

Town of Whitewater Town Board Meeting Minutes  
Wednesday, July 13, 2016  
7:00pm

Present: Lowell Hagen, Robert Strand, Norman Prusener, Carrie Hintz

The minutes of the June 8, 2016 town board meeting were reviewed. Norm made a motion to accept the minutes as written, seconded by Bob. The motion passed unanimously.

Clerk report - There will be a partisan primary election on August 9.

Treasurer report - Carrie read the account balances. Norm made a motion to accept the treasurer report as presented, seconded by Bob. Motion passed unanimously.

2<sup>nd</sup> Side Supervisor – Norm had another complaint from a resident on Ridge Road because his buoy isn't where it should be for his grandchildren. There are always complaints about all things associated with the lake and the boat always seems to be broken. Norm would like Lake Management or Richmond Township to consider taking care of the boat and Safety Patrol. There isn't a law that the town has to do it or that there even needs to be buoys or a safety patrol. Lowell said that we only do it because no one else wants to do it and it costs us \$12,000-\$15,000 per year plus what the DNR contributes. Lake Management is a taxing authority and they have just as much responsibility as we do. The Sheriff's Department managing the safety patrol has been an improvement versus when the town had our own police department. Norm also said that per Sean of the Safety Patrol, the buoys are where they are going to be and we are done moving them around. According to the DNR and Coast Guard, the Safety Patrol is in charge of the buoys and the Town approved that. Homeowners can't put their own buoys out. Sean is recording by satellite the 120+ buoy locations and they will be reported to the DNR. The Safety Patrol is trying to make it safe. We've increased the number of buoys over the years and now have about 124 in the water. The GWLPOA donates \$1500 annually towards new buoys and supplies. A volunteer will put the buoys in Rice Lake going forward. Lowell will bring the topic of who should be in charge of buoys and the Safety Patrol up at the August Lake Management annual meeting.

1<sup>st</sup> Side Supervisor - Bob said Millis and Island Road work is done. Bradley Court should be done today. Residents questioned closing of Shereda today while working on Bradley Court and the contractors swerved all the way down Highway P and there are black marks on the road showing this.

Chairman - None

Sheriff's Department Incident Report – Tim Otterbacher read the report (see attached). Norm complimented the attention grabbing blue and red lights on the speed trailer that was on Highway P.

Rezone request for Dick Kraus at N8183 Hwy 89 (DA267800001) – Dick Kraus is remodeling the old barn and leasing it to Jim Jackle. Jim Jackle would like to rezone from A-1 to A-4 because his son is farming several parcels and he'd like a produce stand on this parcel and also sell animal feed. They have a new driveway from the State DOT. Also want to put in a haunt and the barn is lined with 1" soundproof / fire proof drywall to ensure it doesn't disrupt the neighbors. Norm said there's no problem with the produce stand, but he's wondering if the state driveway permit covers the haunted house traffic as well. Jim said the driveway meets DOT standards and is 24' wide. No deceleration lane needed. Will need a conditional use permit in the future. Norm made a motion to approve rezoning from A-1 to A-4, seconded by Bob. Motion passed unanimously.

Variance request for Bill Buresh at N7539 E. Lakeshore Drive (DW 3500003) – Mr. Buresh is requesting to construct a deck 47.8' from the ordinary high water mark. Mr. Buresh said that he is looking to replace a deck that was attached to the house when he bought it. Needs to replace it because water was leaking into

the house and causing damage. The setbacks are supposed to be 75', but he has a small section that is encroaching by 6'. Just trying to rebuild just what was there and not do anything additional. No original permit found, but the old 1987 survey shows the deck. Bob said that the patio doors indicate that the original plans likely showed a deck and the county probably allowed that 6' variance. Norm made a motion to recommend approving the setback variance of 47.8', seconded by Bob. Motion passed unanimously.

Variance request for Andrea Krier at N7578 W. Lakeshore Drive (DMP 00021) – Ms. Krier is requesting to construct a wood deck and walkway patio 0' from the ordinary high water mark, along with retaining walls to support the stairway. She is also requesting landings (existing) that are approximately 35 square feet in size. North Lake Homes said they are doing work to make things safer. Flagstone was replaced to make it easier and safer. The deck was replaced – nothing was altered in size, but just resurfaced because the wood was rotting and becoming unsafe. Norm said that basically landscaping was done without a permit. Builder said that original landscaper told Ms. Krier that they had gotten a permit and she didn't find out until much later that there wasn't a permit. Builder said that now things meet code. Norm doesn't have any problem with them just replacing what was there. Norm made a motion to grant the variance, seconded by Bob. Motion passed unanimously.

