

## Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, MARCH 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, March 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 – absent  
Mr. Foote / Trustee – absent  
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**

Matthew R. Colby (Lake Country Reporter), Rich Grunke, Tom Rolfs, Jon Keller (Reilly, Penner & Benton LLP), Steve Barney (Reilly, Penner & Benton LLP)

### **Public comment period.**

Village resident Tom Rolfs asked that a discussion be held between the Town of Merton and the Village to try to get truck traffic eliminated on Hwy C. He questioned the Board as to what needed to be done to work with the Town of Merton and take this issue to the County. One plan, he said, was to have most of the traffic go to Hwy P. President Styza told Mr. Rolfs he assumed the traffic would go to Hwy P and Hwy 83.

### **Approve minutes of the February 12, 2007 Board Meeting**

Motion (Villavicencio, Seidel) to approve the minutes of the February 12<sup>th</sup> Village Board Meeting, *Carried Unanimously.*

### **Presentation of 2006 Financial Statements by Steven C. Barney of Reilly, Penner & Benton LLP.**

Auditors Steve Barney and Jon Keller introduced themselves to the Board as the team that did the audit for the Village, noting they were appearing at the meeting two months earlier than the previous year, saying the audit went smoothly. Mr. Keller said the management letter reports on internal controls. New areas this year are found on the front page of the Executive Summary that was handed out. Mr. Keller said that the comment on certain reporting weakness was included because certain journal entries were required. He said hopefully, that rules would be changed next year so the comment could be eliminated. President Styza asked how the Village could ever get rid of that comment. Mr. Barney said it could be eliminated due to quarterly audits which are now being done, where journals could be taken care of as they come up. President Styza said according to the summary, we exceeded our budget by \$69,000, and asked if we needed to pass a resolution. Mr. Barney said that a resolution to amend the budget would need to be passed when the audit was final. President Styza asked to have the resolution placed on the April agenda. Mr. Barney told the Board his firm is available for questions any time. Administrator/ Police Chief Douglas told the auditors that at the February meeting he distributed a spread sheet to Village Board members giving a summary of the audit; showing that overall, revenues exceeded expenditures, and he asked the auditors to verify that fact. Mr. Keller responded saying there were overages in expenditures, but overall the Village is ahead by over \$100,000. He further stated that the budget portion is only presented in the general fund. In contrast, the capital

project funds and the special revenue fund, such as the boat launch, takes away from the budget and that is where the biggest differences can be found. He directed Board members to look on page 7 of the audit report draft, saying some expenditures and revenues run through the capital projects column. Also the governmental column shows some of the other expenditures. Mr. Barney said if all these additional figures were considered, a different number would be derived than the one presented tonight. Therefore, he said, Chief Douglas was correct. Administrator/ Police Chief Douglas said all capital items were separated off, and that resulted in a profit of \$122,000. Mr. Barney pointed out that the year stopped for accounting purposes on December 31<sup>st</sup>. Trustee Tyre said that the letter to the Board of Trustees contained an error in the last paragraph on the first page, where the Village of "Deerfiled" is referenced.

**Review and consider Certified Survey Map submitted by William Grasch & Richard Grunke for a part of the NW ¼ and SW ¼ of the SW ¼ of Section 33, and a part of the SE ¼ of the SE ¼ of the SE ¼ of Section 32, all in T.8N., R.18E., Village of Chenequa, Waukesha County.**

President Styza asked that this item be taken out of order, and explained this CSM was dividing the parcel into 3 lots. He also pointed out that the Plan Commission had already recommended approval.

Motion (Villavicencio, Wilkey) to approve the Certified Survey Map submitted by William Grasch and Richard Grunke, *Carried Unanimously.*

**Clerk/Treasurer**

**Present invoices for approval**

Motion (Villavicencio, Tyre) to approve February 2007 bills, *Carried Unanimously.*

**Report on investment activity**

Investment activity was reviewed and no action was required.

