

**REGULAR TOWN BOARD MEETING  
MARCH 9, 2009**

Chairman Leair called the meeting to order at 7:00 p.m. Present were Supervisors Morris, Schmittinger, Reid and Ross. Also present were Planner Herrmann and Clerk Whitmore.

**Discussion/action – Minutes to be approved –**

Regular Town Board Meeting of 2-9-09 – Ross made motion to approve, Morris seconded, motion carried unanimously. Special Town Board Meetings of 2-3-09 Ross made motion to approve, Morris seconded, motion carried, Schmittinger abstaining. 2-11-09 Morris made motion to approve, Reid seconded, motion carried, Ross abstained. 2-19-09 Morris made motion to approve, Reid seconded, motion carried with Ross abstaining Joint Plan Commission and Town Board Meetings - 2-3-09 Ross made motion to approve, Morris seconded, motion carried with Schmittinger abstaining. 2-19-09 Morris made motion to approve, Schmittinger seconded, motion carried with Ross abstaining.

**Discussion/action – Approval of 2008 Budget Amendments**

Howard Jeanson of Rotroff Jeanson and Company went over the amendments. The Town’s undesignated general fund surplus has dropped from \$792,501 on December 31, 2006 to \$354,007 as of December 31, 2008 which is 15% in surplus; it is recommended the town have at least 25% in reserve. The largest overrun in 2008 was in the highway area of the budget, the snow plowing and road maintenance due to the June flooding caused the overrun. The Town did receive FEMA disaster grants of \$167,469 for the March snow storm and the June flooding which did help in the revenues.

Morris made motion to approve the 2008 budget amendments as presented, Ross seconded. Roll call vote – Ross – yes, Schmittinger – yes, Morris- yes, Reid – yes and Leair – yes, motion carried unanimously.

**TOWN OF GENESEE  
2008 Budget Amendment**

PLEASE TAKE NOTICE THAT the Town of Genesee Board at a Regular Town Board Meeting of March 9, 2009, amended the 2008 Budget. Said amendments were approved unanimously by a roll call vote.

<b>General Fund</b>	Budget		Proposed <u>Amendment</u>
	<u>Current</u>	<u>Amended</u>	
<b>Revenues</b>			
Intergovernmental:			
FEMA disaster grants	-	167,469	167,469
Regulation and Compliance			
Cable franchise fees	26,000	64,747	<u>38,747</u>
Net increase in revenues			<u>206,216</u>
<b>Expenditures</b>			
General government:			
Deputy clerk	15,860	16,160	300
Plan commission	71,589	71,746	157
Insurance	16,800	17,635	835
Other	75,150	35,870	-39,870
Public Safety			
Fire and rescue	418,320	439,375	21,055
Health & Sanitation:			

Weed Cutting	1,792	2,117	325
Highway & transportation:			
Operations & maintenance	549,800	1,026,841	477,041
Street lighting	10,000	12,816	2,816
Park & Recreation:			
Parks	150,900	152,145	<u>1,245</u>
Net increase in expenditures			<u>464,494</u>
<b>Net use of general fund surplus</b>			<b>-258,278</b>

Barbara A. Whitmore, WCMC  
Town Clerk

**Monthly report from Wales-Genesee Fire Chief Greg Jezak**

**Discussion of driveway policy**

The Chief was not present, the report was copied to the Board members and placed on file, the driveway policy will be discussed next month when the chief is present.

**Discussion/action – Setting up a Contingency fund for future baseball pavilion at Sunset Park – Ron Hill**

Ron Hill, Chairman of the Park Board was present to discuss setting up a special saving account for a future pavilion at Sunset Park. They would like to set aside \$20,000 a year for five years to build this building along with funds from the public site fund. The money will be placed in the park budget each year under park development and stay in this designated fund along with any interest earned. Discussion. Board members agreed if this were possible, they felt this was a good idea to save funds for several years rather than budget it all in one year. Whitmore will check with the accountant to see if this is possible.

