

## VILLAGE BOARD MEETING ~ October 3, 2011

The monthly Village Board meeting was called to order at 7:00 p.m. in the Municipal Building. On roll call were President Sleeman, Trustees Berry, Chambers, Doyle, Parrott and J. Pierce. (1 vacancy caused by the resignation of Trustee West) Public Works Director Zant, Clerk Pierce, Attorney Wood, MSA representative Matt Morrow and Reporter David Kennedy were also present.

### APPROVAL OF MINUTES

Clerk Pierce pointed out that a motion that was made at last months meeting was: **MOTION** by Chambers, second by Parrott to add in that sick pay, sick leave and comp time cannot be used to determine overtime pay. Trustee Chambers stated that he must have misspoke and said to delete the wording sick pay and add in vacation time. It was also discussed that the September 8<sup>th</sup> Board Minutes did not reflect that the Village Board members had all received a copy of the *Report on Internal Control, Financial Statements and the Report on Federal Awards as prepared by Baker Tilly for the year ended December 31, 2010.* **MOTION** by Berry, second by Chambers to approve the September 8, 2011 minutes with the two clarifications to reflect vacation time and that the Baker Tilly reports had been received, motion carried.

### TREASURER REPORT

	<u>GENERAL</u>	<u>WATER</u>	<u>SEWER</u>
August 2011 Bal. Brt. Frwd.	\$100,579.09	\$135,579.38	\$35,251.88
September 2011 Receipts	\$5,094.50	\$11,138.16	\$6,587.21
September 2011 Disbursements	\$38,197.34	\$12,825.59	\$8,883.72
Bal. October 1, 2011	\$67,476.25	\$133,891.95	\$32,955.37

LGPIF Tax \$0.00 - Tax Checking \$103.52 - Capital Project Checking \$104,321.53 - LGPIF TIF \$332,553.13 - TIF Checking \$100.00 - General Money Market \$33,102.72 - Water LGPIF \$127,830.96 - Water Depreciation Account \$33,877.96 - Water Special Redemption Fund \$18,045.00 - Water Debt Reserve Fund \$2,935.05 - LGIP Sewer \$48,848.27 - Sewer Depreciation Account \$20,761.72 - Sewer Special Redemption \$14,669.51 - Sewer Debt Reserve Fund \$3,610.06

**MOTION** by Chambers, second by Parrott to approve the Treasurer Report as presented & read, motion carried.

### Bills:

19274	Kathleen Pierce		1,310.66
19275	Michael Zant		1,554.03
19276	Ronald Beeman		1,236.47
19277	Thomas Sawyer		251.53
19278	Michael Moran		191.84
19279	Rosann Doyle		126.17
19280	Linda Hogan		1,315.02
19281	Great West (WI Deferred Comp. Program)		61.00
19282	EFTPS	Auto Debit	1,905.76
19283	Faivre Implement		60.03
19284	H. Monroe, Inc		35.50
19285	TruTest Drug & Alcohol Testing		27.92
19286	Eileen Gibbs		55.25
19287	Bonnie Kelly		42.50
19288	Frances O'Brien		74.38
19289	WI Dept. of Workforce Development	Auto Debit	113.23
19290	AFLAC		121.84
19291	Badger Meter, Inc.		161.99
19292	Cartridge World		234.34
19293	D.L. Gasser Construction		1,841.00
19294	General Engineering		3,053.74
19295	Kwik Trip, Inc		520.21
19296	Lab Safety Supply		67.62
19297	Alliant Energy		1,938.05
19298	Frontier		204.64
19299	Baker Tilly Virchow Krause		7,409.00
19300	Kathleen Pierce		1,034.56
19301	Michael Zant		1,216.79
19302	Ronald Beeman		985.29
19303	Thomas Sawyer		69.92
19304	Michael Moran		646.67
19305	Rosann Doyle		117.73
19306	Linda Hogan		1,140.78
19307	Great West (WI Deferred Comp. Program)		61.00
19308	EFTPS	Auto Debit	1,552.92
19309	Kathleen Pierce		11.70
19310	Baker Tilly Virchow Krause		2,101.00
19311	Ace of Adams		219.44
19312	CT Laboratories		324.00
19313	Fire & Safety II, Inc		150.00
19314	News Publishing Co.		378.27
19315	WE- Energies		9.30
19316	Adams County Highway Commission		1,080.54
19317	City of Adams		270.00
19318	Dalco		153.50
19319	John Gibbs		250.00
19320	Adams County Solid Waste		2,015.40
19321	Kathleen Pierce		1,133.85
19322	Michael Zant		1,305.19
19323	Ronald Beeman		1,007.54
19324	Thomas Sawyer		548.01
19325	Michael Moran		103.19
19326	Rosann Doyle		126.17
19327	Linda Hogan		1,080.11
19328	Great West (WI Deferred Comp. Program)		61.00
19329	EFTPS	Auto Debit	1,597.64
19330	WI DOR	Auto Debit	1,209.28
19331	WI Retirement System	Auto Debit	2,842.51
19332	Sage Software	Auto Debit - Renewal of Peachtree Tax Update	284.80
September	Internal Transfer to Water Special Redemption Register		6,015.00
September	Internal Transfer to Sewer Special Redemption Register		4,889.83
<b>RURAL DEVELOPMENT VOUCHERS:</b>			
RDW-55	Baker Tilly Virchow Krause	Auditors	\$1,840.00
RDS-58	B&M Technical Services, Inc.	Radio Study - Lift Stations	\$600.00
RDS-69	Baker Tilly Virchow Krause VOID 10/5/11	Auditors	\$1,840.00
RDS-60	MSA Professional Services	Engineering - Lift Stations	\$8,558.79

