

**TOWN BOARD MEETING FOR WATERFORD
APPROVED/OFFICIAL MINUTES FOR SEPTEMBER 14, 2015
5:30 PM AT TOWN HALL**

1. Town Board meeting was called to order at 5:30 PM by Chairman Hincz. Present: Supervisors Alvey, Szeklinski, Gauerke, Attorney Dubis and residents of the Town. Supervisor Draskovich was excused.
2. Chairman Hincz led the Pledge of Allegiance.
3. Printed Minutes: Supervisor Szeklinski motioned to approve the Town Board meeting minutes dated August 10, 2015, Special meeting minutes dated August 10, 2015 as printed, seconded by Supervisor Gauerke: 4-0. Motion carried.
4. Treasurer Report/Payment of Claims- Supervisor Szeklinski read the Treasurer's report. Supervisor Szeklinski motioned to approve the claims as presented seconded by Supervisor Alvey: 4-0. Motion carried.
5. Correspondence:
 - Central Racine Health Dept. - Margaret Gesner, Health Officer, Central Racine County Health Department, reported that they had just received notice that they meet the requirements to be a certified level II health department. Gesner informed the Board and the residents what the health department does for the community. Chairman Hincz stated that the amount for 2016 increased a small amount. Gesner stated that they do their best to keep the rates down and that their workers comp insurance increased significantly. Gesner informed the Board and the residents that they run sixty percent on grants and forty percent on municipal levies.
 - Chairman Hincz stated that Dan Egan had drafted and submitted to the Planning Commission a letter with questions regarding the WWMD dredging project. Supervisor Gauerke motioned to allow Egan to speak in regards to the WWMD dredging project, seconded by Supervisor Szeklinski. 4-0. Motion carried. Dan Egan, 32610 Sunburst Ct., indicated that since the last Planning meeting and his written letter, he had spoken with Kling, Baron and multiple property owners extensively and that he is still not for nor against the project. Egan further indicated that the multiple zip codes have been problematic for the residents in his area not getting notices. Egan indicated that he has received many different contacts from WWMD and that he is still waiting to hear back from Jack Peas, Super Mix. Egan continued to express concern for what product will be passed to Super Mix and what will be done with it once it is on site. Egan requested the Board and WWMD give the same level of interest for affected parties throughout the entire process/project. Egan further requested of the Board, that if they accept Planning Commission's recommendation, that they modify the approval with stipulations that all documents and approvals are secured for all phases prior to access to Town right-of-way begins. Chairman Hincz indicated that although the Town recognizes the concern of its residents, they have very little authority when it comes to things such as reclamation of the site.
6. Committee Reports:
 - (a) Police Dept. Report- Chairman Hincz stated that the hiring process was moving slowly due to the extensive background process.
 - (b) Tichigan Vol. Fire Co. - Chief Wagner stated that they had raised money at the Lions car show and had also received a \$3,000 donation from the Tichigan Lake Lions Club. Wagner reported that the funds will be used to purchase defibrillators.
 - (c) WWMD-
 - (d) Park- Ken Hinz reported that activity was slowing down and that there was a tournament on Saturday.
 - (e) Road Dept. – Ken Hinz reported that the roads were done and that they were finishing up some of the striping. Hinz also reported that the new GPS unit was up and running and that the police department may be able to use it to locate their buoys.
 - (f) Town Planning Recommendations-
 - Pier Permit- Marek, 28927 Elm Island Dr.-Applicant present. Supervisor Gauerke read the Planning Commission minutes. Supervisor Gauerke motioned to accept Planning Commission's recommendation for approval, seconded by Supervisor Szeklinski. Supervisor Gauerke asked how wide the applicant's lot was. Bob Marek replied that it is 50'. Supervisor Gauerke indicated the drawing on the application was confusing, but it appeared the applicant had just enough frontage to meet the 10' setbacks. Supervisor Gauerke indicated that the boat lift was to be a minimum of 10' from the neighboring lot line. Chairman Hincz reiterated that the applicant must maintain the 10' setbacks and those two pictures are to be submitted to the Clerk's office. 4-0. Motion carried.
 - Town Level Variance- Bieringer, 28508 Anlace Dr. - Applicant present. Supervisor Gauerke read the Planning Commission minutes. Supervisor Gauerke motioned to accept Planning Commission's recommendation for approval,

