

**REGULAR VILLAGE BOARD MEETING MINUTES**  
**VILLAGE OF TREMPLEALEAU COMMUNITY CENTER**  
**OCTOBER 3, 2016**  
**7:00 PM**

1. Roll Call and Call to Order

President Kurt Wood called the meeting to order at 7:03 p.m. Present: Kurt Wood, Tom Scherr, Lois Taylor, Kit Locke, Shirley Heffner, Kevin Sacia and Lee Bryhn. Others present: Clerk/Treasurer Vicki Freeman, Deputy Clerk/Treasurer Kathy Peterson, Police Chief Rick Niedfeldt

2. Announcements

A. The Village Board will Convene into Closed Session per Wis. Stats. 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Topic: Floodplain Zoning Violation - Adrien and Katie Johnson Property

3. Open Forum

Kurt Wood opened the forum by asking for questions or comments from citizens in attendance.

Katie Johnson spoke to the Board stating different considerations that should be taken when making a decision in regards to her property on Lake Road. She stated that she did talk to many parties before any construction was started to ensure that they were in the bounds of any guidelines and rules pertaining to the floodplain area. They felt that they were eliminating obstruction and that she trusted Travis Cooke, Administrator's advice and approval of building permit. It was 4 months following start of construction that Katie received a call from Vicki Freeman on August 22<sup>nd</sup> stating there may be a problem and advising that they should cease construction at that time. On September 3<sup>rd</sup> they received a Stop Work Order from the Village but after determining this was not valid (as no 30 day notice was given or particular offence was stated.)

Paul Lamke commented that Bud Raymer, Village Building Inspector does not do his job as specified in his contract and that the Village should reconsider looking for another Building Inspector.

John Sieger questioned if the DNR Ordinance had been adopted by the Village yet.

There was no further public comment and open forum was closed.

4. Closed Session per Wis. Stats. 19.85 (1) (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Topic: Floodplain Zoning Violation - Adrien and Katie Johnson Property

A. The Village Board will Convene into Closed Session per Wis. Stats. 19.85 (1) (g)

Lois Taylor moved to convene into closed session at 7:13 p.m. including Clerk Treasurer Vicki Freeman and Village Attorney Terry Madden, seconded by Kit Locke, roll call vote carried 7-0.

B. The Village Board will Reconvene into Open Session

Kit Locke moved to reconvene into open session at 8:30 p.m., seconded by Tom

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Scherr, motion carried 7-0.

5. Consideration and Possible Action on Floodplain Zoning Violation - Adrien and Katie Johnson Property

Kurt asked for a motion to entertain meeting of group (Kurt Wood, Shirley Heffner, Zoning Administrator and Legal Counsel) and to consult with property owners Aiden and Katie Johnson, along with their Legal Counsel to propose a plan of action to present to the DNR.

Shirley Heffner addressed Aiden and Katie Johnson to assure that they want what is the best possible resolution for the family and will do everything that they can to work with them, legal counsel, DNR and FEMA. The Village Board is pursuing the best action possible in the situation. Kurt did state that some decisions are not easy. There will be difficult decisions to be made to provide a resolution that the DNR will accept. The goal is to achieve this as soon as possible.

Kevin Sacia was not in favor of making the motion.

Terry responded to Katie Johnson's question as to where they stand. Village Attorney Madden says they will need to consult with their own legal Counsel, Jim Curtis. Terry and Jim will set a date for the group to meet. Terry also stated that the DNR has taken the position that the Johnson's expansion has exceeded the 50 % value of the existing cabin. The Code of Ordinance enacted is the model floodplain ordinance dictated by the DNR.

Shirley Heffner made the motion to create a "Committee" to meet and create a plan to present to the DNR to resolve Floodplain Zoning Violation at the Adrien and Katie Johnson property, seconded by Tom Scherr, motion carried 6-1.

6. Approval of Minutes

A. Consideration of September 6th, 2016 Regular Village Board Meeting Minutes  
Lois Taylor made a motion to approve the minutes, seconded by Shirley Heffner, motion carried 7-0.

B. Consideration of September 13th, 2016 Special Village Board Meeting Minutes  
Lois Taylor made a motion to approve the minutes, seconded by Lee Bryhn, motion carried 7-0.