**Discussion/action – Town-Owned Vehicles Policy**

Review of the policy, Ron Hill of the Park Board felt the policy covered the park employees; he stated Bill will be the only park employee driving the truck, that the town's Public Works Supervisor will regulate the usage. There will be a mileage log kept to keep track of the gas usage for parks and roads. Morris made motion to approve the Town-Owned Vehicle Policy, Ross seconded. Leair asked if this would be in effect immediately, all agreed it would be, motion carried. A short statement should be prepared that whoever drives the truck has read the statement and understands it and signs the statement.

**Discussion of storage of road supplies at Sunset Park garage – Ron Hill**

Pictures were given to the Board showing the limited space in the storage garage at Sunset Park, discussion. The Board suggested brackets be put on the wall to hold the street signs. Ron will talk to the park grounds keeper about this.

**Discussion/action – Resolution 09-4R Commemorating Years of Service by Donald Beltrame to the Wales-Genesee Fire Department**

Leair read the resolution into the record. Ross made motion to approve, Morris seconded, motion carried unanimously.

**Discussion/action – Resolution 09-5R Commemorating Years of Service by John Miller to the Wales-Genesee Fire Department**

Leair read the resolution into the record; this along with the resolution for Don Beltrame will be presented at the Wales-Genesee Fire Department meeting on March 14<sup>th</sup>. Ross made motion to approve the resolution, Morris seconded, motion carried unanimously.

**Discussion/action – Request for Temporary class “B”/”Class B” Retailers License – Genesee Rebel’s**

Discussion, Morris made motion to approve the request of the Genesee Rebels subject to the area immediately surrounding 3 ball diamonds. The entire park is not under this license or reserved for the Rebels sales. 2009 regular games, rain dates and post season games also the Gibson Memorial game. Reid seconded, motion carried unanimously.

**Discussion/action – Approval of 2009 Billing Compensation schedule – Yaggy Colby Associates**

Leair explained the schedule we were sent last month was in error, a corrected agreement was sent with the numbers remaining the same as last year. Reid made motion to approve the 2009 Billing Compensation Schedule from Yaggy Colby Associates, Morris seconded, motion carried unanimously.

**Discussion/action – Request to change date for KM Run/Walk to Saturday, September 26<sup>th</sup>**

Discussion, Morris made motion to approve the change of date for the KM Run/Walk to September 26<sup>th</sup>, Ross seconded, motion carried unanimously.

**Discussion/action – Request to reduce rental fee of meeting room use - Kettle Moraine School District**

Kettle Moraine School District would like to use the meeting room for their quarterly meetings and have requested a reduced fee, discussion. Board members felt since the town had used the school for voting, town meetings and the ball diamond in years past the town should waive the fee for the meetings this year. This would be reviewed next year if they again request to use the building. Schmittinger made motion to waive the fees for the Kettle Moraine School District for the District Leadership Meetings, Ross seconded, motion carried unanimously.

**Discussion/action – Phone’s Plus Gold Seal Policy**

Discussion. Schmittinger made motion to sign the agreement and pay the fee for the next year, Ross seconded, motion carried unanimously.

**Discussion/action – Policy on signing of town checks****Discussion/action – Policy on financial control procedures**

Whitmore told the Board the form they have is a draft that she would like them to review it and get any changes or additions they would like to see in the policy to her. She felt after working on the policy the two can be combined into one. She will also check into a credit or debit card for the town, that a use of such a card would also be added to the policy, discussion.

**Discussion/action – Request to review Mandatory Sick Leave Policy – Waukesha County Chamber of Commerce**

Discussion, Schmittinger stated he was strongly in favor of this and felt we should support the Chamber, other members agreed. An ordinance will be written and brought back to the Board for action.

**Discussion/action – 2008 Annual Report – Waukesha County Nonmetallic Mining, Reclamation and Yard Waste Composting Operation**

Herrmann went over his memo dated 03-09-09, stating he had no problem accepting the annual report. Ross made motion to accept the 2008 Annual Report for the Waukesha County Nonmetallic Mining, Reclamation and Yard Waste Composting Operation, Morris seconded, motion carried unanimously.

# Memorandum

**To:** Town of Genesee Plan Commission & Town Board  
**From:** Jeffrey C. Herrmann, Town Planner  
**Date:** 03/09/09  
**Re:** Waukesha County Non-Metallic Mining, Reclamation and Yard Waste  
Composting Operation – 2008 Annual Report.

