

TOWN OF SILVER CREEK  
REGULAR MEETING  
September 25, 2014

The regular meeting of the Town Board of the Town of Silver Creek was held on Thursday, September 25, 2014 at the Town Hall. Present were Supervisors – Greg Hull and Larry Lampart; Clerk – Frederick R. Whitney; Treasurer – Bobbi Gilbert; Road Foreman – Rick Grupe; Constituent – Karen Erickson; Lake County Auditor – Lola Haus.

Lampart called the meeting to order at 7:00 p.m.

**CONSTITUENTS CONCERNS:**

There were no constituents in attendance that wanted to speak. Lola Haus introduced herself to the Board and persons in attendance indicating that she has been with Lake County for over twelve years and was running for the position of Lake County Auditor. Ms. Haus holds the Auditor position having been appointed by the Lake County Board upon Stephen McMahon's retirement. Ms. Haus thanked the Board and persons in attendance for their time.

**CASTLE DANGER LAND USE:**

**Gooseberry Cabins – Variance Hearing request** – Whitney, CDSSD Land Use Administrator, updated the Board with the Gooseberry Cabin's building permit and variance application. Due to the specifics contained within the application, a variance is required and a hearing is requested. Karen Erickson and Whitney described the teardown and construction of the two remaining cabins. Both will be adding a second loft/story and one will remain on its existing footprint and one will be moving horizontally by 10 feet. Previous variance hearings in 2008 and 2011, which were both approved, are similar in nature.

Motion by Lampart, second by Hull, to set a variance hearing date for Tuesday, October 14, 2014, at 7:30 p.m. Motion carried.

**REVIEW MINUTES:**

Motion by Hull, second by Lampart, to accept the 08/19/2014 Regular Meeting minutes as presented, as well as the Reopened Annual Meeting minutes as presented. Motion carried.

Motion by Lampart, second by Hull, to accept the 09/02/2014 Quarterly CDSSD minutes as presented. Motion carried.

**TREASURER'S REPORT:**

TOSC checking: \$21,798.86 and TOSC savings: \$553,304.88 for a total of \$575,103.74.

Motion by Lampart, second by Hull to transfer \$70,000 from savings to checking as per the Treasurer's request. Motion carried.

Motion by Hull, second by Lampart to accept the August 2014 Treasurer Report as presented. Motion carried.

**READING OF THE BILLS:**

Current month's bills were read; claims 4090 to 4127.

Motion by Hull, second by Lampart, authorizing payment of the bills and electronic funds except for claim #4122 and 4123 which will be reviewed and approved during Old Business – ECD Culvert replacement. Motion carried.

**CORRESPONDENCE:**

- LAKE COUNTY Land Use – Feldick, Tschida, Moffett, Cragun and Golden

- THUGS Thank You Letter – The Clerk read a “Thank You” letter sent by the THUGs, along with an additional payment of \$50 to help offset any extra expenses that the Town may have experienced as a result of the THUG’s annual event.

#### **ROAD & SAFETY:**

Rick updated the Board with current projects. He indicated that he had visited with Jim and Linda Weckman regarding water they feel is running onto their property from the ditch that was improperly constructed, as well as water from the Burlington Bay Condos. Rick did demonstrate to the Weckmans that water was moving properly along the ditch and was not standing across from their property. And, no water was running from the Condos due to the fact that there was a sizeable culvert installed which takes all runoff waters directly into the lake. Rick did not see any possible changes that could be made short of an engineered solution. The Board agreed with Rick that the road was properly constructed and was not causing water to run onto their property, but rather water was probably running downhill from the higher elevations where there are wetlands and was following a natural path along the clay and bedrock. The Board did not want to pursue an engineered solution, but rather suggested that the Weckman’s should pursue that option.

Rick indicated that the road mowing would begin shortly using the County mower and be completed within a week; Joplin was not able to do the mowing.

Rick would like us to reconsider the power angle plow. The Board suggested that Rick contact the DNR to set up a 5 year plow agreement where we would do their plowing for \$3,000 - \$5,000 per year regardless of snowfall. With that in place, the angle plow could be purchased. Rick will pursue and discuss again at the October Board meeting.

