

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES  
**Monday, October 3, 2011**

Village President Arvid Petersen called the monthly meeting of the Village Board to order at 5:45 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Tom McGreevy, Pat Kenny, Peg Pollitt, Cindy Wilson, George Spadoni, President Arvid Petersen

**Trustee late:** Bill Gage (arrived at 5:47 pm)

**Also Present:** Administrator/Treasurer Kelly Hayden, Attorney Lori Lubinsky (via conference call), Village Clerk Dennis Martin, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

**Closed Session**

Trustee Spadoni/Trustee Kenny 2<sup>nd</sup> made a MOTION to go into closed session pursuant to Wis. Stats. Chapter 19.85 (1)(g), 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 snow plow lawsuit issues, and the Roll Call vote followed:

Trustee Kenny – Aye

Trustee Pollitt – Aye

Trustee Wilson – Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

The MOTION carried on a 6-0 vote, with Trustee Gage not yet at the meeting.

**Closed Session Adjournment**

Trustee McGreevy/Trustee Kenny 2<sup>nd</sup> made a MOTION to adjourn the closed session at 6:05 pm and to reconvene in open session, and the MOTION carried without negative vote.

**Also Present:** Greg Blizard, Ray Fitzgerald, Rob Ireland, Bruce Jensen, Al Kaminski, Library Director Nancy Krei, Larry Larkin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector Ron Nyman, Micki O’Connell, Police Chief Steve Olson, Rick Pappas, Dave Prudden, Mike Sheyker, Ed Snyder, Eddie Snyder, Craig Surta, Amanda Voss, John Wills

**Visitors Heard**

Plan Commissioner Micki O’Connell stated that as well as addressing storm water runoff concerns at the Big Foot Country Club, the Village Board members also should be addressing similar problems in the Indian Hills, Indian Hills First Addition, Glenwood Springs and Glenwood Terrace subdivisions. O’Connell stated that storm water runoff problems at the Big Foot Country Club and in the Indian Hills subdivision were caused by residential developments in the Country Club Estates subdivision. O’Connell stated that the problems began in the mid-1970s and have caused thousands of dollars of damage to countless residences in the other subdivisions. O’Connell stated that the storm water runoff problems in the other subdivisions should be given the same consideration by the Village Board as those at the Big Foot Country Club. Larry Larkin stated that he wanted to thank the Village Board, Lakefront and Harbor Committee, the Police Department and all the village staff members for their assistance in making the recent ACBS International Boat Show a success. Larkin stated that the ACBS event staff received many compliments regarding the quality of the event and all the assistance and support that was offered to visitors. Larkin stated that the local chapter of the ACBS truly appreciates the support they received. Bruce Jensen stated that he was available to answer any questions that the Village Board members may have with regard to the lakefront documents he

submitted to the Village at the last meeting. Jensen stated that he would like to be notified of the date when a meeting is scheduled for the Ad Hoc Committee appointed to negotiate with the business owners an official platting document for Lake Street. Ad Hoc Committee member Pat Kenny stated that a meeting has not yet been scheduled. Library Director Nancy Krei stated that she wanted to mention an announcement that a book signing event with author Pascal Marco would be held Tuesday, October 4, 2011 at the library.

### **Announcements**

1. Pascal Marco Author Appearance & Book Signing Event – **Tuesday, October 4, 2011, 6:00 pm**
2. CDA Monthly Meeting Date (Tentative) – **Wednesday, October 5, 2011, 6:00 pm**
3. Read & Romp Program at Public Library – **Thursdays, October 6, 13 & 20, 2011, 10:00 am**
4. Finance Committee Budget Meeting – **Thursday, October 6, 2011, 6:00 pm**
5. FW/WPCC Board Meeting – **Tuesday, October 11, 2011, 7:30 pm**
6. GLLEA Board Meeting – **Wednesday, October 12, 2011, 10:00 am**
7. Finance Committee/Village Board Budget Meeting – **Thursday, October 13, 2011, 6:00 pm**
8. Protection Committee Meeting – **Monday, October 17, 2011, 5:45 pm**
9. Finance Committee/Village Board Budget Meeting (Tentative) – **Monday, October 17, 2011, 6:30 pm**
10. Library Board Meeting – **Wednesday, October 19, 2011, 10:00 am**
11. Plan Commission Staff Meeting – **Wednesday, October 19, 2011, 1:00 pm**
12. Park Commission Meeting – **Wednesday, October 19, 2011, 6:00 pm**
13. ZOOMA Great Lakes Half Marathon – **Saturday morning, October 22, 2011**
14. Public Works Committee Meeting – **Saturday, October 22, 2011, 8:00 am**
15. Lakefront and Harbor Committee Meeting – **Wednesday, October 26, 2011, 4:30 pm**
16. Halloween Trick or Treat Hours – **Monday, October 31, 2011, 4:00 to 7:00 pm**
17. Plan Commission Monthly Meeting – **Tuesday, November 1, 2011, 5:30 pm**

