

Denmark Village Board Minutes
November 3, 2008
6:30 P.M.

Public Hearing on Proposed 2009 Village of Denmark Operational Budget
Presentation of budget and opportunity for citizen input.

The hearing began at 6:31 p.m. Administrator Ellis presented the proposed 2009 budget. He pointed out the various line item account histories or revenues and expenses for the last three years along with estimates for the remainder of this year along with proposed amounts for 2009. The proposed mil rate for 2009 is 3.41649. The adopted mil rate for 2008 was 3.9016. Last year the tax levy was \$388,542.00 and this year it will be \$441,572.00 if the budget is adopted as proposed. Assessed values went from \$99,587,900 up to \$132,173,900. The Village portion of the combined mil rate is determined by dividing the "allowable levy" by the "assessed valuation. The amount to be levied (set by State levy freeze) is \$441,572.00 this amount is divided by the \$132,173,900 (assessed valuation) to obtain the mil rate. As of October 15th the mil rate is estimated to be 3.41649 for 2009 provided the equalized rate is at 1.0319 but as of this meeting, the rate hasn't been sent to the Village by the Dept of Revenue. Ellis also indicated the Village should attempt to restore its general fund undesignated fund balance at or above 20% of operating expenditures and attempt to maintain debt below 50% of its capacity and keep debt payments below 30% of expenditures. Handouts were provided for the Village's Operational budget, the Sewer Utility Budget, the Water Utility Budget, the Storm Water Budget and TIF. Ellis also covered the allocation of debt that will need to occur with the sale of the \$2,910,000.00 General Obligation Corporate Purpose bonds. He indicated this was the reason that the expenditures had increased within the Village's budget is to cover new debt service. The bond was purchased by BMO Capital Markets this morning at an interest rate of 4.5063% which will result in principal/interest payment from the general fund of \$51,000. There were not questions presented from the approximately 30 citizens present for the public hearing.

Being no comments/questions were presented the public hearing section of the Village Board meeting was closed by Village President Goral.

Regular Agenda Items

Village President Bob Goral called the Village Board meeting to order at 7:00 p.m.

Village President Goral noted that the Village Board will convene into closed session pursuant to Sect. 19.85 (1) (9) of the Wis. State Stats. later in this meeting to confer with the Village Attorney rendering advice concerning the strategy to be adopted by the Village Board with respect to litigation in which it is or is likely to become involved. (Zoning code issue)

Present: President Goral, Trustees Dvorak, Wotachek, Duescher, Sekora, Radue, Steinberger and Village Attorney Dennis Duffy. Also present: MiLissa Stipe-Clerk/Treasurer, Jim Bielinski, Art Rademann, Lawrence Lacenski, Gordon Ellis, Tom Konop, Gary Moore, Bea & Gordie Peterson, Arlene Anderson, Dennis Anderson, Chris Zarn, Pam Schoen, Delores Lacenski, Jeannie Pontzloff, Steve & Diane Giese, Scott Corrigan, Steve Corrigan, Norb Buresh and other citizens.

Approval of Minutes

Motion by Steinberger second by Dvorak to approve the minutes of the October 6, 2008 Village Board meeting. All ayes. Motion carried.

Petition for Annexation

A petition was presented for the direct annexation of property located in the Town of New Denmark pursuant to Wis. Stat 66.0217 (2). Administrator Ellis indicated that the petitioner needed to file a map, legal description of the territory to be annexed to the attention of George Hall at the Wisconsin Department of Administration within 5 days for comment and the Village will be able to review the petition before enacting

an annexation ordinance at its December meeting. Motion by Dvorak seconded by Duescher to accept the petition as presented and refer it to the Planning Committee for review at its November 17th meeting at 6:00 p.m. Attorney Heugel and developers will be present at the meeting to go over the annexation and soccer field project. All ayes. Motion carried.

CSM Survey: Pro Gas

A certified survey map prepared by Mau & Associates to create Lot 1 and Lot 2 on Copenhagen Lane was presented. Motion by Radue second by Wotachek to approve the CSM on condition that: A shore land permit from the Village is required prior to any construction, fill or grading activity within 300 feet of a stream. A drainage easement must be shown. The 50 foot utility easement should also be labeled as a storm water drainage easement. The property owners shall implement appropriate soil erosion control methods to prevent soil erosion. The owners must submit an Area Development Plan and all corrections as identified in the Brown County Surveyor's checklist must be met. All of these items must be address prior to the issuance of a building permit. All ayes. Motion carried.

