

TOWN OF RHINE
BOARD OF SUPERVISOR'S MONTHLY MEETING MINUTES
Tuesday, December 4, 2018 at 6:30 pm

Present: Chairman, Ron Platz; Supervisors Al Feld, Jon Rost, Bill Jacob and Larry Eberle;
Clerk/Treasurer Lexann Hoogstra; Legal counsel Paul Dirkse.

1. **Compliance with Open Meeting Law:** Posted on November 29, 2018.
2. **Pledge:**
3. **Approve Minutes of November 13, 2018:** Motion to approve by Feld. 2nd by Rost.
All in favor.
4. **Treasurer's Report:** Read into the record.
5. **Elections Report:** 86% turnout. Platz announced that candidacy papers are ready for pick up.
6. **Building Permits for November:** None.
7. **Public comments of a general nature:**

Mike Dobrynio: Dobrynio read a letter he wrote into the record. It addresses his concerns regarding a property at W6650 E Shoreland. He is requesting that the town enforce its ordinances and building codes. A copy of this letter is in file.

There were no other public comments.

8. **Discuss and Possibly Act on:**

Donation request from Elkhart Lake Schools Education Foundation: This request was tabled from last month until the chairman could consult with legal counsel regarding the types of donations a municipality can make.

Paul Dirkse commented on state laws regarding donations made to civil and other groups by a municipality.

Julia Loo Sutcliffe, representing the Foundation, commented further on the need for these funds and what they would be used for. The band provides several public events throughout the year.

Platz asked Dirkse for a distinction between this kind of request and one regarding the donations the town makes to the 3 lakes each year.

Rost said he would draw a distinction between making a contribution to a school and contributing to the water quality of the lakes in the township; he feels that the town has a vested financial interest in maintaining the quality of water on the lakes. If the lake quality deteriorates, it would not be good economically for the town.

Platz noted that the Town of Rhine has 4 school districts. He believes this is a worthy cause, but feels if we make this request there will be others, and it is not possible for the town to accommodate all of them.

Eberle made a motion to deny the Education Foundation's request for a donation for the music department and band. 2nd by Feld. Roll call vote: Eberle – yes. Jacob – yes. Rost – yes. Feld – yes. Platz – yes. Request denied.

9. Chairman's Information Report and Correspondence:

Platz noted two thank you letters that the town has recently received.

Letter from Wisconsin Public Service Corp. regarding a natural gas main in Chilton, New Holstein, and Kiel: This is an FYI item only.

A letter from Elkhart Lake-Glenbeulah requesting a donation for sports was noted.

Platz gave an update on the Aggrecon Pit expansion. So far its request for a CUP to expand has been turned down.

All expense reports need to be turned in by Dec. 20. The town board meeting to approve final vouchers will be Dec. 27 at 4 pm.

10. Sub-Committee Reports:

Recycling center: Feld mentioned the recycling center is running well. There is a sledge hammer on site to help break down large items.

Roads: Work had been done on Snake Road in 2 places. The lining of Willow Rd will be done in Spring of 2019.

Ordinance: Jacob reported that the ordinance committee is almost done with revising chapter 4 so that it can be presented to the planning commission for approval

11. Approve Vouchers: A motion to pay the bills was made by Feld. 2nd by Jacob. All in favor.

12. Closed session: Chairman Platz announced the Board's intention go into closed session pursuant to Wis. Stats. s. 19.85 (1) (g), to confer with legal counsel for the Board who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is involved concerning the Waibel property at W6650 E. Shoreland Road, Elkhart Lake.

A motion to go into closed session was made by Feld. 2nd by Jacob. Roll call vote: Eberle – yes. Jacob – yes. Rost – yes. Feld – yes. Platz – yes. The Board then went into closed session at 7:07 pm.

13. **Open Session:** A motion to reconvene into open session was made by Feld. 2nd by Rost. Roll call vote: Eberle - yes. Jacob - yes. Rost - yes. Feld - yes. Platz - yes. The Board reconvened in open session at 8:30 pm.

Concerning the mandamus action filed by the Waibels against the Town concerning a building permit for a garage, Supervisor Rost made a motion to adapt the first of 3 proposed Settlement Agreement and Release of Claim which contains no financial compensation for petitioner's attorney fees and contains full liability release language, and to direct the Town chairman and litigation counsel to execute and comply with the terms of the agreement. 2nd by Feld. Roll call vote: Eberle - yes. Jacob - yes. Rost - yes. Feld - yes. Platz - yes. Motion carried.

14. **Announce Next Meeting Date:** Special Town Board meeting on December 27 at 4:00 pm for review of final vouchers for the year. Next regular monthly Town Board meeting at 6:30 on Tuesday, January 8, 2019 (moved from January 1 due to the New Year's Holiday).
15. **Adjournment.** A motion to adjourn was made at 8:50 pm by Jacob. 2nd by Rost. All in favor.

APPROVED