

Town of Whitewater Town Board Meeting Minutes  
Wednesday, July 10, 2019  
7:00pm

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

Norm made a motion to approve the agenda as printed, seconded by Bob. Motion passed unanimously.

The minutes of the June 12, 2019 town board meeting were reviewed. Norm made a motion to accept the minutes as presented, seconded by Bob. Motion passed unanimously.

Clerk report – None

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

2<sup>nd</sup> Side Supervisor – Norm saw some loaded trucks coming from the pit onto Willis Ray Road. Norm spoke to the pit and they said the trucks aren't theirs. Ira Martin said he has two truck inspectors who can do some extra patrols on Willis Ray Road.

1<sup>st</sup> Side Supervisor – Bob said Mrs. Loch on Shagbark asked if we could mow the ditches and trim the trees and that is next on Bob Harris's agenda.

Chairman – None

Sheriff's Department Incident Report – Ira Martin provided a call summary report. There was a burglary on Kettle Moraine Drive last month. A garage door was kicked in and beer was taken. Residents should contact the Sheriff's Department if they see anything unusual. Also had a structure fire on Willis Ray Road. Had two disorderly conduct calls at one of the group homes who has one troubled individual and the Sheriff's Department gets called regularly. Three property damage motor vehicle crashes, most of which are car versus deer. A resident said someone took their garbage on Sunday night and Ira said the drug unit picks garbages and it could have been that. In the southern half of the county there's a scam by Midwest Paving where people in a new red pickup truck are soliciting driveway paving, collect the money, but don't properly do the work. A resident said Townline Road in front of Scenic Ridge is very dangerous, especially on the weekend. Ira said they patrol the area and try to be present in the evening hours. Ira said the town could put up signs and Bob Harris said this is Richmond Township's area. Resident complained about JNT's worker vehicles parking on Kettle Moraine Drive near Hwy P. Bob Strand said we could put up a "no parking here to corner" sign but Bob Harris said that's hard to enforce. Ira said he'll have an officer stop in and talk to the JNT's employees.

Special no wake buoys for slow / no wake situations – Lillian Roy from the GWLPOA provided a proposal. Lillian said there are folding signs to attached to the lake ordinance signs available on the web that are about \$125. They also suggested slow-no wake sleeves to go on the buoys, but Lillian thinks a company would have to make them. Lowell said the town doesn't have anyone to install the signs and buoy covers. The GWLPOA would work to get volunteers to work with the town. Lillian said more needs to be done to provide information when the lakes are slow/no wake due to high water. Norm asked if the GWLPOA and Lake Management can form a committee to figure out and present to the town board which part would be the town's responsibility. Would be nice to have the Walworth County Lakes Association coordinate all of the lakes and put on their website. Rich Charts said we can post things on the Walworth County Lakes website, but it should also be put on Lake Link because more people use that. Lowell said the proposal is fine, but someone needs to find the funds, the labor, etc. to

implement everything. Lillian said the 10 buoys would be near the boat landings, but Norm said those would need to be approved by state which is complicated. Lillian said that if the town approves the proposal, then a working committee can define the roles, figure out costs, etc. Norm made a motion to ok forming a committee of the concerned groups and work out the details and bring it back to the town board for a cost analysis. Seconded by Bob. Motion passed unanimously.