CSM Survey: Danish Meadows

A certified survey map prepared by Leslie D Van Horn to create Lots 1, 2 and 3 was presented. The lots would be on the south end of Danish Way and the north end of Scandinavian Court. Some concern about the existence of an urban road with curb, gutter, etc. was mentioned. Motion by Sekora second by Steinberger, to table the issue until a development agreement for the extension of the roads/utilities can be reached before approving the CSM. All ayes. Motion carried.

Rescue Services (merger of Viking with County Rescue Squad)

The Village received a letter dated October 30th, 2008 notifying them that a resolution was adopted by their Board of Directors reading: The Viking Community Rescue Squad, Inc. Board of Directors resolves to dissolve Viking Community Rescue Squad, Inc. with the intent to transfer assets, personnel and operations to County Rescue Services Inc., another Wisconsin non-profit corporation, by unanimous vote of the Board of Directors".

Captain Larry Ullmer from County Rescue Squad, Inc. was present and further explained the intent of this resolution. The Village of Denmark and the Town of New Denmark have requested that the transfer be completed by March 1, 2009. The two communities have also requested that the cost per capita for each of the current five participating communities be provided to each community prior to the end of November 2008. It was suggested that County Rescue advertise for volunteers and explain the changes that will be occurring. The transfer of assets should be carefully handled and Viking Community Rescue Squad Board of Directors should retain independent counsel to advise them on how to achieve this task in an acceptable manner to all those involved. The Village of Denmark will need to extend its contract with Viking Community Rescue Squad for an additional 60 days (January 1 to March 1st) in order to provide coverage until the transition can be accomplished. Captain Ullmer indicated that services would be provided from the same location as now. He also said the contract with County would be for 5 years with a 6 month cancellation clause. Drivers would continue to be utilized. He indicated that compensation of volunteers would be reviewed to determine if this needs to be adjusted in order to retain people and reduce turn over. Town Chairman Gary Moore was present and concurred with the outlined transition plan.

Agreement with Veterans for park shelter maintenance

Recently the Village and School District outlined their understandings about each entities responsibilities regarding the operation and maintenance of Highridge baseball diamond. During this process it was suggested that other partnership arrangements should be spelt out to make certain that everyone understands their respective obligations. Therefore it was suggested that the Park, Recreation and Forestry Committee review the relationships/responsibilities between the Veterans and the Village for the shelter building and other park property/facilities mutually shared by these two organizations and perhaps draft an agreement similar to the one drafted/approved between the school and the village. Motion by Wotachek, seconded by

Sekora to refer this recommendation to the Park, Recreation and Forestry Committee. All ayes. Motion carried.

Resolution in support of strong trade policy

A letter from Christina Lollar concerning massive job loss in the manufacturing sector in the U.S. was received by Village President Goral. She request that a Resolution addressing this issue be considered by the Village Board. Motion by Radue, seconded by Wotachek to table the Resolution as presented. All ayes. Motion carried.

Resolution on Mutual Aid Box Alarm System

Under the terms of the agreement the Denmark Fire Department may participate in the Mutual Aid Box Alarm System in accordance with its terms. Motion by Dvorak seconded by Duescher to approve the resolution as presented. All ayes. Motion carried.

Request for Delay in Residency Requirement for Police Officer

A letter was received from Chief Towns requesting that Officer Knutson's status be changed on Nov. 19th from probationary employee to permanent employee and that the condition of residency be extended 6 months until May 19, 2009. Audience member Jim Bielinski asked how long this extension would last. President Goral reminded the audience that they need to be recognized by the Board before making comments. Ellis indicated that with the current national financial situation and housing value decline that it would harm most people to have to sell their homes in an unfavorable market and therefore it would make sense to delay the residency requirement. Motion by Dvorak to approve the request. Seconded by Steinberger. All ayes. Motion carried.

Appointment of Selection committee for newly created Utility/PW full time position.

President Goral recommended the appointment of Trustees Sekora, Steinberger and Dvorak to the selection committee to develop the job description, advertise, interview and nominate a person for this position. Administrator Ellis will serve as the non-voting facilitator. Motion by Duescher to accept the appointments, seconded by Wotachek. All ayes. Motion carried.

A & E Services for development of Pedestrian/Bicycle Master Plan for the Village of Denmark.