### **Approval of Minutes**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the minutes for the meetings held September 12, 14 and 26, 2011, and the MOTION carried without negative vote.

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

Trustee Spadoni/Trustee Kenny 2<sup>nd</sup> made a MOTION to acknowledge the receipt of the September 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**

Hayden stated that there is also a \$1,500 invoice from Village Auditor Patrick Romenesko that was not on the distributed list of 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**

#### **Amendment to Resolution to Authorize Deer Bow Hunting on Certain Village Properties**

An amendment to the resolution is necessary to add Ed Lauzon as a hunting agent for the Country Club Back 40 parcel, to add Officer Jeff Cates as a hunting agent on the Village owned parcels, and to add the two Thomas Schmidt Bear Trap Subdivision tax parcels and hunting agent Robert Mereness.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve Resolution 100311-01 as presented, with the condition that the Belvidere Park Association parcel is included only if it is approved by the Belvidere Park Association Board of Directors. The MOTION carried without negative vote.

### **Board of Review Report**

Martin stated that there were three hearings conducted at the 2011 Board of Review held Thursday, September 29, 2011. Martin stated that the Summary of Proceedings and copies of the three Board of Review Determination Notices were included in the meeting packets. One of the assessments was reduced by the Board of Review, and the other two assessments were affirmed as determined by the Village assessor.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the 2011 Board of Review report as presented, and the MOTION carried without negative vote.

### **VOF Email Policy Reminder**

Hayden stated that the village email system that was established after the Village Board approved the new Email Policy is up and running and if any trustee or village committee or commission members are having problems logging in to their addresses, they should contact her for assistance. Hayden stated that a lot of the email mailboxes are full and it is causing problems with the village's computer system backup tapes. Hayden stated that everybody needs to log in to their mailbox and empty the inbox and deleted items as a lot of memory is being allocated to the email system at this time.

### **Accept Resignation of Police Lt. Brad Buchholz & Direction for Filling Position**

Hayden stated the Police Lieutenant Brad Buchholz submitted his resignation in order to accept a new job as the chief of the Village of Sharon Police Department.

Trustee Pollitt/Trustee Spadoni 2<sup>nd</sup> made a MOTION to accept the resignation submitted by Police Lt. Brad Buchholz, effective October 2, 2011, and the MOTION carried without negative vote.

Spadoni stated that a decision on filling the position should be discussed in closed session. Thorpe stated that the topic of eliminating or amending an employment position would not be an appropriate closed session item.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to table the item on providing direction to fill the police lieutenant position, and the MOTION carried without negative vote.

### **Approval of Trick or Treating Hours for Monday, October 31, 2011, 4:00 to 7:00 pm**

Chief Olson stated that not starting the Halloween trick-or-treat hours until 4:00 pm will allow residents to get home after the school day.

Trustee Pollitt/Trustee Spadoni 2<sup>nd</sup> made a MOTION to set the annual Halloween trick or treating hours for Monday, October 31, 2011, from 4:00 to 7:00 pm, and the MOTION carried without negative vote.

