

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES  
with SPECIAL JOINT SESSION of the FINANCE COMMITTEE  
**Monday, August 1, 2011**

Village Clerk Dennis Martin called the monthly meeting of the Village Board to order and Finance Committee Chairman Patrick Kenny called the special meeting of the Finance Committee to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Cindy Wilson, Bill Gage, George Spadoni, Tom McGreevy, Pat Kenny, Peg Pollitt (arrived at 6:06 pm)

**Trustee absent:** President Arvid Petersen

**Finance Committee members present:** Trustee Kenny, Arlene Patek, Mike Sheyker, Scott Vilona, Drew Gilchrist

**Finance Committee members absent:** Jim Feeney, Rick McCue

**Also Present:** Sally Casper, Emma Cunningham, Tim Demco, Administrator/Treasurer Kelly Hayden, Rob Ireland, Bruce Jensen, Gary Johnson, Larry Larkin, Jim Mann, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Karen Morris, Fire Chief Wolfgang Nitsch, Rita Nyman, Building Inspector/Zoning Administrator Ron Nyman, Micki O'Connell, Police Chief Steve Olson, Ted Pankau, Rick Pappas, Patrick Romenesko, Jack Slovick, Village Attorney Dale Thorpe, Amanda Voss, Donald West, Carol Whowell, Tom Whowell

**Elect President Pro-Tem**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to elect Trustee Kenny as the President Pro-Tem, and the MOTION carried without negative vote.

**Visitors Heard**

**Certificate Presentation to Water Safety Patrol Lifeguards Emma Cunningham and Jack Slovick**

President Pro-Tem Kenny presented Certificates of Appreciation to Geneva Lake Water Safety Patrol Lifeguards Emma Cunningham and Jack Slovick for their heroic efforts in saving an unconscious man at the Fontana beach on July 3, 2011.

**Letter from Britt Isham Requesting CWD Deer Hunt on Certain Properties**

Britt Isham submitted a letter to the Village Board members requesting that the Village again authorize licensed deer hunting within the Village limits to address the rising deer population and related safety issues within the Village. Isham states in the letter submitted August 1, 2011 that he would like the Village Board to consider reopening some of the original parcels to archery hunting only, with restricted hours and no more than three hunters hunting on any particular parcel at one time; with only weekday hunting hours. The Village Board directed staff to put the request on the agenda for the next monthly meeting, and to distribute the CWD Hunt Resolution information from 2004 through 2006, when the hunt was last authorized.

**Stearns Road Reconstruction Requests**

Sally Casper stated that she is an Upper Gardens Road resident and she wanted to encourage the Village Board to approve the reconstruction of Stearns Road. Casper stated that when Stearns Road was used as a Highway 67 bypass during the reconstruction project on the highway, the extra traffic caused damage that was never repaired. Casper stated that the repairs to Stearns Road should have been included in the Highway 67 reconstruction project. Tim Demco, 288 Stearns Road, stated that he is also concerned with the terrible condition of Stearns Road and the related safety hazards. Demco stated that the road is not safe for his children to ride their bicycles. Demco stated that Stearns Road was repaired after two previous residential construction projects, but two other residential construction projects have since been completed and road repairs have not been made. Demco stated that there are areas of the road that are just gravel. Demco stated that he has already had to purchase a new tire for his car because of the road conditions. Rita Nyman, 265 White Oak

Road, stated that she had a letter to submit to the Village Board that addresses the concerns stated by Casper and Demco. Rita Nyman stated that while the Highway 67 reconstruction project was completed the bypass traffic caused severe damage to Stearns Road and only a little repair work was done at the bottom of the hill. Rita Nyman stated that the construction of the new homes on Stearns Road also has caused damage, but no subsequent repair work has been completed on Stearns; and the intersection of North Lakeshore Drive and Upper Gardens Road still has not been restored more than four months after utility work was completed for a residential construction project. "For the safety of all area residents, I would like the street and roads department to revisit the intersection at the bottom of Stearns Road where it meets North (Lakeshore) Drive. A convex traffic mirror placed at the bottom of Stearns Road, or the addition of stop signs on North (Lakeshore) Drive are two ideas that may work to prevent a serious accident," Rita Nyman states in the letter submitted at the meeting. Trustee Kenny thanked the residents for their comments and stated that they will be taken into consideration by the Village Board members.