## **VILLAGE BOARD MEETING ~ OCTOBER 3, 2011 Pg. 2**

**MOTION** by Chambers, second by Berry to approve payment of vouchers 19274 – 19332 in the amount of \$59,906.65, motion carried. **MOTION** by Chambers, second by Berry to approve payment of Rural Development vouchers RDW#55, RDS #58 & 60 in the amount of \$12,838.79, motion carried.

### **APPOINT VILLAGE RESIDENT TO SERVE AS VILLAGE TRUSTEE TO FILL THE VACANCY CAUSED BY THE RESIGNATION OF TRUSTEE LISA WEST**

Two former Village Trustees had expressed interest in filling the Trustee vacancy caused by the resignation of Lisa West. The Village Board decided to vote by secret ballot; each Village Board member was given a ballot with the names of Patricia Townsend and Frances O'Brien. The count was Townsend 2 and O'Brien 4. **MOTION** by Sleeman, second by Berry to appoint Frances O'Brien to serve as Village Trustee to fill the unexpired term of Lisa West, motion carried.

### **CITIZEN INPUT**

There was none.

### **CONSIDERATION & POSSIBLE ACTION ON CONCEALED CARRY ORDINANCE**

A copy of Ordinance No. 75 Weapons on Village - Owned Property was presented. **MOTION** by Chambers, second by Berry to adopt Ordinance No. 75 as presented, motion carried.

### **PUBLIC WORKS DIRECTOR REPORT/UPDATE & POSSIBLE BOARD ACTION FOR THE FOLLOWING**

**Revisions to existing Cross Connection Control Program/Ordinance** ~ Berry stated that there have been a lot of changes made and felt the Village should update theirs; the committee recommended having Attorney Wood along with Mike Zant to help re-write the ordinance. Zant will get Attorney Wood a copy.

**Radio & Siren Upgrades** ~ Berry stated he is still waiting for Air Communications to do a study in the City of Adams to see if anything can be done. Village has till March 2012 & Joe Davis told him that the radios that the Village currently have will be able to be converted over to low band. **Stop Signs at Quincy/W. Third & Superior/E. Fourth Streets** ~ Zant stated that he has had some complaints about the traffic flow on these streets. To slow the traffic down, the Public Works Committee recommended a three way stop at these locations. Zant will get a copy of the current ordinance for Attorney Wood to review. Trustee Chambers questioned if the traffic on the south end of Superior Street was heavy because he lives on the north end of Superior and stated that he has not observed any heavy traffic on the north end. **MOTION** by Berry, second by Parrott to approve placing a stop sign at Quincy/W. Third Street and Superior/E. Fourth Street contingent upon the ordinance being amended properly, motion carried.

