

## Village Board Meeting Minutes January 8, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:34 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	None
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Ellen Maxymek, Clerk
David Petrie	
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of the December 11, 2006 meeting. Laux second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Jack & Ralph Hopfensperger, Developers Farmington Meadows Subdivision
  
- 6) Consent Agenda
  - a) Operator’s Permit Application
    - i) Ashley Nettekoven – *Rath moved to table, requesting that Nettekoven appear at the next meeting regarding the underage drinking incident reported on the application. Kaas second. Motion carried.*
  
    - ii) Curtis M. Mader – *Barribeau moved to approve the Mader application. Laux second. Motion carried.*
  
    - iii) Ashleigh M. Kowalczyk – *Barribeau moved to approve the Mader application. Laux second. Motion carried.*
  
- 7) Report of the Plan Commission
  - 1) For Action
    - a. Final Plat of Lakeshore Estates South—Commissioners reviewed and inquired as to why they had to approve the plat, which had been previously approved. Van Lieshout explained that per Chapter 236.25 Wis. Statutes if a final plat isn’t recorded within six months of approval it cannot be recorded by the Register of Deeds. Therefore for the Register of Deeds to record the plat, it must again be approved. The Plan Commission approved the Final Plat of Lakeshore Estates South.

***Barribeau moved to re-approve the final plat of Lakeshore Estates South. Rath second. Motion carried unanimously.***

8) Report of the Utility Commission – ***Rath moved to accept the Utility Commission Report and approve the action items. Kaas second. Motion carried unanimously.***

1) DISCUSSION ITEMS:

- a. Commissioners were in consensus of communicating with the Town of Harrison in regard to the annual Sherwood Lions Football irrigation request. The communication will include to-date history of the Sherwood Lions Football program with the Village of Sherwood and request the Town of Harrison to consider contributing to the watering costs. *History:* In March 2001 Dave Van Elzen, Sherwood Lions Football representative, requested the Village Board to donate water for irrigating the practice field. A directive motion was made to take the request to the Utility Commission for recommendation. A 4" meter was installed at the Harrison #1 fire department to meter the water. At the August 2002 meeting the Utility Commissioners were in consensus of contributing to the cost of watering the football field only and negotiating with the Village Board to contribute half the amount. Minutes do not reflect Village Board discussion in regard to splitting the cost with the Utility Commission. With Van Elzen and Dave Breckheimer, Harrison #1 fire department representative, present at the September 2002 meeting, the Utility Commission approved contributing the cost of water, limiting the amount and hours. At the August 2004 meeting the Utility Commission approved donating water for irrigation but informed Van Elzen a request must be made in-person or in writing each year for consideration. No in-person or written requests were received by the Utility Commission in 2005 or 2006, however, the watering continued. In November 2006 the Town of Harrison clerk contacted the Village office on behalf of the Town of Harrison Board. The Town of Harrison Board questions the authorizing use of their meter to water the Sherwood Lions Football practice field annually.
- b. Further discussion and approval are on hold for the 12" sanitary force main route and engineering services agreement until all the easement agreements are signed.
- c. Curt Weibel, MCO, reported the addition of ferrous chloride at lift station #3 has proven effective at the headworks. Weibel also reported the amount of time he spends daily/weekly in the Village and his responsibilities.
- d. Pilot test report for the Ozone/Miex high rate treatment system has been submitted to the DNR for approval.
- e. Annual inspection of the Sherwood water system was conducted on November 14, 2006. Two physical corrections were required to be completed to bring the system into compliance with current DNR construction requirements: a screen on the reservoir vent and overflow pipes at Well #5 reservoir and a screen on each of the air-vacuum relief valve discharge lines also at Well #5. Weibel reported the items were completed the same day as the inspection.

f. Private well has been abandoned at N619 Military Rd

2) ACTION ITEMS

- a. Commissioners approved change order #1 for the CTH M sanitary sewer project, increasing the contract amount by \$5,065.00.
- b. Commissioners approved Payment No. 1 for the CTH M Sanitary Sewer project in the amount of \$63,921.00.
- c. Commissioners approved intent to apply for the 2007 Safe Drinking Water Loan Program.
- d. Commissioners accepted the Sherwood Estates sewer and water utility improvements subject to the punch list items being completed in spring per 12/18/06 correspondence from McMahon Associates.

3) UNAGENDIZED DISCUSSION

- a. Joe Nemecek, Camelot Estates, requests guarantee from the Utility Commission that sewer service would be available by December 2007. Commissioners requested further information. Nemecek stated he is unable to elaborate further other than to say the service would not be for residential use. Commissioners did state that the proposed 12" force main would not be available until 2008. Nemecek will present additional information at a future meeting.

9) Report of Village Officers

- a) Village President – No report
- b) Clerk/Treasurer
  - i) Financial Reports – Reports reviewed.

10) Village Engineer

- a) Certificate for Payment No. 7 in the amount of \$104,244.99 to Vinton Construction Company for partial payment of work completed through November 11, 2006 on the Pigeon Road and Stommel Road Street and Utility Construction Project – ***Barribeau moved to approve Certificate for Payment No. 7 in the amount of \$104,244.99 to Vinton Construction Company. Petrie second. Motion carried unanimously.***

11) Village Coordinator

- a) Project Updates – In the absence of the Coordinator there was no report.
- b) Approval of Lease Agreement between Village of Sherwood and James Aschenbrenner for use of Suite 3, Village Plaza – ***Barribeau moved to approve a lease Agreement between Village of Sherwood and James Aschenbrenner for lease of Suite 3, Village Office Plaza. Laux second.***
- c) Letter from Ralph and Jack Hopfensperger regarding impact fees and payments in lieu of parkland dedication – Jack Hopfensperger requested clarification related to in lieu of

parkland dedication fees expected by the Village from the developers of Farmington Meadows Subdivision before the Treasurer signs the final plat. He stated that the required parkland acreage would be met if the land utilized for storm water management is also considered parkland. He also believes that a gravel trail should be counted as part of the parkland requirement. Hopfensperger also stated that 2005 Wisconsin Act 477 removes the Village's ability to charge these in lieu of parkland fees, but said that the developers are willing to put the calculated fee in a trust until the matter is settled.

A letter drafted by Van Lieshout responding to the Hopfensperger request was read for the record. Van Lieshout's points were stated as follows: It is at the discretion of the Village whether to accept conveyed land or collect in lieu fees. The storm water detention area offered by the developers meets none of the requirements for accepting parkland. The gravel trail offered as parkland was a condition of plat approval and as such is in addition to other conditions, ie. conveyance of parkland or in lieu fees. The developers' assertion that payments in lieu of parkland are illegal and cannot be collected per provisions of Wisconsin Act 477 is true only for subdivisions whose preliminary plats were approved after the effective date of the act. The Farmington Meadows preliminary plat was approved by the Village Board five months before the effective date and is therefore exempt from the law. Van Lieshout's correspondence also reported that the Register of Deeds is prohibited from recording a plat when more than six months have lapsed since the last approval. ***Barribeau moved to approve the draft of correspondence replying to a letter from Ralph and Jack Hopfensperger regarding impact fees and payments in lieu of parkland dedication. Laux second. Motion carried with Petrie abstaining.***

#### 12) Correspondence

- Kaas asked that Complaints and Compliments be returned to the agenda.
- Kaas stated that a project update form should be included with each meeting packet and Project Updates should be on every meeting agenda.
- Laux requested a status report on the Friends of High Cliff oral history of Sherwood and High Cliff, a CD/DVD production partially funded by a donation from the Village Board.
- Thomson reported that a construction trailer continues to be parked at a residence on the corner of Cliffwood and Lake Breeze Drives and asked that the Constable be notified if it is in violation of the zoning code.
- Miller asked if proposals are being obtained for an microphone and amplification system for use at Board and Commission meetings.

#### 13) Adjournment – ***Barribeau moved to adjourn at 7:35 p.m. Petrie second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes January 22, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:31 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Roger Kaas - Excused
Joyce Laux	<b>Others Present</b>
David Miller	Jennifer Schaff, Village Engineer
David Petrie	Josh Van Lieshout, Coordinator
Jim Rath	Ellen Maxymek, Clerk
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve minutes of the January 8, 2007 meeting. Laux second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Joe Nemecek, Nemecek Development Co., re. agenda item 7).
  
  - Ashley Nettekoven, re. agenda item 6)a), stated she made a foolish mistake which resulted in an underage drinking violation five year prior. She took an alcohol assessment course and is under control. She stated that she would not serve minors if granted a license.
  
- 6) Consent Agenda
  - a) Operators’ Licenses
    - i) Ashley Nettekoven (Tabled 01/08/07) *Petrie moved to take the matter from the table. Thomson second. Motion carried. Petrie moved to approve issuing an operator’s license to Ashley Nettekoven. Thomson second. Motion carried with Barribeau voting against.*
  
    - ii) Jennifer Milhaupt – *Barribeau moved to approve. Thomson second. Motion carried.*
  
    - iii) Amy Kuhn – *Barribeau moved to approve. Thomson second. Motion carried.*
  
- 7) Report of the Utility Commission – *Laux moved to approve action items a. and b. and to accept the balance of the report. Petrie second. Motion carried unanimously.*
  - 1) For Action by the Village Board
    - a. Sewer Service Area Amendment discussion for the former Mader and Loderbauer Farms – Following discussion, Commission recommended supporting the East Central Wisconsin Regional Planning Commission process to amend the sewer service area. Acreage now within the service area but not planned for development could be exchanged for acres such as the former Mader and Loderbauer farms or an outright expansion of the service area could be sought.
  
    - b. Sherwood Lions Football Program irrigation letter – Commissioners requested that the Village Board approve sharing the annual cost of irrigating the St. John-Sacred Heart playing fields for use by the Sherwood Lions Football Program.

- 2) For Information Only
  - a. Water Supply & Treatment – Engineer Rosenbeck reported that recently drilled test well site #5 yielded an insufficient quantity of water for consideration as a site for Well #7. He recommended proceeding to drill at test well site 3B and 3A. He was directed to brainstorm with experts as to geo-physical analysis to determine probable ground sources. Rosenbeck strongly suggested that the Commission delay MIEX water quality treatment improvements at Well #5/6 until they have more definition of a future water source.
  - b. Waste Water Collection & Treatment – Van Lieshout reported that he is negotiating with property owners to secure easements before moving forward with planning a 12” force main project.
  - c. Sewer and Water Operations – Utility System Operator Weibel reported that biological phosphorous removal and ferrous chloride additions to the wastewater system are working well and have saved investment in a costly heating system change at the treatment plant.
  
- 8) Report of the PRUT Board – Report reviewed without action.
  - 1) For Information Only
    - a.) Van Lieshout, Village Coordinator, reported the Wanick Choute Park Improvement bid was awarded to Parsons Bros Construction, Stockbridge, who got a late start on the project despite the favorable fall weather. The flat work is completed and they are currently laying block. The trusses will soon follow. The substantial completion date was set for January but the goal date has now been set for the end of March. The final completion date is set for June. Occupancy date is set for March. The Village, in association with the SAYSO organization, will attempt to locate reasonably priced cage/lockers, which were denied as part of the contract bid. SAYSO representative, Steve Paul, requests fencing be placed around unfinished areas for the safety of all.
    - b.) Van Lieshout discussed applying for Urban Forestry Project grants for 2008. The grant applications are due in June 2008. Tom Jack suggested Van Lieshout reference the City of Appleton's planting ordinance for the creation of a planting ordinance for the Village of Sherwood.
  
- 9) Report of Village Officers
  - a) Village President – No report.
  - b) Clerk/Treasurer
    - i) Financial Reports – Disbursement reports were reviewed.
  
- 10) Village Engineer
  - a) Certificate for Payment No. 1 in the amount of \$23,312.00 to Parsons Brothers Construction for partial payment of work completed through December 15, 2006 on the Wannick Choute Park Improvements – ***Laux moved to approve Payment No. 1 in the amount of \$23,312.00 to Parsons Brothers Construction. Barribeau second. Motion carried unanimously.***

- b) 2006 Drainage Improvements and Forest Lane Reconstruction Change Order 1 in the amount of \$10,056.40, bringing the contract price to \$770,919.90 – ***Barribeau moved to approve Change Order 1 in the amount of \$10,056.40. Rath second. Motion carried unanimously.***

11) Village Coordinator

- a) Complaints and Compliments – Van Lieshout reported two early morning complaints that snow plowing was not completed quickly enough. He reported that the water pump on one plow failed, leaving the cleanup to be done by the one remaining plow truck.
- b) Project Updates – The update was reviewed.
- c) Acceptance of street, storm sewer and drainage improvements for Sherwood Estates – ***Barribeau moved to accept the street, storm sewer, grading and drainage improvements of Sherwood Estates, conditioned on the accomplishment of punch list items as follows: painting chipped hydrants and restoration of disturbed areas both in spring of 2007; verification of final grade elevations. Laux second. Motion carried unanimously.***
- d) Resolution 2007-01 Development Agreement between the Village of Sherwood and Jedar Development LLC – Laux raised a question regarding the advisability of installing street trees within utility and drainage easements. Van Lieshout responded that the probability of damage to infrastructure was low but he will discuss the matter in detail with the contractor before the start of the landscaping project. ***Rath moved to approve Resolution 2007-01 a Development Agreement between the Village of Sherwood and Jedar Development LLC contingent upon the correction of minor errors in language found in the by-laws addendum. Laux second. Motion carried unanimously.***
- e) Resolution 2007-02 Regarding Detention Pond Maintenance Located on Outlot 1 Mustang Acres Subdivision – Petrie requested that the Board postpone consideration of the matter until his search for grants to fund rip-rapping Mustang Pond culminates. ***Barribeau moved to table. Thomson second. Motion carried with Petrie abstaining.***
- f) Speed study on Stommel Road – Referring to correspondence from Calumet County Highway Department, Van Lieshout noted that neither the county nor the WI Department of Transportation performs speed studies any longer. Rath suggested that the Village could hire one of the retired police/sheriff officers who live in the Village, to perform a study at less cost than a professional consultant's speed study. Speed limit enforcement options such as a speed sign and contracting police presence through the County Sheriff Department were discussed. Van Lieshout will get unit cost information on a speed study and policing contract.

12) Correspondence

- A Community Insurance Corporation liability loss report was discussed. Insurance paid \$8,781.77 in attorney expense to represent Village interests in a suit filed by Lakeshore Estates Ltd. regarding impact fees. The matter was subsequently dismissed by the court.
- Petrie raised the matter of water and sewer main oversize credits obligated by the Village. Van Lieshout reported there is a discrepancy between the subdivision ordinance and the water and sewer special assessment policy as regards payment of oversize credit.

13) Adjournment – ***Barribeau moved to adjourn at 7:59 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**February 12, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:30 p.m. with roll call:
- |   |   |
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| <b>Present</b><br>Roger Kaas<br>Joyce Laux, arr. 6:37<br>David Miller<br>David Petrie<br>Jim Rath<br>Carl Thomson | <b>Absent</b><br>Bill Barribeau - Excused<br><b>Others Present</b><br>Jennifer Schaff, Village Engineer<br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk |
|---|---|

- 2) Pledge of Allegiance  
3) Approval of the Agenda – *Thomson moved to approve the agenda. Rath second. Motion carried.*  
4) Approval of Minutes – *Rath moved to approve minutes of the January 22, 2007 meeting. Miller second. Motion carried.*  
5) Registered Citizen Comments on Agenda Items – None.  
6) Consent Agenda  
a) Operators’ Licenses  
i) James Brooks  
ii) Stephanie Landreman  
iii) Betsy Brooks  
iv) Justin Goffard

*Rath moved to approve issuing licenses to James Brooks, Stephanie Landreman and Betsy Brooks. Thomson second. Motion carried.*

*Rath moved to table the Goffard license application until the applicant can appear before the Board regarding information reported on the application. Thomson second. Motion carried.*

- 7) Report of the Plan Commission  
1) For Action by Village Board  
a. Sherwood Estates street lighting plan – *Plan Commission recommended for approval the WE Energies Agreement for street lighting in the Sherwood Estates project. The Coordinator clarified that developers pay installation charges, while the Village pays the monthly costs for upkeep and electricity consumption. Rath asked the Board to consider amending the subdivision ordinance transferring the costs of facility and energy charge (currently paid by the Village) to the developer until subdivisions have been sufficiently developed to offset the costs with tax revenues and are occupied by residents who would be benefited by street lighting. Laux moved to the approve the Sherwood Condo street lighting plan and the WE Energies Non-Standard Lighting Service Agreement to pay of the monthly facilities and energy charge totaling \$43.19. Laux also moved to refer possible*



***amendment of the subdivision ordinance to the Plan Commission. Miller second. Motion carried with Rath opposed.***

- 2) For Information Only
  - a. Building and development statistics for Calumet County and Sherwood – Plan Commissioners reviewed the building and development statistics for 2006
  - b. Transportation and Agriculture, Natural and Cultural Resources Chapters of the Comprehensive (Smart Growth) Plan – Plan Commission reviewed and recommended changes to the final chapters of the Comprehensive (Smart Growth) Plan.
  