### **Announcements**

1. Human Resources Committee Meeting – **Tuesday, August 2, 2011, 6:30 pm**
2. CDA Meeting – **Wednesday, August 3, 2011, 6:00 pm**
3. Drawing Program at Public Library – **Fridays, August 5 & 12, 2011, 10:00 am**
4. Village Hall Open for Customer Service – **Saturdays, August 6, 13, 20 & 27, 2011, 9:00 am to Noon**
5. Big Foot Recreation Movie Under the Stars at Fontana Beach (Grease) – **Saturday, August 6, 2011, at Dusk**
6. Craft Program at Public Library – **Wednesday, August 10, 2011, 10:00 am**
7. GLEEA Board Meeting – **Wednesday, August 10, 2011, 10:00 am**
8. Village Assessor Village Hall Office Hours – **Friday, August 12, 2011, 10:00 am to 2:00 pm**
9. Protection Committee Meeting – **Monday, August 15, 2011, 5:45 pm**
10. Library Board Meeting – **Wednesday, August 17, 2011, 10:00 am**
11. Plan Commission Staff Meeting – **Wednesday, August 17, 2011, 1:00 pm**
12. Park Commission Meeting – **Wednesday, August 17, 2011, 6:00 pm**
13. Evening Book Club at Public Library – **Thursday, August 18, 2011, 5:30 pm**
14. Big Foot Recreation Movie Under the Stars at Beach (Jurassic Park) – **Saturday, August 20, 2011, at Dusk**
15. Lakefront and Harbor Committee Meeting – **Wednesday, August 24, 2011, 4:30 pm**
16. Public Works Committee Meeting – **Saturday, August 27, 2011, 8:00 am**
17. Plan Commission Monthly Meeting – **Monday, August 29, 2011, 5:30 pm**
18. Joint Workshop Meeting of Village Board and Plan Commission – **Monday, August 29, 2011, 6:00 pm**

### **Finance Committee – Trustee Kenny**

#### **2010 Audit Presentation – Patrick Romenesko**

Certified Public Accountant Patrick Romenesko presented the 70-page audit report and the two-page management letter. Romenesko stated that the Village offset its negative General Fund balance in 2010 and ended the year with a fund balance of \$549,516. Romenesko stated that the Tax Increment Financing District No. 1 had a negative balance of \$226,535 due to the change in increment determination formula used by the Wisconsin Department of Revenue. Romenesko stated that the management letter recommends that the Village continue to build its fund balance in an attempt to reach the two- to three-year goal of 30 percent of the total general fund revenues, which is approximately \$1,150,000. The management letter also recommends consideration of simplified rate increases for the utility rates in order to avoid the need for large rate increases at longer time intervals; addresses the TID refinancing of the 2005 CDA Lease Revenue Bonds; and includes the annual required disclosure regarding financial statement preparation.

Finance Committee member Sheyker/Finance Committee member Gilchrist 2<sup>nd</sup> made a MOTION to recommend acceptance of the 2010 Audit and Management Letter, and the MOTION carried without negative vote.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to accept the 2010 Audit and management Letter, and the MOTION carried without negative vote.

#### **Proposal for Bonding Plan for Road Construction Projects – Jim Mann**

Ehlers and Associates Financial Advisor Jim Mann presented bond rating factors of comparable municipalities, information on 20-year trends in municipal bond indices and the Village of Fontana's current debt schedule. Mann stated that the Wisconsin DOR increment determination methodology changes resulted in a \$30 million decrease in the total value of the Village of Fontana TID in 2010, which forced the Village to refinance the 2005 bonds. Mann stated that the Village could borrow up to a total of 5 percent of its equalized valuation, and the total debt currently is about 2 percent. Mann