The Bicycle/Pedestrian Ad Hoc Committee reviewed proposals from agencies interested in the project. The committee recommended Ayres Associates be appointed for a lump sum amount of \$16,120. Motion by Radue seconded by Sekora to hold off on the Agreement with Ayres Associates until the State Recreation trail is developed further. All ayes. Motion carried.

Transfer of Tax Collections to private sector financial institutions (banks)

The Village's auditing firm has recommended that the actual collection of property taxes be delegated/transferred to area local banks. This could reduce the Village's cost associated with this function and expedite the collection of real estate taxes. This suggestion has also been endorsed by the auditor Mike Konecny. Motion by Wotachek seconded by Sekora to approve this recommendation. All ayes. Motion carried.

2009 Budget Items

Motion by Dvorak seconded by Sekora to approve the Resolution adjusting the per diem payment to Trustees and adjusting the salary of the Municipal Judge and Municipal Clerk of Courts for year 2009. (Adjusting meeting rate to \$55.00 up to ten meetings per year for the Village President and \$50 up to ten meeting per year for Trustees and increasing the salaries of Municipal Judge and Municipal Court Clerk up to \$2,500 per annum. All ayes. Motion carried.

Motion by Dvorak seconded by Sekora to approve the Resolution adjusting the hourly rates for each identified collective bargaining unit employee and adjusting the amounts contributed to health insurance coverage and adjusting the compensation on non-represented employees. All ayes. Motion carried.

Adoption of 2009 Village Budget

Motion by Sekora seconded by Radue to approve the 2009 Village Operational budget as presented. All ayes. Motion carried. The aggregate assessed valuation will be \$132,173,900.00 the levy will be \$451,572.00 with a 2009 mil rate of 3.41649.

2009 Water Utility Budget

The proposed budget of \$507,180.00 was presented. Motion by Duescher, seconded by Steinberger. All ayes. Motion carried. It was noted that the budget, as adopted, included a rate increase that still need to be adopted by the Public Service Commission. \$85,000 is included within the budget to fund the completion of converting water meters over to radio read meters. Funds for this effort are included within the Rural Development loan.

2009 Sewer Utility Budget

The Sewer Utility Budget was presented for 2009 for the amount of \$1,027,545.00 Monies (\$75,000) from Equipment Replacement funds will be applied to fund eligible equipment replacements. Motion by Dvorak seconded by Radue to approve the 2009 Sewer Utility Budget as presented. All ayes. Motion carried.

2009 Storm Water budget

The 2009 Storm Water budget was presented. The utility was established in 2006 and the rate was established at \$2.00 per month and then increase to \$4.00 per month in Mar. 2008. It was to be adjusted to \$6.00 per month in July 2008. Reserves are currently at \$90,680.69 (amount needs to be verified by auditors). Two of the storm water ponds need to be dredged and will be either this year or early next spring. The budget for 2009 is proposed at \$126,000.00 Motion by Radue second by Steinberger to approve the Storm Water budget for 2009. All ayes. Motion carried.

Sexual Offender Restrictions Appeal Board

Upon adoption/publication to the new ordinance a Sex Offender Residency Board needs to be established. The ordinance calls for the appointment of five citizens, three of whom shall constitute a quorum. President Goral recommended the appointment of Steve Geise and Brandon Wotachek to the Appeal Board. Motion by Dvorak seconded by Radue. All ayes. Motion carried. President Goral asked for volunteers/citizens to help fill the remaining vacancies on the board. Attorney Duffy will not be a member of the committee but will serve as advisory counsel as necessary.

Water Tower Lease Agreement

Village Attorney Dennis Duffy reviewed the proposed water tower lease with Verizon Wireless. Motion by Dvorak seconded by Duescher to approve the lease as resented but it will be subject to review by the Village Board for all their plans for changes on the tower and on the ground. All ayes. Motion carried.

Committee Reports

Each Trustee reported on the various activities occurring within areas of the Village. Cathy Duescher said everything in the park is winterized, final lawn cutting has taken place, the pond less waterfall has been winterized and the vandalized items will be fixed as soon as possible. Dan Dvorak indicated staff discussed the need for future sampling at Salms. Staff also reported Land O Lakes has been over a pH of 10 and had spoken with Gary Kincaid of the DNR and they are working on how to lower the pH leaving the plant. Lead Operator Sisel indicated she will be contacting the Sewer Utility Committee to determine what actions to take next.