### **Wisconsin Act 10 Health Insurance Language vs. Village's Current Policy**

Hayden stated that she distributed a spreadsheet that compares the current health insurance premium village employee deductions to what is required under the standards of the new Act 10 legislation. Most of the Village of Fontana employees are already paying more toward their monthly health insurance premium deductions than what is required by Act 10. Under the current plans selected by the village employees, the total health insurance premium deductions will total \$27,472 for 2011. If the Act 10 standards are applied to the Village of Fontana employees, it would result in employee health insurance premium deductions of \$2,442 for 2012. Hayden stated that the Finance Committee needs direction to complete the preliminary 2012 budget. Spadoni stated that a decision on the health insurance language should be discussed in closed session. Thorpe stated that he is not sure if employee health insurance premium contributions would be an appropriate closed session item. Petersen suggested that the item should be referred back to the Finance Committee for a recommendation.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to table the item, and the MOTION carried on a 6-1 vote, with Trustee Pollitt opposed.

### **WPPA Union Contract Update**

Hayden stated that there is nothing new to update as she is still waiting to hear from the union representative to schedule a meeting date. Hayden stated that the union representative previously indicated that he would not be available for about one month due to a medical leave. Spadoni made a motion to table the item, but the motion died for lack of a second.

### **Refuse Amount Amending Contract for 2012**

Hayden stated that per the terms of the current contract with Keizer and Sons for garbage collection, which expires in 2014, there is a clause that allows for a contract increase to account for inflation. Hayden stated that the proposal is for the contract to be increased by \$200 per month, or \$2,400 per year.

Trustee Spadoni/President Petersen 2<sup>nd</sup> made a MOTION to approve the \$2,400 increase in the annual contract with Keizer and Sons for garbage collection services in 2012, and the MOTION carried without negative vote.

### **International Boat Show Recap**

Trustee Spadoni stated on behalf of Village President Petersen and the Village of Fontana he would like to thank everybody involved with the planning and operation of the Antique and Classic Boat Society International Boat Show event held September 20 to 25, 2011. Spadoni stated that despite thousands of visitors and event participants coming to town, there were no problems. Spadoni stated that as well as the Fontana Police Department, assistance was provided by the Walworth County Sheriff's Department and the Village of Fontana DPW. Spadoni stated that the Village should be proud of hosting a very successful event.

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

#### **Ordinance Amending Section 42-42**

Pollitt stated that the committee recommended approved of the ordinance amendment to abide by the new state statute regarding the carrying of firearms in public buildings. Chief Olson stated that the ordinance amendment was taken from a model ordinance provided by the chief of police association. Trustee Pollitt made a motion to approve the ordinance amendment as recommended, and the motion was seconded by Trustee McGreevy. Spadoni stated that he is concerned that the proposed ordinance amendment was not reviewed by the Village attorney. Spadoni asked Thorpe if the Village would be liable if signage is posted regarding firearms in public buildings. President Petersen stated that the ordinance amendment could be reviewed by Thorpe prior to consideration. Pollitt and McGreevy then withdrew their motion on the floor.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to table the item and to refer the proposed ordinance amendment to the Village attorney for review, and the MOTION carried without negative vote.

### **Salary Recommendation**

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

### **Fire Department Officers Approval**

The Fire Department members elected the 2011-12 officers at its September meeting, and approval is recommended for Chief Wolfgang Nitsch, Assistant Chief Jon Kemmett, Assistant Chief Scott Peterson, and Captains Beth Shodeen, Tom Radtke, Kyle Ketterhagen and Matthew Pruessing.

Trustee Pollitt/Trustee Kenny 2<sup>nd</sup> made a MOTION to approve the 2011-12 Fire Department officers Chief Wolfgang Nitsch, Assistant Chief Jon Kemmett, Assistant Chief Scott Peterson, and Captains Beth Shodeen, Tom Radtke, Kyle Ketterhagen and Matthew Pruessing, subject to confirmation by the Police and Fire Commission. The MOTION carried without negative vote.

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

#### **Adopt DNR Reviewed Section 54-125 Ordinance Amendment**

Martin stated that the ordinance section was submitted to the Wisconsin Department of Natural Resources for a review, and the amendment to Section 54-125(6)(e)(2) was the only amendment required for the section to be in complete compliance with the current DNR standards. Martin stated that after the Lakefront and Harbor Committee recommended approval of the amendment, the DNR required a 60-day review period prior to the Village Board considering final adoption. Martin stated to complete the DNR approval process, the approved ordinance must be published in its entirety and an executed copy as well as proof of publication must be provided to the DNR.