stated that new legislation will allow the Village to pursue distressed status for its TID, if there is no more increment growth. Mann stated that if there is no more development in the TID, the village could collect some of the lost interest on the initial bonds on the back end of the TID under the provisions of the distressed TID legislation. Mann stated that regarding affordability of debt payments for bonding for village construction projects, without having to increase the current tax levy, the village could borrow up to \$6.1 million with interest rates at about 5 percent over the borrowing period. Spadoni asked Mann if the Village were to authorize borrowing \$4 million at this time to fund the reconstruction of Stearns Road, Dewey Avenue and Shabbona Drive; the repair work on Lake Street and the lakefront parking lot; and the construction of a new standpipe to replace the Brookwood water tower, would it affect the tax levy in 2012. Mann stated that borrowing \$4 million for the projects would result in about half of the debt service for the funds falling on the General Fund, and about half falling on the utility accounts; and there would be in impact on the tax levy. Spadoni stated that there is no question that the village will have to borrow money to fund the road projects, as the tax levy will not be able to produce the necessary funds. Hayden stated that with this in mind, the Finance Committee recommended contracting with Ruekert-Mielke to draft a five-year Infrastructure Improvement Plan prior to making a recommendation on the borrowing proposal.

### **Proposal for Infrastructure Improvement Planning Contract**

Hayden stated that a proposed Infrastructure Improvement Plan would incorporate the Paser road ratings, currently compiled every other year by Director of Public Works Craig Workman, with the Village water main and utility system plans. Kenny stated that the Finance Committee members were in consensus that the plan should be completed and all the road projects ranked in a priority order prior to making a decision on the bonding to help ensure the Village gets the most value out of its borrowed funds. Spadoni asked why the Village would want to allocate up to \$6,000 to Ruekert-Mielke to produce the plan when the engineering is already done for some of the road reconstruction projects, including Stearns Road and Shabbona Drive. Hayden stated that the Finance Committee members did not want to continue to take a reactionary approach to funding road reconstruction projects and the recommendation is to incorporate the water main and utility system plans with the road surface Paser ratings into an infrastructure improvement plan. Spadoni asked if the last year a road was repaired would be included in the plan. Sheyker stated that the Paser ratings include that information in the methodology. Sheyker stated that although Workman has been completing the Paser ratings on the conditions of the road surface, the underground information has to be incorporated to get a complete picture for planning purposes. The project will take about five weeks to complete, and the funds are available in the current budget for engineering expenses. Trustee Spadoni/Trustee Gage 2<sup>nd</sup> made a MOTION to approve the Infrastructure Improvement Planning Contract with Ruekert-Mielke for a cost not to exceed \$6,000, as recommended, and the MOTION carried without negative vote.

### **2012 Budget Planning Schedule**

Hayden stated that the 2012 budget planning schedule has been distributed. The worksheets with the department budget histories are scheduled to go out August 22, 2011 and initial reviews by the committee are scheduled to commence Thursday, September 8, 2011.

### **Adjourn Finance Committee**

Finance Committee member Gilchrist/Finance Committee member Sheyker 2<sup>nd</sup> made a MOTION to adjourn the special meeting of the Finance Committee at 7:03 pm, and the MOTION carried without negative vote.

### **Approval of Minutes**

Trustee Spadoni/Trustee Gage 2<sup>nd</sup> made a MOTION to approve the minutes for the meetings held July 6, 2011, and July 21, 2011, and the MOTION carried without negative vote.

### **Village Treasurer's Report, Cash Flow Statement, Vendor Report, & Payroll Overtime Report**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to acknowledge the receipt of the June 2011 treasurer's report and the current Cash Flow Statement, Vendor Report and Payroll Overtime Report and to place them on file for the audit. The MOTION carried without negative vote.

### **Approval of Village and Utility Payables**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the village and utility payables as distributed and presented at the meeting, and the MOTION carried without negative vote.

### **General Business/Administrator's Report – President Petersen/Administrator-Treasurer Hayden**

**Operator's License Applications Filed by Elisa B. Gately (Abbey Resort and Park Place), Katlyn Kebbekus (Country Club Estates), Joanna E. Dean (Abbey Resort), Aaron M. Acup (Fontana Corner Market), Kelly Hayden (Pig in the Park Event)**

The required background checks were completed and no concerns were noted.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the Operator's License applications filed by Elisa B. Gately, an employee at the Abbey Resort and Park Place, Katlyn Kebbekus, Country Club Estates, Joanna E. Dean, Abbey Resort, Aaron M. Acup, Fontana Corner Market, and Kelly Hayden, for the Pig in the Park event. The MOTION carried without negative vote.

