

“Approval Pending”
Harbor Committee Meeting Minutes
Wednesday, November 28, 2007 – 9:00 A.M.
Paul J. Bertschinger Community Center
7860 Hwy 42, Egg Harbor, Wisconsin

Members Present: Chair Mike Fitzgerald, Bill Cammack, Skip Ballje, Ken Mathys, and Josh Van Lieshout

Members Absent: John Hurckman and Steve Smith

Also Present: Charity Buhr, Rich Dirks, and Denny Phillips

1. Call meeting to order.

Chair Fitzgerald called meeting to order at 9:07 A.M.

2. Approval of the October 24, 2007 Harbor Committee Meeting Minutes.

Ballje moved, seconded by Cammack to approve the October 24, 2007 Harbor Committee meeting minutes as presented. Motion passed, Fitzgerald abstained.

Fitzgerald moved, seconded by Mathys to approve the November 7, 2007 Harbor Committee meeting minutes as presented. Motion passed unanimously.

3. Open Session (Limited To Ten Minutes).

Dirks stated that he feels the overall design of the marina is great. He also stated that this is a perfect opportunity to address the storm-water runoff problem that the marina has had. He would like the Village to check into state or federal funding to help with that portion of the marina project.

Fitzgerald stated that the Committee appreciates Dirks enthusiasm and support on the harbor project.

Fitzgerald also stated that Christopher Boldt from JJR is looking into possible funding for this portion of the project.

4. Harbormaster Report

See attached report dated November 28, 2007.

5. Harbor Design Discussion

A. Village Board's Approval

JJR, LLC brought the final design to the Village Board November 12, 2007 and it has been approved. The project now goes to the modeling stage, which will be taking place during the month of December.

B. Open House

The open house went well on November 13, there was nothing but good comments.

6. Report from Village Office – Charity

Currently there is one seasonal slip available for next season due to Nelson's inability to complete his seasonal contract for 2007.

Buhr asked the Committee to think about the creation of a 45' wait list.

7. Wait List Cutoff

Ballje moved, seconded by Fitzgerald to handle this topic during the Marina Procedures discussion. Motion passed unanimously.

8. Marina Procedures – Discussion and Action

Items for discussion

1. Wait list – one list versus multiple slip size lists
2. Definitions of resident, non resident, property owner, non property owner.
3. Occupying of seasonal slips
4. When to close the marina – extended season slip size
5. Priority of existing slip holders to change slips or slip sizes
6. Grounds for dismissal
7. Date requirements
8. Mooring holders getting rate break for slips on transient basis
9. Sales
10. Renting out slips that the tenants are away.

Item #1: Ballje moved, seconded by Fitzgerald to recommend to the Village Board to go to one wait list versus wait list by slip length. Motion passed unanimously.

Item #5: Mathys moved, seconded by Fitzgerald that the priority order in general procedures be amended as follows: #1 existing tenants, #2 existing tenants who want to move location, up in size or down in size based on marina seniority date, #3 improved property owners- based on application date, and #4 all others – based on application date. Motion passed, Cammack opposed.

Item #2: No action on item, no changes.

Item #3: add to item 9 on page 4 changed to: Slip privileges may be terminated if non occupancy of a slip for an entire season occurs.

Item #4: No action on this item.

Item #6: No action on item, no change

Item #8: Cammack moved, seconded by Mathys to rent mooring tenants slips at a 50% rate reduction on a daily basis if slip is not occupied by the end of the business day. Motion passed unanimously.

Item #9: No action on this item at this time.

Item #10: Ballje moved, seconded by Fitzgerald to give tenants a small perk for notifying the Harbor Master when you are not utilizing your slip. Motion passed unanimously.

Ballje moved, seconded by Fitzgerald to recommend to the Village Board to approve the municipal dock procedure proposed changes along with the motions that were made at the November 28 Harbor Committee meeting. Motion passed unanimously.

9. Adjournment

Ballje moved, seconded by Cammack to adjourn 11:29 A.M. Motion passed unanimously.