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Recently, Waukesha County Department of Parks and Land Use, Land Resources Division, submitted their 2008 Annual Report for the Waukesha County Non-Metallic Mining, Reclamation and Yard Waste Composting Operation located in the SW ¼ of Section 7, in the Town of Genesee.

The Conditional Use Permit was issued by Waukesha County on June 15, 2004. During 2008, which marks the fourth (4<sup>th</sup>) year in operation for the gravel pit and compost site, the activities focused on the phase I area, primarily along C.T.H. C on the northwest side of the site. Approximately 24 acres in the northwest corner of the property were included in the mining operation. Over 160,286 tons of sand and gravel products were shipped from the site during 2008. Phase I was originally scheduled for completion by the end of 2007. Unfortunately, current material markets have delayed mining and reclamation work. The petitioners may need to amend their existing permit if current market trends continue. Also due to slowing market demands, the approved wash operation has not yet been installed.

Approximately 6,026 tons of yard waste was processed during 2008. All compost will eventually be used as a topsoil substitute for the mine reclamation in the future. Only one (1) complaint was filed in 2008 relating the yard waste not being processed in a timely manner. Because on the heavy rains last year the ground was soft and heavy equipment was unable to get into certain areas of the site.

Waukesha County was awarded the “2008 Achievement Award”, which recognizes effective and innovative programs, which contribute to and changes county government in the United States. This is the third (3<sup>rd</sup>) award this project has received.

Based on the conditions of approval and the 2008 Annual Report, the existing mining and composting operations are in compliance with the Conditional Use Permit. The Annual Report was complete and easy to follow.

## **Discussion/action – Waukesha County Board of Adjustment hearings –**

Leair explained that this is not the town’s jurisdiction; we can only make recommendations to the Board of Adjustment.

Mark Wamser, W301 S1458 Brandybrook Rd. – appeal to denial of a Certified Survey Map by Waukesha County Department of Parks and Land Use

The Board reviewed and discussed the request and made no recommendations to the County Board of Adjustment.

Richard Krzton, S53 W29914 Holiday Road – after- the-fact variance for remodeling a non-conforming structure in excess of 50% of its fair market value

Supervisor Ross abstained from this discussion.

Herrmann gave the Board a brief history of this property and the conditional use permit on it. The request is for a after the fact variance for the remodeling. The remodeling was also done without any building permits from the town.

Several neighbors were present with concerns that conditions of the conditional use were not being followed such as stock piling of manure, too many families living on the property, work being done without proper permits on the septic system and the general appearance of the property. Herrmann stated the Building Inspector was concerned about the electrical work and the health hazard it presented.

The neighbors were told they should file a complaint with the County and to be present at the Board of Adjustment Hearing to state their complaints.

Schmittinger made motion to direct Jeff Herrmann to draft a letter to the County Board of Adjustment indicating the town is not in favor of granting the variance because of the reasons discussed – violations of code; safety issues, failure to comply with the conditional use conditions. A letter should also be sent to the County stating the Town had received several complaints regarding the Krzton property. Reid seconded, motion carried with Ross abstaining.

Jeff Wood, S56 W29365 Saylesville Rd. – appeal to the determination of the Waukesha County Planning and Zoning Division staff that the remodeling, reconstruction, and additions to an existing residence have exceeded 50 % of the fair market value of the residence

Herrmann reported the Building Inspector went through this house with the Amy Barrows from the County; the house has been basically re-built, there all new studs, there is also a question on the dollar amount of work being done, discussion. The consensus was the Town will make no recommendation to the County.

### **Reports –**

#### **Roads – Jim Morris**

Snow and Ice Control contract

Morris reported he and Jeff met with Ollie, Brian and Dave from Butterfield to discuss the snow plowing and salt/sand use. Mr. Butterfield was present this evening and stated he talked to his drivers about using less salt/sand mix on the roads.

Discussion on culvert work that needs to be done and cleaning out some culverts in the town. Butterfield said the cheapest way would be to have the fire department flush them out, if they can't get them flowing then they would have to be dug out.