Trustee McGreevy/Trustee Kenny 2<sup>nd</sup> made a MOTION to approve Ordinance 100311-01, amending Section 54-125, as recommended, and the MOTION carried without negative vote.

### **Pier Permit Application Filed by Austin Pier Service for Buena Vista Club Pier Renovation**

McGreevy stated that the DNR and the committee recommended approval of the permit filed to authorize a renovation of the Buena Vista Club pier.

Trustee McGreevy/Trustee Spadoni 2<sup>nd</sup> made a MOTION to approve the Pier Permit application as filed by Austin Pier Service for the Buena Vista Club pier renovation proposal, and the MOTION carried without negative vote.

### **Rip Rap Repair Application Filed by Reeds Construction for Belvidere Park Pier**

McGreevy stated that the DNR and the committee recommended approval of the permit filed to authorize a rip rap repair project for the Belvidere Park Association pier.

Trustee McGreevy/Trustee Kenny 2<sup>nd</sup> made a MOTION to approve the Pier Permit application as filed by Reeds Construction for a rip rap repair project for the Belvidere Park Association pier, and the MOTION carried without negative vote.

### **2012 Mooring Lease Rates Resolution**

McGreevy stated that following several meetings of the committee, a recommendation was approved to lower the 2012 pier slip mooring lease rate to a level that is about 10 percent higher than the fee was in 2010. Last year the pier slip mooring lease fee increase was 31 percent up to \$2,606.64 from the 2010 rate of \$1,987.44. The committee is recommending that the 2012 rate for pier slips be reduced to \$2,200, plus the 5.5 percent state sales tax. The committee recommended that the lease fees for the buoys and ramp spaces remain the same as in 2011. The committee is also recommending that the mooring leases for the pier slips, buoys and ramp spaces include one launch fee to launch their watercraft in the beginning of the season and to remove it at the end of the season. Petersen cautioned the Village Board members that as well coming up with revenue sources in the 2012 budget to replace reduced state aid, the Village also has to fund other escalating service expenses. McGreevy stated that the committee is recommending that the pier slip lease rate be brought back in line with the fair market rate charged by the other municipalities on Geneva Lake. Wilson stated that if the pier slip lease holders just want to get to the market value for the fee, then that it fair; however, as the market value of the slips increases, so will the lease rate. Petersen stated that there are only 30 slips available, and he received calls from at least two residents who stated that they would gladly pay double the current lease rate in order to secure a slip. Spadoni stated that an average of a 5 percent increase per year for the last two years, the proposed pier slip lease rates is reasonable, but the lease holders should expect a yearly increase in the future. Pollitt stated that she is opposed to adding language that allows the lease holders to have a free launch at the Village ramp. Pollitt stated that all residents should receive one free launch if they are being given to the mooring lease holders. Hayden stated that the provision was added when it was discussed at the last committee meeting that Williams Bay and Lake Geneva provide one free launch for their mooring lease holders.

Trustee McGreevy/Trustee Spadoni 2<sup>nd</sup> made a MOTION to approve Resolution 100311-02, establishing fees and charges for mooring facilities pursuant to Section 54-161 of the Municipal Code, as recommended, and the MOTION carried on a 5-1 vote, with Trustee Pollitt opposed and Trustee Kenny abstaining.

