

APPROVED AS AMENDED

Public Hearing on 2009 Budget: President Fisher called the hearing to order at 6:01 p.m. with all board members present including Mike Fitzgerald by telephone. Steve Schaefer inquired on the "Other Financing Sources" line in the amount of \$45,000. It was explained this item is a carry over from previous year's budgets for the revaluation. With no other questions, President Fisher closed the public hearing at 6:08 p.m.

Present: President Nancy Fisher, Bob Dickson, Herb Mueller, Chris Anderson, Mike Fitzgerald by telephone, Administrator, Josh Van Lieshout and Clerk-Treasurer Pat Gureski.

Also present: Bill and Barb Cammack, Ken Mathys, Sr., Ken Mathys Jr., Jack McCoy, Steve Schaefer, Peter Devlin of Door County Advocate, Clarence Scherer, Marianne Scherer, Jack Gray, Attorney Randy Nesbitt, Steve Estes of Little Hoppers, Jeff Johnson of Going Garbage, and Dan Ash of Veolia.

Call to Order and Roll Call President Fisher called the meeting to order at 6:00 p.m. with roll call followed by Pledge Allegiance to the flag.

1. **Approval of Agenda.** Mueller moved to approve the agenda as published, seconded Fisher. Motion passed unanimously.
2. **Approval of Minutes of October 13, 2008** Fisher referred to Item 4 to clarify that Donna Lash spoke on behalf of Door County Property Owners, not Realtors and the same identification in the second sentence. Fisher moved to approve the minutes of October 13 regular board meeting as amended, seconded Dickson. Motion passed unanimously.

Approval of Minutes of October 27, 2008 Fisher requested Item 4 b Harbor Fund to read "in addition to operations the board proposes to expend \$8000 for a dive by JJR to ascertain the amount of continuing damage to the breakwater prior to the beginning of the 2009 boating season. Fitzgerald's measurement was that the settling on the south side is more prevalent than on the north side. The top is settling and joints are cracking. The \$8000 could be used from year-end fund balance." Fisher moved to approve as amended, seconded Mueller. Motion passed unanimously.

3. **Open Session.** Steve Schaefer, Ken Mathys and Jack Gray, all signed up to speak for Marina discussion at the time it is on the agenda.
Fisher thanked election inspectors that worked on November 4th.
Fisher thanked the Public Works crew on their 11-7 response regarding a tree down on White Cliff Road.
Fisher stated Wegner Anderson has requested the liquor license application be deferred until a later meeting.

4. **Plan Commission**
 - a) Discussion Regarding Downtown planning and engineering projects. Van Lieshout stated the Plan Commission is planning for \$15,000 in the 2009 budget for future planning projects for neighborhood planning.

5 Village Officers and Committees

a) Village President

i) Consider Adoption of 2009 Budget – All Funds. Fisher moved the following 2009 budget amounts be approved: General Fund tax levy : \$462,773; Debt Service Fund tax levy: \$139,443; Capital Improvement Fund tax levy: \$147,045; and that a tax levy of \$749,26 be levied upon all taxable property in the Village, as recorded by the assessor as of January 1, 2008 to be used in accordance with the budget; that the Clerk-Treasurer is hereby authorized to distribute this tax over properties listed on the current assessment roll and is ordered to collect same; seconded Anderson. Motion passed unanimously.

ii) Committee and Commission membership appointments.

1) Fire Commission – Barbara Cammack; Harbor Committee – Carol Ballje

Fisher moved to appoint Barbara Cammack to the position of Fire Commissioner, seconded Dickson. Motion passed unanimously. Fisher moved to appoint Carol Ballje to the Harbor for the term ending May 2009, seconded, Mueller. Motion passed unanimously.

iii) Ratification of Executive Order closing the Egg Harbor Breakwater

Fisher read the following statement: “By the emergency powers vested in me under the provisions of chapter 61 of the Wisconsin Statutes, I Nancy Fisher, Village President of the Village of Egg Harbor, on the basis of the recommendation from the Village’s consulting engineers do, for public health and safety concerns, hereby order the immediate closure of the Egg Harbor Marina breakwall to all use and access until further notice. It is further ordered that the breakwall be blocked and barricaded; and, that appropriate closure notices be posted.

b) Harbor Committee

i) Marina Rebuild project update

ii) Marina Rebuild timeline and public involvement

iii) Marina current conditions and assessment and notice to current slip holders

Fisher announced the Village’s attendance at the October 28, 2008 hearing of appellants challenges on the DNR’s authority to issue a construction permit to the Village for a rebuild of the dock, and is waiting to hear the decision from Judge Bolt on acceptance of a revised Option C Plan that was presented at the time of the hearing.

Fisher referenced an email from Ken Mathys dated November 11 concerning the breakwall condition and asked Mathys to speak.

Mathys stated there is concern about the breakwall and that a dive yet this fall and possibly another dive in the spring could result in more up-to-date measurements on the concrete deck that might show further drops. Extensive discussion on the pros and cons of doing a dive yet this fall went on by several parties in attendance.

Fisher concluded the question would be to spend an extra \$10,000 to determine what is going on in fall of 2008 and then dive again in spring.

Fitzgerald pointed out that the Village has to check on the conditions of the grant. He expressed fear that if repairs are done, the Village may lose the grant.

Dickson stated that the Village has to stay on course with its decision to do a rebuild without spending a lot of money into an old structure.

