

VILLAGE OF TURTLE LAKE
REGULAR BOARD MEETING MINUTES**
AUGUST 18TH, 2008

CALL TO ORDER: Village President Laurie Tarman called to order a meeting of the Turtle Lake Board of Trustees at 6:32p.m., Monday, August 18th, 2008.

ROLL CALL: PRESENT: Tarman, Becker, Pabst, Outcalt, Flottum, Merrill, and Hall. Others present were Deputy Clerk Danielle Maxwell, Village Attorney John Schneider, Public Works Director Cory Davis, Gary Strand of Cooper Engineering, Sheryl Clafflin of SEH, Dave Slack of Halco Press, Jessica Fehlen, and Bill Scribner, resident. Don and Bev Nieman attended at 7:07p.m.

REVIEW OF AGENDA: It was moved by Flottum and seconded by Becker to approve the agenda as presented.

PUBLIC COMMENT: None.

COMMITTEE REPORTS: Tarman and Maxwell stated that the Tourism Committee met on July 18th and chose ad placements for 2009, discussed the ATV linkage grant, 2009 marketing options, and the welcome sign landscaping.

DEPARTMENTAL REPORTS:

Administration – Maxwell updated the Board on the upcoming Partisan Primary Election on September 9th and that she had recently attended two election trainings in preparation. Tarman expressed that the Board packets contained information regarding updates on ongoing projects.

Legal – None.

Police – Chief Al Gabe was absent due to surgery but his Police report was included in the packets.

Public Works – Public Works Director Cory Davis informed the Board that the water main and 4" disconnect on Railway Avenue was in place. Base paving was scheduled for next week and also on Western Boulevard, near Lake Country Dairy. He continued that they had done some sewer televising for consideration of future projects. Some lines were in good condition while some issues were found. They also reviewed work that was done on lines during previous projects. Root problems were found in clay tile sewer lines; he stated that more attention would need to be given to some of these lines due to dirt issues. He stated that Martin Avenue and Logan Avenue lines looked good and that the televising provided good information.

He continued that the Sewer Plant Expansion Engineering Study was at the point that the engineering companies are ready to give out cost estimates based on Lake Country Dairy information and other industries. He stated that the industries are not too forthcoming but they still have the \$75/\$100 agreement. He added that Kerry Proteins has been good on clearing wasteflows back to original letters of intent.

Flottum asked about the large, in-ground tank at Kerry's. Davis said that it is for pH control to meet DNR enforced regulations. He explained that it is basically a lift station to control their pH. The silos are for storage. Kerry can test pH before it is sent down to the Wastewater

Treatment Plant. He stated that if the pH is out of compliance the pumps turn on and store the waste. Davis said that he is very satisfied with Kerry's efforts. He added that they are working with the DNR and Village for cooling water to the storm sewer.

Davis reported that on July 25th both industries hit the Wastewater Treatment Plant which killed everything. There are still phosphorus violations which created a long recovery process. The Village ended up having violations on both BOD's and suspended solids.

Davis continued that the sludge storage would be full in one week and that Kasper's farm might be a possibility to dispose of it. He is researching options to landfill the solids, try to find storage somewhere or roll off dumpsters. He explained the situation that excess solids could be an issue in the winter and that some may need to go to Sarona. Al Zeltner of the Barron County Incinerator doesn't really want the solids, but would be willing to take it if the Village were in a bind. Outcalt asked is the Village is still billing per violation, per day or a flat fine. He stated that there had been discussion to update the ordinance and the DNR is encouraging to increase fines. Daily pH violation is \$100 per day. It was asked if the DNR is involved with Lake Country Dairy as well as Kerry. Davis replied that they are and that pH is LCD's biggest issue. Davis concluded stating that he has given LCD quotes and recommended to look into the cost of Kerry's project.

UNFINISHED BUSINESS:

Reconsideration of Previous Vote concerning Becker Street Improvements – Pabst explained why she requested to have this item added to the agenda. She stated that members of the public had contacted her and stated that the cost with the sidewalk couldn't be as presented. She said that her motion had been based on the sidewalk versus no sidewalk and not a walking lane that was referred to at the regular Board meeting of July 21, 2008.

Pabst moved to rescind her previous motion. Attorney John Schneider clarified that that a second to Pabst motion would defeat the motion made on July 21st. Hall seconded the motion;

Roll call vote: Yeas – Hall, Merrill, Pabst, and Outcalt. Nays – Tarman, Flottum, and Becker. Motion to complete the Becker Street improvements with borrowed funds and grant funding from the County at the estimated cost of \$112,000 as proposed by SEH, Inc., as made on July 21st, was defeated.