Retaining wall location change for Florczak at N7805 E. Lakeshore – The Florczak's are looking to move an existing retaining wall approximately 15'. Right now the road isn't centered in the right-of-way. They think it varies 20-35' across the length of their property. They'd like to parallel the road and get a larger parking area by moving the retaining wall. They'll straighten out the one corner from 35' to the same measurement as the other end. It pitches down and the road is much higher. Not going to touch the gravel parking at all and will add blacktop. Would also like to put up a carport. Norm said the county wants permits even for the stationary ones. Currently have no garage. Norm asked if there is an encroachment agreement on their deed, but the Florczak's aren't aware of one. That way if they want to sell, the encroachment is recorded. Bob made a motion to pass the request to move the retaining wall with the understanding that they get an encroachment agreement drawn up for the new work, seconded by Lowell. Motion passed unanimously.

Removal of 3 dead trees infected with oak wilt on Deep Pond Drive – Norm said those should be cut after the first frost when they have oak wilt. Will's Top Notch Tree Service will charge \$550, including hauling the diseased wood away. Norm made a motion to pay \$550, seconded by Bob. Motion passed unanimously.

Hill Drive road work – Bob explained that the board tabled this work last month. Bob said the 18'x30' concrete at the end would cost \$4800 rough estimate versus \$2200 for asphalt. The asphalt with the southern exposure with snow and ice melts faster than concrete plus water coming down that hill could freeze on concrete. Would need to seal concrete at first because of salt coming down the road. Therefore, Bob thinks we should stick with the asphalt as originally bid. Norm said that Hill Drive used to be a driveway that served the 6 summer houses on the bottom. Up to a few years ago we had one resident who came in winter and he'd call ahead of time. Years ago we decided it was washing out on the sides so we repaved it with a groove in the center for the water. When it gets to the steep bottom, the water coming down the hill causes it to stay wet. He'd like to see a decent base in there. Bob said 1 1/4" base course but Norm said we should have 8-10". A Hill Drive property owner said that there are 2 holes that are the big issues and she'd like to just see those 2 problem areas fixed. Bob explained that we need to repair the base. Norm would like a strong base and a decent pad at the bottom for turnaround, especially for emergencies. Property owner said she'd like to ask the town not to take away the beach because their piers were taken away years ago. She said the rock does a good job. Bob said we aren't intending to asphalt all the way to the lake. Lowell will meet with Frank Brothers to see their procedure and get their opinion of getting a foot of base in and let it sit over the winter. Tabled to August.

1 week brush cutter rental – Bob said that Bob Harris would like to cut some high areas in the fall and he can cut in the rain if needed. The cost to rent the brush cutter for one week is over \$3000, which is \$2400 cutter rental (40 hours at \$60 per hour) plus blades at \$160 per set plus about \$450 delivery /pick-up (\$75 per hour for about 6 hours total). Norm said it would be nice to clean up complete roads, including Scattered Oaks and Stader. Bob Strand said Bob Harris has three roads he'd like to cut. Lowell said he's ok but we need to get 40 hours use out of it, so Bob needs to use that the full week and not do anything else. Bob made a motion to rent for a week, seconded by Norm. Motion passed unanimously. Norm said we should also put

out for bid the 2 new guardrails on Willis Ray and Island Road because Walworth County won't do brand new.

E. Lakeshore Drive ditching bid form – Bob said that we put together a bid form for ditching the east ditch from N7667 to N7602 with the criteria for water flow to drain properly in 3 directions. Also marked down culvert locations that the bidders would indicate whether they need to be replaced, new, or left as is. Norm asked if we will clean the existing ditches and the culverts. Norm said we either need someone to ditch it right with a CruseAir with a 3 to 1 pitch to the road a minimum of a foot deep. If we're going to maintain the ditches, that's fine. But if we're going to change the flow of the water, Norm doesn't think it's the right thing to do and if we change the water course we're opening ourselves to liability. Bob would like to reditch and then maintain going forward. Bob said we also have to discuss with bidders what will be done at Cruse Lane. Art Schmitz suggested using one of the existing culverts as the base with the 2% from there and can check that with an instrument after the project is complete. He said we should get a bond, which is in our bid form. Bob wants to meet with each bidder to discuss the project before they bid. Will have a presentation to explain the project to all bidders ahead of time. Carrie to check with Jefferson and Walworth County to see if they do ditching.

Other town business – Lowell said that we received our estimated \$14,000 TRIP grant that pays for part of the \$46,000 Island Road project that we'll do next year. Carrie said that we have the option of renewing the publishing of data on [www.assessordata.org](http://www.assessordata.org) from May to December at a cost of \$171.86. Can get assessed value for free on the Walworth County website. Norm said the [www.assessordata.org](http://www.assessordata.org) is way more information than anyone needs. Carrie said that detailed information will be available for a fee to realtors or whoever may want it even if we don't subscribe to the service. Norm made a motion not to renew, seconded by Bob. Motion passed unanimously.

Public input – Jim Harmon asked about having more grade shot in the E. Lakeshore Drive ditch. Bob said that we have some grade on the maps from Baxter & Woodman, which is a basis to start from.

The board paid bills.

Norm made a motion to adjourn at 8:28pm, seconded by Bob. The motion passed unanimously.

*Respectfully submitted by Carrie Hintz, Clerk/Treasurer*