p.m.

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

It was moved by Becker and seconded by Koenig to have the Village Attorney draft a letter to open labor negotiations with both unions.

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

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 Itzin and seconded by Koenig to adjourn this meeting of the Turtle Lake Board of Trustees at 9:00 p.m.

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

Prepared by:
Danielle E. Maxwell-Parker
Village Clerk