Comments from the Public: 9:50 p.m. Pre-register

Pre-register citizen Pam Schoen spoke to the Village Board about rescue services. She felt that there was a lack of communication to the public about this matter and felt it was badly handled. Bea Peterson asked that the copy of the 22 issues identified earlier by Bob Sekora be mailed or given to her. Jen Pontzlaff made a statement about the provider's license issued to Viking would no longer exist with the merger. Ellis indicated that this was an issue that should be discussed on Thursday with Captain Ullmer because he would be more knowledgeable about this concern. Previously the Village was informed that any former members in the future (if necessary) could reorganize a new corporation entity and submit a provider/operation plan to the State and be considered for a license. However this should be confirmed by Capt. Ullmer at the upcoming meeting.

Walk-ins

Walk-in commentators included: Jim Bielinski who congratulated the Board on their handling of the Viking Rescue/ County Rescue merger. Arlene Anderson suggested citizens receive notices about the change in paying taxes to banks instead of the Village. She also expressed some concerns about brush pick-up where branches were left for two weeks on Lynch Avenue. Art Rademann complained about the State Recreation Trail saying it was a waste of tax dollars and that no one ever uses the trail. He asked why the restrooms are being kept open when no one is using the trail during the winter.

Report on Internal Staff meetings (new report)

Administrator Ellis outlined the various training session's employees recently attended and progress being made or not being made on Team objectives that were agreed upon during the teambuilding training session. (Leadership, Communication, Problem Solving, Teamwork and Respect). He indicated that staff now meets on Tuesdays to coordinate their work assignments and to discuss any concerns. The entire staff now meets on Wed. or Thursday (during their paid lunch break) after the Village Board meeting to go over any issues of concern. He also said that certain issues involved "personnel concerns" and therefore he was unable to discuss these matters in an open forum format due to the concerns about confidentiality. He indicated that these discussions were helpful and acknowledged that more steps will need to be taken. He felt more "pre-planning" of work tasks needs to occur instead of waiting until the last minute to perform work tasks. Ellis asked if there are any other items that Trustees would like to have brought to their attention on a routine monthly basis to let him know.

Placing of Outstanding assessments on tax roll.

Clerk/Treasurer MiLissa Stipe presented a resolution of items to be placed as special assessments on the tax roll. Motion by Dvorak seconded by Sekora to approve. All ayes. Motion carried.

Disbursements for Month of October

Motion by Trustee Ryan Radue, seconded by Duescher to approve the disbursements for a total voucher amount of \$91,224.20. For voucher numbers 33360 to 33420. Village: \$29,550.86, Water \$9,872.07, Sewer \$51,576.02, Storm Sewer \$225.25 and TIF \$13,374.81. All ayes. Motion carried.

Report of Village Officials

Village Attorney Duffy discussed the progress being made on obtaining necessary right of way easements for water lines and identifying the location of easements. Ellis indicated that electrical transformers will need to be placed on the north side of the entranceway into the community due to the lack of sufficient right of way space on the south side of the street to be improved in May of 2009.

Closed session 9:35 p.m.

Motion by Trustee Steinberger seconded by Trustee Dvorak to convene into closed session pursuant to Section 19.85 (1) (9) of the WI State Stats. To confer with the Village Attorney rendering advice concerning

the strategy to be adopted by the Village Board with respect to litigation in which it is or is likely to become involved. All ayes. Motion carried. Roll call completed.

Motion by Trustee Duescher seconded by Trustee Dvorak to move back into open session. All ayes. Motion carried.

Action on Pro Gas project on Copenhagen Lane, Denmark, WI

Motion by Trustee Dvorak second by Trustee Steinberger to approve the condition use of the property on Copenhagen Lane as requested by Steve Corrigan and require Corrigan to obtain a building permit before beginning any more construction at the site.. All ayes. Motion carried.

Resolution authorizing the sale of \$2,910,000 General Obligation Corporate Purpose bonds.

Phil Cosson of Ehlers appeared to discuss the bond transaction completed this morning. On October 6, 2008 the Board adopted initial resolutions authorizing the issuance of general obligation bonds in an amount not to exceed \$2,910,000. The bonds were offered for public sale on November 3, 2008. Upon receiving the bids for the bonds the Village recommends the approval of the details of the bonds, the award of the bonds, the terms of the bonds, the redemption provisions and the adoption of direct annual irrepealably tax levy. Motion by Trustee Radue, seconded by Trustee Dvorak to approve the resolution as presented. All ayes. Motion carried.

Adjourn

Motion to adjourn by Trustee Steinberger, second by Trustee Sekora. The meeting adjourned at 10:15 p.m.

MiLissa Stipe
Clerk-Treasurer