

Village of Chenequa

CHENEQUA VILLAGE BOARD MEETING  
MINUTES OF MONDAY, NOVEMBER 3, 2008  
Unofficial until approved by the Village Board  
Approved as written () or with corrections ( ) on 12/8/2008

A public hearing to hear comments regarding the proposed 2009 Village of Chenequa budget was called to order at 7:30 p.m. Legal requirement for notification of the news media had been met.

Public Attendance: None.

President Styza questioned whether any Board members had concerns with the proposed budget. There were none.

Motion (Villavicencio, Foote) to close the Public Hearing at 7:35 p.m., Carried Unanimously.

The regular meeting of the Board of Trustees of the Village of Chenequa was held at 7:35 p.m. on Monday, November 3, 2008, 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 – absent  
Ms. Seidel / Trustee – absent  
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

None.

Public comment period.

None.

Review and consider adoption/approval of the Lake Country Fire Department budget for 2009.

President Styza asked the Board members to review the Lake Country Fire budget before making a recommendation regarding the budget for the Village of Chenequa, and noted that the budget for LCFD is \$79,000 – which is included in the Chenequa budget.

Motion (Foote, Gehl) to approve the Lake Country Fire Department budget for 2009, Carried Unanimously.

Consider resolution for 2009 budget adoption and tax levy.

Administrator/Police Chief Douglas stated that the final version of the budget contained only a few changes from what was previously presented to Village Board members. Specifically, under Revenues, the change was on page two which shows snow plow revenues changing from \$2,300 to \$23,000 due to the increase in the annual fee from \$10 to \$100. Trustee Villavicencio pointed out that this recommendation came directly from the Operations Committee. Administrator/Police Chief Douglas said this revenue would carry through to the contingency fund. A payment for radio funding was also included in the budget. It was suggested to continue to make payments as a way of pre-funding the payment for a new radio system. President Styza told the Trustees that the discussion on Morris Drive was continuing and talks were being conducted with the eight residents who use the road. Trustee Gehl said he was disappointed but understood the reason for working with the residents on the Morris Drive issue. President Styza said he was anticipating paying for *part* of the project. Trustee Gehl then mentioned that the Highway/Forestry portion of the budget concerned him due to the large percentage increase in expenses. He went on to say that the Village is currently spending \$30,000 per year on trucks alone; and the cost of servicing these

trucks will continue to increase. He also said that even at \$100 per driveway, the residents are receiving a bargain on snow plowing.

Motion (Foote, Villavicencio) to approve the resolution for the 2009 budget adoption and tax levy, Carried Unanimously.

**Approve minutes of the October 13, 2008 Board Meeting.**

Motion (Foote, Villavicencio) to approve the minutes of the October 13, 2008 Board meeting, Carried Unanimously.

**Clerk/Treasurer**

**Present invoices for approval.**

Motion (Villavicencio, Foote) to approve bills as presented, Carried Unanimously.

**Report on investment activity.**

Investment activity was reviewed by the Board, and no action was required.

**Review and consideration of FEMA model floodplain ordinance. Consider setting date and time for public hearing on adoption of floodplain ordinance.**

Attorney Krutz said this ordinance was being reviewed because the new FEMA map which was to be effective on November 19, 2008. If the Village desires to participate in the FEMA program the Village must: (1) adopt the FEMA map and (2) adopt certain zoning code changes as proposed by FEMA. He said his office had redacted and revised the FEMA proposed zoning changes. The changes to the Village Zoning Code are twofold: (1) The Village could seek recovery from FEMA for any Village owner property damaged by a flood; and (2) private land owners could also be eligible for FEMA assistance if their property was damaged. He also said that if the FEMA map and ordinance changes were adopted, private land owners may be better able to obtain flood insurance backed by FEMA. Attorney Krutz then pointed out that all the shaded areas on the map before the Trustees would be considered in the "flood fringe" and had a 1 – 2% chance of flooding.

The downside of adopting the floodplain ordinance was that it would make the zoning code more cumbersome; and there was potential for unintended consequences in adopting it. For example, if there are improvements in the flood fringe area, the FEMA changes may require the Village to eliminate grandfather clauses. Attorney Krutz said the benefit appeared to be minimal and the risk would be marginable.