C. Consideration of September 20th, 2016 Special Village Board Meeting Minutes Tom Scherr made a motion to approve the minutes, seconded by Lois Taylor, motion carried 7-0.

7. Village Board Committees

A. General Government – No Meeting

a. Consideration of Cash Disbursements

b. Consideration of Cash Disbursement Journal Entries

c. Consideration of Payroll Disbursements

Lois Taylor made a motion to approve the September cash disbursements of

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\$24,352.50, September payroll of \$48,528.59, and August cash disbursement journal entries of \$185,964.24, seconded by Lee Bryhn, motion carried 7-0.

- d. Consideration of Village Administrator Contract for Nathan Patros  
Lois Taylor made a motion to accept the Employment Agreement for Nathan Patros, seconded by Shirley Heffner, motion carried 7-0.
- e. Consideration of Resolution # 9- 2016 to Authorize Signature for New Administrator  
Tom Scherr made a motion to adopt Resolution # 9-2016 to authorize signature for the new Administrator Nathan Patros, seconded by Kit Locke, motion carried 7-0.

**B. Water & Sewer**

- a. Committee Report – Lois Taylor reported on Committee’s activities.

**C. Streets & Alleys**

- a. Committee Report – Shirley Heffner reported on Committee’s activities.

**D. Electric**

- a. Committee Report – No Meeting

**E. Plan Commission**

- a. Committee Report- Kurt Wood and Lois Taylor reported on Commission’s activities.

- b. Discussion of Conditions for Wisconsin Technology Networking Conditional Use Permit

Terry Madden addressed the Board and explained that they have very little discretion and have to be careful of conditions that may be imposed (as a Village) on conditions in Conditional Use Permit. Bond is required for removal of pole if it should become unused.

Kurt asked if we should require a fence in compliance with Village Ordinances which was determined could be addressed by WTN Representative at the Public Hearing. As of yet plans have not been received to confirm height of equipment on the pole.

- c. Consideration of Resolution # 10-2016 - A Resolution Approving an Estoppel Certificate Between the Bank of Galesville, Weaver Property Management, LLC and The Village of Trempealeau

Lois Taylor made a motion to adopt Resolution # 10-2016 to approve an Estoppel Certificated, seconded by Lee Bryhn, resolution passed 7-0.

**F. Public Safety**

- a. Committee Report – Kevin Sacia reported on the Committee’s activities.
- b. Informational Items - Chief Niedfeldt – None.

**G. Parks & Recreation Committee**

- a. Committee Report – Kit Locke reported on Committee’s activities  
Citizens First Bank sponsored 3 days at the pool and presented a check for \$906.27 to the Friends of the Trempealeau Pool.  
Duck Pond update – met with DNR Representative and sludge samples were taken. Results will not be available until Spring as to any contaminants found.

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Little Bluff Mounds Trail is ready to be used.

- H. Committee of the Whole
    - a. Committee Report – No report – Special Village Board Meeting held in place.
  - I. Southern Trempealeau County Solid Waste Commission
    - a. Commission Report – Kurt Wood reported on the Commission’s activities.
  - J. Shirley M. Wright Memorial Library Board
    - a. Library Report Kit Locke reported.
8. Village President’s Business
- A. Fire Board Report – Kurt Wood reported.
  - B. Informational Items Only – none.
9. Village Clerk/Treasurer Business
- A. Month End Accounting Reports
    - a. Bank Reconciliation Report
    - b. Trial Balance
    - c. Ehlers Investment Partners Report
  - B. Consideration of Licenses and Permits
    - a. Consideration of Operator's License - Vicky M. Heim  
Kit Locke made a motion to approve Operator’s License for Vicky Heim, seconded by Lee Bryhn, motion carried 7-0.
  - C. Informational Items Only
10. Village Administrator Business
- A. Safety Reports – none.
  - B. Great Lakes Utilities Report – Kurt Wood reported that September 13<sup>th</sup> meeting was attended and contract is good until 2022.
  - C. MEUW Report – none.
  - D. Future Meeting Times and Dates – Were reviewed.
  - E. Administrator's Report and Informational Items
11. Any Other Business Which Lawfully comes Before the Village Board (no action taken)
12. Adjournment. Kit Locke made the motion to adjourn at 9:35 pm, seconded by Lois Taylor, motion carried 7-0.