

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, JUNE 13, 2005.
Unofficial until approved by the Village Board.
Approved as written () or with corrections () on _____.

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:30 p.m. on Monday, June 13, 2005, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met. The following were in attendance:

Mr. Styza/ President – present
Ms. Seidel/ Trustee - present
Ms. Villavicencio/ Trustee – present
Dr. Tyre/ Trustee – present
Mr. Biersach/ Trustee – present
Mr. Harkness/ Trustee – present
Mr. Gehl/ Trustee – absent
Mr. Krutz/ Village Attorney - present
Mr. Douglas/ Administrator/Police Chief – present
Ms. Zimdars/ Clerk-Treasurer – present

ATTENDANCE

Kelly Smith, Lake Country Reporter
Barbara B. Zaiser, Past Trustee
Rod Stotts, LCFD
Bob Nauta, RSV

At the start of the meeting, a Resolution of Appreciation was presented by Village President Bryce Styza to past trustee Barbara Zaiser.

Public Comment

None.

Approve minutes of May 9, 2005, Board meeting

Motion (Harkness, Villavicencio) to accept minutes of the May 9, 2005, Board meeting. Carried Unanimously.

Clerk/Treasurer – Present invoices for approval; report on investment activity

Motion (Villavicencio/Harkness) to approve payments as presented. Carried Unanimously.

Consider application for Class B liquor license for the Chenequa Country Club

Motion (Seidel/Biersach) to approve application for Class B liquor license for the Chenequa Country Club. Carried Unanimously.

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Deleted: Donald N. Villione (Partner, Virchow Krause & Company, LLP), Tom Rolfs, Rod Stotts (Lake Country Fire Board), Dick Hagemann (Lake Country Fire Chief), Darryl Enriquez, Kelly Smith (Lake Country Publisher), Jim & Mary Zahorik¶

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As a courtesy to the village board presenters present at this meeting, President Styza asked for them to be moved to the front of the agenda.

Deleted: Presentation of 2004 financial statements by Don Vilione of Virchow Krause & Company

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Mr. Vilione stated nothing unusual was found through the audit process. He then handed out a four-page summary of his findings which was in addition to the forty page booklet and accompanying three-page letter previously received by the Board members. Mr. Vilione called attention to each of seven highlights as listed under section B of the four-page handout. He noted a liability had been eliminated to the State Retirement system which was previously costing the Village 8% in interest. He also suggested levying sick pay in an effort at maintaining reserves for future payouts. Mr. Vilione used the graphs found on pages three and four of the handout to point out the fact that the Village is financed approximately 80% by tax levy. He also mentioned that assets are priced by acquisition costs per standard accounting procedures (GAAP).¶

Deleted: Consider Resolution amending the 2004 adopted budget of the Village of Chenequa¶

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Consider Resolution supporting Wisconsin's Smart Growth Comprehensive Planning Law and Grant Program

Trustee Biersach addressed the Board, saying the resolution is being put before 37 participating municipalities to show support of this program. The Smart Growth Grant Program has been effectively rescinded, so we want to show the support of the Village for this program. Motion (Biersach/Tyre) to approve the resolution supporting Wisconsin's Smart Growth Comprehensive Planning Law and Grant Program, Carried Unanimously.

Consider Resolutions of Appreciation for Barbara Stern, Cindy Schlieve, and Lynn Grosch for filling in as interim Clerk/Treasurer

Administrator Douglas explained these Certificates of Appreciation would be a more formal manner of recognizing those that stepped up to help in the abrupt absence of our clerk/treasurer. Motion (Styza/Harkness) to approve these certificates of appreciation, Carried Unanimously.