Respectfully Submitted,
Charity Buhr
Deputy Clerk-Treasurer/
Administrative Assistant

Harbor Master Report to the Harbor Committee: November 28, 2007

I am sorry that I cannot attend this meeting. If any questions arise during the meeting that need my immediate input, please feel free to call me on my cell phone: 920 559 7686

My comments concerning agendas items can be found below.

I believe our budget was approved, as submitted to the Board by Josh. I want to thank Josh for taking the time to discuss each and every line item of the proposed budget with me prior to submitting it to the Board. The budget is sufficient to continue the momentum we have in both operations and interim facility improvement.

State of the Harbor:

By now, the finger piers should be out of the water. If not, we should give Curt Rice a call. If they have not done it already, Josh should ask PW to bring in the last two life rings and two fire extinguishers. They should be removed and stored in the garage. Also, the wall ladders should be raised up to the store position. That should totally complete the closing of 2007. We are planning a mid-May opening.

Reservations and Slip Rentals:

We plan to start taking transient reservations after the New Year, probably in March or April. I plan to limit the amount of reservations prior to the opening because I don't want any Gold Rush to develop. I don't think we should take any "holiday" reservations, such as 4th of July and Pumpkin Patch, until we are open. For one thing, we do not really know what transient slips we will actually have until we receive the rental agreements back. I will work all of this out with Charity.

I will also work with Charity to send out the slip rental letters on time. We rewrote the letter format last year but will review it again this year. We will be asking for an e-mail address for each renter if they want to be sent announcements and construction updates. Iso had far fewer "no pays."

Manpower Planning:

All of staff present at the end of the year have indicated they will return next year. We will confirm this in February. We will likely add at least one additional dock worker for the rotation. This will give us better scheduling flexibility and additional coverage we have planned for the beach on weekends. Josh and I continue to evaluate our staffing model.

Expanded Beach:

As you also know, the harbor is responsible for maintaining the beach restrooms and for much of the trash collection there. Also, this Harbor Master sees the beach area, and especially the waters in front of the beach, as an extension of the harbor. It was an area of much greater activity this year. The quality of the beach and the cost of fuel will create even stronger demand next year... the buoys will have to be moved, the watercraft access area will have to be moved, more trash will be produced, parking issues will grow, and more. Josh and I are discussing how best to meet this challenge.

Plans for Next Year:

We will continue to upgrade and create new features at the marina while planning to replace or repair the marina itself. Several items are in the works but we have to take care not to spend too much on anything that will soon, hopefully, go away because of repair/replacement.

We are very interested in planning new activities at the marina for next year. In addition, we have other activities under consideration: An old/classic/wooden boat show, Saturday morning fishing classes for kids, take a kid for a boat ride, sailing school, and others are all under consideration.

Marina Rebuild/Repair Project:

We must be close to a “perfect plan” because I have been studying the latest version a lot since last month and find next to nothing I would change at this point. This is unusual for me. Thanks, one and all.

Agenda Items:

I would like to comment on two agendas items that appear on the meeting notice.

I have mixed feelings about the subject of “Wait List Cutoff.” While I understand the sentiment, there are some very complex issues in the real world. Here is an example: We need to have a lot of discussion about how we are going to treat current slip holders before we can truly decide how to treat potential slip holders in a new marina. We have a lot of 36 foot slips now and no 36 foot slips in the new marina. Some of our current boats will fit in a 36 but not in a 35. Do we allow those folks to move to a 40 if they desire...or do we insist they go to a 35 and on a waiting list to get a 40? If we do, some will extend beyond their 35 foot slip with their current boats. We also have boats in some of our larger slips that are much smaller than the slip they are in. Do we give these current slip holders an opportunity to “right size” in the new marina? In both examples, do we simply allow this to happen or do they also have to be on a wait list? How do we treat current out of Village slip holders versus in Village folks on the wait list for the new slips if we force them onto a list? How do we treat slip holders like Airborne and Juddville Queen when we want to move them? How do we decide what size of slip we send them to? What if they want something smaller or larger? Like I said, we need a lot of discussion. As a general rule, I am inclined to bend a lot for current slip holders who have waited ages for improvements and will live through the transition. As I said, we need to have a lot of discussion. I am becoming a fan of the “one list” concept.

