

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**
(Official Minutes)

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, July 27, 2009

President Petersen called the special meeting of the Village Board to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: William Turner, Micki O'Connell, George Spadoni, President Arvid Petersen, Thomas McGreevy, Patrick Kenny, Diane Lewis

Also present: Village Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Village Attorney Dale Thorpe

Announcement for Board of Trustees to Consider Going Into Closed Session

O'Connell/McGreevy 2nd made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats. to confer 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, specifically the claim filed by the Lake Geneva Yacht Club, and the roll call vote followed:

O'Connell – Yes

Spadoni – Yes

President Petersen – Yes

McGreevy – Yes

Kenny – Yes

Lewis – Yes

Turner – Yes

Adjournment of Closed Session

Kenny/McGreevy 2nd made a MOTION to adjourn the closed session of the Village Board at 5:15 pm and to reconvene in open session, and the MOTION carried without negative vote.

Also present: Rob Ireland, Library Director Nancy Krei, Ryan Trottier, Director of Public Works Craig Workman

General Business – President Petersen

Settlement Agreement with Lake Geneva Yacht Club

Turner/O'Connell 2nd made a MOTION to approve the proposed settlement agreement with the Lake Geneva Yacht Club with the conditions that a clause be added that requires the Yacht Club to file the required Wisconsin Department of Revenue Form 70.11 declaring the sailing school parcel tax exempt; that a clause be added that states that the Yacht Club releases the Village from the claim filed by the Lake Geneva Yacht Club; and that the final agreement be reviewed by the Village attorney and administrator. The MOTION carried without negative vote.

Village of Fontana/Village of Walworth Pedestrian Path Contract Change Order

Turner stated that the CDA Board recommended approval of the contract change order with Mann Brothers, Inc., calling for a \$165,505 decrease for the modified plan. Turner stated that a boardwalk was eliminated from the project when the initial low bid submitted by Mann came in over the project budget at \$525,344. The \$359,839 contract also includes work on the east side of Highway 67 to address stormwater runoff problems in the Abbey Hill subdivision.

Turner/McGreevy 2nd made a MOTION to approve the contract change order with Mann Brothers, Inc. for the Village of Fontana/Village of Walworth Pedestrian Path Contract as recommended, and the MOTION carried without negative vote.

FW/WPCC Strand Associates Contract Amendment for Bidding and Construction Services

President Petersen stated that the Fontana/Walworth Water Pollution Control Commission Board of Directors voted to approve the second contract amendment calling for a decrease from \$624,000 to \$600,000. The contract is for the design services and construction related services for a new final clarifier, new return and waste activated sludge pumps, a new booster pump, associated piping and ancillary equipment, a new storage building, an expanded laboratory, and modifications to the existing influent pumping station, oxidation ditches, decant tank and biosolids storage tanks.

President Petersen/O'Connell 2nd made a MOTION to approve the second amendment to the contract with Strand Associates for design services and construction related services for the wastewater treatment facility project as recommended, and the MOTION carried without negative vote.

Approve Invoice Submitted by L.A. Duesterbeck & Associates, Inc.

The \$1,500 invoice is for appraisal work that was completed in May 2009, but the invoice was inadvertently overlooked.

Spadoni/McGreevy 2nd made a MOTION to approve the \$1,500 invoice from L.A. Duesterbeck & Associates, Inc., and the MOTION carried without negative vote.

Adjournment

Spadoni/McGreevy 2nd made a MOTION to adjourn the Village Board meeting at 5:22 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be kept on file at the Village Hall.

APPROVED: 8/3/09