Consider Lake Country Fire Department Fire Board request to allow Fire Chief Dick Hagemann and Administrator/ Chief Douglas to participate in the Delafield/Oconomowoc fire merger work group,

LCFB discussions regarding fire consolidation merger with Nashotah in only the first step. Oconomowoc and Delafield talks have begun. Asked for direction from Village President as to direction to which to go. LCFB partake in discussions (Board's Recommendation) Rod Stotts stated Board feels they have to be part of the talks for two reasons: experience and the fact that mutual agreements require consideration. Mr. Stotts also stated the additional work load for Administrator Douglas and Fire Chief Hagemann needed to be considered. He also stated the Fire Board feels they should be part of the discussion. Nashotah trustees asked to be very much a part of the discussions. Mr. Stotts also stated that the primary group they would be involved with would be the operational group. Motion (Tyre/Villavicencio) to allow Fire Chief Dick Hagemann and Administrator/Chief Douglas to participate in the Delafield/Oconomowoc fire merger work group, Carried Unanimously.

Consider establishing an ordinance for confidentiality of information as it pertains to Board of Review findings

Attorney Krutz explained that it is required by state statute 70.27 that each municipality have an ordinance for confidentiality of information on record as it pertains to Board of Review findings. Motion (Biersach/Harkness) to establish an ordinance for confidentiality of information, Carried Unanimously.

Update on Fire Department activity from Fire Chief Hagemann

Rod Stotts spoke in Chief Hagemann's absence. Mr. Stotts reported the water rescue team is 98% operational. This weekend they will be diving in Pine Lake. Also will be hosting a dive rescue #1 in August, and at this point they are ready to respond.

The new truck is now in service and ready to go. In place with Stone Bank automatic mutual aid agreement – West and North side of Village of Stone Bank

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Deleted: Consider approval of the 2004 Lake Country Fire Department budget audit ¶

Mr. Stotts handed out a copy of the LCFD audit. He noted the operating budget was under budget by \$21,428.00 and fixed asset purchases were \$866 below budget; and those amounts would be refunded in equal parts to both villages totaling \$11,147.00 each. He stated there were many personnel changes in the secretary-treasurer position throughout the year, and therefore they asked for a detailed audit. This is the reason the audit has not been presented until this time. Mr. Stotts also mentioned that the Village of Chenequa would be getting a \$500 check which represents the Village's portion of a \$1000 contingency fund which was carried forward. President Styza asked if any contingencies were established for the current year. Mr. Stotts responded that they failed to put the contingency in the 2005 budget. Mr. Stotts also handed out a sheet listing the LCFD cost of operation for years 2001 through 2004 for comparison purposes, noting the cost of operation is going down as a result of the merger. Dr. Tyre asked why LCFD was refunding approximately \$11,000.00. Mr. Stotts said that per their agreement, any unused monies need to be refunded with 50% going to each municipality. Motion (Seidel/Villavicencio) to approve the 2004 Lake Country Fire Department budget audit *Carried Unanimously.* ¶

Public Comment ¶

Trustee Seidel stated she noticed Forester Kante and his crew cutting down large trees west of Highway C, and was questioning if it was possible to get a rebate from Waukesha County or the State of Wisconsin for the tree cutting, and also if it was possible to sell the wood chips. Administrator Douglas said no rebates are available from either the county or the State. The Village receives street aids yearly from the state for maintenance of public roadways. It has also been the decision of the Village of Chenequa to maintain its green space along our roadways in order to maintain them in a fashion that keeps it tree lined and rural in appearance. The Village does from time to time seek assistance from the county for brush and grass cutting along the village roadsides. Wood chips are used for village grounds as well as given to residents that ask for them for (... [1]

had been called on an automatic basis. All records have been updated. Will give dispatch addresses for responder.

Committee Reports

Public Safety – Will meet in October

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Operations – Will meet in September

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Plan Commission – Covered later in tonight’s agenda

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Open Space – Has not met

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Board of Appeals – Has not met

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Personnel Committee – Has not met

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Hwy 83 Task Force – Has not met

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Emergency Government Committee – Has not met

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Internet Ad Hoc Committee – No report

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Building Zoning Ad Hoc Committee – Trustee Biersach reported the first meeting of the committee will be held June 28th. This will be an introductory and organizational meeting.