The consideration for Becker Street Improvements then reverts back to the previous motion that was defeated on July 21st. Becker asked how much funding is available. Resident Bill Scribner asked the Board what benefits do residents get out of the proposed sidewalks on Becker Street. Flottum explained that they benefit handicaps, vehicles, provides a good winter surface, and that the curb and sidewalk properly directs water. He added that there was an expressed interest. Scribner asked if the properties would be assessed the cost. Tarman replied no and explained that practice has changed and they no longer assess back to property owners as sidewalks are used by the public.

Hall inquired about ditching options. Cheryl Claflin of SEH explained that the plan is to fill the current ditches. She continued stating that bid information has already gone out and recommended to the Board that they leave the bids as written and talk with the contractors once the bid is awarded to not install a sidewalk. Hall asked about the direction of water flow and how it ties into Martin Avenue and Industrial. Claflin explained that ditching conflicts with utilities. She continued that there would be different items to consider with a change of plans if

there were not curb and gutter; the plans would not need alteration with the elimination of the sidewalk. She added if there were no curb there would be bigger issues with work being done as it allows for multiple options. It was noted that the motion to rescind was carried four to three.

Pabst asked what the deadline was to use the \$17,000 from the County. Claflin replied by 2012. Discussion ensued as it was stated that Becker Street was only filled after utility lines were buried as a temporary fix. The paving was held off because the Becker Street Improvement project was to be completed. Concerns were raised regarding leaving the street with the temporary fill over the winter.

It was moved by Outcalt and seconded by Becker to complete the Becker Street Improvement project with curb and gutter, a parking lane and no sidewalk.

Discussion continued as Pabst asked about the increase of cost from \$110,000 to \$125,000. The new estimate included the catch basins that needed replacement. Benefits and advantages of leaving the past motion of July 21st as carried permits no changes to the bids and engineering requirements; other changes would require bid adjustments. Discussion continued regarding business along Becker Street to contribute for development of the desired sidewalks.

Motion on the floor was again addressed.

Roll call vote: Yeas – Pabst, Tarman, Outcalt, and Becker. Nays – Flottum, Merrill, and Hall. Motion carried.

Water Tower Construction Project, Consideration of Land Purchase – Tarman requested that this item be moved to the end of the agenda. The Board agreed.

NEW BUSINESS:

Consideration of Operator's License Application for Jessica A. Fehlen – Fehlen addressed the Board stating that the offense that she failed to list on her application was part of her juvenile record from over five years ago and did not believe it was still a part of her record. She stated that she had completed an Alcohol Assessment. Schneider explained that this is an option courts provide in order for defendants to get a reduced fine and keep their driving privileges. Fehlen said that her position at the St. Croix Casino is her primary source of income and that she is a full-time college student. An operator's license would permit her to take an additional position at the Casino.

It was moved by Flottum and seconded by Merrill to deny the application in accordance with Chief Al Gabe's recommendation and the frequency of violations but would reconsider to approve a new application in March of 2009, one year from the last violation.

Roll call vote: Yeas – Flottum, Pabst, Merrill and Outcalt. Nays – Tarman, Becker and Hall. Motion carried.

ATV Trail Location related to the Cattail Trail Linkage Grant Requirements – Tarman explained the packet that Chief Gabe provided for the Board. The proposed route is one of the few routes that would be in a residential neighborhood. The route was changed from the initial proposed route as it could be quite costly for the Village as there was no interest for the area to be logged. There was discussion of the benefits of the proposed route and the enforcement of low speeds within the Village. Flottum asked is a public hearing necessary for approval of a

route along a residential street. Schneider advised that there were no public hearings for previous routes and that there would be no requirement of such a hearing.

It was moved by Becker and seconded by Hall to approve the change in location of the ATV route on Village property off of the south end of Ostermann Drive to be submitted to the WI Department of Natural Resources.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Consideration of Hydrant Use Policy – Davis explained the current water hydrant policy and offered updates to the policy as in comparison to other cities and to follow the Village Ordinance. Tarman stated that the new policy basically states that no one other than trained Village Personnel shall operate a hydrant within the Village unless used for a fire emergency. This change would help avoid issues with bulk water access to anyone. Davis said that the new Administrator, Village President and the Public Works Director would address this policy with the Turtle Lake Fire Board.

Flottum stated that the Fire Board is looking for direction on which hydrant to use during emergencies so that the hydrants are used properly, to avoid cross contamination and pressure issues. He added that until the new well and water tower is up and running, they need to find a balance between the Fire Department and Public works to avoid problems.