Utility Permit for Edge Broadband – Owner Brian Madl said they've traditionally done wireless internet and are looking to bring fiber optic to the area. He said Sugar Creek approached Edge Broadband and they've completed about 18 miles of fiber optic and 600-700 homes with grants from the state that cover about 40% of the costs. They started on a project to tie in with a large nation-wide carrier that has lines. Long-term goal is to get fiber optic available to every house in our township, which Brian thinks is about 1,500 households. They've worked with other townships and the permit fees range. He provided documentation showing that the Town of Whitewater's utility permit application fee of \$1,000 is higher than other municipalities in Walworth County. Norm said the fee really isn't important. What we have to worry about is that at some point we'll have to work on our ditches and we'll have issues with buried cables. We've had issues where previous boards allowed cables in ditches and now we have water drainage issue because we can't ditch. The ditches are our storm sewers. Brian Madl said the Town of Richmond had similar concerns, so they went 6.5' deep under every culvert. Brian said if we'd hit his lines, it's his issue and Brian would sign a release to hold the town harmless. Norm said we had issues on Warner Road and other town roads where we couldn't ditch because the utilities are too high in the ditchline. Lowell said our \$1,000 fee is very little per house. Brian said his current application is only for 2 miles on R&W Townline Road and he thought he had to pay the \$1,000 permit for each section of road he did. Lowell said one \$1,000 permit fee would cover all of the fiber optics in the whole Township. Norm said Brian needs to provide the number of feet of work and a list of all open cuts and road crossing, so we can determine how big the performance bond has to be, which he'll get back after the work and restoration are done. Norm said we just want it restored so we don't have a problem with the ditches and if anything needs to be repaired or moved, that's on Edge Broadband. Brian said he normally goes 6' deep and goes below the gas line. Brian said he does half vibratory plow and half jack & bore. Getting close to the lake will be a challenge. They have a pole attachment agreement with WE Energies for a few areas, like Ridge Road. Lowell said a permit doesn't give him exclusive rights and competitors can also apply for a permit. Lowell asked if we can set a certain dollar amount bond rather than by foot that we can use if the restoration work isn't being done as the project progresses. Brian said no other townships ask for a bond and Lowell said it's basically an insurance policy. Norm said we want to work together so that within 6 months of doing the work it's restored. Lowell said the town wants them here too, but we need to protect the township. Brian said there won't be an issue with mowing because the boxes are underground. There will be a junction box about every 1,500 feet. Lowell said a competitor could come in and put in fiber optics as well. Lowell made a motion to require a \$25,000 bond for 2 years and the \$1,000 permit fee that's good for two years. Norm added that the bond should say they have 6 months to restore after the work. Lowell agreed to add that to the motion. Motion seconded by Norm. Motion passed unanimously.

Safety Patrol boat and shore station situation – The board reviewed pricing for a new motor from Rock River Marina. They quoted a Yamaha F225 for \$19,563 or \$16,063 with trade-in and a Mercury 225XL for \$16,265 or \$12,765 with trade-in. Norm said he talked to Sean and our current motor was a mistake when we bought it because it's too small. Two different marinas said the 150hp motor would work if we had the right prop, but it's underpowered and can't plain half the time. When we bought the boat it had a 225hp engine on it. Norm said Sean got the DNR approval to have them pay us 20% back each year for 5 years for a new motor and shore station purchase. Norm said the lift we have isn't heavy enough and the beam is broken and the DNR will pay over 5 years that which is between \$4,000-\$8,000. Carrie said she doesn't think we get the full 100% cost back, but we generally get 72%-75% in the form of a grant. Norm said we won't get much on our current lift if we sell it. Norm said to definitely get the Yamaha motor and Bob Harris said he likes both Yamaha and Mercury. Bob Harris said the only advantage of the Mercury is that it has more torque and faster RPM and he's never had issues with a motor like we've had. Benefit of Mercury is that we don't have to change the writing harness, shift cables, etc. that we'd have to change with a Yamaha. Bob Harris said the \$3,500 trade in value is too

low and it's worth \$7,500 or \$9,000 on Wisconsin Surplus. The only problem is that it's too small for the boat and there's nothing else wrong with it. Norm thinks that it doesn't matter to our grant cost whether we sell it outright or trade it in because our net cost is the same. Norm doesn't know if the DNR requires legitimate sealed bids for the grant. Carrie said we didn't get sealed bids last time. Lowell said the Mercury is less money. Norm said that Sean said he heard from three different patrols with Yamaha who didn't have any breakdowns and Sean told Carrie he prefers the Yamaha. Bob Harris said a lot of the problems with the motor were driver error. He said the drivers weren't letting the key turned on and let the computers cycle on, thus burning the ECM out. He talked to the marina about adding a 5-10 second delay on the start. Bob Harris said the motor has 1200 hours and never had the plugs changed. Bob Harris said generally a motor like this has a 5,000-6,000 hour life. He said they also idle it a lot and that counts as hours. Norm made a motion to take the money out of the 2019 capital outlay truck and equipment fund. Lowell seconded. Motion passed unanimously. Lowell made a motion to buy the Mercury and do not accept the \$3,500 trade in price and to sell our motor outright. Bob Strand seconded. Motion passed unanimously.