- 8) Report of Village Officers
  - a) Village President – Miller suggested that the Board consider a rules change at the organizational meeting in April to reduce Village Board meeting to one time monthly with provision for special meetings if needed to accommodate matters that might arise in the interim between meetings.
  - b) Clerk/Treasurer
    - i) Financial Reports – The disbursement report to current date, as well as balance sheet and budget comparison reports through December 31, 2006 were reviewed. Maxymek noted that adjusting entries to record cable TV franchise fees and interest revenues are yet to be made.
    - ii) Alcohol Beverage License Fees – Maxymek reported that when reviewing the statutes in regard to alcohol beverage licensing she found the statutory maximum for fees charged for Class “B” Beer and “Class C” Wine licenses were exceeded when the Board increased licensing fees beginning in 2006. On the other hand, she continued, fees approved by the municipality for “Class B” Liquor and Reserve Liquor licenses were set substantially lower than the maximum. She suggested that total revenues could be maintained at current levels if the Board wished to reduce the Class “B” Beer and “Class C” Wine fee to the statutory maximum while increasing the “Class B” Liquor fee by a like amount. ***Miller moved to approve Class “B” Beer and “Class C” Wine license fees in the amount of \$100 and “Class B” Liquor license fees in the amount of \$350. Further Miller moved to set a fee for Provisional Alcohol Beverage License at \$15, the Temporary Class “B” Beer and Wine License fee at \$10, and Temporary Operator’s License fee at \$5. Kaas seconded the motion. Motion carried unanimously.***
  
- 9) Village Engineer
  - a) Certificate for Payment No. 4 for 2006 Drainage Improvement & Forest Lane Reconstruction Project in the amount of \$9,804.99 to Jossart Brothers, Inc. – ***Petrie moved to approve Certificate for Payment No. 4 for 2006 Drainage Improvement & Forest Lane Reconstruction Project in the amount of \$9,804.99 to Jossart Brothers, Inc. Rath second. Motion carried unanimously***
  
- 10) Village Coordinator
  - a) Complaints and Compliments – None.
  - b) Project Updates – Van Lieshout reviewed the project report.
    - Storm Sewer & Street Reconstruction Project – Kaas said that users of newly resurfaced Palisades Trail were kicking up gravel from the shoulder onto the pavement and asked if the

asphalt could be extended about two feet into the shoulder. Engineer Schaff indicated that she would investigate the possibility.

- Administrative Assistant Search – Van lieshout stated that 50 applicants responded to a classified advertisement for the administrative assistant position. Those were culled to 20 applicants who were invited to apply.
  - Additional Items – Trustees requested the Hawkinson property cleanup issue be added to the update list. Additionally they requested that the Montour ditch, Community Center sound system, and traffic count on Pigeon Road activities be added to the list.
- c) Approval of Stommel Road Sanitary Sewer Oversize Credit Cost – Van Lieshout reported a request for payment from David Petrie, Developer of Mustang Acres II Subdivision. Petrie at the request of the Village caused oversized sanitary sewer to be installed according to provisions of the Subdivision Ordinance #38. An estimate of the cost of the over-sizing was provided to the Coordinator in late 2003 or after and was placed in the subdivision file. In late 2006, during the course of a Village Board meeting, Petrie questioned why he can't get paid an over-sizing credit for utility infrastructure installed in his development. In January, 2007 Petrie made a claim for payment in the amount of \$22,659 and provided a contractor's invoice substantiating that the estimate matched the final contracted amount. Van Lieshout stated that the claim, if approved, could be paid from tax incremental finance (TIF) funds.

Village Engineer Gary Rosenbeck responded to Van Lieshout's request for input as to the reasonableness of the Petrie claim. He called attention to a discrepancy between the subdivision ordinance and the assessment policy which provides that costs of all utility over-sizing be borne by the developer. If the terms of the subdivision ordinance are applicable, Rosenbeck stated, the \$22,659 claim represents the over-sizing costs.

On the claim for payment Petrie added \$4,928.33 with a handwritten notation that the additional amount was for interest at 7.250% for 3 years. A bank note signed by Petrie noted the same rate of interest. Van Lieshout made it clear that the Board was not obligated to pay interest on the claim.

**Miller moved to approve payment of \$22, 659 to Mustang Acres, Inc. for costs of sanitary sewer over-sizing. Laux second.** Petrie additionally requested payment of interest stating that the Village should not expect the developer to act as a bank financing the cost of the oversized infrastructure. Rath stated that Petrie should bring the matter of interest to the Board as a private citizen. **Rath asked that the motion be called as made. Motion carried. Petrie abstained.**

- d) Speed study on Stommel Road and Pigeon Road – Van Lieshout reviewed an agreement for professional services from McMahon Associates for a spot speed study on Stommel Road between Bridle Road and the north Village limit and on Pigeon Road between State Park Road and the Village limit with recommendation to follow-up the study as to the appropriateness of the current posted speed limit. The lump sum cost of the study would be \$3,000. Rath and Kaas questioned the need for a costly study and indicated a preference for a scaled down traffic count on the two roads. No action taken.
- e) Navigable Creek Rehabilitation—Golf Course Road & Spurline Ct. (May 22, 2006) – Van Lieshout reviewed a request for proposals developed by McMahon Associates for topsoil replacement & wetland plant installation in the navigable waterway/drainage ditch adjacent to the

Montour property at the intersection of Golf Course Road & Spurline Ct. The RFP was developed as a result of Board action dated June 12, 2006 approving an engineering study and action plan pertaining to rehabilitation of the waterway. When proposals are received, they will be brought to the Board for further action.

11) Correspondence

- A supplemental order from the Office of the Commissioner of Railroads was reviewed in which the Commissioner ordered that Wisconsin Central Ltd. shall install and maintain cantilevered 12” LED automatic flashing lights with gates and constant warning time circuitry at the crossing of the railroad tracks with CTH ‘M’ (Military Road) in the Village of Sherwood.
- Van Lieshout was instructed to investigate installation of railroad crossing lights, and funding for same, at the Pigeon Road crossing.
- Petrie asked that the matter of interest on the over-sizing payment (see 9)c) above) be placed on the next meeting agenda.

12) Adjournment – ***Kaas moved to adjourn at 8:04 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes February 26, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:32 P.M. with roll call:

**Present**

Bill Barribeau  
Joyce Laux  
David Miller  
David Petrie  
Jim Rath  
Carl Thomson

**Absent**

Roger Kaas, excused

**Others Present**

Jennifer Schaff, Engineer  
Josh Van Lieshout, Coordinator  
Ellen Maxymek, Clerk

- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 4) Approval of Minutes – *Petrie moved to table. Miller second. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items - None
- 6) Consent Agenda
- a) Operators' Licenses
- i) Justin Goffard – No action. Maxymek was instructed to request Goffard to appear at the next meeting.
- 7) Report of the Utility Commission – *Miller moved to approve the report of the Utility Commission. Rath second. Motion carried unanimously.*
- 1) ACTION ITEMS
- a. Commissioners moved to approve that the Village Coordinator write a formal request letter for connecting to their system to the Darboy Sanitary District.
- b. Commissioners moved to approve the Village Coordinator contact the agents of the High Cliff Supper Club to discuss the possibility of drilling a test well on their property.
- c. Commissioners approved the 2007 Utility Budget.
- 2) DISCUSSION ITEMS
- a. Village Engineer, Rosenbeck, handed out a copy of the 2006 Report to the Legislature on Groundwater Management Areas. Rosenbeck stated the Village of Sherwood should not be included in this report and suggested representatives attend the 2007 Municipal Utility Legislative Rally on February 28, 2007 in Madison. Village Coordinator, Van Lieshout, Commissioner Stewart, and Village President, Miller, will be attending the rally and lobbying session. Appointments have been made with Representative Ott & State Senator Lassee.
- b. Van Lieshout reported that all force main easements are in his hands and he will be visiting the owners to get required signatures.

- 8) Constable Report – The Constable’s call sheet was reviewed.
- 9) Report of Village Officers
- a) Village President – Miller stated that he would prepare an article for future newsletter to inform citizens of the Village’s activities in regard to topical issues such as status of downtown corridor development.
  - b) Clerk/Treasurer
    - i) Review of tabulation of certified canvassed ballots cast at the primary election dated February 20, 2007 – The Maxymek presented the tabulation of votes cast for three offices of Village Trustee in the primary election. 641 votes were cast with results as follows: Jim Rath, 106; Frank Erb, 51; Roger Kaas, 86; Mike Peterson, 125; Dick Austin, 117; Carl Thomson, 111; Joe Knowles, 45.
    - ii) Presentation of the order of candidates’ names as they will be arranged on the ballot at the April 3, 2007 Spring Election – Maxymek reported the candidate names, drawn by lot, as they will be arranged in the following order on the ballot at the April 3 election: Frank Erb, Carl Thomson, Mike Peterson, Jim Rath, Roger Kaas, Dick Austin.
    - iii) Financial Reports – The disbursement report was reviewed.
- 10) Village Engineer
- a) Certificate for Payment No. 2 in the amount of \$12,392.00 to Parson’s Bros. Const. Co., Inc. for work completed through February 9, 2007 – ***Barribeau moved to approve Certificate for Payment No. 2 in the amount of \$12,392.00 to Parson’s Bros. Const. Co., Inc. for work completed through February 9, 2007 on the Wannick Park pavilion remodeling and storage building construction project. Thomson second. Motion carried unanimously.***
- 11) Village Coordinator
- a) Complaints and Compliments – Van Lieshout reported that complaints were received from unnamed residents regarding ice fishing on Mustang Pond and Miller Pond. Complaints were also heard regarding dogs running loose and garbage truck running route earlier than the contracted 7:00 a.m. start time.
  - b) Project Updates
    - Sherwood Estates Condo Development – A building permit has been issued for construction of the first two-family building, with construction to begin shortly.
    - Wannick Park – the storage building roof has been shingled and electrical and plumbing upgrades of the pavilion are done.
    - Administrative Assistant – Fifteen applications for the position have been received out of the original 50 resumes. Interviewing of 5-7 candidates will start within the week.
    - Hawkinson Property – The Appeals Court ruled in favor of the Village and clean-up efforts will be instigated.
    - Railroad Signals at Pigeon Road Crossing – The Office of the Commissioner of Railroads will reopen the docketed request pending new traffic information. East Central Wisconsin

Regional Planning Commission will perform a traffic analysis in the summer of 2007. Van Lieshout was requested to contact the Town of Harrison to gain support for crossing signals.

- c) Petrie, Mustang Acres, Inc. claim for interest on sanitary sewer oversize reimbursement – A Coordinator’s Memorandum and response prepared by Petrie were reviewed as was a memo with comments by the Petrie/Mustang Acres, Inc. attorney. ***Rath moved to refer the matter to the municipal attorney for legal counsel. Laux second. Motion carried with Petrie abstaining.***
- d) Midwest Sports Events, High Cliff Triathlon application – The Board reviewed extensive triathlon plans including the run and bike routes, swim course, safety, security and emergency care plans, communication, and public awareness plans, parking plans and layouts. Correspondence with interested parties and participating agencies were included. The event is planned for Sunday, June 24, 2007.
- e) Lakeshore Estates, Ltd. request for inclusion in Sewer Service Area Plan Amendment – Van Lieshout recommended including property owned by Lakeshore Estates, Ltd. east and west of Pigeon Road at the northern Village border in the Sewer Service Area Plan Amendment process which will be ongoing in 2007. Because the process is time intensive it would be advantageous to include parcels likely to be developed in the foreseeable future in the plan amendment. Laux inquired about costs associated with future development. Rath stated that when looking at costs to service development, the offsetting increase in tax revenues must be part of the equation. Van Lieshout stated he will investigate a method to calculate costs and revenues associated with development. ***Rath moved to refer inclusion of expansion properties in the Sewer Service Area Plan Amendment to the Plan and Utility Commissions for review and recommendation. Miller second. Motion carried with Laux opposed.***
- f) Contracted police services – Van Lieshout reported conversing with a Sherwood resident who is a police officer in a nearby municipality about working part time in Sherwood. Jurisdictional issues were discussed which would make it problematic or impractical for an officer to take on work outside of his primary working municipality. Contracting with Calumet County Sheriff Department for a fixed number of hours per week of police presence was discussed as a viable alternative. A rate of \$39.50 per hour including all labor, vehicle, and equipment was quoted by the Sheriff Department.

12) Correspondence

- Correspondence from Attorney Rich Carlson was reviewed which notified the Village of a \$10.00 per hour rate increase.
- Laux requested information regarding changing the representation of Trustees from “at large” to a more targeted representation district. Maxymek was tasked with contacting the State Election Board for information.
- Barribeau reported a semi-truck parking in front of the vacant downtown gas station.

13) Adjournment – ***Thomson moved to adjourn at 7:53 p.m. Barribeau second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**March 12, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:36 p.m. with roll call:
- |                |                                |
|----------------|--------------------------------|
| <b>Present</b> | <b>Absent</b>                  |
| Bill Barribeau | None                           |
| Roger Kaas     | <b>Others Present</b>          |
| Joyce Laux     | Josh Van Lieshout, Coordinator |
| David Miller   | Ellen Maxymek, Clerk           |
| David Petrie   |                                |
| Jim Rath       |                                |
| Carl Thomson   |                                |
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – ***Barribeau moved to approve the agenda. Thomson second. Motion carried.***
- 4) Approval of Minutes – ***Barribeau moved to approve the minutes of the February 12, and February 26, 2007 meeting. Thomson second. Motion carried.***
- 5) Registered Citizen Comments on Agenda Items
- Michael Hanamann, N546 Robinhood Way, re. agenda item 6)b)&c). Mr. Hanamann was present to answer questions regarding the Sherwood Forest Golf Club, Inc. application for a Class B alcohol beverage license and his appointment as agent.
  - Justin Goffard, 781 Aphrodite Rd., Green Bay, in regard to agenda item 6)a)i) present at the request of the Village Board.
  - Kathy Salo, W4865 Forest Lane, commented that she is very happy with the storm water drainage system constructed on Forest Lane and that during recent heavy rains was not impacted by standing water in her yard as she was before the project.
- 6) Consent Agenda
- a) Operators’ Licenses
- i) Justin Goffard (tabled 2-26-07) – ***Barribeau moved to take the tabled item up for discussion/action. Laux second. Motion carried.*** Goffard stated that he was arrested for underage drinking as a young freshman away at college. Since then he has become a responsible adult, has held an alcohol beverage license in another municipality, and is currently a licensed teacher. After hearing from the applicant, ***Kaas moved to approve the application for an operator’s license. Laux second. Motion carried unanimously.***
- ii) Luann M. Koch – ***Barribeau moved to approve the application for an operator’s permit. Miller second. Motion carried unanimously.***
- b) Original Alcohol Beverage License Application

- i) Sherwood Forest Golf Club – ***Barribeau moved to approve the application of Sherwood Forest Golf Club, Inc. for a Class B alcohol beverage license. Miller second. Motion carried unanimously***
  
- c) Schedule for Appointment of Agent
  - i) Michael Lee Hanamann – ***Barribeau moved to approve the appointment of Michael Hanamann as agent of Sherwood Forest Golf Club, Inc. Thomson second. Motion carried unanimously.***
  
- 7) Report of the Plan Commission
  - 1) For Information Only
    - a. Conditional Use Permit Application, Best Advantage Credit Union, N585 Castle Drive regarding a request for a lighted pylon sign – Following a public hearing Plan Commission approved an application for a conditional use permit requested by Best Advantage Credit Union to erect a 20’ lighted pylon sign
  
    - b. Addition of properties owned by Lakeshore Estates Ltd. to the upcoming Sewer Service Area Plan Amendment request – Recommended approval to add properties owned by Lakeshore Estates Ltd. to the upcoming Sewer Service Area Plan Amendment request. The Commissioners instructed Coordinator to determine if neighboring property owner Ralph Hopfensperger wishes to add his property to the amendment request.
  