As far as “procedures” go, I am happy with the current procedures for operating the marina. I am also happy with the current rates during the transition period. I probably don’t have any issue with other things the committee may want to change.

Open items:

Silting in of Well, Rock fall into well area: If the water level falls any more, we will have problems in the well. This will effect income.

Silting in of Gas Dock area: Same. We already cannot put the same large boats in here as we once did. There is almost no room for the dinghy dock. Less water will definitely effect transient income as this is our most rented area.

Office foundation

Electrical Lock System

Sand Pool, Rinse Shower at Beach

Moving Jetty , or water-sports access at the beach

Respectfully submitted, Steve Smith

PROPOSED CHANGES TO THE PROCEDURES

VILLAGE OF EGG HARBOR
MUNICIPAL DOCK PROCEDURES

DECEMBER 2007

EGG HARBOR MUNICIPAL DOCK GENERAL PROCEDURES

Obtaining a Slip Lease

There are 2 ways to obtain a slip lease in the Egg Harbor Municipal Dock:

1. Get on a wait list, pay the required deposit and wait
2. Be a surviving spouse of a slip renter

Wait Lists

Individual wait lists have been established for the various slip lengths available at the Egg Harbor Municipal Dock. Priority ranking on these lists is:

- Priority 1- Current marina tenants, who shall have first priority to renew a slip for the next boating seas.
- Priority 2- [Existing marina tenants who want to move location, up in size, or down in size based on marina seniority date.](#)
- [Priority 3 – Improved](#) property [owners](#) within the Village of Egg Harbor [based on application date](#). The property must be improved with a dwelling unit which is in compliance with Chapter 152 of the Village's Code of Ordinances, and specifically excludes time shares and resort condos. There shall be a limit of 1 Priority 1 slip per address/dwelling unit.
- Priority [4](#)- All others [based on application date](#).

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To retain a position as a Priority 3, the individual must at all times be an owner of improved property within the Village. Should an individual at any time not own improved property after being listed as Priority 3, they will be reclassified as a Priority 4 while retaining their initial application date for seniority purposes.

Deposits

A deposit as set by the Village is required with each application to place a name on [the](#) wait list. There is no penalty for declining acceptance of a slip. Should an applicant decline acceptance of a slip, their ranking on the wait list will remain the same.

General procedures for slip assignments, wait lists, and transfers

1. The operation of the Egg Harbor Municipal dock is governed by Chapter 94 of the Village code of ordinances and the following procedures.
2. The Village of Egg Harbor controls the assignment of slips through its wait list and ordinances. The Harbor Master and Village office administer slip assignments with the oversight of the Harbor Committee. The slip lease is considered to be a lease granted by the grace of the Village and not a leasehold interest or any other proprietary form of ownership. The granting of the lease shall not confer any vested right or interest. The slip holder shall forfeit the lease upon the breach of conditions imposed by the procedures in that the lease is granted pursuant to the municipality's grace and pursuant to the conditions of these procedures being fully honored by the leaseholders.
3. Applications for dockage shall be submitted by December 31, and shall include payment of \$500 toward dockage fees. The balance shall be paid by April 30th. Current insurance certification or declaration page and a copy of the boat registration in the tenants name must be on file as of April 30, unless in the process of purchasing a vessel, then it must be on file before the boat is docked in the Harbor. Dockage will be forfeited and reassigned if payments and required paperwork are not received by the deadlines.
4. Slips will only be rented to an individual or married couple. Slips will not be rented to businesses, trusts, corporations, partnerships, or other entities.
5. A surviving spouse may keep the deceased spouse's slip and/or wait list priority. A divorce will require an agreement from both parties defining who shall receive the slip or wait list assignment. If agreement cannot be reached the slip lease will be terminated at the end of the current season.
6. Slip holders may not assign, transfer, sell, or otherwise pass on their slip rental privilege. Slip rental privileges are not tied to boat sales or transfers, inheritances, business sales, or partnership changes. Should such boat ownership transfers occur, the new boat owner will be offered a slip only on the basis of their wait list ranking. Purchasers of boats or boat partnership shares for vessels in the Egg Harbor Municipal Dock have no inherent slip rights with the boat purchase.
7. Marina tenants may not sublet their slip, and the vessel in the slip must be registered to the marina tenant. Current registration or documentation and proof of insurance are required for all seasonal slip holders' boats in the marina. Boat changes must occur within the leased slip and with the Harbor Master's approval; such approval shall not be unreasonably withheld.
8. All slip transfers shall be based on priority. Marina tenants may not force transfers by purchasing larger boats and requesting a larger slip.
9. It is expected that slip renters will occupy their slips. At the discretion of the Harbor Committee, slip privileges may be terminated if non occupancy of a slip for an entire season occurs.
10. Seasonal slip leases commence May 1st and shall expire the last Sunday of October