### **Request from Former CDA Chairman to Negotiate Plat for Lake Street**

Former CDA Chairman Bill Turner requested at the last monthly meeting that the Village Board consider working with the owners of the Lake Street businesses to get the street officially platted so the proper width of the street, sidewalks and public right-of-ways are known if and when Lake Street reconstruction plans are proposed in the future. Tom Whowell stated that he and Carol Whowell were present at the meeting to listen and provide any requested information. Spadoni stated that he wanted to propose the appointment of an ad hoc committee consisting of Trustees Kenny, Gage and Wilson to meet with the business owners to work on the platting proposal and to bring a recommendation back to the Village Board. Spadoni stated that he would like to see the expenses kept at a minimum for the village and the property owners, so attorneys should not be involved in the initial meetings. Thorpe stated that the problem with excluding attorneys from the process is that the platting issues are all legal issues no matter what method is pursued to resolve the situation. Spadoni stated that the committee members and business owners will be able to get a long way toward reaching an agreement prior to having to address the legal issues. Wilson asked what the committee members were being charged with negotiating, and Spadoni replied that it is not really a negotiation; the goal is to work out a three-party agreement between the two business owners and the village. Pollitt asked why the issue was even being brought back up again when the Plan Commission and Village Board just voted in January 2011 to do nothing. Pollitt stated that just because a person came to a meeting and asked, doesn't mean that the Village Board has to do anything. Spadoni stated that Lake Street will have to be reconstructed at some time and the platting issues will need to be put to bed once and for all. Pollitt stated that she thinks that the Lake Street platting and ownership issues should be presented to a judge for a ruling. Spadoni stated that the Village should be able to work with its neighbors in a non-combative setting to reach an agreement without pursuing costly legal processes. Thorpe stated that the Village cannot just seek a judge's ruling without filing a lawsuit against the business owners. Thorpe stated that if that process is initiated, it could take up to eight years to resolve all the legal avenues. McGreevy stated that when the legal review was completed by the CDA last fall, the Title Reports were very clear regarding the ownership of the lakefront.

Trustee Spadoni/Trustee Gage 2<sup>nd</sup> made a MOTION to appoint Trustees Kenny, Gage and Wilson to an ad hoc committee to meet with the Lake Street business owners to work on platting Lake Street, and the MOTION carried with one negative vote cast by Trustee Pollitt.

Following the vote, Bruce Jensen asked if he would be able to meet with the ad hoc committee members to present them the documents he previously submitted to the Village and to Attorney Hank Gempeler, who conducted the CDA legal review. Jensen stated that the village should seek a declaratory judgment and take the documents to court, which would provide the village with a permanent decision. Jensen asked if the Village Board and the business owners reach an agreement on a plat, would a future Village Board be able to take the issue to court to seek a different ruling. Thorpe stated that if the platting agreement is done properly, a settlement could possibly be binding if an agreement is reached, and a binding agreement could not be taken to court.

### **An Ordinance Repealing and Recreating Section 14.65 Regarding New Schedule for Building and Inspection Fees**

McCarthy stated that the proposed amendment creates new \$50 inspection fees for driveway and patio construction projects and for road excavations. Spadoni stated that he wants to make sure property owners are informed of the new permitting requirements. McCarthy stated that the department will inform the local contractors and an article can be posted on the website and published in the upcoming quarterly newsletter. Hayden stated that the announcement can also be included in the newsletter that goes out with the annual tax bills.

Trustee Wilson/Trustee Spadoni 2<sup>nd</sup> made a MOTION to approve Ordinance 08-01-11-02 as presented, and the MOTION carried without negative vote.

### **Union Contract Renewal Negotiations Update**

Hayden stated that the Human Resources Committee has been meeting with the WPPA and the AFSCME union members to negotiate the contract renewals. Hayden stated that the proposals are getting closer to the new guidelines of Act 10, and the proposals will be worked out soon.