    - c. Amending the subdivision ordinance, transferring the costs of facility and energy charge (currently paid by the Village) to the developer until subdivisions have been sufficiently developed to offset the costs with tax revenues and are occupied by residents who would be benefited by street lighting – Plan Commission tabled discussion until more information regarding implementation is available.

***Barribeau moved and Rath seconded approval and acceptance of the Plan Commission Report. Motion carried with Laux against.***

- 8) Constable Report – None.
  
- 9) Report of Village Officers
  - a) Village President – Miller reported that he and Coordinator Van Lieshout were crafting a newsletter article to report the status of community projects and items of interest to the public.
  
  - b) Clerk/Treasurer
    - i) Financial Reports – Reports reviewed.
  
    - ii) Redistricting Village Trustee Election Districts – Maxymek reported on correspondence from the Wisconsin State Elections Board that reported an opinion from the League of Wisconsin Municipalities stating that a village can, by charter ordinance, elect trustees to represented districts. For information on redistricting between censuses the clerk was referred to the Legislative Reference Bureau. Additional information from SEB Attorney George Dunst was included with the correspondence. After discussion ***Rath moved to take no action until the time of decennial redistricting following the 2010 census. Petrie second. Motion carried unanimously.***



10) Village Coordinator

a) Complaints and Compliments

i) Deer eating shrubs – Brian Meehl reported damage to plantings from deer and said he was in favor of deer harvesting.

b) Project Updates – Van Lieshout presented a capital project and activity register, commenting on the progress of the Wannick Pavilion and Storage Building project, filling the Administrative Assistant position, and strategy for restoring a portion the unnamed waterway adjacent to the Montour property.

c) Mustang Pond – Van Lieshout reviewed copied correspondence between John Young, WIDNR, and Dave Petrie regarding the unavailability of grant funding for a rip-rap project under consideration by Petrie for Mustang Pond. According to Young, because the rip-rap is a maintenance issue the project has a poor chance for eligibility for a Targeted Runoff Management and Urban NPS/Storm Water grant. Young will, however, forward the correspondence to the person responsible for low interest loans to fund a project if the Village is interested in pursuing that route.

11) Correspondence

- A draft of a newsletter article to report the status of community projects and items of interest to the public was briefly reviewed.

12) Adjournment – *Barribeau moved to adjourn at 7:40 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**March 26, 2007**

- 1) Call to Order and Roll Call – Vice President Laux called the meeting to order at 6:32 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Roger Kaas	Bill Barribeau, excused
Joyce Laux	David Miller, excused
David Petrie	<b>Others Present</b>
Jim Rath	Jennifer Schaff, Village Engineer
Carl Thomson	Josh Van Lieshout, Coordinator
	Ellen Maxymek, Clerk

- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Rath moved to approve the agenda. Kaas second. Motion carried.*
- 4) Registered Citizen Comments on Agenda Items
- Richard Storey, W4773 Nature Lane, see agenda item 9)e)
  - Christine Lotzer, 564 Riverway Drive, Menasha, see agenda item 5)a)i)
  - Nicole & William Himstedt, W5251 Arbor Vitae Court, re. agenda item 9)a) commented on the need for an asphalt road surface or temporary surface of tar and gravel to accommodate the property owner living in the Lakeshore Estates West II Subdivision. The gravel roads are a constant source of dust, mud and potholes that damage vehicles and make use of the roads hazardous for children and adults bike riding or walking. In addition the frequent regrading of the roads is costly and the offset would pay for a portion of the cost of surfacing.
  - Michael Rehberg, W5282 Arbor Vitae Court, re. agenda item 9)a), reported his distress that a downturn in the housing market in the last two years has distanced the attainment of the 65% lot occupancy necessary to trigger paving of the road surfaces in his subdivision. He asked for a tar and chip seal of the road surfaces as temporary relief from the dust and potholes caused by the gravel road conditions.
  - Bernard & Sharon Hackel, W5283 Arbor Vitae Court, stated that they often walks for health reasons and currently must drive to an area of the Village that has surfaced streets and trails. They continued, saying that the Lakeshore Estates West II roads are completely muddy and extremely messy. Gravel has been kicked up into the grass and dirt and debris cause unacceptably foul conditions in the garage and home. Mr. Hackel cited the slowdown in building as the cause of the delay in asphaltting the roads and opined that impact fees enacted in 2005 was the reason for the downturn of building in Sherwood.

- Joe Daniels, W5281 Natures Way Drive, re. agenda item 8)a), restated many of the issues made by the previous commenters adding that the value of the subdivision's housing and lots declined due to unappealing road conditions. Daniels also stated that gravel roads resulted in high speeds of vehicular traffic on Natures Way Drive.

5) Consent Agenda

a) Operators' Licenses

- i) Christine Lotzer – Lotzer stated she has bartended since 1978 and had a clean record prior to a December 2005 conviction for operating while intoxicated. Lotzer reportedly holds a license from City of Menasha. ***Petrie moved to approve the license application. Rath second. Motion carried unanimously.***

6) Report of the Utility Commission

1) ACTION ITEMS – ***Kaas moved to approve action items a) and b). Thomson second. Motion carried unanimously.***

- a. Commissioners approved water and waste water operation services contract extension for February 1, 2007 to January 31, 2008 with Midwest Contract Operations (MCO).
- b. Commissioners approved one year valve exercising contract with MCO for water distribution system in the amount \$2,500.00.

2) DISCUSSION ITEMS

- a. Discussed "For the Record" letter drafted by the engineer on behalf of the Sherwood utilities pertaining to groundwater management area.
- b. Coordinator reported he has spoken to agents of High Cliff Restaurant regarding Test Well #7. Agents have concerns. Coordinator suggests face to face negotiations with attorneys present to discuss terms.
- c. Coordinator stated he had met with City of Appleton representatives. Appleton is now willing to discuss selling water to the Village of Sherwood.
- d. Utility operator reported there were no major problems with the thaw or the power outages.
- e. Coordinator reported he has spoken to property owners regarding sanitary force main easements. Two of the property owners are requesting damage compensation.
- f. Coordinator has left a message with James Ecker, Stockbridge, to discuss a parcel of his Sherwood property for placing an elevated storage tank. Coordinator has not received return call.

3) DISCUSSION OF UNAGENDIZED ITEM

- a. Today the Sherwood Waterworks received a Notice of Noncompliance for Violation of Maximum Contaminant Level (MCL) from the WDNR. Action must

be initiated to correct the high TTHM violation. The Village engineer suggested immediate response. A rush sample will be sent to the lab. A special meeting has been tentatively scheduled for March 29, assuming the lab results will be available.

7) Report of Village Officers

a) Village President

- i) Award 2006 Tree City USA, Tracy Salisbury, WDNR Regional Urban Forester – Salisbury presented the national award to Vice President Laux, commenting that Sherwood was among 170 communities throughout Wisconsin that participated in the Tree City USA program.

b) Clerk/Treasurer

- i) Financial Reports – Disbursement report reviewed. Answering Petrie's inquiry regarding re-issuance of checks, Maxymek stated that seven uncashed checks issued from 2001 to 2004 on a since closed account were reversed and reissued. In all cases the recipients were contacted and informed of the coming checks. Each reported they did not receive the original mailed check.

8) Village Engineer

- a) 2007 Asphalt Paving Program – ***Kaas moved to approve a McMahon Associates agreement for professional services in a lump sum amount of \$4,500 for design, bidding, and engineer's report phases and for time and expense estimated at \$5,000 for construction phase services for the 2007 asphalt paving program. Thomson second. Motion carried unanimously.***

9) Village Coordinator

a) Complaints and Compliments

- i) Re: Paving Policy/Gravel Streets  
(1) Michael Rehberg  
(2) Paul Kappell  
(3) Christopher & Danielle Green  
(4) Bernie & Sharon Hackel  
(5) William & Nicole Himstedt  
(6) Scott Schiedermayer

After hearing comments recorded in agenda item 4) above, and reviewing correspondence from numerous property owners who live in the Lakeshore Estates West II and Mustang Acres II subdivisions, the Board discussed pertinent issues. Van Lieshout reported that the paving policy was revised in May 2005 as follows:

The asphalt binder course shall be no less than 2 inches in thickness and be scheduled for paving during the first construction season following adoption of the annual Village budget in the preceding year. The Village shall budget for construction of the binder, final courses and curb and gutter when the development rate of the properties adjacent to the subject street is at least

65% developed. Development of a property is defined as issuance of an occupancy permit for that property. This paving work shall be 100% assessed to the benefited property owners.

The previous policy, continued Van Lieshout, prescribed a binder course of asphalt and curb and gutter construction after 50% lot occupancy was achieved with the final course constructed after 85% development. This policy resulted in expensive but unavoidable damage to the curb and gutter and to manholes, primarily from snowplows catching the 1 ½ inch exposed portion of the structures.

The Trustees asked that options for temporary surfaces be brought to the next meeting and requested comparative paving policies from neighboring communities.

- b) Project Updates – Van Lieshout briefly reviewed items on the capital project and activities register and reported items of progress since the last review.
- c) Park use fee waiver request, Dave Goeser, SJSH Athletic Association – Having reviewed correspondence from Goeser and Van Lieshout’s response, ***Petrie moved to approve a fee waiver for the use of the American Legion Park ball field and park facilities, excluding the use of washrooms at the Community Center building, by the SJSH softball teams . Laux second. Motion carried unanimously.***
- d) Chip seal parking lanes on Military Road (CTH M) – Van Lieshout stated that Calumet County by policy maintains only the driving lanes on county roads. If the Village wants the County Highway Department to chip seal coat the parking lanes on CTH M the cost of 4,700 sq. yds. at \$1.20 calculates to \$4,658. ***Rath moved to table until more information is available. Laux second. Motion carried.*** Engineer Schaff offered to check out the condition of the parking surfaces on CTH M.
- e) Land sale request, Outlot 2, State Park Estates – ***Petrie moved to refer the request to purchase a portion of Outlot 2, State Park Estates to the Plan Commission. Rath second. Motion carried.***
- f) Mustang Pond – Reviewed copied correspondence from DNR Water Quality Grants Specialist John Young to Dave Petrie, confirming that the proposed grant activity (maintenance of rip-rap at Mustang Pond) is not eligible for Targeted Runoff Management grant funding. He reiterated that the proposed work may be eligible for a low interest loan program and copied the correspondence to the administrator of that program.

#### 10) Correspondence

- Reviewed an announcement of a public meeting to comment on the Northeast Region Highway Improvement Program scheduled on April 5, 2007 in Green Bay.

- Reviewed the UW Extention March Calumet County Board Newsletter and the upcoming program offerings announced therein.

11) Adjournment – *Petrie moved to adjourn at 8:00 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes April 9, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:33 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Roger Kaas, excused
Joyce Laux	<b>Others Present</b>
David Miller	Jennifer Schaff, Engineer
David Petrie	Josh Van Lieshout, Coordinator
Jim Rath, arr. 7:30	Ellen Maxymek, Clerk
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried unanimously.*
  
- 4) Approval of the Minutes – *Barribeau moved to approve the minutes of March 12, 2007. Laux second. Motion carried unanimously.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Richard Storey, W4773 Nature Lane, re. agenda item 7)a), requesting approval to purchase public property.
  
  - William Himstedt, W5251 Arbor Vitae Ct., re. agenda item 11)c), supporting revision of the street paving policy to provide for temporary surfacing.
  
- 6) Consent Agenda
  - a) Operator’s License
    - i) Kris Halbach
    - ii) Stephanie Van Thiel

*Barribeau moved to approve issuing operator’s licenses to Halbach and Van Thiel. Thomson second. Motion carried with Barribeau, Laux, Miller, Petrie, Thomson voting in favor. None against.*
  
- 7) Report of the Plan Commission
  - a) Land sale request, Outlot 2, State Park Estates – *Plan Commission recommended approving the sale of a 1010 sq. ft. portion of Outlot 2, State Park Estates with a stipulation disallowing building of a fence on the property. The requesting party stated that it is his intention to keep the area in grass or potentially add a flower garden.*

Van Lieshout stated that Richard Storey wishes to purchase a small portion of Outlot 2 at a price of \$1,210 with \$200 applied to a special assessment levied on the outlot. The buyer has agreed to pay for a survey of the property, the recording instrument and recording fees with the Village conveying the land via a warranty deed. The Coordinator said that the sale of this small piece of property will not impede public enjoyment of the State Park Estates Pond or the trail system. *Miller moved to approve the recommendation of the Plan Commission as to the sale of the legally described and divided 1010 sq. ft. portion of Outlot 2, State Park*

***Estates with a stipulation disallowing building a fence on the property. Barribeau second. Motion carried with Barribeau, Laux, Miller, Petrie, Thomson voting in favor. None against.***

- 8) Report of the Utility Commission – Report was reviewed without action by the Village Board.
- 1) *Discussion Items*
- a. *Coordinator reported the public notification regarding levels of TTHM was sent to the water customers on Friday, April 13, 2007, as required by the DNR. The coordinator will send a letter to the DNR indicating the corrective actions the Sherwood waterworks will and has taken. Commissioners were in consensus of waiting for the July results before deciding on further actions.*
  - b. *Utility Operator reported the WWTF is working excellently. He also stated MCO will add additional times, evenings and Saturdays, for meter changes.*
  - c. *Coordinator reported he and attorney met with agents of High Cliff Restaurant to discuss test well site #7. Anticipating agreement within two weeks to proceed with the drilling.*
  - d. *Coordinator reported a continued hold out on the part of property owners to sign the easements required for the sewer force main construction. Commissioners request previously discussed alternatives be presented at the May meeting.*
- 9) Report of Village Officers
- a) Village President – No report
  - b) Clerk/Treasurer
    - i) Financial Reports – Disbursement reports were reviewed.
    - ii) Report of Municipal Election Results – The Clerk Maxymek reported the results of the April 3 election, stating that all incumbent candidates were reelected. She also said that the election results were reported to each requesting media outlet on election night after the County Clerk and School Districts were notified.
- 10) Village Engineer – Engineer Schaff reviewed the pavement policies of six local municipalities. These policies varied widely as to type, timing, and method of cost recovery. Of the six, four municipalities install temporary pavement, either chip seal or binder course typically one year after acceptance of streets, while two municipalities install full pavement between two and four years after acceptance. Three municipalities pave their streets based on achievement of a varying percentage of development, while the others determine the schedule on number of years since the road base was built or when determined by their engineering department. Under terms of half of the policies the developer installs or pays the cost of installing the pavement.
- 11) Village Coordinator
- a) Complaints and Compliments – None
  - b) Project Updates – Laux requested that the coordinator add preparation of request for proposals for accounting services to the projects list. Van Lieshout updated progress on the following projects:



- Golf Course Road storm sewer and Forest Lane road reconstruction – construction will resume in May and restoration is expected to be completed by end of June.
  - Wannick Park Pavilion remodel and storage building construction – completion expected in time for the summer baseball season.
  - Hiring of administrative staff person – Hire date is scheduled for April 16. Staff person will provide reception and point of contact services; will fulfill information requests; will prepare newsletter and build and maintain website; other tasks as assigned.
  - Hawkinson property clean-up – Coordinator will collect vehicle identification numbers and id parts for removal company.
  - Railroad signals on Pigeon Road – traffic information will be gathered in summer travel season when traffic counts will be at a high and conveyed to the Office of the Railroad Commissioner.
- c) Street Paving Policy revisions: Addition of temporary surfaces, revised paving schedules – Van Lieshout reviewed the Road Paving Policy, revised to include provisions for temporary surfacing of roads, which for a variety of reasons do not reach the development standard necessary for construction of permanent surfaces. The revised section of the policy includes language detailing purpose of temporary surfaces, timing, type, cost and special assessment, maintenance and policy review. He also reviewed cost estimates for chip seal and hot mix asphalt applications for temporary surfacing of roads in Lakeshore Estates West II, Mustang Acres II, Lakeshore Estates East, and Farmington Meadows subdivisions. Estimated financing costs and holding costs were included. Per the drafted revision, costs of temporary surfacing would be held to be special assessed to benefiting properties at a rate of 100% with the installation of final street improvements. Petrie opined that temporary paving of the road surfaces benefits the entire Village and that the costs should not be special assessed to abutting properties. Following discussion, ***Barribeau moved to adopt the revised policy as presented. Thomson second. Motion carried with Barribeau, Laux, Miller and Thomson in favor. Petrie against.***
- d) Chip seal parking lanes on Military Road (CTH M) – Engineer Schaff reportedly inspected the parking lanes on Military Road which Calumet County Highway Department has proposed to chip seal during their maintenance of the driving lanes of the highway. She stated that repair to the road surfaces appears to be in order and that chip seal treatment was a good mid range treatment option. She recommended obtaining other proposals in addition to that received from Calumet County. The Board concurred with the opinion of the engineer.
- e) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(g) concerning strategy to be adopted by the body with respect to litigation in which it is involved; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting

***Barribeau moved to go into closed session at 7:50 p.m. Laux second. Motion carried with Barribeau, Laux, Miller, Petrie, Rath, and Thomson in favor. None against.***

***Rath moved to return to open session at 8:05 p.m. Barribeau second. Motion carried unanimously.***

- f) Ecological services contract to provide oversight of Nuthatch, Miller, Mustang Acres, and State Park Estates detention basin maintenance – Van Lieshout presented a contract for ecological services to provide oversight of Nuthatch, Miller, Mustang Acres, and State Park Estates detention basin maintenance. The services will follow up on work done in 2006 to reestablish the wetlands plants in Miller and Nuthatch basins; to oversee planned plantings in Mustang Pond and State Park Estates Pond; to divide existing plants in Miller Pond for redistribution; and to coordinate and observe the ditch-line vegetation improvements adjacent to the Montour property. ***Miller moved to approve the McMahon Agreement for Professional Services estimated at \$1,700. The motion included approval of the quotations provided by Marshland Transplant Aquatic Nursery for \$2,676; Lake Shore Cleaners, Inc. for \$237.30 with the stipulation that services shall be performed on Village owned properties only. Thomson second. Motion carried unanimously.***
- g) Maintenance and Improvements at Mustang Acres detention basin – No action or direction given.

12) Correspondence

- Reviewed correspondence
  - Regarding receipt of transportation aids
  - From Sherwood resident Larry Miller introducing availability of consulting services from OMNNI Associates, Inc. which offers architectural, engineering, environmental, geotechnical, industrial design and other services
  - From Attorney Larry Liebzeit regarding the use of seasonally restricted roads by J & E Construction (Jim Eckers)
  - Regarding Kaukauna Rotary Club “New North” regional business development initiative
  - Re fire inspection report at Community Center and municipal garage
- Barribeau noted that a semi-trailer truck has been parking in front of the old gas station downtown.
- Thomson asked that recent [Green Bay] legislation limiting sexual predators residing in proximity of children be put on the next agenda for review.
- Thomson noted that formerly grassy area between garage driveway and Community Center parking lot is being used as a road and questioned whether it should be paved. Van Lieshout responded in the negative.
- Responding to a question from Petrie, Van Lieshout stated that Timberline Drive is not scheduled to receive curb and gutter when it is paved this year.

13) Adjournment – ***Thomson moved to adjourn at 8:45 p.m. Barribeau second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**April 23, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 7:51 p.m. with roll call:
- | <b>Present</b> | <b>Absent</b>                  |
|----------------|--------------------------------|
| Bill Barribeau | None                           |
| Roger Kaas     | <b>Others Present</b>          |
| Joyce Laux     | Josh Van Lieshout, Coordinator |
| David Miller   | Ellen Maxymek, Clerk           |
| David Petrie   |                                |
| Jim Rath       |                                |
| Carl Thomson   |                                |
- 2) Pledge of Allegiance – *Miller moved to suspend reciting pledge since it was recited during earlier organizational meeting. Thomson second. Motion carried unanimously.*
- 3) Approval of the Agenda – *Barribeau moved to approve the balance of the agenda. Petrie second. Motion carried unanimously.*
- 4) Approval of the Minutes – None
- 5) Registered Citizen Comments on Agenda Items – None
- 6) Consent Agenda – *Barribeau moved to approve consent agenda. Kaas second. Motion carried unanimously.*
- a) Operator’s License
    - i) Stephanie Breckheimer
  - b) Tobacco Products Seller’s License
    - i) Sherwood Forest Golf Club, Inc.
- 7) Report of the Utility Commission
- a) TTHM Results - *Coordinator reported the public notification regarding levels of TTHM was sent to the water customers on Friday, April 13, 2007, as required by the DNR. The coordinator will send a letter to the DNR indicating the corrective actions the Sherwood waterworks will and have taken. Commissioners were in consensus of waiting for the July results before deciding on further actions. Van Lieshout reported that the public notice was mailed to all water customer and three calls were received regarding the issue.*
  - b) Sewer & Water Operations - *Utility Operator reported the WWTF is working excellent. He also stated MCO will add additional times, evenings and Saturdays, for meter changes.*
  - c) Well & Construction - *Coordinator reported he and attorney met with agents of High Cliff Restaurant to discuss test well site #7. Anticipating agreement within two weeks to proceed with the drilling. Van Lieshout stated that Attorney Thiel is drafting a long-term*

lease agreement for land use with the owners of High Cliff Supper Club to construct well #7 at the site if test drilling is successful.

d) Forced Main Construction - *Coordinator reported a continued hold out on the part of property owners to sign the easements required for the sewer force main construction. Commissioners request previously discussed alternatives be presented at the May meeting.* Van Lieshout reported meeting with affected parties to work out force main route that is amenable to all.

8) Report of Village Officers

a) Village President – No report

b) Clerk/Treasurer

i) Financial Reports – Disbursement reports, balance sheets, and budget comparison reports for all governmental funds were reviewed.

9) Village Engineer – No report

10) Village Coordinator

a) Complaints and Compliments – Van Lieshout reported that property owner Bill Hastie, Lower Cliff Road, is dissatisfied with response time to his request for permit and advisement related to his pool building project. The Coordinator stated that the matter has since been resolved.

b) Project Updates

- New administrative employee – Beth Lautenschlager began work a week ago and is quickly learning the routines. It will be a goal to move to web-site development when day-to-day tasks have been mastered.

- Wannick Park Pavilion remodeling and storage building construction – A walk-through inspection of the project has been done and a punch list of outstanding items was created. Completion of the project in the near future is anticipated.

- Hawkinson site cleanup – Miller indicated the need to give this item top priority for completion.

c) Request/Proposal from Eastshore Humane Association, Inc. for stray animal services – ***Rath moved to table. Kaas second. Motion carried unanimously.***

d) Calumet County Civic Association Membership – In-so-far as there appears to be no benefit to the Village from continued membership in the organization, no action to approve the invoice for membership was made.

e) Review of City of Green Bay Ordinance 14-07 Regarding Sexual Offender Residency Restrictions – No action taken.

f) Payment Request No. 3, Wannick Choute Park Improvements in the amount of \$35,393.00 to Parson's Brothers Construction, Inc. for work completed through March 22, 2007 – ***Kaas moved to approve Payment Request No. 3, for Wannick Choute Park Improvements in the amount of***

***\$35,393.00 to Parson's Brothers Construction, Inc. for work completed through March 22, 2007. Rath second. Motion carried unanimously.***

g) Discussion regarding nuisance abatement plans – No action

11) Correspondence

- Reviewed DNR letter advising of award of grant for the 2007 recycling program.
- Reviewed letter forwarded by the office of Attorney Michele M. Ford notifying that Calumet County Court dismissed all claims of Plaintiff, Lakeshore Estates, and found in favor of Defendant, Village of Sherwood, with prejudice. No moneys were awarded for costs and disbursement.
- Trustee Laux complained of vehicles stored illegally on property owned by Stuart Schmidt.

12) Adjournment – ***Thomson moved to adjourn at 8:45 p.m. Barribeau second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Organizational Meeting Minutes**  
**April 23, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:33 p.m. with roll call:
- | <b>Present</b>       | <b>Absent</b>                     |
|----------------------|-----------------------------------|
| Bill Barribeau       | None                              |
| Roger Kaas           | <b>Others Present</b>             |
| Joyce Laux arr. 6:42 | Richard Carlson, Village Attorney |
| David Miller         | Josh Van Lieshout, Coordinator    |
| David Petrie         | Ellen Maxymek, Clerk              |
| Jim Rath arr. 6:40   |                                   |
| Carl Thomson         |                                   |
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – ***Barribeau moved to approve the agenda. Kaas second. Motion carried unanimously.***
- 4) Approval of the Minutes – 2006 Organizational Meeting Minutes approved on May 8, 2006 were presented.
- 5) Registered citizen comments on agenda items - None
- 6) Municipal Official Refresher, Village Attorney – Attorney Carlson presented materials relevant to ethical conduct and avoiding conflicts of interest by public officials. He described the ministerial, adjudicative, and legislative responsibilities of governing boards as well as common law duties and ethical issues, answering questions regarding open meeting and open record law as well. Carlson reminded board members that they can use the resources of the League of Wisconsin Municipalities and other similar affiliations in addition to contacts with counsel to find answers to questions as they arise.
- 7) Review/Approval of Rules of the Village Board – General discussion of rules included a conversation regarding whether or not two regular monthly meetings were necessary to conduct the business of the Village. It was the consensus to continue the schedule of two meetings per month. ***Barribeau moved to approve Rules as presented without change. Thomson second. Motion carried unanimously.***
- 8) Election of Vice-President – ***Barribeau moved to nominate Joyce Laux to the office of Vice – President, then to close nominations, and elect Joyce Laux by unanimous consent. Thomson second. Motion carried.***
- 9) Village Board Appointments – ***Petrie moved to appoint Greg Cullen as Weed Commission and Josh Van Lieshout, Code Administrator. Rath second. Motion carried with Barribeau, Kaas, Miller, Petrie, Rath, Thomson voting in favor. Laux against.***
- a) Weed Commissioner
  - b) Code Administrator

10) Election by Village Board

- a) Plan Commission/Trustee Member – 1-year term ending April 2008 – Bill Barribeau currently seated – ***Kaas moved to elect Trustee Member Bill Barribeau to Plan Commission. Miller second. Motion carried unanimously.***
- b) PRUT Board/Trustee Member – 1-year term ending April 2008 – Carl Thomson currently seated – ***Miller moved to elect Trustee Member Carl Thomson to Park, Rec and Urban Tree Board. Laux second. Motion carried unanimously.***
- c) Utility Commission/Trustee Member – 1-year term ending April 2008 – Roger Kaas currently seated – ***Barribeau moved to elect Trustee Member Kaas to Utility Commission. Thomson second. Motion carried unanimously.***

11) Appointed by Village President/Confirmed by Village Board – ***Barribeau moved to confirm the reappointments specified in items a) b) d) e) f) g). Rath second. Motion carried unanimously.***

- a) Plan Commission/Citizen Member – 3-year term ending April 2010 – Tom Doughman currently seated
- b) Plan Commission/Citizen Member – 3-year term ending April 2010 – Denis Dewing currently seated
- c) Community Development Authority/Citizen Member – 4-year term of office ending April 2011 – Gary Rosenbeck currently seated – ***Miller moved to table and to obtain legal opinion of potential conflict. Thomson second. Motion carried unanimously.***
- d) PRUT Board/Citizen Member – 3-year term ending April 2010 – Matt Gehl currently seated
- e) PRUT Board/Citizen Member – 3-year term ending April 2010 – Harland Zietlow currently seated
- f) Board of Appeals/Citizen Member/Chair – 3-year term ending April 2010 – Kate Zietlow currently seated
- g) Board of Appeals/Citizen Member – 3-year term ending April 2010 – Tom Jack currently seated.

12) Presentation of correspondence, resolutions, and related matters – None

13) Adjournment – ***Barribeau moved to adjourn at 7:50 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**May 14, 2007**

- 1) Call to Order and Roll Call –Vice President Laux called the meeting to order at 6:31 p.m.  
Roll call:   **Present**                      **Absent**  
                  Bill Barribeau                 David Miller, excused  
                  Roger Kaas                             Jim Rath, excused  
                  Joyce Laux                             **Others Present**  
                  David Petrie                          Jennifer Schaff, Engineer  
                  Carl Thomson                         Josh Van Lieshout, Coordinator  
   Ellen Maxymek, Clerk
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of the Minutes – *Barribeau moved to approve the minutes of the April 9, and April 23, 2007 meetings. Thomson second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Jerry Maynard, W4208 Spring Hill Drive
  - Les & Dar Stumpf, N465 Lorraine Street, re agenda item 9) c)
  
- 6) Consent Agenda – *Barribeau moved to approve items a) and b) of Consent Agenda. Kaas second. Motion carried unanimously.*
  - a) Temporary Class “B” (beer) & Temporary “Class B” (wine) license, Saint John/Sacred Heart Parish, August 4-5, 2007
  - b) Operator’s License
    - i) Kelly Peterson
    - ii) Andrea Micke
    - iii) Jessica Holz
    - iv) Bryenna Brooks
    - v) Karen Hanamann
  
- 7) Report of Village Officers
  - a) Village President – No report.
  
  - b) Clerk/Treasurer
    - i) Financial Reports – Disbursement register reviewed.
  
    - ii) Approval of cemetery plot deed and agreement for perpetual care – *Barribeau moved to approve cemetery plot deed and agreement for perpetual care. Petrie second. Motion carried unanimously.*
  
  - c) Village Constable
    - i) Activity Report – Report reviewed



8) Village Engineer

- a) Change Order Number 2, Meadowcliff Pond Project, decreasing the contract amount by \$13,401.40, the new contract price is \$121,705.00 – Schaff reported that after numerous unsuccessful attempts to obtain satisfactory services from the landscape subcontractor, the general contractor agreed to a change order to remove landscaping from the project contract. Hydrogeologist Stuart Boerst can obtain proposals to complete the project restoration and landscaping. **Barribeau moved to approve Change Order Number 2, decreasing the contract amount by \$13,401.40 to \$121,705.00. Thomson second. Motion carried unanimously.**
- Engineer Schaff noted that landscape contractors started restoration work on the Golf Course Road drainage system and Forest Lane road reconstruction project. She said that final surfacing of the roads is being negotiated as some settling has occurred since the first phase of the project and will need repair before a final lift of asphalt is applied. Kaas observed that quantities of gravel are being kicked up on newly resurfaced Palisades Trail. He thinks that asphaltting further into the road shoulder would alleviate the problem.