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Deleted: Marina tenants may be on any number of wait lists as a priority 2 or 3 with payment of applicable deposits.

Deleted: <#>Requests for a slip transfer to a same-size slip shall be in writing and signed by the respective slip holders. The Harbor Master shall review the request to ensure size compatibility. Such approval shall not be unreasonably withheld. The notice of change shall then be forwarded to the Village office.¶

Deleted: slip rights may be terminated should extended non-occupancy occur

each year.

11. A transient renter may occupy a transient slip for no more than 10 days of any consecutive 14-day period. Based upon availability, Harbor Master may relocate the transient renter to another available slip. The specific intent of this provision is to prohibit long-term rental of transient slips as seasonal dockage, therefore during the months of July and August a transient renter may not occupy a slip for more than 20 consecutive days.
12. The Village Board may assign slips for specific purposes that are not included in the procedures or priorities.
13. All disputes on slip assignments will be settled by the Harbor Committee. The Harbor Committee reserves the right to terminate all slip rental agreements should these policies and procedures be violated. The Harbor Committee may also terminate slip rental agreements for violation of [procedures](#), ordinances and non payment of fees.

EGG HARBOR MUNICIPAL DOCK

In order to provide an inviting atmosphere for boat owners docking at the Egg Harbor Municipal Dock the following rules and regulations are provided for your protection. Your cooperation will be greatly appreciated by all.

REGULATIONS FOR SEASONAL AND SHORT TERM RENTERS

1. All lessees will be responsible for the safe and proper mooring of their boats. Boats breaking their moorings will be removed at the expense of the owner. Please check your line inventory, etc. before docking.
2. The Village of Egg Harbor will not be responsible for the damage or theft of the lessee's property or boat regardless of the cause.
3. Boats assigned for seasonal slip rental shall appropriately fit the slip assigned. Concern being overloading the finger pier by length and width
4. Speed limit in the marina, when approaching or leaving will be DEAD SLOW.
5. Pets will be allowed, but on a leash only. They are not to be allowed to commit a nuisance on or around the docks. You must clean up after your pet, at the Marina or elsewhere.
6. No swimming, water skiing or racing will be allowed within the marina.
7. No skateboarding or roller-blading on the docks or grounds.
8. Vehicles must be properly parked in the Village lots. Improperly parked vehicles may be ticketed or may be removed at the owner's expense.
9. A garbage dumpster is located on the north side of the restrooms. Please do not leave garbage on the docks or in the small cans on the marina grounds.
10. All persons must conduct themselves with discretion. Give consideration to your neighbors. NO EXCESSIVE DISTURBANCES FROM 10 PM TO 7 AM!
11. The Village reserves the right to assign boat slips and broadside dock ties. They are subject to change at any time as may be required.
12. There will be no subletting by lessees. We request that you let the Harbor Master know when you will be away from your slip overnight. The Village reserves the right to rent out an assigned seasonal slip on a transient basis when the tenant is away for a period of time. The more the Village can charge to transients, the better the chance of keeping seasonal rates down. So, please work with the Harbor Master.
13. The Village cannot guarantee year after year rentals. But, the prior lessee will have priority for a slip.
14. All seasonal slip rentals run from May 1st to the last Sunday in October, unless otherwise prearranged. Boats must be removed by the end of the season or may be removed at the owner's expense. This allows the timely and orderly preparing of the dock for winterizing.
15. Penalty for failing to comply with the regulations will result in the boat owner being given notice to leave the marina with a loss of their rental fee.