### **Abbey Harbor Engineering Study for Channel – Possible Cost Sharing**

Abbey Harbor Condominium Association President Al Kaminski stated that that association has commissioned an engineering firm to study the Abbey Harbor conditions. Kaminski stated that the mouth of the harbor, concerns about the depth being deep enough to launch some of the larger boats moored in the harbor, and sand erosion concerns that are prohibiting ingress and egress from the harbor are some of the issues being studied. Kaminski stated that the association has spent more than \$100,000 in the last four years on sand dredging projects in the harbor. Kaminski stated that the association would like the Village Board to consider a cost-sharing proposal for the engineering study and on the potential projects to address to the concerns. John Wills of Wills Burke Kelsey Associates, St. Charles, IL stated that his firm prepared the distributed proposal to provide professional engineering and environmental services related to the Abbey Harbor channel study. Wills stated that his firm would look for the most cost effective, long-term solutions to address the erosion caused by boating and waves on Geneva Lake. McGreevy stated that the committee heard the proposal at its last monthly meeting and recommended that it is up to the Village Board members to decide if the Village wants to enter into a cost-sharing agreement. Petersen stated that the Village Board is always willing to work with its neighbors to address problems, and he does not perceive an unwillingness to deal with the sand erosion and dredging issues. McGreevy stated that the Country Club Estates

Association may also be interested in participating in a cost-sharing agreement to address erosion concerns in its pier/beach area. McGreevy stated that the Country Club Estates Association has previously considered the installation of more rip rap to address the erosion issues. Kaminski asked if the Village Board members would agree to fund half the cost of the project. Wilson stated she is willing to discuss the proposal further if more solid cost information is provided. Abbey Harbor Condominium Association officer Craig Surta asked the Village Board members if they would agree to fund half the \$17,650 proposed fee for the engineering study presented by Wills Burke Kelsey Associates. Surta stated that the current conditions at the Abbey Harbor channel are preventing some of the boat owners from taking their boats out on Geneva Lake, and if it is not addressed they will move their boats to Lake Michigan. Gage stated that he emphasizes with the Abbey Harbor association, but there are other organizations involved with the situation other than the Village and the Abbey Harbor. Gage stated that if the Village Board members agree to cost share on undefined projects at this time, they will also have to agree to cost share with the Country Club Estates Association, the Glenwood Springs Association and every other association with similar problems. Spadoni then asked Kaminski for a copy of a notice the association received from the Wisconsin DNR, and Kaminski stated that he did not have a copy of it. Petersen stated that a subcommittee could be established to meet with the Abbey Harbor Association to review the engineering proposal, and the Lakefront and Harbor Committee and Public Works Committee also should be solicited for a recommendation.

Trustee Spadoni/Trustee Gage 2<sup>nd</sup> made a MOTION to form a subcommittee consisting of Director of Public Works Craig Workman, Trustee McGreevy, Trustee Gage and President Petersen to meet with representatives of the Abbey Harbor Condominium Association and Country Club Estates Association to make a recommendation on the sand dredging and erosion issues at the Abbey Harbor channel and on a proposed cost-sharing agreement. The MOTION carried without negative vote.

#### **Public Works – Trustee Gage**

##### **Village Infrastructure Improvement Plan Update**

Workman stated that the preliminary draft of the plan was presented to the Finance Committee and additional information was requested. The full plan is scheduled to be presented at the joint budget workshop meeting of the Village Board and Finance Committee on Thursday, October 13, 2011 beginning at 6:00 pm.

#### **Plan Commission – President Petersen**

##### **Announcement of CUP Public Hearing – Tuesday, November 1, 2011, 5:30 pm**

The public hearing was scheduled for Tuesday, November 1, 2011 at 5:30 pm because of the Halloween holiday on the last Monday of the month. The application was filed by property owner Mark Walsh to seek approval for the construction of a second principal structure on the lot, which is zoned RS-1, Single Family Residential.

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

##### **Appointment to Fill Daniel Green's Position on Park Commission**

Wilson stated that Mary Green, the wife of the late Daniel Green has offered to fill his position on the Park Commission.

Trustee Kenny/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the appointment of Mary Green to the Park Commission to fill the open position of the late Daniel Green, with the condition the appointment is confirmed by the Park Commission. The MOTION carried without negative vote.

#### **Ordinance Amendment, Resolution and Application for Bird City Wisconsin**

Martin stated that President Petersen directed him to look into the application process for being designated a Bird City Wisconsin. Martin stated that the application is complete, but the Village Board still has to approve the recommended Resolution recognizing International Migratory Bird Day and an ordinance amendment to Section 82-129 to protect areas of native ground cover. Martin stated that there are also new provisions in the rewritten draft of Chapter 18 that have to be adopted to complete the terms of the application, which has an initial \$100 fee and an annual renewal fee of \$100. The current application period closes November 1, 2011.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the submission of the Bird City Wisconsin application as recommended, and the MOTION carried without negative vote.  
Trustee McGreevy/Trustee Spadoni 2<sup>nd</sup> made a MOTION to approve Ordinance 100311-02, amending Section 82-129 regarding areas of native ground, as recommended, and the MOTION carried without negative vote.