9) Village Coordinator

- a) Complaints and Compliments – Van Lieshout reported that a resident in the vicinity of the High Cliff Golf Course complained to the Sheriff Department and Village Constable of fireworks being shot off at the golf course and over residences. He reported that the maintenance crew used fireworks with his permission to scare waterfowl from the greens. He did not have knowledge that the fireworks would shoot projectiles which is in violation of the ordinance regulating discharge of firearms. The coordinator will take measures to resolve the matter.
- b) Project Updates – An update of the project and activities register was reviewed with the following additional highlights reported by Van Lieshout:
- A final punch list of items was completed at the Wannick Park pavilion and storage building.
  - The cleanup of the Hawkinson property will begin on May 29. The property owner will mark the four vehicles that he is allowed to retain by court order. The fence will also be repaired and weeds are to be removed.
  - Preparation of a request for proposals (RFP) for accounting services was initiated.
- c) Request from Les & Dar Stumpf for second driveway entrance – Les & Dar Stumpf stated that the present location of their driveway is a safety hazard. They requested approval of a plan to change the location of the driveway and add a second entrance. **Barribeau moved to approve Les & Dar Stumpf's request for second driveway entrance. Petrie second. Motion carried unanimously.**

10) Correspondence

- The Board was in consensus that, in the absence of pressing agenda items, the next scheduled meeting falling on Memorial Day will be cancelled. The next meeting will be on June 11.
- Barribeau reported that recent asphaltting on State Park Road is coming up badly. Van Lieshout stated he will have public works contact Town of Harrison's street superintendent since the Town coordinated that joint project.

- Barribeau stated that Calumet County has a program to compensate for crops damaged by deer.
- Notification of the award of a Recycling Efficiency Incentive grant in the amount of \$1,670.53 was reviewed.
- Reference material regarding conflicts, bias, and other unethical practices was presented via an e-mail from Village Attorney Carlson.
- A Calumet County Board newsletter was offered by UW Extension, as was a notice of a dinner meeting for officials by the League of Wisconsin Municipalities.

11) Adjournment – ***Barribeau moved to adjourn at 7:14 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes June 11, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:30 p.m. Roll called:

<b>Present</b>	<b>Absent</b>
Roger Kaas	Bill Barribeau
Joyce Laux	<b>Others Present</b>
David Miller	Jennifer Schaff, Village Engineer
David Petrie	Josh Van Lieshout, Coordinator
Jim Rath	Ellen Maxymek, Clerk
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Kaas moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of the Minutes – *Kaas moved to approve the minutes of May 14, 2007. Thomson second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Robert Wittmann, W5146 Natures Way Drive, re agenda item 8) b).
  - Michael Cook, N7770 Palisades Trail, re agenda item 11) h).
  
- 6) Consent Agenda – *Rath moved to approve consent agenda items a) Alcohol Beverage Licenses b) Tobacco Products Retail Outlet Licenses c) Operator’s Licenses. Kaas second. Motion carried.*
  - a) Alcohol Beverage License Approval
    - i) Class A Malt Beverage, Liquor & Wine
      - (1) Condon Oil Co., Inc., dba Sherwood Mobil Mart, Kraig Bauman, Agent
    - ii) Class B Malt Beverage
      - (1) High Cliff Golf Course, Inc., Steve Bloemer, Agent
    - iii) Class B Malt Beverage, Liquor & Wine
      - (1) Sherwood Forest Golf Club, Inc. dba Sherwood Forest Golf Club, Michael Hanemann, Agent
      - (2) The Cliffs of Sherwood, Ltd., dba High Cliff Restaurant, Charles F. Schuster, Agent
      - (3) Crabby Julie’s Bar & Grill, LLC., Julie Ann Roovers, Agent
      - (4) Outpost Pub & Provisions, LLC, Molly A. Nettekoven, Agent (Reserve License)
  
  - b) Tobacco Products Retail Outlet License
    - i) Condon Oil Co., Inc., dba Sherwood Mobil Mart, Kraig Bauman, Agent
    - ii) High Cliff Golf Course, Inc., Steve Bloemer, Agent
    - iii) Sherwood Forest Golf Club, Inc., Michael Hanemann, Agent
    - iv) Cliffs of Sherwood, Ltd., dba High Cliff Restaurant, Charles F. Schuster, Agent
    - v) Crabby Julie’s Bar & Grill LLC, Julie Roovers, Agent
    - vi) The Outpost Bar & Grill, LLC, Molly Nettekoven, Agent

- c) Operator's License Applications
  - i) Ryan De Koch
  - ii) Michael De Koch
  - iii) Matthew De Koch
  
- 7) PUBLIC HEARING: Request for Zoning Amendment, Joe Brantmeier Property, N426 Military Road from Agriculture to R-1, Single Family Residential – Following three calls for public comment and hearing none President Miller announced the public hearing closed.
  
- 8) Report of the Plan Commission
  - a) Joe Brantmeier application to rezone property located at N426 Military Road from Agriculture to R-1 Single Family Residential – *Plan Commission recommended approval.*

Van Lieshout reported that this homestead and property will be divided from the farm property by a certified survey following the rezoning. ***Laux moved to rezone the Brantmeier property located at N426 Military Road from Agriculture to R-1 single family residential. Petrie second. Motion carried unanimously.***
  
  - b) Certified Survey Map, combining lot 64 and 65 Lakeshore Estates East, Sherwood Wisconsin – *Plan Commission recommended approval.*

***Thomson moved to approve a Certified Survey Map, combining lot 64 and 65 Lakeshore Estates East, Sherwood Wisconsin. Kaas second. Motion carried unanimously.***
  
  - c) Certified Survey Map, creating a zero lot line duplex on 26, Nature Haven Estates – *Plan Commission recommended approval.*

***Thomson moved to approve a Certified Survey Map, creating a zero lot line duplex on 26, Nature Haven Estates. Kaas second. Motion carried unanimously.***
  
  - d) Certified Survey Map, creating two lots from Lot 1, CSM 2808 (Former Eldred Property N7619 Lower Cliff Road) – *Plan Commission recommended approval.*

***Thomson moved to approve a Certified Survey Map, creating two lots from Lot 1, CSM 2808. Kaas second. Motion carried unanimously.***
  
- 9) Report of Village Officers
  - a) Village President – No report.
  
  - b) Clerk/Treasurer
    - i) Financial Reports – Disbursement reports were reviewed.
  
- 10) Village Engineer – Schaff reported on a walk-through inspection of the Meadowcliff Detention Pond with the General Contractor Potts Construction and created a punch list of

items for completion before the contract is satisfied and approved for final payment. She noted that landscaping and restoration must be finished in order to meet specifications of the storm water construction grant that partially funds the project.

Schaff briefly reported the status of the Pigeon Road/Stommel Road reconstruction project and the Golf Course Road/Forest Lane project.

#### 11) Village Coordinator

- a) Complaints and Compliments – None reported.
- b) Project Updates – Van Lieshout reviewed particularly noting as follows:
  - The Golf Course Road project is not yet complete requiring the final lift of asphalt and continuing restoration. Prior to issuing final payment a walkthrough inspection will occur with unsatisfactory items repaired or adjusted.
  - A walkthrough inspection of the Stommel Road/Pigeon Road reconstruction project is scheduled in the next week.
- c) Resolution 2007-03 A Resolution Declaring Property in the Open be Insured by the Local Government Property Insurance Fund – ***Kaas moved to approve Resolution 2007-03 declaring property in the open be insured by the Local Government Property Insurance Fund. Rath second. Motion carried unanimously.***
- d) Resolution 2007-04 A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703(1)(b) Police Powers, Wisconsin Statutes, As Amended – ***Laux moved to approve Resolution 2007-04, a preliminary resolution declaring intent to exercise special assessment powers. Thomson second. Motion carried unanimously.***
- e) Approval of contract for ecological services regarding Meadowcliff Pond Plantings – ***Thomson moved to approve a Mc Mahon Associates proposal for ecological consulting and management of the Meadowcliff Pond in an amount estimated at \$3,400. Laux second. Motion carried unanimously.***
- f) Approval of Meadowcliff Pond planting proposal from Lakeshore Cleaners in the amount of \$8,605.00 – ***Thomson moved to approve a proposal from Lakeshore Cleaners to prepare, seed, and mow a prairie site at Meadowcliff Pond in the amount of \$8,605. Laux second. Motion carried unanimously.***
- g) Request from Bob Shuber to install discharge pipe across Village owned property, Outlot 3 State Park Estates (State Park Estates detention basin property) – ***Kaas moved to approve a request from Bob Shuber to install a discharge pipe across Village owned property, Outlot 3 State Park Estates provided that the entire expense of the activity is carried by the property owner. Petrie second. Motion carried unanimously.***

h) Request form Mike Cook to be removed from preliminary assessment role for 2006 Golf Course Road et.al. Storm Sewer Improvement Project – Cook stated that his property did not receive a storm lateral, did not benefit from the storm sewer improvement and therefore should not be assessed. He continued, saying that his property was not adversely affected by storm water in the past. Engineer Schaff provided an aerial photo with an overlay of the drainage project and structures showing a yard drain on the Cook property. In his meeting memorandum, Coordinator Van Lieshout reported that the special assessment policy states “storm sewer service only needs to be available to the abutting lot in order to be assessed for the cost of storm sewers”. He urged the Board to be consistent with application of the policy. ***Rath moved to table and directed staff to draft a finding of fact and clarification of policy, returning the matter for additional consideration. Miller second. Motion carried with Kaas, Miller, Petrie, Rath, Thomson in favor. Laux opposed.***

i) ***Thomson recommended motion to MOVE INTO CLOSED SESSION at 7:40 p.m. per State Statute 19.85(1)(e) for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Petrie second. Motion carried unanimously.***

***Miller moved to RETURN TO OPEN SESSION at 8:05 p.m. to take further action or to adjourn the meeting. Kaas second. Motion carried unanimously.***

12) Correspondence – Presented:

- Punchlist of items for completion of Wannick Choute Park improvement project.
- Calumet County Board newsletter, May 2007.

13) Adjournment – ***Thomson moved to adjourn at 8:20 p.m. Kaas second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes June 25, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:32 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	None
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Josh Van Lieshout, Coordinator
David Petrie	Ellen Maxymek, Clerk
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Registered Citizen Comments on Agenda Items
  - Brian Muehl, W4849 Bridle Road, re agenda item 9) a). Stated he is disappointed with the quality of construction and restoration in the Golf Course Road et al storm sewer and reconstruction project. He opined that minimal construction standards were achieved and he stated he is unsure that the topography of the ditch restoration is correct. Muehl commented that he spent time and money to restore the property to his own standard.
  
  - Tim Montour, N7798 Spurline Court, re agenda item 10) a) & c). Montour stated he was present to observe the outcome of a request by Michael Cook to be relieved of special assessment in the storm sewer project. Montour stated that, like Cook, he does not believe his property benefited from the project. He asked if he will be assessed again in the event that storm sewers are ever constructed on the Spurline Court side of his property.
  
  - Steven Hintz, Phd, Public Administration Associates, LLC, re agenda items 10) f) & g).
  
- 5) Approval of Minutes – *Barribeau moved to approve the minutes of June 11, 2007. Rath second. Kaas noted an incomplete recording of a motion related to agenda item 11) g), page 3, and asked that the item be corrected. Motion carried with noted correction.*
  
- 6) Consent Agenda
  - a) Class B Malt Beverage, Liquor & Wine – *Barribeau motioned to approve issuing alcohol beverage licenses to the listed applicants. Kaas second. Motion carried unanimously.*
    - i) Jean M. Sprangers, dba Jeanne’s,
    - ii) Duncliffe, Inc., dba Shenanigans, Rick Dunnum, Agent
    - iii) Wanda Louise Schabow, dba The Granary Supper Club, Wanda Schabow, Agent

7) Report of the Utility Commission

1) For Action by the Village Board

- a. 2006 Compliance Maintenance Annual Report - Utility Commission recommended approving the 2006 Compliance Maintenance Annual Report.

***Rath moved to accept and approve the 2006 Compliance Maintenance Annual Report. Kaas second. Motion carried unanimously.***

- b. Adopt Resolution 2007-5, Informing WDNR of Approval of 2006 CMAR and Intention to Maintain WPDES Permit - Utility Commission recommended approving the adoption of Resolution 2007-5.

***Kaas moved to approve Resolution 2007-05 Informing WDNR of Approval of 2006 CMAR and Intention to Maintain WPDES Permit. Rath second. Motion carried unanimously.***

- c. Private Well Permits - Utility Commission recommended approving private well permits for Les Stumpf (2) and Sherwood Forest Country Club of which all the water sample results were safe.

2) For Information Only

- a. Water Supply & Treatment - Utility Commission were informed that the agreement to drill at High Cliff Restaurant had been signed. The Village agreed to coordinate the drilling in light of golf outings dates. Drilling is tentatively scheduled for Thursday, June 21, 2007.
- b. Iron Feed System at High Cliff Lift Station - Coordinator reported the proposed building would be eligible for TIF financing.
- c. 2006 Consumer Confidence Report - Utility Commission reviewed the report which is required to be sent to all customers by July 1, 2007. The report will be inserted with the 3<sup>rd</sup> Quarter Village Newsletter.
- d. Forced Main Construction - Coordinator reported Les Stumpf has agreed to sign an easement for the project.
- e. Notice of Violation, TTHM MCL limit exceeded - Utility Commission received copy of June 13, 2007 DNR correspondence requiring a June 28, 2007 enforcement conference in Green Bay. The maximum contaminant level (MCL) for total trihalomethanes (TTHM) is 0.080 milligrams per liter (80 micrograms per liter) based on running annual arithmetic average.

8) Report of Village Officers

- a) Village President – No report.

- b) Clerk/Treasurer – No report.



9) Village Engineer

- a) Golf Course Road et.al. Storm Sewer Project – Engineer Schaff reported meeting with a representative of Jossart Brothers, Inc. regarding the 2006 Drainage Improvements and Forest Lane Reconstruction project to discuss remaining contract items as detailed in correspondence dated June 20, 2007. Substantial completion of the contract will occur once project restoration is complete. Thereafter a one-year warranty period will ensue during which corrections are covered by contract. Miller suggested that an inspector representing the Village be available on-site to monitor the contractor continually during detailed restoration work. Schaff stated she will arrange for the inspection.

10) Village Coordinator

a) Complaints and Compliments

- i) Alden Ferguson re: quality of restoration on Forest Lane – While very satisfied with the reconstruction of Forest Lane, Ferguson reported that the restoration was done extremely poorly by the landscaping subcontractor.

b) Project Updates – No report.

- c) Request form Mike Cook to be removed from preliminary assessment roll for 2006 Golf Course Road et.al. Storm Sewer Improvement Project (tabled 6-11-07) – ***Miller moved to remove the issue from the table. Rath second. Motion carried unanimously. Kaas moved to deny a request form Mike Cook to be removed from the preliminary assessment roll for 2006 Golf Course Road et.al. Storm Sewer Improvement Project and to make no change to the current special assessment policy. Laux second. Motion carried unanimously.***

- d) Inter-municipal Agreement between the Village of Sherwood and Town of Harrison for 2007 chip sealing – The 2007 program agreement, which will be administered by the Town said Van Lieshout, is modeled after those used in several nearby communities. ***Barribeau moved to approve the inter-municipal agreement between the Village of Sherwood and Town of Harrison for 2007 chip sealing. Thomson second. Motion carried unanimously.***

- e) Resignation of Joshua Van Lieshout as Village Coordinator – ***Barribeau moved to accept with regret the resignation of Coordinator Joshua Van Lieshout. Thomson second. Motion carried unanimously.***

- f) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation, and to discuss strategies for collective bargaining with employees union and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.

***Miller motioned to proceed into closed session at 7:15 p.m. per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation, and to discuss strategies for collective bargaining with employees union. Thomson second. Motion carried unanimously.***

***Kaas moved to return to open session at 8:15 p.m. to take further action or to adjourn the meeting. Thomson second. Motion carried unanimously.***

- g) Service contract with Public Administration Associates – Following discussion regarding the consultants’ background and experience, the submitted proposal, and the logistics of a candidate search and interim administrative needs, ***Rath moved to approve a contractual agreement for services with Public Administration Associates, LLC in the amount of \$5,000 plus expenses not to exceed \$400, and advertising costs estimated at \$300-400, for the purpose of recruitment and selection of a new administrative coordinator. Kaas seconded. On a call of roll, Barribeau, Kaas, Laux, Miller, Petrie, Rath, Thomson voted in favor. Votes against, none. Motion carried unanimously.***

11) Correspondence

- Van Lieshout reviewed correspondence addressed to owners whose property abuts the unnamed street off of Clifton Road, commonly known as “John Street”. He reported that Les Stumpf provided permanent ingress and egress easements which will continue in perpetuity to the benefit of the property owners and all future assigns. The easements were recorded with the Calumet County Register of Deeds and were sent to Property Owners Freund, Krueger, and Berghuis.