### **Civil Service Protection Ordinance – Update**

Hayden stated that an ordinance amendment will be required to update the provisions to adhere with Wisconsin Acts 10 and 32. Hayden stated that sample ordinances from the League of Wisconsin Municipalities will be used to draft a village ordinance.

### **Beach House Dedication – September 3, 2011**

Hayden stated that the plaque has been ordered and there will be a brief ceremony Saturday, September 3, 2011 beginning at 3:00 pm to dedicate the Fontana beach house to former CDA Chairman, Village President and Trustee William S. Turner, who stepped down from public office in March 2011 after more than 26 years of combined service to the Village of Fontana.

### **Change Order for Reid Park Gazebo Construction Project**

Hayden stated that Workman reviewed the construction plans and he has a concern about the 5-by-5-inch posts called for to support the structure. Hayden stated that Workman is recommending upgrading the posts to 8-by-8-inches, which will cost an additional \$2,300. The Village Board approved the \$24,900 proposal at its June 6, 2011 meeting. Thorpe stated that although a \$2,300 change order would escalate the total project cost over the \$25,000 threshold that triggers the statutory bidding process, the village will not have to put the project out for bids since the need for the change order was not realized until the construction plans were being reviewed by Workman. Thorpe stated that Work man's recommendation to improve the construction materials is safety related and the Village Board can approve the recommendation without having to put the project out for bids. Hayden stated that Kikkoman Foods has also donated \$5,000 to the project, so the new gazebo roof will have cedar shake shingles.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the \$2,300 change order to fund the purchase of 8-by-8-inch posts for the Reid Park gazebo construction project, and the MOTION carried without negative vote.

### **Protection Committee – Trustee Pollitt**

#### **Handicapped Parking Violation Forfeiture Increase Recommendation – Tabled July 6, 2011**

Thorpe stated that he distributed a memorandum that indicates an ordinance amendment is not required to authorize the recommended increase of the forfeiture to \$200 from \$50. Thorpe stated that state statutes provide for the municipal court to impose penalties for violating disabled persons parking restrictions of not less than \$50 or more than \$300. Thorpe stated that there are two other amendments the Protection Committee should consider to Section 74, and that information was included in the distributed memorandum.

### **Safety Building Maintenance Projects Recommendation**

Pollitt stated that the maintenance projects are all needed, but there are not enough funds in the current budget to complete them all this year. Pollitt stated that Workman indicated that if the projects were split between the front side of the building and the back side of the building, the parking lot surface will not have to be torn up twice to complete the projects. Pollitt stated that the

committee recommended approval of the sidewalk replacement project, with the low bid of \$3,350 submitted by K&G Concrete; and the East Parking Lot Replacement project, with the low bid of \$13,983 submitted by Amon. Pollitt stated that the Protection Committee recommended that the \$4,000 budget shortfall to fund the projects should be allocated from the budgeted funds the village will be saving on the Reid Park gazebo replacement project. Pollitt stated that the Village Board allocated \$24,900 of the \$35,000 budget for the gazebo reconstruction, so the \$4,000 can come from that line item. Hayden stated that she would recommend waiting until the gazebo project is completed before allocating any funds from the budget item. Hayden stated that the change order for different posts on the gazebo will cost an additional \$2,300. Hayden stated that the extra \$4,000 probably will be available within the Police Department employee salary line item because Barbara Dorsey is getting paid a lower rate than the retired Gail Nichols. Pollitt stated that the committee does not want to allocate any of the salary funds because there may not be enough considering the transition time that both Dorsey and Nichols were both working. Pollitt stated that even with the \$2,300 change order, there will be enough funds in the gazebo line item to allocate the additional \$4,000 needed for the Safety Building maintenance projects. Further discussion followed on budget amendments, the contingency account, the gazebo replacement account and the maintenance budget. Trustee Pollitt/Trustee McGreevy 2<sup>nd</sup> made a MOTION to amend the 2011 budget to allocate an additional \$4,000 to the Safety Building Maintenance account from the Reid Park gazebo replacement account, and to approve the Safety Building sidewalk replacement and east parking lot replacement projects, as recommended, and the MOTION carried without negative vote.