Trustee McGreevy/Trustee Kenny 2<sup>nd</sup> made a MOTION to approve Resolution 100311-03, recognizing International Migratory Bird Day, as recommended, and the MOTION carried without negative vote.

### **Park Permit Application Filed for Birthday Party at Duck Pond Pavilion, November 5, 2011**

The Park Commission recommended approval of the application as submitted, with the condition that the fee is paid prior to the event.

Trustee Pollitt/Trustee Wilson 2<sup>nd</sup> made a MOTION to approve the Park Permit application filed by Jayna Gilmore for a birthday party at the Duck Pond Pavilion on Saturday, November 5, 2011, from 11:00 am to dusk, with the condition the fee is paid prior to the event. The MOTION carried without negative vote.

### **Pig in the Park Report & Park Commission Fund Transfer for Pirate Ship Purchase**

Hayden stated that despite being rained out, the event still showed a profit of about \$600 in 2011. Hayden stated that the Park Commission authorized a fund transfer of \$3,000 this year toward the outstanding balance owed to the General Fund for the Little Foot Playground Pirate Ship purchase.

### **Reid Park Gazebo Final Payment**

Hayden stated that the new gazebo has been constructed and a wedding ceremony was held there on Saturday, October 1, 2011; however, the invoice for the final payment had not yet been submitted. Workman stated the some type of interior ceiling treatment will be needed to cover the nails that were used for installing the cedar shake shingles. Workman stated that the Public Works crew will be able to cover up the exposed nails and he will bring back a proposal for consideration.

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

#### **2011 Budget Planning Update**

Hayden stated that the committee has been meeting with the department heads to finalize the preliminary budget, with one more preliminary committee scheduled prior to the joint workshop meeting or meetings with the Village Board.

### **Village Board/Finance Committee Budget Workshop Date – October 13, 2011 or October 17, 2011**

Hayden stated a joint budget meeting is scheduled for Thursday, October 13, 2011 at 6:00 pm, and if necessary, and a second meeting date has been scheduled for Monday, October 17, 2011, with the time to be determined if necessary.

### **F/W WPCC – President Petersen**

#### **Budget Update**

Petersen stated that the annual wastewater treatment facility budget still needs work and it has not been finalized by the FW/WPCC Board of Directors.

### **GLLEA Board – President Petersen**

#### **Update**

Petersen stated that the board approved a flat budget for 2011 to operate the Geneva Lake Law Enforcement Agency boat patrol operations. Petersen stated that a new boat is being purchased at no cost to the operating budget. Pollitt stated that the GLLEA is still waiting for the DNR to indicate how much grant funding will be available from the state in 2011.

### **Closed Session**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to go into closed session at 7:10 pm pursuant to Wis. Stats. Chapter 19.85 (1)(c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has

jurisdiction or exercises responsibility,” specifically Village of Fontana union and non-union employees; and pursuant to Chapter 19.85 (1)(e), to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, specifically Big Foot Country Club storm water issues, and the Roll Call vote followed:

Trustee Pollitt – Aye

Trustee Wilson – Aye

Trustee Gage - Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

Trustee Kenny – Aye

The MOTION carried on a 7-0 vote.

### **Closed Session Adjournment**

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to adjourn the closed session at 8:21 pm and to reconvene in open session, and the MOTION carried without negative vote.

### **Closed Session Business**

Thorpe stated that it would be an appropriate time to consider the motion approved in the closed session.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the proposed development agreement with the Big Foot Country Club as presented, subject to the insertion of additional language by Village Attorney Thorpe that makes the agreement contingent on Village budget approval of the proposed storm water construction projects. The MOTION carried without negative vote.

### **Adjournment**

Trustee Spadoni/Trustee Kenny 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 8:22 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: 11/7/2011