Administrator/Police Chief Douglas said an inventory was performed on the 24 properties that were identified as being in the flood plain or fringe. He said the County GIS website was used. If working off the FEMA map, then the list would be cut in half. He said all homes are substantially above that flood fringe/plain line; and only two properties fall within the range. These properties belong to Irgens and Zlotocha on North Lake and the only structures impacted would be storage units or outbuildings. The map showed no potential loss of value. Trustee Foote noted there were no residences in the flood fringe and asked if it would be possible to construct a house within the fringe. President Styza said that County approval would be needed to install sewer and a well.

Administrator/Police Chief Douglas pointed out that the Town of Merton has substantial areas which could be prone to flooding. President Styza said flood insurance can be obtained whether the property is in the fringe or not, but a better rate can be obtained if the property is backed by FEMA. President Styza asked if the map could be adopted, and Attorney Krutz recommended that the Village not adopt the map unless the statute is adopted also. Trustee Gehl said he did not see the advantages to adopting the ordinance, and Trustee Villavicencio said she agreed. The consensus by Village Board members was to take no action.

**Lake Country Fire Department Expansion – merger talks update.**

President Styza said that talks were continuing.

**Committee Reports**

**Public Safety** No report.

**Operations** No report.

**Plan Commission** No report.

**Open Space** No report.

**Board of Appeals** No report.

**Personnel Committee** No report.

**Hwy 83 Task Force Administrator/Police Chief** wants to get together with neighboring communities.

**Emergency Government Committee** No report.

**Lake Management Ad Hoc Committee** No report.

**Police Commission** No report.

**Report of Village Administrator**

Administrator/Police Chief Douglas told Board members he had received a request from Mr. Jim Williams asking the Village to consider adding a dump site for yard waste. Currently the Village is contracted with Veolia Environmental Services for garbage pick up and they require yard waste to be in 32 gallon paper bags. He said there is another company, White Oaks, that is located at Hwy C & Hwy K but they will charge for bringing in waste. He went on to say he didn't think the Village should be in the business of accepting yard waste. The trustees concurred after a brief discussion.

Administrator/ Police Chief Douglas told Board members the Newsletter would be going out later in the week, and it would contain a paragraph on the increase in snow plow fees. Attorney Krutz submitted a bullet point outline on snow plowing to be included in the newsletter. Trustee Foote said the informational sheet should summarize that the purpose of snow plowing by the Village is primarily for the safe passage of emergency vehicles, and the secondary purpose is for the safe passage of other vehicles. He then suggested placing all the negative points in bullets. Trustee Villavicencio said she liked Attorney Krutz's wording better which said, "as needed, when deemed necessary." Attorney Krutz said the sources of the summary were the reports and policies from various Village committees in the past 10 years. Trustee Foote said it should be made clear what services are offered. Trustee Tyre said that reasonable people will get the idea, and residents should not get after the snow plowers. Trustee Tyre asked if there were any case law available for comparison purposes. Attorney Krutz said there was a negligence standard.

**Report of Village President**

President Styza told Board members that Trustee Tyre will not be seeking another term. He said Trustee Tyre would be greatly missed. Bronson Haase will be taking out nomination papers to fill the vacancy.

**Review and consider adoption/approval of the Lake Country Municipal Court Budget for 2009.**

President Styza noted that when the Court first started out it had to be subsidized. He then asked if all capital had been returned. Administrator/Police Chief Douglas told him it had been and in addition the operating capital had been returned as well. President Styza said the Court was looking for more space and Oconomowoc gave them more room at the City Hall. Administrator/Police Chief said the Court had plans to eventually move out of city hall; and other structures were being considered.

Motion (Gehl, Villavicencio) to approve the Lake Country municipal Court Budget for 2009, Carried Unanimously.

**Report of Village Attorney**

None.

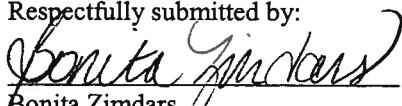
**Agenda items to be considered for future meetings of the Village Board.**

None.


**Adjournment.**

Motion (Villavicencio, Gehl) to adjourn the November 3<sup>rd</sup> meeting of the Village Board at 8:20 p.m., Carried Unanimously.

Respectfully submitted by:

  
Bonita Zimdars  
Clerk/Treasurer

Approved and Ordered Posted by:

  
Bryce Styza  
Chenequa Village President