seconded by Supervisor Szeklinski. Supervisor Gauerke indicated that the proposed building was still outside of the building setback lines and was right up to the easement line. John Bieringer stated that they had reconfigured and reduced the size of the garage down to 1200 sq. ft., and that Racine County had indicated they did not have any issues with the building being right up to the easement. Supervisor Gauerke indicated that he had gone out to see the property and that it was difficult to visualize and that he feels the proposal should go back to the Planning Commission and the applicant should stake out the lot line and the layout of the garage as well as get Racine Co. approval, in writing. Supervisor Gauerke withdrew his motion, Supervisor Szeklinski withdrew his second. Supervisor Gauerke motioned to refer back to October Planning Commission and applicant is to obtain written approval from Racine County as well as stake the property to indicate property line and proposed building, seconded by Supervisor Szeklinski. 4-0. Motion carried.

-Proposed CSM/Conceptual Plan-Rausch, lot located between 6831 and 6911 Big Bend Rd. - Supervisor Gauerke read the Planning Commission minutes. Supervisor Gauerke motioned to accept Planning Commission's recommendation for approval of the conceptual CSM, seconded by Supervisor Alvey. Gary Foat, agent for the applicant, indicated that Racine County wants the applicant to rezone and combine parcels, but the applicants do not want to combine. Foat stated he is going to have the applicant petition for a rezone. Supervisor Gauerke withdrew his motion, Supervisor Alvey withdrew her second. Supervisor Gauerke motioned to refer to Racine County Planning and Zoning and the applicant is to re-petition to the Town Planning Commission and Town Board at a later date, seconded by Supervisor Szeklinski. 4-0; Motion carried.