12) Adjournment – ***Thomson moved to adjourn at 8:50 p.m. Barribeau second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes July 9, 2007

- 1) Call to Order and Roll Call – Vice President Laux called the meeting to order at 6:36 p.m. with call of roll:

<b>Present</b>	<b>Absent</b>
Joyce Laux	Bill Barribeau, excused
David Petrie	Roger Kaas, excused
Jim Rath	David Miller, excused
Carl Thomson	<b>Others Present</b>
	Jennifer Schaff, Village Engineer
	Josh Van Lieshout, Coordinator
	Ellen Maxymek, Clerk
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Thomson moved to approve the agenda. Petrie second. Motion carried.*
  
- 4) Approval of Minutes – *Petrie moved to approve the minutes of the June 25, 2007 meeting as presented. Thomson second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - Reid Ribble, N7611 Lower Cliff Road, re agenda item 11)c)
  
  - Rollie Stephenson, N7797 Lakeshore Lane, commented that gravel from J&E Quarry operation is a nuisance on the roads and asked the Village to require the operators to clean off gravel on a regular basis. Van Lieshout reported that the quarry operator has been called regularly to clean the street of gravel but he is usually uncooperative. An item will be added to a future agenda regarding clean up of gravel on Village streets.
  
- 6) Consent Agenda
  - a) Operator’s License – *Petrie moved to approve the operator’s licenses of Meyers & Preissner. Thomson second. Motion carried.*
    - i) Patricia J. Meyers
    - ii) Matthew James Preissner
  
- 7) PUBLIC HEARING: Special Assessments for Public Improvements in the Village of Sherwood, Wisconsin
  - Don Moat, N7887 Ridgeview Court, questioned why lots 39 and 53 on Ridgeview Court are not assessed as other properties abutting the street improvement. Van Lieshout reported that the special assessment policy provides corner properties a credit for the lesser of the two street frontages. In the case of lot 39, the longer frontage on Lakeshore Lane was assessed in a prior year resulting in no assessment for the Ridgeview Court frontage. Lot 53 was assessed in 2004 for the shorter frontage on Lakeshore Lane leaving the difference only to be assessed in this project.

- Marlin Phillips, N7894 Ridgeview Court, stated that when purchasing his lot, future assessments were estimated substantially lower than the current estimate. He questioned the administrative, and engineering portions of the costs, saying it seemed high at \$8,821. Typically, Schaff said, she estimates high in the preliminary roll calculations to account for unknown contingencies, however, final rates are adjusted to actual costs. In response to Phillips' questions regarding timing of the project and if annual installment payments will be offered, Engineer Schaff reported that construction could begin as early as a month after the contracts are let; Van Lieshout stated that the Village Board usually provides for five annual installments that are included on the tax bills.
- Brad Gegare, N7915 Ridgeview Court, questioned the assessment of curb and gutter repair. Van Lieshout explained that the initial roll was calculated in error, and that per the assessment policy the curb and gutter replacement will not be assessed since it was constructed in 2004, less than five years earlier. A revised assessment roll was presented.
- Chrissy Stumpf, N7879 Ridgeview Court, stated that since the Village has waited this long since the base course of asphalt was applied in 2004 why finish the road surface now when costs are twice as high as in earlier years. Van Lieshout explained that because asphalt is a petroleum based product the price rises and falls with oil cost. Oil costs have been volatile and, although there is no way to accurately predict future costs, it seems likely they will remain high.
- Don & Raelene Petersen, N7751 State Park Road, stated that Windswept Lane is infrequently traveled and therefore does not need the final layer of asphalt. Petersen prefers to postpone further road surfacing until asphalt prices fall.
- Rollie Stephenson, N7797 Lakeshore Lane, stated that his property abutting the Windswept Lane project area is vacant. He purchased the property to maintain the lake view for the enjoyment of all. He does not believe the property benefits from the road improvement.
- Beth Jackels, N7905 Ridgeview Court, said that her questions were answered.
- Michael Broderick, N7785 State Park Road, asked how a determination is made of the amount of Windswept Lane base course needing replacement. Schaff reported measurements were made by in-person examination of the damaged base, using standard measuring tools, and estimating materials by applying current, known unit costs to the measured quantities to achieve Village standard specifications. Costs were calculated after bid proposals were received. The engineer reiterated that a final rate is established after construction is complete and actual, as-built quantities are known.
- Ron Wenzel, N7751 Windswept Lane, questioned whether the base course was badly constructed and why property owners should be assessed for repairing base asphalt damaged by construction trucks. Wenzel opined that the project was poorly designed and that manholes would be needlessly replaced.

- Dick Schermerhorn, N7773 Windswept Lane, asked why property owners should pay for repair of the asphalt base. He requested that the Board reconsider the paving and road specifications policies as applied to Windswept Lane and use a case by case approach to scheduling road projects.

After three calls for public comments, Laux announced the hearing closed at 7:25 p.m.

8) Report of the Plan Commission – ***Laux moved to approve action item 1) a. of the report. Petrie second. Motion carried unanimously.***

1) Items for action by Village Board

- a. Brantmeier CSM – Plan Commission acted to approve a CSM to divide property described as Part of NE Qtr of SW Qtr of Sec 29, Twn 20 N, Rng 19 E, Village of Sherwood, Calumet County, also known as the Joseph and Christine Brantmeier farm. The separated property was previously rezoned R-1 Residential Single Family.

2) For information only

- a. Conditional Use Permit, Sherwood Elevator – Coordinator Van Lieshout reported the findings of six sound sample taken near the elevator operation. Plan Commission acted to approve a conditional use permit to Sherwood Elevator to erect a 200,000-bushel bin for storage of soybean crops. The approval was conditioned on construction/installation of tree, berm, or fence buffers to lower noise levels during the corn crop handling process; and by installation of baffles or a quieter fan on the corn drier. The elevator operators are to consult neighbors to identify their preference as to the above efforts to lower noise levels.
- b. Storm-water Management Plan – The Plan Commission acted to approve Chapter 5, Illicit Discharge Detection and Elimination, Chapter 6 Construction Site Pollutant Control, and Chapter 7 Post-Construction Stormwater Management of the storm-water management plan as presented.

9) Report of Village Officers

- a) Village President – No report
- b) Clerk/Treasurer – Disbursement report was reviewed.

10) Village Engineer

- a) Golf Course Road et.al. Storm Sewer Project – Engineer Schaff reported that the asphalt subcontractor is finishing and repairing road surfacing items. She has and will continue to contact the contractor as continuing restoration issues or other matters arise.
- b) Notice of award 2007 Street Paving Program Contract, Badger Highways in the amount of \$98,411.95 – ***Petrie moved to award the 2007 Street Paving Program Contract to Badger Highways in the amount of \$98,411.95. Thomson second. Motion carried unanimously.***

- c) Change Order Number Three, Meadowcliff Pond reducing the contract by \$2,324.50, new contract price of \$119,380.50 – ***Laux moved to approve change order number three, of the Meadowcliff Pond project to decrease the contract by \$2,324.50, for reduction of material quantities bringing the new contract price to \$119,380.50. Rath second. Motion carried unanimously.***
- d) Certificate for payment number four and final payment to Potts Construction for work completed through July 2, 2007 for \$5,969.02 on Meadowcliff Pond – Engineer Schaff explained that subcontracted landscaping and restoration on this project was removed from the contract by a change order approved at the June 25 meeting. The restorative work will instead be performed according to proposals for hydrological services and planting materials that were also approved at a previous meeting. She certified that Potts has acceptably completed all other terms of the construction contract. ***Rath moved to approve the fourth and final payment for Meadowcliff Pond construction for \$5,969.02 to Potts Construction. Thomson second. Motion carried unanimously.***

#### 11) Village Coordinator

##### a) Complaints and Compliments

- Van Lieshout reported that Mary Beth Welhouse, W4833 Blackcherry Ct., complained that the Golf Course Road project contractor repeatedly contacted her husband's employer, while the family was out of town, to move a company truck from the Welhouse driveway in order to replace the culvert. She termed the contacts "harassment" of the employer. The Coordinator reported that Welhouses themselves argued for replacement of the culvert and knew that contractors were working in the area. Yet they left the vehicle parked within inches of the culvert obstructing access. The company owning the truck was contacted by the contractor and they moved the vehicle without incident.
- Harland Zietlow, W4895 Golf Course Rd., voiced complaints about the quality of the Golf Course Road project to the on-site inspector, according to Van Lieshout and Schaff.

##### b) Project Updates

- Three of four easements necessary to proceed with the sewer force main project have been obtained. The last easement is expected to be signed within the week, stated Van Lieshout.
- The Mustang Pond and trail outlot has been conveyed by deed to the Village and pending litigation has been dismissed as a result. Rock cuttings will be placed around culvert inlet and outlet pipes and large flat stone will be stacked at the worst erosion site creating the appearance of a natural outcropping. Algaecide treatments will be applied in mid July to control algae growth followed later by water plantings.
- The navigable waterway adjacent to property located at N7798 Spurline Court is scheduled for cleanup and aquatic planting in mid July.

- c) Request for variance from Ordinance 55 regulating driveways, request for an undersize culvert – ***Petrie moved to approve a variance from Ordinance 55 to allow a 12-inch culvert and paver apron at the Reid Ribble property located at N7611 Lower Cliff Road. Rath second. Motion carried unanimously.***
- d) Resolution 2007-04 (Modified) A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703(1)(b) Police Powers, Wisconsin Statutes, As Amended – Maxymek stated that because the assessment roll has been changed to remove curb and gutter replacement on Ridgeview Court from special assessment, Resolution 2007-04 does not require modification.
- e) Resolution 2007-02 Regarding Detention Pond Located within Outlot One (1), Mustang Acres, Village of Sherwood, Calumet County, Wisconsin (Tabled 1/22/07) – ***Rath moved not to take the matter under consideration until a preponderance of board members are present. Laux second. Petrie abstained.***
- f) Resolution 2007-06 Entering into a Development Agreement with Michael Ryder and Jon Huss – ***Rath moved to approve Resolution 2007-06 Entering into a Development Agreement with Michael Ryder and Jon Huss contingent on the developer posting a performance bond in an amount sufficient to cover potential cost of repairs to Village infrastructure. The resolution will be amended to reflect the stated contingency. Petrie second. Motion carried unanimously.***
- g) Resolution 2007-07 Declaring Official Intent to Reimburse Expenditures From Proceeds of Borrowing – ***Rath moved to approve Resolution 2007-07 Declaring Official Intent to Reimburse Expenditures From Proceeds of Borrowing. Thomson second. Motion carried unanimously.***
- h) Request from Gerard & Rebecca Gabbard, Jamie & Michelle Lambie, Mark and Julie Lindem for a “No Outlet” sign at the entrance to Trevino Court – ***Thomson moved to approve the request for a “no outlet” sign at the entrance to Trevino Court. Petrie second. Motion carried unanimously.***
- i) Logo for Village letterhead and correspondence – After reviewing the sample logo the trustees agreed they prefer a design playing off the signs at the Village entrances. ***Rath moved to table. Laux second. Motion carried unanimously.***
- j) Small Wind Energy System Ordinance – Van Lieshout noted that Seventh Generation Energy Systems, Katie Ross, Project Manager, is conducting a survey, funded by Wisconsin’s Focus on Energy Initiative, to understand how municipalities permit wind turbines. A sample ordinance was included with the materials. Van Lieshout stated that the Village currently does not have any regulations relating to wind and solar energy systems. Nor, he said, does Sherwood have a cell tower ordinance, but the Village should look to constructing such regulations in the near future. Laux suggested contacting Calumet County for model ordinances.

12) Correspondence

- Thomson asked if the Village is going to take a stand regarding illegal fireworks displays. Rath stated that some regulation is needed. Van Lieshout reported that all fireworks are illegal in Village. Timely and adequate enforcement is the issue, he said. Petrie stated that fireworks displays are enjoyable if supervised and safely handled and commented that he operates a display annually.

13) Adjournment – ***Thomson moved to adjourn at 8:33 p.m. Laux second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.



## Village Board Meeting Minutes July 23, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:35 p.m. Roll called:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Jim Rath, excused
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Josh Van Lieshout, Coordinator
David Petrie	Ellen Maxymek, Clerk/Treasurer
Carl Thomson	
  
- 2) Pledge of Allegiance – Pledge recited
  
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of April 23, 2007 and July 9, 2007 as presented. Thomson second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items – None
  
- 6) Consent Agenda
  - a) Operator’s License – *Barribeau moved to approve issuing operator’s licenses to Bathke and Gutsmiendl. Petrie second. Motion carried unanimously.*
    - i) Katie Bathke
    - ii) Brooke Gutsmiendl
  
- 7) Report of the Utility Commission
  - 1) For Action by the Village Board – *Kaas moved to approve action item 1) a. Miller second. Motion carried unanimously.*
    - a. Agreement for sanitary forced main design, bidding, and construction phase services - Commissioners approved \$96,000 McMahon Associates proposal for Design & Construction Phase Services for the proposed 12-inch force main.
  
  - 2) For Information
    - a. Water Supply & Treatment - Commissioners approved Project Schedule for Well #7 Treatment System II for the Aquifer Testing I, Final Well (7), Connecting Watermain, Well Pumping Equipment, and the Treatment System from July 2007 thru September 2010. Commissioners approved \$1,500 for additional performance testing for Test Well #7.
  
    - b. Private Well Permit - Commissioners approved private well permit for James Aschenbrener, W4890 Bridle Rd

- c. Certificate for Payment Number 2, and Final Payment for Military Road Sanitary Sewer Extension Project in the amount \$1,639.00 - Commissioners approved Certificate Payment #2, Final Payment, in the amount \$1,639 to Roger Bowers Construction, Inc for the Military Road Sanitary Sewer Extension Project.
- d. Well 7 Construction - Village engineer suggested to the commissioners:
  - i. video test well (7) to determine whether fractures are horizontal or vertical
  - ii. 12 hour pump test - analyze data (aquifer performance)
  - iii. video well (7) while being pumped to see where the water is coming from, optional
- e. TTHM Violation Consent Order Schedule - Village engineer stated he and the Village coordinator attended the WDNR required TTHM compliance meeting in Green Bay and discussed the violation history. A schedule to come in to compliance is due to the WDNR by July 31, 2007.
- f. Forced Main Construction - All the property owners have signed the easements for the force main project. Discussed the need to review current sewer utility rates.
- g. Utility Operator - reported the reed beds look "wonderful" at the WWTF and the discharge numbers are "great."

8) Report of Village Officers

- a) Village President – President Miller extended his personal thanks to Coordinator Josh Van Lieshout for his excellent service to the Village.

- b) Clerk/Treasurer

Review financial reports – The disbursement register, balance sheet, and budget comparison report were reviewed.

- i) Approval of disbursements

(1) Sanitary sewer force main easements – Laux moved to approve four vouchers totaling \$60,620 payable from TIF funds to compensate property owners for the inconvenience of constructing and maintaining a new sanitary sewer force main. Thomson second. Motion carried unanimously

- ii) Discussion regarding fire protection services/agreement – Following discussion regarding payment of the fire dues refund the Board questioned whether the Village is paying more than its share of training costs and capital equipment. Van Lieshout stated that the Village is interested in having input into the fire service process, perhaps a representative on a fire commission board. It was the Board's consensus that it would like to revisit the fire protection agreement with the Town of Harrison, ideally before the 2008 budget is finalized.

9) Village Engineer

- a) Golf Course Road et.al. Storm Sewer Project – Schaff reported on continuing problems with landscape restoration on this project. Contractor Jossart Bros. Construction agrees that the subcontracted restoration work is not up to par. The contractor may have to hire another contractor or the Village may have to do so and will deduct the inadequate work by a deduction change order. In addition, she reported, the pavement on Bridle Lane is cracking and corrective action will be necessary. Schaff will communicate with residents as issues arise.

