

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING
MINUTES OF MONDAY, FEBRUARY 12, 2007
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, February 12, 2007, at the Village Hall, 31275 W. Hwy K, Chenequa. Legal requirements for notification of the news media were met. Following is the attendance list:

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

Attendance

Nicole Daniels, John Daniels, Brian Nahey, Marilyn Tyre, David Barnett, Mark Hoppe, Beth Hoppe, Paul Villavicencio, Kathy Gillstrom, Brian Gillstrom Sue Mayer, Steve Mayer, Village Assessor Leyton Schultz

Public comment period.

Brian Nahey discussed his dismay with the current Section 5.03(1) (c), saying the Ad-Hoc committee put together language that would be easy to enforce, but when this was brought to the Board, certain phrases were added. He said he felt the Village is requiring too many permits. He also said he felt only some where being enforced, not all, and recommended going back to the original language submitted by the Ad-Hoc Committee. Trustee Seidel said Section 5.16 included an exemption for gardening. Trustee Foote felt “likely to cause” was discretionary. Trustee Foote said he would propose to have this Section go back to the Ad-Hoc Committee in order to clean up the language. President Styza said it is the consensus of the Board, the Plan Commission, and the Ad-Hoc Committee that erosion is very important. He also said the Board could not act on this at this meeting since it was not on the agenda. Mr. Nahey handed out a one page summary which outlined the specific issues with which he had concern for Section 5.03.(1)(c)

Next President Styza asked if anyone in the audience had anything further to say regarding the snow plowing policy, noting that minutes were kept of the January meeting and all letters sent by village residents to Board members had been read and reviewed. No responses were heard. Motion (Foote, Seidel) to have the Village Board adopt the snow plowing policy as it stood before December 11, 2006, and consider assigning it to the appropriate committees for review, the review of the policy with any proposed changes be set for Village Board discussion prior to next winter, *Carried Unanimously.*

Approve minutes of the December 11, 2006, Board Meeting

Motion (Villavicencio, Seidel) to approve the minutes of the December 11th Village Board Meeting, *Carried Unanimously.*

Clerk/Treasurer

Present invoices for approval December 2006 and January 2007

Trustee Foote questioned the entry for “range fees”. Administrator/ Police Chief Douglas explained these were fees to go to the practice range for target practice, noting range practice was shared by Pewaukee, Hartland, Delafield and Chenequa.

Motion (Villavicencio, Wilkey) approve December 2006 and January 2007 bills, *Carried Unanimously.*

Report on investment activity – December 2006 and January 2007

Investment activity was reviewed and no action was required.

Village Assessor Leyton Schultz to address Section 70.05 (d) (d), Wisconsin Statutes, which requires that the assessed value of each major class of property must be within 10% of the full value of the same major class of property at least once during the four-year period consisting of the current year and the three previous years

Assessor Schultz explained that when a municipality is getting close to falling below the pre-determined percentages, a notice is sent out. The notice that was sent to the Village of Chenequa requires a reevaluation before 2010 in order to avoid the Department of Revenue stepping in and completing the reevaluation which is done at a substantially higher price. He said he believed the last reevaluation for the Village of Chenequa was done in 2001. Assessor Schultz noted the letter from the DOR showed the level of assessment went to 81.96% in 2003, 71.34% in 2004, 59.34% in 2005, and 52.69 in 2006. He said his agency could do the job for approximately \$15,000 - \$20,000 and the reevaluation could be completed by 2008. He said the reason the level goes down each year is because the DOR estimates full value by looking at the sales that occur. In Chenequa there are not a lot of sales, and the sales that do occur are sales on lake homes. Mr. Schultz said lake property is under assessed, and non-lake property is over assessed. He went on to say that an assessor is required to add new construction and remodeling, and it is the tendency for any municipality to have the assessment drop. He said the State would like to have all municipalities reassessed every year, but this is an unfunded mandate, and as a result, the State came up with this formula. He said when a re-evaluation is done, the assessor is required to look at sales over the last 3 years, and that not a lot of pressure from constituents off the lake had been received at this time so there wasn't any pressure to perform a re-evaluation. Assessor Schultz noted that constituents had a right to petition to force a re-evaluation, and this would require 5% of the tax base to sign a petition that would be presented to the Department of Revenue. The DOR then could step in and force the re-evaluation. He said the reassessment is due before 2010, and he would like to have a year to do it, starting in 2007. He said his records are good so he wouldn't have to visit every property. President Styza noted the assessor's recommendation was to have the re-evaluation done in 2008, but this was not an agenda item, so the Board could not act on it at this meeting. Trustee Seidel asked, "If the assessor wants to go through our house, do we have to let them?" Assessor Schultz responded, saying it was the homeowner's option whether or not to let the assessor review the property, but if they don't allow the assessor in then they lose their right to go to the Board of Review. President Styza said that Open Book is where you should bring in your questions regarding your assessment. Trustee Villavicencio said that in prior years the village had waited until the last possible minute to do the re-evaluation and asked what would be the advantage to doing it early. Assessor Schultz said the DOR relies on lake front properties, and that off lake property owners want a re-assessment because they are over assessed- noting this was a matter of fairness. Trustee Foote said he was betting on the softness of market now.

Final – Review and consider plans submitted by Richard and Susan Wilkey for a new garage at their residence located at 5112 N Hwy 83

Trustee Wilkey excused herself from this vote, as this was her own property.