#### **Rapid Entry System Ordinance Recommendation**

Pollitt stated that the committee recommended approval of the ordinance drafted by Fire Chief Wolfgang Nitsch.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve Ordinance 080111-01 as recommended, and the MOTION carried without negative vote.

#### **Lakefront and Harbor – Trustee McGreevy**

##### **Country Club Estates Association Pier Lease Amendment – Tabled July 6, 2011**

Thorpe stated that he drafted a simple addition to the pier lease agreement amendment that authorizes the committee's recommendation. Thorpe stated that if approved, an exhibit will be added to the lease agreement amendment to authorize the 10 pier slips and 6 ramp spaces that are currently installed in the pier area.

Trustee McGreevy/Trustee Spadoni 2<sup>nd</sup> made a MOTION to approve the second amendment to the Country Club Estates Association Pier Lease Agreement to authorize the 10 pier slips and 6 ramps spaces installed in the pier area. The MOTION carried without negative vote.

##### **Ordinance Amendment to Section 54-87(f) Establishing Permanent Record of Existing Mooring Inventory – Tabled July 6, 2011**

McGreevy stated that the committee recommended approval of the ordinance amendment with the addition of the detailed language on the mooring exchange criteria used by the committee during the review project, which commenced in October 2008. Thorpe stated that he drafted a more simple addition to the ordinance amendment tabled last month. Pollitt asked why the amendment was being considered and if associations would be allowed to change the moorings. Following lengthy discussion, Spadoni and McGreevy withdrew their motion and second to approve the committee's recommendation.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to table the item, the MOTION carried without negative vote.

##### **ACBS International Boat Show Staging Area Plan, Boat Trailer Parking Lot & Municipal Pier Use Approval Recommendation**

Larry Larkin, a member of the Blackhawk Chapter of the Antique and Classic Boat Society, presented the planning details that were recommended for approval by the Lakefront and Harbor Committee for the international event to be staged out of the Abbey Resort and Abbey Harbor September 22, 2011 through September 25, 2011. In response to a question, Chief Olson stated that the traffic plan will work fine, especially considering the time of the year and the signage that will be erected. Wilson stated that she was concerned about designating Reid Street and High Street for one-

way traffic and advanced notification for residents. Olson stated that the one-way traffic patterns are only during the days and it will be very late in the season, and motorists will only have to drive over to Douglas Street or Lake Street to get around the staging area.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the staging area plan for the ACBS International Boat Show at the Abbey Resort and Abbey Harbor for Tuesday, September 20, 2011 through Sunday, September 25, 2011 as presented; and to approve the use of the municipal pier for boat cruise departures on Wednesday, September 21, 2011 from 5:00 to 10:00 pm, and the use of the Village boat trailer parking lot for late arrivals, with the fee waived for show participants, on Tuesday, Wednesday and Thursday nights, September 20 to 22, 2011. The MOTION carried without negative vote.

#### **Park Commission – Trustee Wilson**

##### **Memorial Tree Donation – Request to Allocate \$200 for Purchase of Subdivision Tree**

The Park Commission approved a motion to recommend approval of a request to allocate a \$200 donation made in January 2010 by the Fontana Garden Club on behalf of the Whowell family to pay for a \$200 tree that Ginny Polkow had planted in her subdivision in memory of her husband, the late George Polkow. The tree was going to be planted in Reid Park, but a site selection was delayed pending the Lakefront Building Project referendum – which was denied. Since the project was denied, a new landscaping plan for Reid Park was never completed and a site to plant the memorial tree was never determined.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the Park Commission recommendation to allocate the \$200 donation made by the Fontana Garden Club on behalf of the Whowell family to pay for a \$200 tree that Ginny Polkow had planted her subdivision in memory of the late George Polkow. The MOTION carried without negative vote.