**Written Agreement for Municipal Street Improvement Program** ~ Zant stated instead of the Village & City splitting the LRIP monies (\$9,000), each year they had a gentleman's agreement to alternate each year. Dave Mead of the City of Adams felt there should be a written agreement on how the yearly funds would be handled. **MOTION** by Berry, second by J. Pierce to have Attorney Wood work with the City's attorney to come up with a written agreement, motion carried. **Fall Leaf Pick-Up** ~ Berry stated that he is still in discussion with the City Administrator, Bob Ellisor; Ellisor said that if the village wants to dump leaves there they could for \$100 per month or \$1,200 per year. Public Works Committee members recommended that Berry go back to Mr. Ellisor & suggest \$75 per month for the months of October & November and next spring the months of March & April; committee didn't feel they should have to pay \$1,200 a year when they would only need to use it for four months of the year. Berry also stated Ellisor had said that if the Village would need compost they would not be charged for it as a part of the proposal. Berry will keep the Board updated. **Safety Concerns with Dead Trees** ~ Committee recommendation is to have Zant deal with it on an individual basis as they come about. **Hydrant Flushing Procedures** ~ Berry told the Board that the PW Dept. were tired of coming in at midnight to flush hydrants and stated that most communities don't do that anymore. Both the City & Village decided to try to flush during the day and did so last week. Berry stated that different diffusers are needed for day flushing and recommended that the Village consider purchasing two diffusers @ \$900 each or \$1,800.00. This would be a water expense. **Update to Municipal Sign** ~ Committee recommendation was to leave the sign as is rather than spending any money at this time. **Rural Water Utility Training** ~ Zant stated that he had information on an upcoming Rural Water training session that includes How to Select Professional Engineering Services, Bid Processes etc. and said if anyone was interested they should attend. **Set Trick or Treat Hours** ~ Berry felt that trick or treating should be held on Halloween but the committee felt it should coincide with the City of Adams' hours. **MOTION** by Chambers, second by Sleeman to set trick or treat hours for October 30<sup>th</sup> from 4 – 7 p.m. 5 aye, 1 nay, Berry cast the nay vote **Purchase of an AED Unit** ~ Berry felt the Village should have an AED unit in the Municipal Building; other PW members felt the hospital was right across the street and President Sleeman stated that the ambulance service was right up the road and questioned whether it was necessary to purchase one. **Berry:** I brought it to committee, discussion in the committee was to throw it back at Finance to maybe put something in the budget for next year and get full board discussion going on the whole issue of purchasing a defibrillator for the building here.

**ACFD Request For Use of Another Bay & Joining Fire District** ~ Joe Davis was in attendance and said

## **VILLAGE BOARD MEETING ~ OCTOBER 3, 2011 Pg. 3**

that the ACFD would like to request the use of a full bay to store their Hazmat unit. Davis also said that the Village is under contract with the Adams County Fire District (ACFD) and felt it was time that the Village joined as a member because he thought it would be cheaper. Berry stated that the next ACFD meeting would be October 13, 2011 at 7:00 p.m. at the City Municipal Building and that he would attend to get more information on what the cost would be to join the district rather than contract and he would bring back information to the Board. Attorney Wood stated that he represents the ACFD and that he prepared various revisions to their operating agreement and would see if the district would be ok with providing a copy of the draft agreement to the Village Board for review.

### **CONSIDERATION & ACTION ON TEMPORARY CLASS "B" RETAILER LICENSE & SODA LICENSE**

**MOTION** by Chambers, second by Doyle to grant the Castle Rock Lions Club Inc./William Hicks, President a Temporary Class "B" retailer's license for October 1, 2011 and a soda license for the licensing period ending June 30, 2012, motion carried. Clerk pointed out that this application was after the fact. Clerk was asked to put the matter of designating the Village President the authority to approve temporary class "B" licenses on the November agenda.

### **LIFT STATION UPDATE BY MATT MORROW**

**MORROW:** We mailed the contracts to the contractor, Earth Inc. in Arpin, WI and they will sign them and return to our office this week from there they will go to Mr. Wood for his review and concurrence and then they will go back to Rural Development for their concurrence. I anticipate 12-16 weeks delivery time for equipment so that puts construction time sometime in the middle of January. There is no disturbing of the ground adjacent to the lift stations so they should be able to do all the work in the winter and have it done by March 2012. President Sleeman asked if there were any questions and there were none.