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Report of Village Administrator

Update on Midwest Engineering contract. Administrator Douglas reported that we have nothing in writing at this time, however, the preliminary tests indicate the zinc levels are a little high, but there are no major concerns. The test wells will be dug this Thursday. The written report will be back in one to two months.

Report of Village President

Lake Country School plans. President Styza mentioned the plans for Divine Redeemer were in the back of the Board room. Will narrow lanes to the south. One will line up with Chapel Ridge.

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Report of the Village Attorney

None

Plan Commission Applications

Consider application for razing two existing accessory structures and replacing them with one two-story, three-car garage at the Hollister residence located at **4940 N Maple Lane.**

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Consider application for replacing the rear deck with a second-story, screened porch addition to be built onto the lake side of the existing house at the Bell residence located at **7285 N Hwy 83.**

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Consider application for remodel to the O’Malley residence located at **31046 W Chequamegon Drive**

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Motion (Harkness/Biersach) to approve each of the above projects, Carried Unanimously.

Adjournment – Closed Session

Motion (Harkness/Villavicencio) to adjourn to closed session at 7:52 p.m. pursuant to Wis. Stat. 19.85(1)(g) to confer with legal counsel and Village Consultant on the litigation options for the Village as they relate to the proposed well at Hwy 83 and Hwy 16. Voice Vote: Tyre (aye), Seidel (aye), Biersach (aye), Villavicencio (aye), Styza (aye), Harkness (aye). *Carried Unanimously.*

Reconvene into Open Session

Motion (Styza, Villavicencio) to reconvene into open session at 9:10 p.m. by roll call vote: Tyre (aye), Seidel (aye), Biersach (aye), Villavicencio (aye), Styza (aye), Harkness (aye) *Carried Unanimously.*

Motion (Harkness/Tyre) to hire Village Attorney to hire RSV to further develop the data in support of potential claims or litigation with respect to the well proposed to be located at Hwy 16 & Hwy 83, *Carried Unanimously.*

With no further discussion being heard, President Styza adjourned the meeting at approximately 9:12 p.m.

Respectfully submitted by:

Bonita Zimdars
Chenequa Clerk-Treasurer

Approved and Ordered Posted by:

Bryce Styza
Chenequa Village President

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Administrator Douglas will look into this issue. Motion (Seidel/Tyre) to approve payments as presented. *Carried Unanimously.*

Consider Committee appointments to the Building/Zoning Ad-Hoc Committee

Motion (Gehl/Seidel) to approve committee appointments to the Building/Zoning Ad-Hoc Committee as listed on the handout of Elected and Appointed Officials *Carried Unanimously.*

Consider appointments to the Public Safety Committee, Operations Committee, Board of Appeals, LACS Commission, Board of Review, Plan Commission, Open Space, Hwy 83 Task Force, Personnel Committee, Internet Ad-Hoc Committee, Lake Country Fire Board

Motion (Gehl/Seidel) to approve committee appointments to the Public Safety Committee* as listed on the handout of Elected and Appointed Officials *Carried Unanimously.*

*Trustee Tyre stated he would like to offer his services to the Public Safety committee and the Village's Emergency response plan. Administrator Douglas responded, saying it's the county's plan that has been implemented, and additional items specific to the Village were added. Dr. Tyre said he would like to be listed as a contact if there is an emergency as he has resources available to him if necessary.

Trustee Gehl requested the Board of Appeals committee appointments each be considered individually as he was not in agreement with the appointment of James Huber as the Chairman. Trustee Gehl stated that he felt the Board of Appeals Hearing in the Boucher case was not handled well in his opinion by Mr. Huber. Motion (Gehl/Seidel) that John [2]