Water drainage issue at N7627 E. Lakeshore Drive – Property owner Daniel Sherlock sent a letter to the town stating that there has been a water issue on his property adjacent to the south of Cruse Lane since the town worked on Cruse Lane a few years ago. Bob Strand said their yard is dry now but he will go see how the water is draining down Cruse Lane during the next big rain. Lowell said the property owner is adamant that the town do something about it. Bob said beyond the shed there's a low point that it may puddle. Norm said there's a dip on Cruse Lane and water could be seeping through the gravel. Norm said there is more water coming down and he could see the French drain filled out and went down toward Sherlock's house. Lowell said we were going to do the berm and ditching project when we installed the French drain and it never happened. Norm said we took care of ditching E. Lakeshore drive and the project never got done. The fence on the south side with the berm was put in, but the berm is gravel. Norm said when the engineers were here we talked about a concrete swale gullied out along the fence line. He thinks a 4-5" deep and 4' wide swale would work. Bob said Mr. Sherlock is also getting water from the south side and the lake being high doesn't help. Norm said Mr. Sherlock has the lowest spot on the lake. Norm said Mr. Sherlock's big complaint was that we had an engineering study and then we didn't do the work because the costs were so high. Rich Charts said there's a little berm at this property and at the property on the north side of Cruse Lane right at the shoreline and the ice pushes the riprap and builds it up and the water sits in their yards. Rich suggested a small swale through their berms.

Walworth Avenue striping – Payne and Dolan completed the asphalt work on Walworth Avenue west of Highway 12. Century Fence provided an estimate to stripe that section for \$5,400 which includes double yellow centerline and edge lines. Lowell said it's an extreme amount of money for maybe a mile of actual striping (2 yellow and 2 white). He said it's a heavily traveled road and should get striped. Bob agreed. Norm made a motion to accept the bid for \$5,400, seconded by Bob. Motion passed unanimously.

Reliance Road culvert asphalt replacement – Lowell said we put a culvert in and now it's down about 2" and it's a terrible bump. Norm said he'll dig it out 4" deep with his back hoe. Put a plank in on each side, put in 6" of blacktop, and compact it with the loader. This project can wait until after mowing. Bob Harris suggested Gavers Pavers or Merritt Asphalt do the work but Norm thinks it'll be expensive. Bob Harris said maybe a company will do it cheaper when they have extra asphalt from a driveway project. Lowell will get prices from these companies and we can review next month.

Will's Tree Service quote to remove 3 trees near N7877 E. Lakeshore Drive - There are three dead elm trees that Will's quoted \$1,150 to take all 3 down at the same time. Bob Strand said those trees are in the town right-of-way. Bob made a motion that Will's do the work at N7877 E. Lakeshore Drive for a total of \$1,150, seconded by Lowell. Motion passed unanimously.

Operator/bartender license applications for 2019-20 for WillowBrook Golf Course – There were four applicants: Larry Haugen, Rebecca Hanshaw, Nicholas Lesar, and Isaiah Morales. The board reviewed

the applications and background checks. Norm made a motion to grant all four licenses, seconded by Bob. Motion passed unanimously.

String trimmer purchase – Bob Harris provided an estimate from Triebold Outdoor for a Stihl FS111RX trimmer at \$323.96. Bob Harris said ours is working but is getting old. A lot of times Tim and Mike work at the same time and Tim brings his own in. Norm said we should spray instead of trimming, especially around the guardrails. Lowell said it's nice to spray and then knock it down after it's dead and he thinks we need the trimmer. Norm asked if we take care of the guardrail past Taco Bell on old Hwy 12. Bob Harris said it was ours until that chunk was annexed to the City. Lowell would like to approve up to \$325 but get a second price, seconded by Norm. Motion passed unanimously.

Other town business – Lowell said we received a phone call and a couple of pictures of a manure spill on Bluff Road. Lowell viewed the issue that evening and it was washed off after a rain shower. Lowell provided the pictures to the homeowner and we've gone through this in the past. Lowell told the owner there could be further legal action if not resolved. The WTA shared with Carrie a State Statute that prohibits this.

Bob Harris said someone is hauling more manure or sludge off of 59 to Howard and heading down Bluff Road. They aren't spilling, but Tim said he's said about 10 big rig tankers. There was a Fort Atkinson company name on the trucks. Howard Road is marked no semi traffic. Bob Harris suggested we check their weights and Lowell will check tomorrow.

Public Input – Resident asked about the safety patrol lift and the board said we'll hold off on that. State Representative Don Vruwink shared his background, the committees he's on, and some of the current issues he's working on.

Rich Charts invited Lowell Hagen to the Lake Management meeting on August 24.

Board paid bills.

Norm made a motion to adjourn at 8:49pm, seconded by Bob. The motion passed unanimously.

*Respectfully submitted by Carrie Hintz, Clerk/Treasurer*