10) Village Coordinator

a) Complaints and Compliments

- i) Dave & Sue Clifton, Golf Course Road, complaint regarding ditch restoration. The specific complaints were forwarded to the Village Engineer and to the project contractor.
- ii) Neal & Amy Rabas, Mustang Pond, thanked Van Lieshout and the Village for maintenance efforts on the pond. Van Lieshout corresponded with Rabas to bring neighbors up to date on the rip rap and large flat stones simulating exposed escarpment, which was placed in worst area areas of bank erosion. The Public Works Department has chopped out thistles, and while planting of lilies is delayed do to susceptibility of the plants to aquatic chemicals, treatment of the algae and Eurasian milfoil is well underway.

- b) Project Updates – Van Lieshout will be conferencing with the engineers and with staff to assure that the status of projects is passed along prior to his departure.

- c) Wannick Choate Park Improvement Project, fourth and final payment to Parsons Bros. Const. Co., Inc. in the amount of \$30,103.00 – ***Laux moved to approve a fourth and final payment to Parsons Bros. Const. Co., Inc. in the amount of \$30,103.00 for the Wannick Choate Park Improvement Project. Barribeau second. Motion carried unanimously.***

\* Trustee Petrie excused himself from the meeting at 7:24 p.m.

- d) Resolution 2007-02 Regarding Detention Pond Located within Outlot One (1), Mustang Acres, Village of Sherwood, Calumet County, Wisconsin (Tabled 1/22/07, 7/9/07) – ***Kaas move to take up the tabled matter. Laux second. Motion carried.*** Van Lieshout noted that Outlot One, Mustang Acres pond and trails, was deeded to the Village and the deed recorded on June 28, 2007. Subsequently a stipulation and order of dismissal was entered in the Village’s action against Mustang Acres Inc. ***Kaas moved to adopt Resolution 2007-02 Regarding Detention Pond Located within Outlot One (1), Mustang Acres, Village of Sherwood, Calumet County, Wisconsin. Miller second. Motion carried unanimously.***

- e) Small Wind Energy System Ordinance – Barribeau noted that many municipalities are adopting the Calumet County small wind energy system ordinance. Van Lieshout suggested that the ordinance be considered on a future agenda.

11) Correspondence

- a) Memo regarding administrator recruitment – The memo was reviewed.
  - Maxymek noted that the 2007 Board of Review is scheduled for September 6, 2007.
  - Van Lieshout reported that he delivered an offer to purchase a portion of the J & E Quarry property to owner Jim Eckers but he received no reply. He stated that he does not foresee a positive response.
  - Van Lieshout said that he received two seemingly serious inquiries about the TJ Foods property.
  - Van Lieshout stated that the Village should initiate a candid discussion with Kaukauna School District relative to its land set aside as a future school site and then should readdress the land use possibilities of the property.

12) Adjournment – ***Barribeau moved to adjourn at 7:43 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes August 13, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:32 with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	None
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Ellen Maxymek, Clerk/Treasurer
David Petrie	
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance – Recited
  
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – Minutes will be approved at next meeting.
  
- 5) Registered Citizen Comments on Agenda Items  
Jim Wiegert, W285 East Hills Road, Brillion, regarding agenda item 6)a).
  
- 6) Report of the Plan Commission
  - 1) Items for Action by the Village Board
    - a) Concept plan for daycare facility located on Stommel Road – *Plan Commission reviewed concept plan for development of two to three acre plat and day care facility. Alternatives to a Stommel Road site were considered. The Plan Commission recommended corresponding with the Kaukauna School District asking, for a statement of intention within thirty days regarding potential development of property on Castle Drive earmarked as a future school site. If the School District does not intend to develop the site the Commission inferred the Village would consider other land use possibilities.*

**Following discussion by the Village Board *Rath moved to request a statement of intention from the Kaukauna School District regarding the potential development of property on Castle Drive as a school site. Thomson second. Motion carried unanimously.***
  
    - b) Discussion regarding Knight Drive extension relative to TJ Foods property – *Plan Commission heard a request for information by Steve White, a potential buyer of the TJ Foods property, as to a timetable for construction and “ballpark” estimate of special assessment costs to improve a portion of Knight Drive extending to the edge of the TJ Mueller and the Outpost Bar and Grill Property. The Plan Commission took action to recommend that that section of Knight Drive be extended and surfaced on a faster track than previously contemplated by the Village.*

Engineer Schaff was asked to prepare a preliminary estimate of cost and potential special assessment for improvements to Knight Drive.

- c) *Plan Commission heard a request by Joan Klister, Roger Bower Construction Company, for assistance in collecting delinquent construction bills incurred by developer of Lake Shore Estates, South. Klister reported that some municipalities require developer to provide lien waivers from all contractors before accepting infrastructure or allowing hook-up to municipal utilities. No action was taken; however, the Clerk was instructed to contact the municipal attorney regarding the request.*

Although they were sympathetic to the contractor's difficulty, the Village Board took no action on the matter.

2) For Information Only

- a) Consideration and possible action regarding a proposal from JSK Development to rezone 78.53 acres located in the SW ¼ of the SW ¼ and SE ¼ of the SW ¼ of Section 20, Township 20 North, Range 19 East, Town of Harrison located in the Village of Sherwood from Agriculture to R1-A Single Family Residences. This property is commonly known as the Loderbauer Farm and is addressed as N8123 Kessler Road, Menasha, Wisconsin.(tabled February 6, 2006) – Plan Commission declined to take action at this time noting that neither Comprehensive “Smart Growth” Planning nor the Sewer Service Area Plan amendment are complete.

- b) David Schmalz, McMahan Associates asked for input from the Commission regarding a future request by Les Stumpf to vacate a street section at the end of Margaret Street. At issue would be the possible dual role of the Village Engineering Group also working on behalf of petitioner Stumpf.

7) Report of Village Officers

a) Village President

- i) Interim Appointments – ***Rath move to approve the following interim appointments. Kaas second. Motion carried unanimously.***

***(1) Zoning Code Administrator – Building Inspector Paul Hermes***

***(2) Supervisor of Personnel – President David Miller***

***(3) Purchasing Agent – Clerk/Treasurer Ellen Maxymek***

***(4) Grantee Contact and Authorized Representative – Clerk/Treasurer Ellen Maxymek***

b) Clerk/Treasurer

- i) Review financial reports – Disbursement report was reviewed.

- ii) 2006 Budget Amendment – ***Barribeau moved to approve the amendment to the 2006 budget. Thomson second. Motion carried.***

8) Village Constable report – Constable report was reviewed.

- 9) Village Engineer
  - a) Golf Course Road Area Drainage System and Street Reconstruction Project – Engineer Schaff stated that Contractor Jossart Brothers Construction, or a new landscape subcontractor, is expected to return to rework the project restoration in early to mid September when weather conditions conducive to germination of new seeded areas are hoped to have improved. A seal coat will be applied to project streets where new asphalt is cracking to prevent moisture from further damaging the surfaces. Schaff requested and received approval to hire River Valley geotechnical services to test in the areas of asphalt failure.
  
- 10) Village Attorney opinion re Petrie interest claim – ***Rath moved to deny Petrie claim of interest per the opinion of counsel. Barribeau second.*** Petrie disagreed with the opinion based on the advice of his attorney. ***On call of roll Barribeau, Kaas, Laux, Miller, Rath, Thomson voted in favor of the motion. Petrie abstained. Motion carried.***
  
- 11) Complaints and Compliments
  - a) Scott Schiedermayer, Mustang Pond improvements – Mr. Schiedermayer was not present to voice his complaint.
  
  - b) Frank Colwell, N7961 Creekside Drive, re speed violations – Discussion without action regarding the speeding complaint and request for stop signs at Natures Way Drive and Creekside Drive.
  
- 12) Review/action approving amendment to Urban Nonpoint Source & Stormwater Management Program Grant to extend grant period – ***Barribeau moved to approve the amendment extending the grant period until December 31, 2007. Miller second. Motion carried unanimously.***
  
- 13) Update administrator recruitment schedule and selection process – September 25 or September 19 were the first and second date choices for selection of final candidates. As to the interviewing of finalists, a one-day process for community representatives and staff to meet the candidates, tour the Village, lunch, and conduct formal interviews was preferred by the Board. Wednesday, October 3 or, alternatively, Tuesday, October 2 were scheduled for the interviewing process.
  
- 14) Update regarding fire protection agreement – The fire protection budget and calculation of the 2007 service fees were reviewed. Maxymek stated that Tracy Flucke, Administrator, Town of Harrison, was informed that Village representatives would like to meet with the Town to revisit the agreement and related issues in 2008 if not sooner.
  
- 15) Correspondence – None
  
- 16) Adjournment – ***Barribeau moved to adjourn at 8:30 p.m. Thomson second. Motion carried.***

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes August 27, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:30 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	David Petrie, excused
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Ellen Maxymek, Clerk/Treasurer
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance – Recited
  
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of July 23, August 6, and August 13, 2007. Thomson second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items
  - David T. Van Elzen, W5223 Schaefer Road, Menasha re agenda item 12) – Van Elzen requested that the Village donate a portion of the cost of irrigating the fields used by the Sherwood Lions Football Program which he represents. He also asked for the continued use of a storage area at the public restroom building in the American Legion Park. Van Elzen stated that the program has provided football activities using the park facilities for thirteen years at no cost except for the water donation starting in 2000. He commented that it was rude of the Village to deny use of the storage area after so many years. Miller stated that there was concern by the Public Works personnel that the utility pipes in the building could be damaged by football practice equipment being haphazardly thrown into the narrow storage area. He also said that the Village may need to store its own equipment in the area in the future.
  
  - Tom Pieterzak, N508 Nottingham Court, re agenda item 12) stated that his son plays on the football program team and that the Village has the opportunity to support the activities of area youngsters. He stated that football equipment was not stored in a haphazard manner and was always put away by supervising adults.
  
  - Jodi Guyette W2171 Crosstown Road, Hilbert re agenda item 12)
  
  - Brandon Butler, W4216 Horn Road, Hilbert re agenda item 12)
  
  - Brad & Debbie Meyer, W4201 Faro Springs Road, Hilbert re agenda item 12)
  
  - Bob & Susan Woelfel, W5431 Cty. B, Hilbert re agenda item 12)



- James Schwamer, N6821 State RoadSS #F, Menasha re agenda item 12)
- Chris Holzschuh, N7164 Swy 55, Menasha re agenda item 12)
- Tom Doughman, W4816 Springhill Drive, re agenda item 8) – Doughman requested, on behalf of the Sherwood Area Youth Sports Organization, that the Village partner with the SAYSO group to continue to provide recreational activities to youth in Sherwood and nearby communities. He stated that he has spent at least 1,000 hours per year coordinating the soccer and baseball activities of the group. Due to increasing job responsibilities, however, he cannot continue to provide the level of time commitment as he has in the past. A discussion ensued regarding the potential for the Village to establish an internship position to coordinate the recreational programs. Kaas noted that UW Lacross and perhaps UW Oshkosh may have an internship program that could be tapped.
- Steve Paul, N7719 Palisades Trail, re agenda item 8) – While agreeing that recreational program coordination is needed; Paul suggested that a part-time paid coordinator position would best fill the need.
- Rich Moore, W5142 Shorewood Court, re agenda item 13)a) requested assistance from the Village to resolve drainage problems in his back yard.
- Greg Tate, N7750 Sundown Court, re agenda item 11) asked to use the parking lot area at Wannick Park for safe, low speed rally exercises staged by the corvette club which he is representing.

6) Consent Agenda

- a) Operator's License Application – Jennifer L. Nitzband – ***Barribeau moved to approve the application of Jennifer L. Nitzband for an operator's permit. Laux second. Motion carried.***

7) Report of the Utility Commission

1) For Information Only

- a. *Well #5 Inspection Results Recommendations & Estimated Costs* - Water Well Solutions completed the disassembly and inspection of the well pump assembly from Well #5. The Commission approved a proposal to have Water Well Solutions rebuild 5 stage pump, five new column lengths (50'), clean and straighten line shafts, new bearings/sleeves with labor, cut existing head/motor shaft to make a separate motor shaft, provide a new (separate) head shaft with coupling in the head above the stuffing box, rebuild and repack stuffing box, and labor to reinstall pump, chlorinate, run to waste, and collect 2 samples for a total of \$8,125.
- b. *Well #7 Test Well* - Engineer suggested future studies may be conducted to test that it is a viable water source.

- c. *Water Supply Alternatives* - Engineer, Gary Rosenbeck, prepared a Water Supply & Treatment Systems Analysis for the Village of Sherwood Utilities. The Analysis includes the Appleton Water Distribution System Master Plan, which includes the Village of Sherwood Utilities as a potential interested customer. Appleton may be interested in extending their water main as far as the intersection of Coop Rd and Hwy 10 to accommodate the Village of Sherwood. Rosenbeck stated he will act as interim representative for the Village of Sherwood with the City of Appleton. Rosenbeck will write a letter to the Director of Appleton Utilities and request additional information and verification to support evaluation of the possible alternative supply. The commissioners suggest a future joint meeting with the Village Board to discuss alternative water supply.
- d. *TTHM Violation Consent Order* - a compliance schedule for the reduction of TTHM in the Village drinking water was submitted to the DNR on July 20, 2007. No response has been received from the DNR.
- e. *TTHM & HAA5 Analysis Reports* - Reviewed.
- f. *Ferrous Chloride Feed System and Building at High Cliff Lift Station #3* - Utility Clerk will research minutes related to item and will email the information to the commissioners for discussion at the September meeting.
- g. *Capital Projects Update* - No discussion needed
- h. *Sewer & Water Operations* - Operator not present
- i. *Complaints & Compliments - re: Water Restriction Noticing* - Commissioners suggest an article be placed in the next Village Newsletter and on the website explaining the necessity for the immediate Village-wide water ban and expressing gratitude for their understanding.
- j. *Request for donation of field watering cost made by Sherwood Lions Football Program* - Dave Van Elzen and members of the Sherwood Lions Football program were present to request water for their play field near Legion Park. Commissioners reiterated the group must request the donated water from the Sherwood Utilities in writing or in person prior to use each year. Commissioners approved 2/3 reimbursement to Town of Harrison for water use on the playfield, requesting the Village of Sherwood to share in 1/3 of the reimbursement funds, and not to exceed 75,000 gallons use per week.
- k. *Mark Siebers, Echo Estates Condominium, request to use Village water supply to raise level of private pond* - Request must be in writing, stating who will be billed. Payment must be prepaid. A utility operator must be present for bulk water use.

- l. Private Well Permits, David J. Petrie, N7986 Stommel Road - approved*
- m. Private Well Permits, High Cliff Restaurant, W5095 Golf Course Rd - permit application fee has been received. Chuck Schuster, High Cliff Restaurant, contacted Village office on Monday, August 20, 2007, and stated the well will not be used for the restaurant's air condition system, however, will be used for irrigation. Schuster requested additional time to disconnect the well from the building and make repairs before testing the water. TABLED*
- n. Sewer Rate Study - TABLED until Village Administrator is hired.*
- o. Sewer Service Area Plan Amendment Proceedings Summary & Selection of Interim Representative - Village President will act as interim and will attend the September 12, 2007 meeting of East Central Wisconsin Regional Planning Commission*
- p. Engineer's Final Report and Special Assessment Roll for Military Road (CTH 'M') Sanitary Sewer Extension - Reviewed. The Village Board approves final assessment rolls.*

8) Report of the Park, Recreation & Urban Tree Board

1) For Information Only

- a. Sherwood Area Youth Sports Association (SAYSO) – SAYSO representative requested consideration of the following items:
  - i. A tree watering program for the Village parks, to relieve stress on trees during this and future periods of drought conditions – The PRUT Board agreed that a watering program was in the best interest of the park system.
  - ii. Mowing the area between existing fields and Castle Drive (future school site) – The Clerk noted that the section of Village owned property was never graded or prepared for development. According to Public Works staff the property is deeply rutted and unsuitable under present conditions for use as a soccer practice field. The Prut Board made no recommendations with regard to the mowing request.
  - iii. Fall fertilization of the Wannick Park soccer and baseball fields – The Clerk reported that a spring and fall fertilization has been performed in recent years and is already planned for this fall. As in the past the SAYSO Program proposed that they will reimburse the Village for the fertilizer cost.
  - iv. Because SAYSO volunteer efforts may not be sustainable at its past high level the group requested the Village to consider hiring a part time park and recreation coordinator – Although initially favorable to recommending an intern or part time position, the PRUT Board

concluded that creating an unfunded position given the Village's small population may not be fiscally manageable.