#### **CASTLE DANGER LAND USE - Continued:**

**Albin property for sale** – Whitney indicated that the Albin property is up for sale and the realtor wanted to investigate the likelihood of allowing a new home construction plan on the property. The property meets all requirements regarding setbacks and acreage, but is 150 wide, not the required 200 feet minimum. There currently is a mobile home on the property and has full running water. It is also attached to the CDSSD sewer system. The Board was receptive to allowing a home to be constructed, but directed the Clerk to first contact Lake County Planning and Zoning as to what they would do in a similar situation.

#### **OLD BUSINESS:**

**East Castle Danger Road – Culvert replacement** – Whitney updated the Board as to the progress being made with property owners on either side of the road where the culvert is located and the temporary and permanent easements needed before construction may begin. He provided the Board with the payment calculations that were based on previous land sales and the offers that he has made to the owners. Whitney indicated that he has received agreement from both owners subject to Board approvals. All negotiations were per normal procedures utilized in past projects – Clark Road/Encampment River Bridge for example.

Hull made a motion, second by Lampart, to approve the Easement Agreements – Agreement to Convey Easement, Temporary Easement Agreement and Permanent Easement Agreement, with all of the terms and conditions made with Jared and Mary Herbert for the purpose of the culvert construction on East Castle Danger Road. Motion carried.

Hull made a motion, second by Lampart, to approve claim number 4122 payable to Jared and Mary Herbert in the amount of \$2,465. Motion carried.

Hull made a motion, second by Lampart, to approve the Easement Agreements – Agreement to Convey Easement, Temporary Easement Agreement and Permanent Easement Agreement, with all of the terms and conditions made with Lilia and Bruce H. Blanchard for the purpose of the culvert construction on East Castle Danger Road. Motion carried.

Hull made a motion, second by Lampart, to approve claim number 4123 payable to Lilia and Bruce H. Blanchard in the amount of \$1,245. Motion carried.

#### **NEW BUSINESS:**

**Snow Policy, Plowing fees and application** – All were reviewed and discussed. No modifications were requested.

Lampart made a motion, second by Hull, to approve the Snow Policy for 2014-2015 as presented. Motion carried.

Hull did second the above motion with the caveat that he is in protest that the East Alger Grade Road is always the last road plowed. Additionally, if the plowing order presented is most efficient, than the exact opposite order would be equally efficient. And finally, it was further noted that this has been the seventh year of Mr. Hull's protest.

Hull made a motion, second by Lampart, to allow the Road Foreman to change the order of road plowing if in his opinion it would be advisable. Motion carried.

Lampart made a motion, second by Hull, to approve the Private Driveway Widening Application as presented. Motion carried.

Hull made a motion, second by Lampart, to approve the Plow Rates as presented. Motion carried.

**RFP for Audit Services** – The Clerk asked if the Board wanted to conduct an RFP for auditing services now that our three year agreement with Walker, Giroux & Hahne, LLC is complete. The Board directed the Clerk to conduct an RFP for auditing services that should have a term of three years.

**Silver Bay Fire Department Services Agreement** – The Clerk presented to the Board the proposed services agreement. The agreement now includes Beaver Bay in the calculation in that they will also be served by Silver Bay. Had this agreement been in place last year, with Beaver Bay in the calculation, our bill would have been some \$2,000 less.

Hull made a motion, second by Lampart, to approve the Silver Bay Fire Department Services Agreement as presented. Motion carried

**Laptop purchases – 1 Treasurer, 1 Clerk (Clerk's old laptop to CDSSD)** – The Clerk requested two new laptops. The Treasurer's laptop has "crashed" and would be more costly to repair than purchase a new one. Additionally, a new laptop for the Clerk, whose current laptop, along with the Treasurer's, is over four years old, could go to CDSSD and a new one purchased for the Clerk's use. The Clerk requested that he be permitted to utilize his own laptop for himself and provide the new laptop to the Deputy Clerk. The Board did not like having the Clerk utilize his own laptop for Town business. With constituent personal information on that laptop the Board felt was inappropriate; nothing against the Clerk, just not appropriate. Finally, the CDSSD sewer manager could purchase their own laptop if they feel that is appropriate.

Hull made a motion, second by Lampart, directing the Clerk to purchase two new laptops – one for the Treasurer and one for the Clerk – not to exceed \$1,500 in total. Motion carried.

There being no further business, meeting adjourned at 9:45 pm upon motion by Lampart, second by Hull. Motion carried.

Respectfully submitted,  
Frederick R. Whitney, Clerk