Consider approval of the 2004 Lake Country Fire Department budget audit

Mr. Stotts handed out a copy of the LCFD audit. He noted the operating budget was under budget by \$21,428.00 and fixed asset purchases were \$866 below budget; and those amounts would be refunded in equal parts to both villages totaling \$11,147.00 each. He stated there were many personnel changes in the secretary-treasurer position throughout the year, and therefore they asked for a detailed audit. This is the reason the audit has not been presented until this time. Mr. Stotts also mentioned that the Village of Chenequa would be getting a \$500 check which represents the Village's portion of a \$1000 contingency fund which was carried forward. President Styza asked if any contingencies were established for the current year. Mr. Stotts responded that they failed to put the contingency in the 2005 budget. Mr. Stotts also handed out a sheet listing the LCFD cost of operation for years 2001 through 2004 for comparison purposes, noting the cost of operation is going down as a result of the merger. Dr. Tyre asked why LCFD was refunding approximately \$11,000.00. Mr. Stotts said that per their agreement, any unused monies need to be refunded with 50% going to each municipality. Motion (Seidel/Villavicencio) to approve the 2004 Lake Country Fire Department budget audit Carried Unanimously.

Public Comment

Trustee Seidel stated she noticed Forester Kante and his crew cutting down large trees west of Highway C, and was questioning if it was possible to get a rebate from Waukesha County or the State of Wisconsin for the tree cutting, and also if it was possible to sell the wood chips. Administrator Douglas said no rebates are available from either the county or the State. The Village receives street aids yearly from the state for maintenance of public roadways. It has also been the decision of the Village of Chenequa to maintain its green space along our roadways in order to maintain them in a fashion that keeps it tree lined and rural in appearance. The Village does from time to time seek assistance from the county for brush and grass cutting along the village roadsides. Wood chips are used for village grounds as well as given to residents that ask for them for their use.

Approve minutes of April 11, 2005 Board Meeting

Motion (Gehl/Seidel) to approve the April 11, 2005 minutes, with the following correction, Carried Unanimously:

Under the section titled "*Presentation and discussion on the possible effects of the proposed well by the city of Delafield at the Village Square location*", line 5 originally read, "Trustee Seidel questioned if there is a federal law in place...". The amended line now reads, "Trustee Seidel stated Congressman Jim Sensenbrenner's office was contacted, and reported there is no federal law in place..."

Discussion/action regarding the proposed well as proposed by the City of Delafield at Village Square

Delafield resident Jim Zahorik addressed the Board regarding his concerns with the proposed well. He stated a high capacity well will force expansion on the east side of Delafield, and if that occurs everyone will be affected. His concerns about the location and the affects it could have on area lakes and wells should be a concern.

Clerk/Treasurer – Present invoices for approval; report on investment activity

Trustee Biersach asked about the origin of the tax lottery credit. Administrator Douglas stated these funds are collected by the village at tax time and are held until such time they need to be distributed to the area schools. The payments outlined on the invoice statement for approval are these payouts of the lottery credit to the area schools. Administrator Douglas noted the check to Century Fence was to cover the damage done to the fence at the Pine Lake Boat Launch when it was damaged by a large truck. He also stated the check to Underwater

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Connection was due to the fact that the Village is reinstituting the underwater rescue unit. Administrator Douglas noted this expense will be reimbursed by the Chenequa Foundation as a donation. Trustee Seidel also questioned two payments to two different elevator companies (Otis and National Elevator). Administrator Douglas will look into this issue. Motion (Siedel/Tyre) to approve payments as presented. *Carried Unanimously.*

Consider Committee appointments to the Building/Zoning Ad-Hoc Committee

Motion (Gehl/Seidel) to approve committee appointments to the Building/Zoning Ad-Hoc Committee as listed on the handout of Elected and Appointed Officials *Carried Unanimously.*

Consider appointments to the Public Safety Committee, Operations Committee, Board of Appeals, LACS Commission, Board of Review, Plan Commission, Open Space, Hwy 83 Task Force, Personnel Committee, Internet Ad-Hoc Committee, Lake Country Fire Board

Motion (Gehl/Seidel) to approve committee appointments to the Public Safety Committee* as listed on the handout of Elected and Appointed Officials *Carried Unanimously.*

