

Agenda -- TOWN OF LA POINTE
Monday, January 28, 2008, 5:30 p.m.
Regular Town Board Meeting
Approved as amended – Proper Date Added Above

Present: Mike Starck, Jim Patterson,
Greg Nelson Hamilton Ross, Gary

Flores, Larry Whalen, Clerk. Gallery attached to minutes
Called to order at 5:32 P.M by Chairman Greg Nelson

1. Public Comment

Warren Anderson wants the town to put the orange truck out for bid.

2. Vouchers

Mike Starck moves -- Jim Patterson seconds – to approve vouchers totaling \$45,268.56 – Motion Carries -- 5 ayes

3. Public Works

A. Airport

I. Airport Manager Monthly Inspections

None available

B. Roads

I. Army Corps of Engineers Shallow Draft Harbor Stakeholder Meeting – February 6, 2008
a. possible suggestions for USACOE La Pointe Harbor fact sheet

Discussion of Attending Army Corps of Engineers Shallow Draft Harbor Stakeholder Meeting via conference call or by traveling to Duluth, MN, Enlargement of Harbor, delivery a lake boat load of gravel, where to land it and where to put it, Town Dock; or sewer outfall; Rice Street. Mike Starck and Keith Sowl, Town Foreman will meet at 9:00 a.m. in town meeting hall on February 6, 2008, to take part in conference. This meeting will be posted as having no actions and no motions in case more LaPointe Town Board members show up.

II. Nelson Construction Ice Road Rates For the last part of the 2007-2008 Winter

Hamilton Ross moves – to accept the bid from Nelson Construction Ice Road Hourly Rates For the last part of the 2007-2008 Winter – Gary Flores seconds – Motion Carries -- 5 ayes

III. Approval of amended PCA and Financial Capability letter for new Section 154 funding

Mike Starck moves – to authorize Town Chair to sign amended PCA and Financial Capability letter for new Section 154 funding Hamilton Ross seconds – Motion Carries -- 5 ayes

IV. Consideration and possible approval for letter to, and meeting with Ojibwe Tribes Chairpeople and liaisons.

Discussion: Army Corps has given permission to start Storm Sewer work, but the Tribes are claiming that the Section 106 process was not followed correctly. Keith Sowl, Town Foreman would like the Town Board to meet with Tribes in order to reach a Memorandum of Agreement with tribes, as he feels this would be a gesture of good will and possibly make it easier with future projects that must go through the Section 106 procedures. It is pointed out that the town's interest is reaching agreement with the Army Corps of Engineers in this case, and that it seems to be settled, except for the tribes' objection, and that an agreement reached with the tribes may have no legal status.

C. MRF

I. Ted Pallas' request to be paid for 41.08 hours of comp time.

Settled out of the meeting, but Barb Nelson has a question about changing personnel policies. Consensus: no change in personnel policies.

4. Library

A. Library Director's Monthly Minutes

Mike Starck moves – To approve and place the report, dated 12/10/07, on file – Gary Flores seconds – Motion Carries -- 5 ayes

5. Emergency Services

A. Fire Chief's monthly Fire Dept. Report

Hamilton Ross moves -- To approve and place the report, not dated, but received 01/28/08, on file -- Jim Patterson seconds – Motion Carries 4 ayes – Gary Flores abstains

6. Committees

A. CAPP

I. Report

No report

II. Recommendation for Town of La Pointe Website

Will discuss under Mr. Whalen's Proposal from website

III. Alternative Energy Committee – Update From Burke Henry

Who reports that the committee is moving a bit slowly due to holidays and illness. Mr. Henry has been advising Red Cliff Planning Department a little, they are being encouraged to start a wind farm under terms apparently not favorable to Red Cliff. The Committee is also exploring the possibility of a lighter, meaner windmill which would not disturb the road bed during transport.

B. Zoning

I. Jen Croonborg, Zoning Administrator Annual Report for 2007

Nice, excellent, wonderful, are but a few of the words of praise heard from Town Board Members about this report.

Greg Nelson suggests that the non-conforming use list should be maintained and that CSM's are a worthwhile safeguard for property owners at this point.

It is suggested that certificates of compliance have not been kept up to date in the past, but might be something to consider.

Mike Starck moves – To approve and place the report, dated 1/23/08, on file – Gary Flores seconds – Motion Carries -- 5 ayes

II. ZA County Zoning Report

Jim Patterson moves – To approve and place the report, dated 1/23/08, on file – Motion Carries -- 5 ayes

III. Arden Marty re: CSM for 3 acre parcel in Sec 28-T51N-R2W on North Shore Road - TPC motioned to recommend denial at 1-16-08 TPC Meeting

Discussion: Land was sold to Wilderness Preserve so the CSM is now not necessary.

Mike Starck moves – to deny the CSM stamped Oct. 12, 2007 – Hamilton Ross seconds – wishing to add the received date on the document to the record, which is 1/28/08 – Motion Carries -- 5 ayes

C. WTC – Report on Equipment Status and Budget

Burke Henry reports deteriorating ice quality over the years and on minor repairs and maintenance to the wind sleds – and the addition of GPS units. The Town has been paying utilities on the transportation terminal and that should change to be a shared cost of Committee revenue. 4 good candidates for operator training are now available, Tyler Andreas, Scott Grabarek, Chuck Nelson, and Michael Dalzell

7. Approval of Minutes

RTBM 1-8-08

Jim Patterson moves -- To approve Minutes of RTBM 1-8-08 as submitted -- Hamilton Ross seconds – Motion carries -- 5 ayes

STBM 1-16-09 (Department Head reviews)

Mike Starck moves – To approve as submitted Jim Patterson seconds – Motion Carries -- 5 ayes.

8. Town Hall Administration

A. Administrative Assistant Report – January, 2008

Consensus: Barb Nelson knows the equipment and can be trusted to dispose of it.

B. Resolution No. 2008-0128 (Treasurers Request: Resolution for a new tax collection account)

Mike Starck moves – to approve Resolution No. 2008-0128 -- Treasurers Request: Resolution for a new tax collection account

C. Discussion: Ordinance and Referendum to decide upon an appointed Town Clerk or Clerk/Treasurer

Hamilton Ross moves – that Clerk and Treasurer referenda be offered to the citizens as separate referenda. Mike Starck seconds – Motion Carries 4 ayes – Greg Nelson nay, would prefer combined clerk/treasurer position.

D. Proposal for web site from Larry Whalen

Mr. Whalen will solidify his proposal according to CAPP recommendations for 2/12/08 LaPointe Town Board meeting.

9. Future Agenda Items

Contract for Web Page Construction

Ordinance for Clerk and Ordinance for Treasurer

Change of performance reviews to Feb 4th and Feb 7th, 2008, Monday and Thursday

10. Lawsuits and Legal Issues

A. Town of La Pointe vs. Michael Mattingly 04-CV-128

Mr. Mattingly's Court Ordered time limit for removing structures on his North and South 5 acres will have passed by the next LaPointe Town Board Meeting. Jen Croonborg, Zoning Administrator, will contact attorney Anich research how to proceed with the removal of the structures should the deadline pass. Mike Starck suggests a letter of warning to Mr. Mattingly.

B. Stephanie Zuehlke Discrimination Complaint with Department of Workforce Development:

Discussion: TB members feel that it should be moving along by now, but nothing has been heard.

11. Adjourn

Gary Flores moves – to adjourn Hamilton Ross seconds – Motion Carries -- 5 ayes

Adjourned at 8:22 p.m.

Approved as Amended, Tuesday, February 12, 2008