

Town of Saukville
TOWN BOARD MINUTES
December 21, 2010

1. Pledge of Allegiance

2. Call to Order/Attendance

Chairman Jobs called the meeting to order at 7:00 p.m. and read the following notice:

This meeting has been given public notice in accordance with Sections 19.83 and 19.84 of the Wisconsin Statutes, to apprise the public and news media of the subject matters.

Present: Chairman Jobs, Supervisors Smallish and Rutkowski, Clerk Lear and Constable Golec.

Also present: Erhard Jobs, Marvin Hoffmann, Jeff Williams, Gloria Arredondo, Debra Golec and Ozaukee Press Journalist Mark Jaeger.

3. Approval of the minutes of the November 16, 2010 Town Board Meeting.

Motion by Smallish, second by Rutkowski to approve the minutes of the November 16, 2010 Town Board meeting. Motion carried unanimously.

4. Discussion/action on the request for an operator's license made by Jamielynn Gaston and Carrie A. Dumas, MacCarthy's.

Motion by Smallish, second by Rutkowski to approve operator's licenses for Jamielyne Gaston and Carrie A. Dumas. Motion carried unanimously.

5. Discussion /action on documents received from Payne and Dolan Inc. regarding the third and last conveyance of quarry property by Payne and Dolan, Inc. to the Town

Chairman Jobs read the agenda declaration. A historical search of Town documents shows the agreement with Ozaukee County for conveyance of land was discussed at the May 18, 2004 Town Board meeting. The documents were not signed until February 2, 2005. Then Chairman Terry Hoffman did not sign the document, Chairman Jim Kadow was in office by then and signed the document. A Quit Claim Deed dated July 7, 2005 was signed by Chairman Jim Kadow, however Town Hall files show the matter was never on a Town Board agenda for action. A second Quit Claim Deed is dated September 7, 2007 and Town Hall records show the document was never on a Town Board meeting agenda or approved by the Town Board. Chairman Jobs questioned whether the Town Board should accept this land at this time of economic stress. There are no funds available to make the purchase outlined in the agreement. She believes Town residents may not support the idea of borrowing money for the purchase.

Supervisor Smallish stated the documents should have been approved by the Town Board at the time. She called for more clarification on what the agreement provides. Supervisor Rutkowski stated before action can be taken the Town Board needs advice from legal counsel. Chairman Jobs stated the Town has Quit Claim Deeds dated July 27, 2005 and December 9, 2007. Supervisor Smallish stated that in 2005 she was a member of the Quarry Committee, at the time the Committee was told by the Board that others would inspect the County Gravel Pit. The Town Board then read through the 2005 Agreement with Payne and Dolan representative Jeff Williams. There was concern over paragraph #3 under "Terms and Conditions." Mr. Williams stated that the Payne and Dolan officials involved with negotiating the agreement are still available to the Town. The Board then reviewed additional documents. Motion by Smallish, second by Rutkowski to table the matter until the next Town Board meeting. Motion carried unanimously.

6. Discussion/action on the proposed Road Maintenance Contract (2011-1212) in consideration of the mutual promises of the parties and services to be rendered by Ozaukee County Highway Committee

The Town Board discussed the contract and indicated their preferences on the services list. Motion by Smallish, second by Rutkowski to approve the Road Maintenance Contract with Ozaukee County for 2011-12. Motion carried unanimously.

7. Discussion/action on proposed Ordinance No. 2010-01 For Non-Metallic Mining Reclamation

Chairman Jobs read the agenda declaration. The Town is not in compliance with WDNR mining regulations. In 2007 the Town Board voted on an updated ordinance; however that document was never signed, recorded or published. Motion by Smallish, second by Rutkowski to approve Ordinance No. 2010-01. Motion carried unanimously.

- 8. Discussion/action on authorizing the Town Board appointed Quarry Committee as the governing body established to administer compliance with Ordinance No. 2010-01 For Non-Metallic Mining Reclamation**
Chairman Jobs stated that while Supervisor Smallish and Victor Frank are still interested in serving on the Quarry Committee, the Town needs a third person to replace Jim Reinartz, who now resides outside the Town of Saukville. Motion by Smallish, second by Rutkowski to authorize the Town Quarry Committee to act as the governing body for the Town regarding Non-Metallic Mining matters, and to administer compliance with Ordinance No. 2010-01. Motion carried unanimously.
- 9. Town Hall**
- a. Office Report – Clerk**
Clerk Lear stated that tax bills will be going out somewhat later than usual, due to technology issues on the County level. Julie Irish, Interim Treasurer is trained and ready. Her office hours have been distributed and posted. The Board approved by consensus the Clerk’s office being closed Tuesday, December 28, 2010.
- b. Website Report**
Supervisor Rutkowski reported that he has successfully converted Town Board agendas and minutes to PDF files and have posted them on the website; he also put recycling center hours for the holidays on the website.
- c. Chairman’s Report/Correspondence**
Chairman Jobs noted the Town has been asked to host the next Wisconsin Towns Association meeting in April, 2011.
- 10. Financial Reports**
- a. Treasurer’s account balances report**
Clerk Lear reported a balance on hand of \$225,675.90.
- b. Clerk’s budget status report**
Clerk Lear reviewed the income and expense report in the Budget. Our net income as of this date is \$111,908.00.
- c. Review and approval of claims**
Motion by Rutkowski, second by Smallish to approve claims in the amount of \$13,286.70. Motion carried unanimously.
- 11. Town Constable’s Report**
Nothing to report.
- 12. Items from the floor**
Marvin Hoffmann stated there is a firm in Sheboygan referenced in the Payne and Dolan document. The Town may want to refer this matter to the District Attorney if the Town does not receive cooperation from former Supervisor Niehaus or former Chairman Jim Kadow.
- 13. Adjournment**
Motion by Smallish, second by Rutkowski to adjourn. Motion carried unanimously. The meeting adjourned at 9:15 p.m.

Respectfully submitted,
Christopher B. Lear, Clerk