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Deleted: 2006 Grand-fathering Addendum¶

¶ In order to facilitate an orderly transition to these revised or clarified policies, the following grand-fathering will occur one time to tenants of the marina at the end of the 2005 season.¶

¶ <#>Slips that have been rented to businesses shall be converted to the name of the primary user of the vessel upon approval of the Harbor Committee.¶

<#>Slips that have been rented to partnerships, trusts, and other entities shall name a managing partner from the current list of partners to be the slip holder upon approval of the Harbor Committee.¶

<#>All ties and disputes shall be settled by chance drawing or coin flip administered by the Harbor Committee.¶

<#>No one entering the marina in 2006 or beyond will be grand-fathered.¶

**EGG HARBOR MUNICIPAL DOCK
WAIT-LIST APPLICATION**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone No. home: (____) _____ work: (____) _____

Email address: _____

Do you own improved property in the Village of Egg Harbor? YES NO

If so, please provide the address or **tax ID** number: _____

Local Phone No: _____

Please enclose your check based upon the following:

- \$150 for owners of improved property within the Village of Egg Harbor
- \$250 per wait list for all others

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 25 foot . . . 30 foot . . . 35 foot . . . 40
 foot . ¶
 50 foot . . . Dinghy Storage . . . ¶
 ¶

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Please note that upon cancellation, \$50 of the deposit will be refunded, the remainder will be withheld.

Signing this document acknowledges that you understand that the Village reserves the right to assign boat slips and broadside dock ties as necessary.