Fisher stated a letter to the slip holders has been drafted outlining the status of the marina now and possibilities for 2009 season

Fisher introduced a time line for the Marina project in relation to current status, bidding on the construction of the marina, setting a public hearing date and putting a special referendum on the February 17, 2009 primary ballot. The referendum would be on revised Option C plan with the numbers that are a result of the studies and proposals made.

Jack Gray spoke to the many people who use the marina that are non slip holders. There are hundreds and hundreds over the summer who benefit from this marina. Whatever it takes, keep the notion of a breakwater and harbor of refuge possible.

Schaefer asked if the Village is on track to start construction in the fall of 2009 if the revised Option C plan isn't approved. The Board said yes with the originally approved plan. There was consensus of the trustees that the timeline proposed is agreeable.

c) Public Works Committee

i) Recycling and Solid Waste Hauling Services Award Dan Ash spoke representing Veolia commenting on the recycling portion of the bid proposal and pointed out that Veolia has serviced the Village for four years and that there has been an approx. \$2,000 rebate credit since January 1. To change from a service that you are doing now would be a step back. Recently you changed to compacting cardboard to reduce the tonnage and waste flying around the premises. Dickson asked if all contractors get the option of the rebate. Steve Estes of Little Hoppers said not.

Jeff Johnson of Going Garbage spoke that the commodity market for paper has gone down so much that at times contractors need to pay for them to take the paper instead of being paid for your paper. The other point is if you are changing the containers, you may be comparing apples to oranges as to the cost of how your site is run and the amount of material you have there. The compactor is leased from Veolia.

Jeff Johnson stated the bid request specified a compactor and that was how the bids were made. Mueller moved to table the decision on the proposal until next meeting, seconded Anderson. Motion passed unanimously.

ii) Street lighting project update Van Lieshout stated easements were obtained from properties south of Orchard Road for the streetlights. Unfortunately on the Mariner Estates stretch communications took a long time, however, it appears it is forthcoming and the project will move forward yet this year.

iii) Street sign project update VanLieshout demonstrated the tourist directional signs that will be six feet high and four feet wide. Fisher added the businesses will be offered plaques at \$200 per business. An order form will be available to the businesses shortly after Thanksgiving.

d) Plan Commission

i) Adoption of Ordinance Amending section 155.05(K) and 155.08(A)(12) to allow reader board signs between November 1, 2008 and April 30, 2009.

Fisher introduced the Code amendment that recommended allowance of reader boards for the duration from November 1, 2008 to April 30, 2009. Fisher moved to approve the ordinance amending Section 155.05(K) and 155.08(A)(12), seconded Mueller. Motion passed unanimously.

e) Utility Committee

i) Adoption of Ordinance to Repeal and Amend section 51.063(A)(3)(b) Seasonal Rate Structure for businesses and residences. Dickson introduced the language stating that the seasonal status will only be available to those that hold a business license and is able to provide documentation that it will be unoccupied 180 consecutive days per year.

Dickson stated this will allow some businesses' rates to go down, for instance the Alpine Resort. Dickson moved to adopt the ordinance to amend 51.063 (A)(3)(b) to read: "The annual user charge per REU for seasonal properties, being any property that holds a business license and is able to provide documentation that it will be unoccupied 180 consecutive days per year shall be as follows:", seconded Mueller. Motion passed unanimously.

6 Clerk-Treasurer

a) Budget Year to date and other financial reports Budget Revenue and Expense Statements for all funds through October 31, 2008 were approved by the Board. Clerk Gureski reported there was a 77 percent voter turn out at the general election on November 4 and that six youth voted in the "kids vote" project on that day. There will be a new credit called the "First Dollar Credit"

shown on the tax bills this year for all parcels that have an improvement on them with a value of at least \$3,000. Individuals do not apply for the credit. It is paid to the local municipality in July of the following year and then shared with other taxing districts the same as tax collections. The shared revenue and charter cable franchise fees revenues were received this week.

7. Administrator:

a) Final Resolution on Special Assessments on Sanitary Sewer Construction

Dickson moved, to adopt the resolution, seconded Mueller. Motion passed unanimously.

b) Draft Amendment to Section 10.99(E)(3) creating specific penalties for Violation of Chapter 92 Health and Sanitation Fisher moved to adopt the ordinance amendment 10.99 (E)(3), seconded Mueller. Motion passed unanimously.

c) Consider Amending Section 32.25 (F)(3)(b) adding language to remove committee members for failure to attend 50% of meetings in a calendar year Fisher introduced the ordinance amendment on attendance of committee meetings in a given year. Fisher moved to adopt amendment to Section 32.25 (F)(3)(b), seconded Anderson. Motion passed unanimously.

d) Resolution to form an Ad Hoc committee on Events

Fisher moved to table to give the board time to determine objectives, seconded Mueller. Motion passed unanimously.

8. Open Session

Steve Schaefer asked for an update on the road way between Peninsula Shores and bluff property.

Van Lieshout reported surveys are completed and title searches are being done.

Mueller asked for comments from the board on the design and construction of the tourist directional signs (TODS). The consensus was they were well designed.

9 Adjournment Fisher moved to adjourn the meeting, seconded Mueller. Meeting adjourned at 8:17 p.m. Motion passed unanimously.

Recorded by,
Patricia C.Gureski, Clerk-Treasurer