**Preliminary -Review and consider plans submitted by Thomas and Kim Schubert for an addition to their residence located at 5445 N. Hwy 83.**

President Styza explained that this was before the Board for preliminary approval only, and that the Plan Commission that met earlier had given these plans unanimous approval. Administrator/ Police Chief Douglas told Board members these plans were to put a 2-car garage above and below ground, and all side yard and lake set backs have been met. Trustee Seidel asked if the garage would be toward the Hendee property, and Administrator/ Police Chief Douglas said it would be toward the Klein property. Trustee Tyre asked if anything needed to be done to address item 6 on Independent Inspection's review. Administrator/ Police Chief Douglas said there was a one foot discrepancy.

Motion (Wilkey, Tyre) to approve preliminary plans submitted by Thomas and Kim Schubert for 5445 N. Hwy 83, *Carried Unanimously.*

**Preliminary – Review and consider plans submitted by Joel and Caran Quadracci for an addition to their residence located at 5251 Hwy 83.**

Administrator/ Police Chief Douglas explained that this property formally belonged to the Woods, and the Quadraccis are proposing an addition that is legal non-conforming due to a secondary guest home located on the property. The terms of 50% of equalized value or 30% of the footprint can be used for construction purposes, and they chose the 30% footprint guideline. These plans would put them just under the maximum allowed. President Styza pointed out that this would be considered a conforming lot if the guest house were eliminated.

Motion (Villavicencio, Wilkey) to approve preliminary plans submitted by Joel and Caran Quadracci for their property at 5251 Hwy 83, *Carried Unanimously.*

**Review and consider Certified Survey Map submitted by God is Great LLC c/o Lawrence F. Schmidt for all of lot 31 of Moose Hills subdivision, a part of C.S.M. no. 2324, and a part of the SW ¼ of the SW ¼ of Section 20, all in T.8N., R.18E., Town of Merton, per Village Code 6.18 extraterritorial jurisdiction.**

This item is being held over until approval is received from the Town of Merton.

**Review and consider Certified Survey Map submitted by Liz Tobolt for a part of the SW ¼ of the NW ¼ and part of block 3, Silver Spring Park subdivision, and part of the east ½ of the east ½ of the NW. ¼ of section 17, T.8N., R.18E, Town of Merton, per Village Code 6.18 extraterritorial jurisdiction.**

President Styza explained that this was located in the Town of Merton.

Motion (Tyre, Villavicencio) to approve CSM submitted by Liz Tobolt, *Carried Unanimously.*

**The Board may consider entering into closed session under Wisconsin State Statute 19.85(1) (e) to consider terms and conditions for possible sale of Village property. Participating in the closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk.**

President Styza said there was no reason to go into closed session at this time. Attorney Krutz said the Village was still working to get closure on the dump site with Midwest Engineering. President Styza said an appraisal had been done and the price came in around \$400,000 for each of the two home sites, with a figure of \$150,000 for the remnant. He said he felt it should be put on the market, first notifying everyone in the Village through a special letter. Trustee Tyre said it may be advisable to let the residents know that an appraisal had been done and the amount of that appraisal. Trustee Seidel mentioned that the comparables that were presented were three years old, so she felt the asking price should be higher. Administrator/ Police Chief Douglas said the appraiser recommended selling the property as one full lot or as two separate lots. Motion (Wilkey, Seidel) to put the property up for sale with an asking price of \$900,000.00, or \$450,000 for each 7 acre parcel *Carried Unanimously.* Attorney Krutz said the notice should identify that the asking price as stated and any offer would be subject to other terms and conditions.

**The Board may consider entering into closed session under Wisconsin State Statute 19.85(1) (e) to consider contract to retain Village Assessor to perform re-assessment required under State Statutes. Participating in the closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk.**

Attorney Krutz said if the Board were to talk about retaining Leyton Schultz and wanted to discuss the terms of engagement, then they should need to go into closed session. President Styza said this first step should be done in open session. Attorney Krutz said that Leyton Schultz was at the last Village Board meeting and had offered to complete the assessment and has given his bid. The assessment needs to be completed by December of 2009. Attorney Krutz also mentioned that Mr. Schultz's price to perform the assessment was still an open offer. The Village Board members then agreed that the assessment should begin in approximately September 2008 for completion by the end of 2009.