**Trustee Tyre stated he would like to offer his services to the Public Safety committee and the Village's Emergency response plan. Administrator Douglas responded, saying it's the county's plan that has been implemented, and additional items specific to the Village were added. Dr. Tyre said he would like to be listed as a contact if there is an emergency as he has resources available to him if necessary.*

Trustee Gehl requested the Board of Appeals committee appointments each be considered individually as he was not in agreement with the appointment of James Huber as the Chairman. Trustee Gehl stated that he felt the Board of Appeals Hearing in the Boucher case was not handled well in his opinion by Mr. Huber. Motion (Gehl/Seidel) that John Hendee, Jr. be appointed for a new three year term. Motion Carried. Motion (Siedel/Biersach) that James Huber be appointed as Chairman of the Board of Appeals. Seidel, Tyre, Villavicencio, Styza, Biersach, aye; Gehl no. Motion Carried.

Motion (Biersach/Tyre) to approve the Appointed Officials list Carried Unanimously.

Motion (Gehl/Biersach) to approve the Operations Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Seidel/Gehl) to approve the Board of Review appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Seidel/Gehl) to approve the Plan Commission appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Villavicencio/Biersach) to approve the Board of Election appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Gehl/Seidel) to approve the Lake Area Communications System appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Villavicencio/Seidel) to approve the Open Space Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Tyre/Gehl) to approve the Hwy 83 Task Force Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Biersach/Seidel) to approve the Personnel Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Villavicencio/Seidel) to approve the Lake Country Fire Board appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Seidel/Gehl) to approve the Lake Country Fire Commission appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Gehl/Biersach) to approve the Internet Services Ad-Hoc Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Motion (Villavicencio/Gehl) to approve the Building/Zoning Ad-Hoc Committee appointments as listed on the handout of Elected and Appointed Officials Carried Unanimously.

Consider Resolution of Appreciation for Barbara Zaiser

Motion (Seidel/Gehl) to approve the resolution of appreciation for Barbara Zaiser Carried Unanimously

Discussion/action regarding the proposed well as proposed by the City of Delafield at Village Square

Discussion ensued regarding the proposed well and the possible effects on Pine Lake. Trustee Tyre suggested it would be helpful for someone to come and give us the science of how this works, an independent person. President Styza mentioned there is a seminar May 12th, at the Reukert & Mielke building regarding “Geophysics to Identify Underground Structures and Geology”. President Styza also stated he will pursue hiring someone to assist the Village of Chenequa in monitoring and consulting the village on this issue. President Styza stated that a meeting was planned with Delafield Officials to discuss Chenequa’s concerns with the proposed well at the Hwy 83 and Hwy 16 Village Square location on Monday, May 16th. Trustee Villavicencio suggested waiting until Monday’s meeting to decide if it is necessary to hire a consultant based on the results of the meeting with the City of Delafield.

Committee Reports

None

Report of Village Administrator

Administrator Douglas reported Midwest Engineering is starting the evaluation of the dump site this week. The USDA Wildlife Services has started goose egg eradication efforts on Pine Lake. So far 77 eggs were oiled and they will be returning this next week as a follow -up. Beaver Lake and North Lake have similar processes in place for goose population control. Administrator Douglas also reported he had received proposed plans for a new Church at Divine Redeemer which is located in the City of Delafield. There was then some discussion regarding contacting the Department of Transportation regarding turn lanes and location of entrances.

Report of Village President

None.

Report of Village Attorney

None.

**Consider remodel to the O'Malley residence located at 31046 W
Chequamegon Drive**

Trustee Biersach reported that preliminary approval was given to Glen O'Malley for his remodeling project. He also noted the meeting time has been changed for the Plan Commission from 5:00 p.m. to 6:00 p.m.

Motion (Biersach/Villavicencio) to give preliminary approval of the O'Malley remodeling plan for 31046 W Chequamegon Drive. *Carried Unanimously.*

With no further discussion being heard, President Styza adjourned the meeting at approximately 8:50p.m.