Motion (Foote, Villavicencio) to approve final plans submitted by Richard and Susan Wilkey for a new garage at their residence located at 5112 N Hwy 83, *Carried Unanimously.*

Consider Certified Survey Map submitted by Timothy and Barbara Michels for a division of Lot 2 of Certified Survey Map No. 9975 and all that part of government Lot No. 2 in the Southeast ¼ of the Northwest ¼ of Section 21, Town 8, North, Range 18, East in the Village of Chenequa, Waukesha County.

President Styza explained that the Plan Commission had approved this CSM at their January meeting, saying the owners are taking 2 parcels and making them one.

Motion (Wilkey, Villavicencio) to approve Certified Survey Map submitted by Timothy and Barbara Michels for a division of Lot 2 of Certified Survey Map No. 9975 and all that part of

government Lot No. 2 in the Southeast ¼ of the Northwest ¼ of Section 21, Town 8, North, Range 18, East in the Village of Chenequa, Waukesha County, Carried Unanimously.

Next President Styza went back to the issue of reassessing the Village, questioning Attorney Krutz if the Village would be required to get 2 bids for the reassessment. Attorney Krutz said this would be considered a service and that some services can opt out of the bidding process. President Styza asked that this issue be placed on the next agenda, if it is determined that the project does not have to be bid out. Trustee Villavicencio pointed out that by law, you are allowed 7 years to come into compliance. Trustee Foote asked what the previous intervals were, and President Styza said that out of fairness to all, this should be done soon. Attorney Krutz said the point is that there is a flat market now, so it may be advantageous to do it at this time. Trustee Villavicencio pointed out that the last 3 years are used. Trustee Foote said 2005 wasn't a good year for real estate, but 2006 was a good year. Attorney Krutz said someone off lake may choose to go to court and that there was a fairness aspect that should be considered.

Review and consider final drafts of ordinances 5.16 – Land Disturbance and 5.17 – Grading and Erosion Control Plan

President Styza pointed out that these were not the two ordinances to which Mr. Nahey was referring to earlier in the evening. Trustee Seidel then pointed out that what was brought to the Board was the consensus of the Ad-Hoc Committee for ordinance 5.03. Attorney Krutz said 5.03 had already been changed. He then noted that 5.17, currently labeled "Land Disturbance" would become 5.16, "Grading and Erosion Control Plan". He said there is a cross reference to 5.03. He also said that 5.16 is currently labeled "Erosion Control Plan Approval", but this revision would entitle 5.16 as "Land Disturbance". Trustee Foote said that once ground has suffered erosion, it is very difficult to replace. Section 5.17 added language making it clear as to what had to be submitted to get a permit.

Motion (Foote, Villavicencio) to approve the final drafts of ordinances 5.16 – Land Disturbance and 5.17 – Grading and Erosion Control Plan, Carried Unanimously.

Committee Reports

Public Safety No report.

Operations No report.

Plan Commission Met today. Discussed Building Inspector submitting a monthly report.

Open Space No report.

Board of Appeals No report.

Personnel Committee Administrator/Police Chief Douglas explained they would try to meet with the Police Union in the next month, saying the Police are in the last year of their 3 year contract.

Hwy 83 Task Force No report.

Emergency Government Committee No report.

Building Zoning Ad Hoc Committee No report.

Lake Management Ad Hoc Committee President Styza explained that Trustee Villavicencio, Chief Douglas and Forester Kante would be working on a letter to go to Friends of Beaver Lake and North Lake Management group. Trustee Tyre pointed out that when the grant proposal went in, North Lake submitted letters of support and endorsement. Trustee Gehl suggested contacting Jack Bode or Jim Liebert from Beaver Lake and Jerry Heine from North Lake. Trustee Foote said that it may be worthwhile to sit down with the President of the Village of Oconomowoc Lake, Ray Foster, since they already have a lakes management plan in place.

Report of Village Administrator.

2006 Budget Review: Administrator/Police Chief Douglas said a preliminary draft of the budget had been received from our auditors, and it looked favorable. He said he was planning to have the auditors at the March meeting of the Village Board. Administrator/Police Chief Douglas explained to Board members that expected revenues were exceeded by \$81,000.00. He also noted that expenditures for Administration came in under budget by \$11,259, but expenditures for the police department were over budget by \$12,817. He then pointed out that miscellaneous

expenditures came in \$10,445 under budget when being offset by the contingency fund that had not been used. Capital Expenses came in under budget in the amount of \$20,438, so the total amount to be placed in reserves from the 2006 budget year would be over \$100,000.00.

Administrator/Police Chief Douglas then discussed the 3 major projects completed in 2006 that were non-budget items, those being the test well project, dump renovation, and Pine Lake launch repairs; saying each of these projects was covered by either the Chenequa Foundation, DNR Grants, or through State Loans.

Report of Village President.

President Styza told Board members the dump site needed final approval from the DNR before it could be offered for sale. He suggested putting a notice in the Village Newsletter and also contacting some neighbors who had previously expressed interest in the property before hiring a broker. Trustee Tyre asked if any of the land would be buildable, and President Styza told him that 2 of the lots were buildable. Trustee Foote said he thought it should be made known to everyone that the property is for sale in order to obtain the best price. He then asked if outlot 1, as identified on the CSM was buildable, and Administrator/Police Chief Douglas told him it was considered a wetland.

Report of Village Attorney.

No report.

Any new Business.

None.

Adjournment.

President Styza adjourned the meeting at 8:42 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

Bonita Zimdars
Clerk/Treasurer

Bryce Styza
Chenequa Village President