Signature: _____ Date: _____

Mail Application to: Village of Egg Harbor
PO Box 175
Egg Harbor, WI 54209

wait list as of 11/28/2007

Size	Slip Status	Deposit	Last	Name	First	Priority 1,2,3	Date
25	Wait List	\$150	Seliga	Patricia		2	3/14/2006
25	Wait List	\$150	Ballje	John (Skip)		2	3/14/2006
25	Wait List	\$150	Langdon	Rick		2	3/14/2006
25	Wait List	\$150	Mathys	Kristen		2	3/14/2006
25	Wait List	\$150	Mathys	Andrew		2	3/14/2006
25	Wait List	\$150	Lewis	Gary & Holly		2	4/5/2006
25	Wait List	\$150	Hall	Tom		2	5/16/2006
25	Wait List	\$150	Meierhoff	Jack		2	9/1/2006
25	Wait List	\$150	Mathys	Kara		2	9/14/2006
25	Wait List	\$150	Karcz	Mike		2	9/14/2007
25	Wait List	\$250	De Wan	Daniel		3	4/13/2006
30	Wait List	\$150	Johnson	Terrance		2	8/18/2005
30	Wait List	\$150	Lewis	Holly		2	9/6/2005
30	Wait List	\$150	Schaefer	Steve		2	3/14/2006
30	Wait List	\$150	Mathys	Kristen		2	3/14/2006
30	Wait List	\$150	Mathys	Andrew		2	3/14/2006
30	Wait List	\$150	Hall	Tom		2	5/16/2006
30	Wait List	\$150	Mathys	Kara		2	9/14/2006
30	Wait List	\$150	Jensen	Richard		2	10/6/2006
30	Wait List	\$150	Doneff	Anton A.		2	10/27/2006
30	Wait List	\$150	Roloff	Monty		2	5/24/2007
30	Wait List	\$150	Housmans	Phillippe		2	5/25/2007
30	Wait List	\$150	McDonough	David		2	6/25/2007
30	Wait List	\$150	Chomeau	Douglas		2	9/28/2007
30	Wait List	\$250	DeWan	Daniel		3	6/20/1994
30	Wait List	\$250	Ritchie	Aaron Brandt		3	4/12/2001
30	Wait List	\$1,000	Brinckeroff	Andrew		3	2/6/2002
30	Wait List	\$250	Langan	Robert		3	6/20/2005
30	Wait List	\$250	Roethlisberger	Ron		3	7/19/2005
30	Wait List	\$250	Kranzusch	Charles/Judy		3	8/31/2006
35	Wait List	\$150	Martin	Thomas P.		2	7/1/2001
35	Wait List	\$150	Buroughs	Theresa		2	7/2/2003
35	Wait List	\$1,000	Ackell	Peter		2	5/19/2004
35	Wait List	\$1,000	Rewolinski	William		2	6/10/2004
35	Wait List	\$150	Balije	John (Skip)		2	8/24/2005
35	Wait List	\$150	Lewis	Gary & Holly		2	4/5/2006
35	Wait List	\$150	Wachs	Jon		2	4/10/2006
35	Wait List	\$150	Dudasik	Patrick		2	5/4/2006
35	Wait List	\$150	Meierhoff	Jack		2	9/11/2006
35	Wait List	\$150	Webster	Charles		2	6/29/2007
35	Wait List	\$150	Niesen	Daniel		2	7/19/2007
35	Wait List	\$250	Dunworth	Robert		3	7/31/1995
35	Wait List	\$250	Will & Korb	Fred & Joan		3	2/8/1996
35	Wait List	\$1,000	Brinckeroff	Andrew		3	2/6/2002
35	Wait List	\$250	Ritchie	Aaron		3	4/12/2006
35	Wait List	\$250	De Wan	Daniel		3	4/13/2006
35	Wait List	\$250	Hornung	Len		3	7/16/2007
40	Wait List	\$150	Maleki	Massoud		2	8/27/2001
40	Wait List	\$150	Dorsch	Pete		2	8/28/2002
40	Wait List	\$1,000	Ammons	John		2	9/23/2002
40	Wait List	\$150	Cammack	Bill		2	7/29/2005
40	Wait List	\$1,000	Kreder	Virgil		2	10/10/2005
40	Wait List	\$150	Mathys	Kristen		2	3/14/2006
40	Wait List	\$150	Mathys	Andrew		2	3/14/2006
40	Wait List	\$150	Hall	Tom		2	5/16/2006
40	Wait List	\$150	Mathys	Kara		2	9/14/2006
40	Wait List	\$150	Kimps	Roger		2	7/16/2007
40	Wait List	\$150	Mathys	Kenneth		2	8/27/2007
40	Wait List	\$250	Ward	William C		3	11/4/1992
40	Wait List	\$250	Will & Korb	Fred & Joan		3	2/8/1996
40	Wait List	\$1,000	Brinckeroff	Andrew		3	2/6/2002
40	Wait List	\$250	Ruder	Daniel		3	7/5/2005
40	Wait List	\$250	Watermolen	Terry & Judy		3	7/14/2005
40	Wait List	\$250	De Wan	Daniel		3	4/13/2006
40	Wait List	\$250	Langan	Robert		3	4/6/2006
50	Wait List	\$150	Ballje	John (Skip)		2	3/14/2006
50	Wait List	\$150	Dudasik	Patrick		2	5/4/2006
50	Wait List	\$150	Hall	Tom		2	5/16/2006
50	Wait List	\$150	Martin	Edward		2	5/26/2006
50	Wait List	\$150	Phillips	Dennis		2	1/30/2007
50	Wait List	\$150	Kimps	Roger		2	7/16/2007
50	Wait List	\$150	Mathys	Kenneth		2	8/27/2007
50	Wait List	\$150	Lutzow	Lawrence		2	7/16/2007
50	Wait List	\$150	Welcome	Richard		2	11/8/2007
50	Wait List	\$1,000	Balisteri	Ted		3	9/12/2005
50	Wait List	\$250	Nelson	Peder		3	3/24/2006
50	Wait List	\$250	Langan	Robert		3	4/6/2006
50	Wait List	\$250	Dockry	Dennis & Bonnie		3	4/17/2006
50	Wait List	\$250	Watermolen	Terry & Judy		3	5/8/2006
50	Wait List	\$250	Swain	Greg & Holly		3	11/27/2007

\$21,000