##### **Hildebrand Nature Conservancy Trailhead Relocation Proposal**

The Park Commission recommended approval of the relocation of the trailhead at the Hildebrand Nature Conservancy, and the Geneva Lake Conservancy favorably reviewed the proposal.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the relocation of the west trailhead of the Hildebrand Nature Conservancy boardwalk path to location No. 3 as depicted on the exhibit distributed at the meeting, and the MOTION carried without negative vote.

##### **Permit Applications Filed by Lower Gardens Assoc. and Geneva Lake United Soccer Club**

The Park Commission recommended approval of the applications, with the fees waived for the nonprofit groups.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the Park Permit applications filed by the Lower Gardens Association for the Park House on Saturday, August 13, 2011, from 10:00 am to noon; and by the Geneva Lake United Soccer Club for the Duck Pond Recreation Area and Pavilion on Saturday, October 1, 2011, all day; and that the application fees be waived. The MOTION carried without negative vote.

##### **Park House Repairs**

Hayden stated that water damage to the roof at the Park House resulted in a portion of the ceiling caving in over the back utility room. Hayden stated that the card clubs were still using the Park House, with the back utility room area blocked off from use. Hayden stated that as well as the water damage to the ceiling, the building may be filled with mold and mildew. Hayden stated that local contractor Stan Fairchild submitted a quote of \$3,600 to repair the ceiling by the utility room; however, he did not inspect the entire roof. Hayden stated that if the roof needs to be completely replaced, it will cost about \$6,500. Hayden stated that no further evaluation of the building has been made, but there is no money in the budget for repair work. Spadoni stated that Building Inspector Nyman should be directed to evaluate the roof and trusses and report back to the Village Board. Wilson asked if Nyman could also provide an evaluation of the mold situation. Following discussion, the Village Board members were concerned that any people be allowed in the Park House until after Nyman inspects the structure. Martin stated that there are two cards clubs that use the Park House on Mondays and Tuesdays, and a permit for the Lower Gardens Association to meet at the Park House on August 13, 2011 was approved in the previous agenda item. Staff was directed to contact the card clubs and the association and direct them to hold their events at Village Hall if necessary.

**Public Works – Trustee Gage**

**Update**

Gage stated that the monthly meeting had to be postponed by Workman.

Gage left the meeting at 7:55 pm.

**Plan Commission – President Petersen**

**Announcement of Joint Meeting for Rewriting Project – Monday, August 29, 2011, 6:00 pm**

The next meeting for the Chapters 17 and 18 rewriting project is scheduled for Monday, August 29, 2011 beginning at 6:00 pm.

**CDA – President Petersen**

**Monthly Meeting – Wednesday, August 3, 2011 at 6:00 pm**

Hayden stated that the CDA will be appointing a new chairman and will be considering its options for the 138 Fontana Boulevard site at its monthly meeting on Wednesday, August 3, 2011.

**F/W WPC – President Petersen**

**Update on Act 10/32 Modifications at Wastewater Treatment Facility**

Hayden stated that a special meeting of the Fontana/Walworth Water Pollution Control Commission Board of Directors, immediate 5 percent salary raises were approved for the wastewater treatment plant employees to offset the Wisconsin Retirement System and health insurance benefit employee copayments dictated by Wisconsin Acts 10 and 32. Village of Fontana representatives Micki O’Connell and President Pete Petersen voted against the proposal; Trustee McGreevy was absent; and John O’Neill voted in favor of the proposal. O’Connell stated that the Walworth village representatives supported the action because they stated that there are funds available in this year’s wastewater treatment plant budget to cover the raises and because the employees threatened to quit if raises were not approved to cover the additional payroll deductions. Hayden asked Thorpe if the action violated the state statutes and if it required a budget amendment to be approved by the commission and the villages. Thorpe responded that the action is contrary to state statutes and asked if a legal opinion was provided by the commission’s attorney Larry Steen. Hayden stated that Steen’s opinion addressed bonuses and indicated that they would not be appropriate.

**GLLEA Board – President Petersen**

**Update**

Pollitt stated that the board continued to review its bylaws for the Geneva Lake Law Enforcement Agency at its July meeting.

**Adjournment**

Trustee Spadoni/Trustee Kenny 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 8:16 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 and the Finance Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 9/12/2011 – V.B.; 9/22/11 – Finance