Pabst suggested that the policy attach “procedure guidelines.” Flottum expressed concern on the situation of which hydrants for the Fire Department to hook onto to avoid issues. Davis replied that he is working on it. Davis added that former Administrator Bell had planned to have a Village representative involved to help protect the water supply, infrastructure and plan for emergency situations. Davis stated that issues can be resolved by working together. He continued that a written policy was developed so that they would have something to bring to the Fire Board and that the policy presented was intended to cover all users.

Gary Strand of Cooper Engineering offered his input. He stated that there are model water supply systems that can be transferred to a laptop with trained representatives while fighting a fire. He added that there are strong pumps in the Fire Department and that it is a matter of input.

It was moved by Tarman and seconded by Becker to approve the water hydrant policy as presented, noting that it can be updated in the future.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Well Construction and associated costs – There was brief discussion of the video of the well that was estimated to be 30 minutes long. It was agreed to move this item to the end of the agenda.

Repair Bill for the Western Lift Station – Davis explained that this was the second repair of the lift station. He added that the budget would be tight if the full amount were included. The first transducer was billed to Lake Country Dairy. Tarman suggested that the Village pay the bill out of the non-designated funds and consider billing part of the expense back to the industries. Davis stated that two winters ago new pumps were installed. The original design had errors as the pumps should have been stainless. Settling of the building also caused a pipe to kick out along with various other factors. Davis said that a 50-50 split would be a fair estimate for covering repairs. He added that daily tests samples are taken which can easily

determine causes of damage. Strand explained that at the time the station was built that it was common practice to use galvanized steel versus stainless.

It was moved by Becker and seconded by Tarman to pay half of the repair bill for the western lift station out of undesignated fund balance and bill Lake Country Dairy the remaining half.

Flottum asked to amend the motion to have the monies taken out of the undesignated fund and track as a sewer expense which would be borrowed at a later date regardless of a negative budget line. Tarman seconded the amendment to the motion made by Becker.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Temporary Class "B" / "Class B" Retailer's License for the Lions Club during the Kerry, Inc. Company Picnic –

It was moved by Hall and seconded by Outcalt to approve the Temporary Class "B" / "Class B" Retailer's License for the Lions Club during the Kerry, Inc. Company Picnic to be held in the Village Park on August 23, 2008.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Temporary Class "B" / "Class B" Retailer's License for the Turtle Lake Chamber of Commerce during the Stop Inn Softball Tournament at Hartzell Field –

It was moved by Hall and seconded by Pabst to approve the Temporary Class "B" / "Class B" Retailer's License for the Turtle Lake Chamber of Commerce during the Stop Inn Softball Tournament to be held at Hartzell Field on August 22 – 24, 2008.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Water Tower Construction Project - consideration of alternative location sites and authorization to purchase land for the purpose of location a new water tower –

****Exclusive/Closed Session****

It was moved by Hall and seconded by Flottum to enter Executive/Closed Session at 7:58 p.m. to discuss the water tower construction project and to negotiate the purchase of public property for location of the new water tower as allowable under Wisconsin Statute Section 19.85(1)(e).

Roll call vote: Yeas – Flottum, Pabst, Tarman, Becker, Outcalt, Hall, and Merrill. Nays – none. Motion carried.

It was moved by Becker and seconded by Merrill to exit Closed Session at 8:10p.m. and to reenter Open Session.

It was moved by Hall and seconded by Tarman to approve the purchase agreement with Don Niemann and Craig Niemann with the non-transferable lease agreement of \$1.00 a year.

Roll call vote: Yeas – All. Nays – none. Motion carried.

Well Construction and associated costs – Strand and Davis had the Board view footage taken of Well #3. Strand suggested moving forward and test water sample from below for quantity and quality. He would then come back with a recommendation of how to proceed. Strand further explained that the formation and sand of Well #3 is not a unique situation but also is not a perfect scenario just yet.

It was moved by Tarman and seconded by Hall to approve Change Order No. 2 from Layne Northwest in the amount of \$13,000.

Village Administrator Hiring Process –

It was moved by Tarman and seconded by Becker to enter Executive/Closed Session at 8:33p.m. to discuss the candidate selection and approve a candidate for hire as allowable under Wisconsin Statute Section 19.85(1)(c).

It was moved by Becker and seconded by Pabst to exit Closed Session at 9:05p.m.

CONSIDERATION OF BILLS AND CLAIMS:

It was moved by Becker and seconded by Tarman to approve the bills and claims as presented.

ADJOURNMENT:

It was moved by Becker and seconded by Outcalt to adjourn this meeting of the Turtle Lake Board of Trustees at 9:07p.m.

Roll call vote: Yeas – all present. Nays – None. Motion carried.

Prepared by:
Danielle E. Maxwell
Village Deputy Clerk

** Minutes are yet to be approved by the Village Board.