-WWMD-Ecosystem Restoration Project-Supervisor Gauerke read the Planning Commission minutes. Supervisor Gauerke motioned to allow WWMD to obtain easements within the right-of-way on necessary Town lands, seconded by Supervisor Alvey. Chairman Hincz asked if there was anything they wanted to add. Gauerke stated the it was an important project, and is nothing the Town or neighbors want to slowdown or delay, but feels Dan Egan posed valid points and that if there are any problems with the pit, it will fall on the Town Board. Supervisor Gauerke indicated that his intent is to ensure documentation for the pipeline and the gravel pit receiving the material will acquire approval from the DNR; proper permits and documentation be approved by the DNR and Racine County Planning and Zoning, prior to the project moving ahead. Attorney Dubis asked if Supervisor Gauerke wanted assurance that Racine County is going to take care of any problems that may come up at the pit. Supervisor Gauerke replied that it was his intent and that he wants assurance the pit has sufficient capacity to handle the 500,000 cubic yards of the dredged material; also, if liners or other items are required, they would be done prior to the project moving forward (not prior to the application being submitted). Supervisor Gauerke stated he would like the WWMD to address and accommodate the neighbors surrounding the pit with information as well as supply contact information to them at future meetings. Further, Supervisor Gauerke stated he wants the neighbors to be assured that the project is not going to cause any problems from the sediment being deposited at the Super Mix site. Supervisor Alvey questioned if there was any information to substantiate this type of project. Chairman Hincz stated that Ken Hincz went with WWMD to Green Bay and witnessed the operation on a much larger scale than what was being talked about and that it's just not "out there" and they need to communicate. Chairman Hincz asked Kling if they have met with any of the private land owners. Paul Kling, 5718 Island View Ct., Secretary of WWMD, replied that they have and have acquired one conceptual approval. Kling stated that what is required of WWMD in order to get anything is a permit from the DNR and that the WWMD have been working on the permitting process for the better part of three years and the engineering portion for seven years. Kling continued to state that they have gone through a lot of things including taking over 300 core water samples. Kling stated that Mr. Egan has requested the information and he is attempting to assemble 87-90 megabyte document to provide Egan. Mr. Kling stated that to get a permit, they had to nail down where they are getting the material, which they have done. They need to identify where it is going, which they have identified three sites. They have to tell the DNR how they intend to get it to the site. They have to tell the DNR what the contingency plan is. Kling continued to state that some is based upon what contractor the WWMD gets and they can't get a contractor until they get the permit, so what the DNR does is put the restrictions on the contractor, etc. Mr. Kling continued to state that another part of the project is the engineering for the pit and they have to have an approved design for the pit, what they are going to do with it and how they are going to do it. Kling stated that the DNR has laid out certain specifications. WWMD is aware of what they are taking and putting at Super Mix. Looking at 525,000 cubic yards of material to go into the pit. The pit has to be designed to handle and designed to do the water run-off. So there are a lot of contingencies that are part of the permit. Another part of the permit is for the routing, the DNR has to know where they are going and that's where they are requesting approval from the Town and the private individuals. Each route has different advantages. Mr. Kling stated there are a lot of things that need to come together. Kling stated that Mr. Egan's questions are valid, they are good. WWMD definitely doesn't want to put anything in the pit that could be harmful and the DNR would not allow them to do so. Chairman Hincz reiterated that the Town is only saying they are not opposed to granting an easement on the right of way on Town roads. Attorney Dubis stated that it should be noted "if legally permissible" as there are some road easements that are misaligned, not all are perfect. 4-0. Motion carried. Chairman Hincz thanked everyone for attending and the WWMD for the due diligence as they are volunteer, but have to remember that there is no funding for this project at this time. Chairman Hincz stated that another

issue would be boat traffic and if the lake will be shut down. Not a simple project. Supervisor Gauerke stated that the waterway is dying in certain areas and commended all the WWMD with their hard work and dedication.

-Chickens-Begotka, 30312 Beachview Ln. - Supervisor Gauerke read the Planning Commission minutes. No action.

-Shoreland Contract Report- Supervisor Gauerke reported that there were two shoreland contracts: New single-family residence at 30756 Morning View Cr. and a rip-rap project at 7458 Poplar and 7544 Birch.

7. Old Business:

8. New Business:

- Resolution opposing the City of Waukesha's application for water diversion- Chairman Hincz explained the project and the effects it would have on the waterway in Waterford. Supervisor Szeklinski motioned to approve the resolution with the changes, seconded by Supervisor Gauerke. 4-0. Motion carried.
- Discussion & possible action re: upgrade of phone system- Chairman Hincz explained that the Town's current phone system is obsolete and that the internet has become a major issue. Chairman Hincz asked about warranty and service. Jordan Amesen, TDS Account Manager, stated that the phones will be the only equipment the Town will own and they come with a 1-year warranty from Polycom. Amesen stated that the Town will not be responsible for maintenance calls. Amesen stated a special was going on for the phones, buy one get one for a penny, and ends at the end of the month. Supervisor Szeklinski motioned to approve, seconded by Supervisor Alvey. 4-0. Motion carried.

Forthcoming events: Chairman Hincz questioned whether or not the Town gets involved with piers on private ponds in subdivisions and that he feels it should be left up to the association. Attorney Dubis stated that if the pond is completely surrounded by private property and there is no outlet/inlet to the public or to public waterways. Consensus of the Board is that the Town will not get involved if the pier is going in under the mentioned circumstances. Attorney Dubis stated he would have to look into it.

Supervisor Szeklinski motioned to adjourn the meeting at 6:47 PM, seconded by Supervisor Gauerke. 4-0. Motion carried.

Respectfully submitted,

Heather Stratton, Deputy Clerk