Butterfield told the Board he is out checking roads when snow is predicted and calls his men when he feels the roads need to be taken care of, at all hours of the day and night, also checking for area's that need repair for the safety of the citizens, all of this is being done at no cost to the town.

#### **Discussion/action – Business access on the southwest corner of the intersection of STH's 59 & 83**

Lair and Herrmann will met with the DOT tomorrow to discuss the intersection of 59 and 83 and access for the gas station/bank; Donovan Jorgenson property and the Keinert property. They would like to see the current access for the gas station/bank closed and moved to the south. This new access would be used for all the properties and wind to the north and connect with highway 59 across from Commercial Drive, much like the access to the Pick n' Save/Kwik Trip property in Wales that loops from 83 to 18, discussion.

Schmittinger made motion to allow Leair to state the support of the Town on this proposal.

**Discussion/action – Requests for Operator’s permits**

There were no applications this evening.

**Discussion/action – Set Liquor License Hearing date**

Discussion, the hearing will be held at 6:30 p.m. on June 8, 2009.

**Reports –**

**Chairman – Sharon Leair**

**Effect of State Budget on Shared Revenue payment**

The latest information shows the town’s shared revenue will drop by 8.96% next year from \$145,903 to \$132,825, a difference of \$13,078.00.

Chief Jezak had e-mail asking permission to attend a Homeland Security Emergency Conference on March 25 & 26 in Madison, the Village of Wales has agreed to split the cost of \$175.00 (50/50) if the Chief decides to go, discussion. Board members agreed they would approve the cost if the Chief decides to go, the cost would be for the conference cost only, not lodging.

**Roads - Jim Morris**

**TRIP road work for 2009**

Herrmann told the Board the Village of Wales has asked if Genesee would like to split the cost of work on Davies Drive, they would like to re-do the road this year and it is split with the town. This would be a road we could do with the TRIP program; he will get more information for the Board.

**Administrator-Planner – Jeff Herrmann**

**Update on Comprehensive Land Use Plan**

Herrmann reported the plan is basically done, our plan does not match the county’s plan, the plan is consistent the map is different.

**Update on FEMA payments**

Herrmann reported we have received the payments from FEMA for the flood damage last year.

**Treasurer – Carol McCormick**

McCormick reported the town received the following payments in the last month –

\$171,809.17 – FEMA; \$2,037.00 – reconciliation for Trunked radio; \$18,712.88 – Village of Wales

**Update on 2008 tax collection**

The Town has 92 delinquent tax bills of that number 13 were personal property; she will be sending out invoices for the personal property.

**Update on unpaid 2007 personal property taxes**

No information given.

Discussion of insured funds through the state pool, she is checking with Citizens Bank to continue a higher level of balance collateralized investments on a yearly, not just at tax time. She is considering transferring \$350,000 from the state to the bank.

**Discussion/action – Bills to be presented**

Ross made motion to approve the bills as presented, Morris seconded, motion carried unanimously.

**Correspondence**

Leair reported we have received a copy of the County's Land Use Plan.

The County is sponsoring a Casual Day on February 17<sup>th</sup> with proceeds going to the United Way.

Leair has been invited to attend the Kettle Moraine Trail Blazer ceremony.

We received a letter back from Richard Tuma from the County regarding the emergency call procedures on December 23, 2008.

Whitmore reported the town received an invitation from HAWS to attend a groundbreaking ceremony on April 6<sup>th</sup>.

The Joint Fire Board meeting for March has been canceled.

The date for the spring leaf drop off will be May 9<sup>th</sup> and the fall drop off on November 7<sup>th</sup>.

A flyer was dropped off by Brain Jongetjes of John's Disposal, one of the items on the flyer was in regards to the proposed garbage tax in the Governor's proposed budget that would double the current \$5.90 a ton to \$10.30 a ton.

The new server has arrived; Mike will be installing it next week.

The state has sent out postcards to anyone who has not voted in Genesee for the past four years to see if the person still lives in the town and wants to remain on the voter list.

The weight limits are now in place on all town roads.

Schmittinger made motion to adjourn, Ross seconded, motion carried unanimously. Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Barbara A. Whitmore, WCMC  
Town Clerk