**Consider revision to section 5.03 of the Village Code.**

Attorney Krutz told Board members that this item was placed on the agenda after Brian Nahey referenced it at last month's meeting. Attorney Krutz said that the Village adopted language to give more leeway to the Zoning Administrator and the Building Inspector. He said that Mr. Nahey indicated he did not want that much regulation and wanted to return to the original language. Trustee Seidel said she felt there was a better balance by having two people overseeing the building in the Village. Administrator/ Police Chief Douglas said he certainly understood Mr. Nahey's concerns and would work with either version. Attorney Krutz said that any ordinance contains an element of reasonableness and a degree of subjectivity in application. He said that as passed, it is proactive on the side of the Village, and that erosion is a serious concern for the Village. The members of the Village Board decided to take no action to change 5.03 from its currently adopted language.

**Committee Reports**

**Public Safety** – no report

**Operations** – no report

**Plan Commission** – met earlier

**Open Space** – no report

**Board of Appeals** – no report  
**Personnel Committee** – will be meeting April 18  
**Hwy 83 Task Force** – no report  
**Emergency Government Committee** – no report  
**Building Zoning Ad Hoc Committee** – no report, committee to be dissolved  
**Lake Management Ad Hoc Committee** – no report

**Report of Village Administrator.**

Administrator/ Police Chief Douglas told Board members the village hall sustained water damage on the elevator tower because of the flat roof. The drain was backed up and set off the fire alarm. He said the insurance company had been notified, and repairs are being performed. A roof inspector, not a contractor, will be brought in to inspect the roof, but the Board may want to consider replacing the flat roof with a pitched roof.

Next Administrator/ Police Chief Douglas said he may be coming before the Board to request funds to purchase an additional plow truck prior to the budget of 2008. President Styza asked how many trucks the village had, and Administrator/ Police Chief Douglas told him there were five. He also said that one of the pick ups was repaired, and Board members would see an invoice for over \$4,000 on next month's list of bills. Trustee Tyre said people on Wildwood Point Road are now very vigilant about plowing. He said the Town of Merton stops plowing at the top of the hill. He said he has gotten phone calls, since the snow plowing issue was reviewed, saying residents noticed that someone who makes a lot of noise gets taken care of. Administrator/ Police Chief Douglas pointed out that the maintenance of Vettelson Road is now taken care of by Delafield, for an annual fee. He then suggested perhaps a similar arrangement could be worked out with the Town of Merton.

Next Administrator Douglas reported that the deer count was at 42 and the deer program would continue as long as it was productive.

**Report of Village President.**

No report.

**Report of Village Attorney.**

Attorney Krutz pointed out that the notice from Lake Country Bible Church was included in Board members' packets. He said this notice was one of several steps to be taken in the process to detach. Attorney Krutz said there was nothing for the Board to discuss at tonight's meeting and there would be a time for the Board to decide what action they wanted to take in the future if the process moves forward. Attorney Krutz also addressed the audit, saying the auditors were asking the Village staff to sign a letter which the Village staff was also asked Village staff to sign last year, but upon his recommendation the Village staff did not do so. He pointed out that the auditors are asking the Village to make certain representations which Village staff was not necessarily qualified to make. He thought the issue would be cleared up by next month's meeting.

**Any new Business.**

President Styza asked Board members if they were comfortable with the Plan Commission process of approving building projects and Certified Survey Maps. Trustee Wilkey said it seemed like the Board was a "rubber stamp" for items approved by the Plan Commission. Trustee Seidel said she liked getting the minutes from the Plan Commission with the pertinent language highlighted.

**Adjournment.**

President Styza adjourned the meeting at 8:21 p.m.

Respectfully submitted by:

Approved and Ordered Posted by:

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Bonita Zimdars  
Clerk/Treasurer

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Bryce Styza  
Chenequa Village President