### **CONSIDERATION & POSSIBLE ACTION ON EXECUTION OF PARTIAL RELEASE OF MORTGAGE DOCUMENT FOR PROPERTY IN THE TOWN OF ADAMS**

**ATTY. WOOD:** Back during the Rural Development Sewer & Water Project there were two notices of mortgage liens signed by President Jones & Clerk Pierce and they were drafted by then Attorney McFarlin. They had the affect of the village placing a mortgage, all of its sewer & water system; apparently it was a USDA requirement and then it was recorded. So the legal description on the documents references part of a number of different quarter, quarters or forties and then all of some other quarter quarters and then it has what we call a meets and bounds description. Kathy & I were contacted last week by Bill Parr who said that there was a problem with that cuz according to one of the local title companies at least one parcel in the Town of Adams may have been included in that description. So, after a fair amount of research and phone calls with Kathy, MSA, Title Company & Dennis McFarlin I'm still not certain that there is an issue but in deference to the Title Company and to having this deal be able to close, I drafted a simple partial release from that parcel. The partial release has the affect of releasing from those two notices of mortgage lien, the parcel that is being sold. Looking forward I don't want to have this become an issue every time some property in the vicinity of the village is sold so I drafted another document which is called an affidavit of correction. (Atty. Wood read aloud the affidavit of correction to the Village Board and stated he was going to attach it). Clerk Pierce questioned if Rural Development would have a problem with the Village doing this; Attorney Wood said he could contact Julie at Rural Development to discuss the issue. **MOTION** by Berry, second by Parrott to authorize the Village President and Village Clerk the authority to sign the partial release and affidavit of correction drafted by Attorney Wood, motion carried.

### **CORRESPONDENCE**

**The following correspondence was placed in all boxes for review and or action by the committees:**

Clerk Pierce stated that first she would like to mention that she was asked by the former Village President if the Village ever received any monies from the Harold Henning Estate. She told the Board that she had read in the local newspaper several months ago under the City of Adams' minutes that the Village & City of Adams were both named in the Harold Henning Estate but to her knowledge the Village had never officially been notified. Clerk Pierce further stated that recently Attorney Pollex had asked for a final sewer & water bill on the Henning property located in the Village and at that same time she also emailed Mr. Pollex on what she had read and asked if he could give the Village an update but he did not respond. Discussion held. Attorney Wood stated that when a will is admitted for probate there are forms that have to be filed and those forms and notice have to be given to all interested persons (heirs at law..spouse or children or whoever your heirs at law are), and then anyone named as a beneficiary in the will. So, presumably if we were beneficiaries in the will Eric would have contacted us from the get go because we would have had a right to know what was going on. I can check on that, it's just a matter of pulling the probate file in the courthouse and just double checking. Attorney Wood was asked to look into the matter.

## **VILLAGE BOARD MEETING ~ OCTOBER 3, 2011 Pg. 4**

\*A copy of the letter received from a concerned citizen dated 9/26/11 in regards to the problem they feel is at 701 Main Street with garbage laying in the driveway and various other areas in the yard. It was noted that a letter was sent out to the property owner and since it has been cleaned up.

\*A copy of the September 28, 2011 letter from the Adams County Hwy. Dept. in regards to their upcoming agenda for the October 17, 2011 Municipal Street Improvement Committee meeting and a copy of a September 27, 2011 letter from them in regards to salt/sand for the 2011-2012 winter season.

\*Copy of a Bankruptcy notice on a village resident; Clerk stated that she had sent this to Atty. Wood and his reply was attached.

\*A copy of General Engineering's monthly building inspectors report dated September 21, 2011.

\*Copies of various letters that were sent out to Village residents in regards to debris in their yards, lots in need of mowing etc.

\*Thank you from John & Eileen Gibbs of 314 E. North Street for the removal of a hazardous tree on their property.

\*Trustee Doyle asked Mr. Zant if he had looked into the hours his department spends on lawn mowing as requested; Zant stated that he had not done anything with it yet.

Being no further business to come before the Board, motion by Berry, second by Parrott to adjourn, motion carried.

Kathleen M. Pierce,  
Clerk/Treasurer