- b. Tree planting policy – The PRUT Board formed a sub-committee consisting of Members Matt Gehl, Tom Jack, and Frank Kirschling to create a draft tree planting policy and return it to the Board for future consideration. Several policies from local municipalities were provided including the Village's 1998 urban forestry strategic plan.
- c. Tree site location – The above sub-committee will consider site location as it formulates the draft tree policy. Member Zietlow noted that he received a resident request to plant trees in the outlot located near State Park Estates Pond and trail.
- d. Objectives and Management Plan for Miller Detention Pond area – The Board motioned to have Member Kirschling draft a preliminary objectives and management plan for the upland areas of the Miller and Nuthatch Detention Ponds.
- e. 2008 Budget Requests – PRUT Board recommended that the Village Board take under consideration its request for \$10,000 for park equipment and improvements, and \$5,000 for drip irrigation equipment in the 2008 General Fund Budget. The Board also recommended consideration of its request to budget construction of two lighted tennis/basketball courts as sited on the Wanick Park Plan financed from the TIF Fund.
- f. Urban Forestry Grant – Patti Sevela volunteered to write an Urban Forestry Grant application in the absence for the Village Administrator.

9) Report of Village Officers

- a) Village President – No report.
- b) Clerk/Treasurer
  - i) Review financial reports – Disbursement report was reviewed.
  - ii) Review/action re preliminary estimate of 2007 population – The Board accepted the preliminary report of the 2007 population of 2,466 without objection.

10) Village Engineer's Report

- a) Estimate of cost and special assessment to improve Knight Drive Extension – The Board reviewed the preliminary estimates. The cost of the extension to the edge of currently platted property (Best Advantage Credit Union, Anthony J. Mueller/TJ Foods, Outpost Bar & Grill) was estimated at \$96,680.50 and the assessable portion of costs to the three properties at \$52,256. The engineer stated that the preliminary cost does not include potential costs for storm water quality and quantity management.

- b) 2007 Paving Program Project Status – Schaff reported that the boat landing area at Windswept Lane and State Park Road has been pulverized. The contractor is waiting for weather improvements before continuing with the paving project.
  - c) 2007 Chip Sealing Program Project Status – The chip-sealing project will be started on Tuesday, September 4. A notification of the start will be delivered to the affected properties. Barribeau asked that the contractor also distribute a fact sheet for minimizing disruption and a map of the project areas as well.
- 11) Request by Representative of Valley Vettes Inc. to use Wanick Choute Park facilities including parking lot for club activity – **Miller moved to approve use of the Wanick Park facilities for the Valley Vettes Inc. club activities depending on availability. Thomson second. Motion carried unanimously.**
- 12) Sherwood Lions Football Program facilities use and request for donation of irrigation water – **David Miller moved to allow continued use of the Legion Park storage area by the football program. Kaas second. Motion carried unanimously.**
- Barribeau moved to donate a portion of the cost of irrigating the football field. Kaas second. Motion carried unanimously.**
- Kaas asked that a memorandum of understanding be developed to document the privileges, responsibilities, and expectations of organizations that use Village facilities. He suggested that he, Trustee Rath, and Dave Van Elzen meet to draft this agreement.
- 13) Complaints and Compliments
- a) Richard C. Moore re rear yard drainage – Laux recommended that Engineer Schaff check the grading of the drainage as compared to the original drainage plan.
  - b) Mark Siebers re driveway and recreational trail – The Board suggested that the trail section and driveway be inspected and budgeted as necessary for future repair.
- 14) Review/action re. Resolution No. 07-08 A Final Resolution Authorizing Public Improvements and Levying of Special Assessments Against Benefited Property Under Section 66.0703(1)(b) Police Powers, Wisconsin Statutes, As Amended: Improvement being Military Road (CTH M) Sanitary Sewer Extension – **Barribeau moved to approve Resolution 07-08 for special assessment of the Military Road sanitary sewer extension improvement. The action included the statement that assessments shall be due within thirty (30) days of billing date, shall be paid in cash or in five (5) annual installments which shall be placed on the tax roll and shall bear interest at the rate of seven percent (7%) per year. Rath second. Motion carried unanimously.**
- 15) First Reading of Ordinance No. 07-95, An Ordinance Establishing the Position, Duties and Responsibilities of Village Administrator For the Village of Sherwood – Multiple changes to the text of the ordinance were made to remove references to department heads which the Village does not have at the present time; and to specify that the administrator

will manage and coordinate functions of Public Works. Input from Consultant Steve Hintz, Public Administration Associates, was requested as to a rational for deleting or retaining a residency requirement.

16) Review/Action Veolia Environmental Services contract extension – The contract extension was reviewed with changes requested to provide for no increase (from 2007 pricing) for the first two years of the extension, and with a CPI increase not to exceed 4% in the third year. These changes would extend the contract under the same terms as in the prior three year extension.

17) Correspondence

- a) Updated administrator recruitment schedule and selection process was reviewed with dates set for selection of final candidates on September 19 and for candidate interviews on October 3.
- b) Update regarding fire protection agreement was discussed noting that review of the agreement would best be scheduled in 2008 when personnel matter in the Town of Harrison and the Village are more settled.
- c) Report of Equalized Values was presented for review.
- d) Calumet County Storm Water Tour invitation reported.
- e) National Incident Management Systems (NIMS) training requirements and schedule were discussed.
- f) Web site activity report was reviewed
- g) ECWRPC Correspondence was reviewed. It was agreed that the Village will prepare for the November 14, 2007 meeting of the East Central Community Facilities Committee at which time an amendment to the Sherwood Sewer Service Area Plan will be taken up.
- h) Correspondence directed to Kaukauna Area School District was reviewed in which a statement of intent with respect to the Sherwood future school site was requested.
- i) Aquatic Invasive Species Public Input sessions schedule was presented.

18) Adjournment – ***Barribeau moved to adjourn at 9:00 p.m. Miller second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

**Village Board Special Meeting Minutes**  
**August 6, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:02 p.m. with call of roll:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Roger Kaas, excused
Joyce Laux	David Petrie
David Miller	<b>Others Present</b>
Jim Rath	Ellen Maxymek, Clerk/Treasurer
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Registered Citizen Comments on Agenda Items – None
  
- 5) Consideration/Action re. administrator recruitment
  - a) Salary range – Stating that it is imperative to offer a salary range that will attract qualified, experienced candidates to the administrator position, Rath supported the range proposed by Kaas in his analysis of salaries in similarly sized Wisconsin municipalities. Rath also said that the Board should remain open to potential candidates to perform duties and responsibilities other than those outlined in the coordinator job description. In particular, he said, zoning code administration could be reassigned if needed, and municipal financial administration, if such a background was available in a qualified candidate, would be a plus. Laux disagreed with the observations. *Rath moved to approve a salary range between \$50,000 and \$68,000 depending on qualification, experience and education. Thomson second. Motion carried. Laux opposed.*
  
  - b) Position announcement – Reviewing the position announcement and ordinance creating the administrator position, Trustees Rath and Laux stated that responsibilities for oversight of the sewer and water utility, as well as emergency management duties should be explicitly noted in those documents.
  
  - c) Recruitment schedule – It was the consensus of the board that the fastest possible recruitment track is preferred.
  
- 6) Correspondence
  - a) Materials relevant to administrator recruitment a draft ordinance establishing the position was reviewed as were materials provided by absent trustee Kaas
  
- 7) Adjournment – *Barribeau moved to adjourn at 6:30 p.m. Thomson second. Motion carried.*

Minutes presented for review and approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes September 10, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:33 p.m. Roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	David Petrie, excused
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Ellen Maxymek, Clerk
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – ***Barribeau moved to approve the agenda. Kaas second. Motion carried.***
  
- 4) Approval of Minutes – ***Barribeau moved to approve the minutes of August 27, 2007 as presented. Kaas second. Motion carried.***
  
- 5) Registered Citizen Comments on Agenda Items
  - Joe Nemecek, Developer, Camelot Estates, re. 6) a) Nemecek stated he has laid out streets and infrastructure northeast of Hwy. 114/55 to Kesler Road and submitted plans for the development of that area.
  
- 6) Report of the Plan Commission – ***Laux moved to approve action item a) and accept the report of the Plan Commission. Thomson second. Motion carried unanimously.***
  - 1) Items for action by the Village Board
    - a) Discussion/recommendation re agreement to plan for future infrastructure northeast of Hwy. 114/55, northwest of Military Road/Kesler Road – *The Village Engineer presented the Official Map of the Village adopted by the Village Board in May, 2000. Plan Commission recommended approval to plan for future infrastructure northeast of Hwy. 114/55, northwest of Military Road/Kesler Road*
  
    - b) Discussion/action re extension of Knight Drive to provide road access for development of State Park Estates V – *Following comment from RBH Development requesting an extension of Knight Drive to provide access to landlocked property for the purpose of developing State Park Estates V, the Plan Commission recommended extending Knight Drive on Village owned property pending:*
      - *A positive outcome with regard to discussions with Joseph Smet Sr. to locate a portion of the roadway on his property*
      - *Placement of a temporary fire road with access Hwy. 114/55*
      - *Development of a road plan that does not negatively impact park structures*



***Rath moved to separate and table action item b). Laux second. Motion carried unanimously.***

2) For information only

- a) Consideration/action regarding future petition to vacate Margaret Street – *The owner of abutting properties commented that the portion of Margaret Street extending to the west/northwest of Lorraine Street has never been developed as a public right-of-way and is, in his opinion, an illegal road. He desires to have the road vacated and will abandon the abutting lots to that end. A family related business currently parks heavy equipment alongside the road and due to that the cost of their liability insurance has risen steeply. The Plan Commission took no action to recommend the discontinuance of Margaret Street but offered to create a barrier or post appropriate signage stating that the road is not a thruway.*
- b) Consideration/action to permit the Village Engineer to facilitate vacation of Margaret Street on behalf of petitioner – *No actions or recommendations.*
- c) Consideration/recommendation re timetable for Sewer Service Area Plan amendment – *The Plan Commission favorably reviewed correspondence from East Central Wisconsin Regional Planning Commission which referenced points as follows:*
  - *Affected property owners need to be notified that their property is being removed from the existing sewer service area. These notifications will help meet the criteria set forth in the ECWRPC swap amendment policy. It was noted that the properties likely may be reinstated during the 2008 sewer service area plan update.*
  - *Investigation has preliminarily shown that there are no extraordinary circumstances caused by the Village treatment plant operation resulting in effluent outfall blamed for downstream flooding of a property owner.*
  - *Due to the vacancy in the Villages' coordinator position, it was recommended that the Village prepare for the November 14, 2007 (rather than the upcoming September 12, 2007) meeting of East Central Community Facilities Committee regarding new sewer service additions. The delay will give the Village time to determine actual development pressures from the new service areas*
- d) Schedule Smart Growth Plan timeline – *The timetable was reviewed. The Plan Commission declined scheduling a special meeting but rather prefers to review the Smart Growth Plan, make changes and potentially act on a resolution to adopt the plan at their regular meeting on October 1.*

7) Report of Village Officers

- a) Village President – Miller reported that the administrator recruitment continues on schedule.

- b) Clerk/Treasurer
  - i) Review financial reports – Maxymek reviewed the disbursement reports and answered questions.
  
- 8) Village Attorney opinion re appointment of Village Engineer to serve as Citizen Member on the Community Development Authority Board – After reviewing the opinion of the Village Attorney, **Miller moved to appoint and confirm Gary Rosenbeck to serve as a citizen member of the Community Development Authority. Barribeau second. Motion carried unanimously.**
  
- 9) Village Engineer
  - a) Review/action on Change Order #1, 2004-2005 Storm Interceptor Sewer Construction contract, a decrease in the amount of \$3,939.40 – **Barribeau moved to approve change order #1, a decrease of \$3,939.40 in the 2004-2005 Storm Interceptor Sewer Construction contract. Thomson second. Motion carried unanimously.**
  
  - b) Review/action re Certificate for Payment #2, final payment in the amount of \$38,679.54 to Carl Bowers & Sons Construction for the 2004-2005 Storm Interceptor Sewer Construction contract – **Barribeau moved to approve Certificate for Payment #2, final payment in the amount of \$38,679.54 to Carl Bowers & Sons Construction for the 2004-2005 Storm Interceptor Sewer Construction contract. Thomson second. Motion carried unanimously.**
  
  - c) Review/action re an agreement for professional Services to prepare a concept plan for areas for areas A & B, Exhibit Map attached – **Barribeau moved to approve an agreement for professional services, in an amount estimated at \$3,000 not to exceed \$4,000, to prepare a concept plan for areas A & B, of the Exhibit Map. Kaas second. Motion carried unanimously.**
  
- 10) Regular Business
  - a) Complaints and Compliments
  
  - b) Review/action on request by Steve Bloemer, High Cliff Golf Course to permit discharge of firearms for the elimination of pests within the village limits (Ord. 47) – High Cliff Golf Course Owner, Steve Bloemer and Roy Jansen, Course Superintendent, requested permission to discharge firearms for the purpose of pest elimination during the 15-day hunting season, which began September 1. Bloemer presented photographs showing extensive damage caused by migratory geese. He stated that 12-gauge shotguns with a range of approximately 200 yards would be used to kill the geese. Supervised shooting would take place each morning at sunrise, and would not be directed toward homes, people or roadways. He also requested permission to shoot geese during the spring 2008 mating and hatching season. Alternative solution to the pest problem were suggested including the use of trained dogs, noisemakers, or covering the affected areas, however, Bloemer and Jansen reported these deterrents are too costly or difficult. **Barribeau move to deny the permit. Lacking a second, the motion died.**

Jansen requested that village personnel apply oil to the goose eggs that proliferate in the village's detention pond system during the spring nesting season. Oiling the eggs will prevent the eggs from hatching, he said.

***Laux moved to approve issuing four one-day permits to discharge firearms for the elimination of pests within the Village limits at High Cliff Golf Course hole #1 beginning September 12, 2007 and ending September 15, 2007. Miller second. On a call of roll, Laux, Miller, Rath voted in favor of the motion. Barribeau, Kaas, Thomson voted against. Lacking a majority, the motion failed. Miller moved to continue looking for other options to deter damage to the golf course caused by geese including oiling eggs. Thomson second. Motion carried unanimously.***

- c) Review/action re request for approval to add pipe extension/enclosure made by Robert and Lara Hittle, W5165 Harbor Court (Ord. 55) – Village Engineer Rosenbeck reportedly found no objection to the request for a ditch enclosure. ***Miller moved to approve the addition of a rear yard drainage pipe extension and enclosure. Kaas second. Motion carried unanimously.***
  
- d) Consideration/action to pursue negotiation of sale of public property for the purpose of commercial development – Jim Weidert presented a site concept and stated his interest in purchasing a two-acre section of Village owned property on Castle Drive to locate a childcare business. He indicated he wanted to fast-track the matter in order to begin construction before the onset of cold weather.

Maxymek reported that the two acres would need to be separated from the rest of the parcel on which Wanick Park and property long intended for development as a future school site are located. Thomson called attention to correspondence from the Kaukauna Area School District. District Administrator Dr. Lloyd McCabe wrote “we [the School District] respectfully encourage the Village of Sherwood to proceed with opportunities to develop the commercial corridor, including the Castle Drive property”. The section could be divided by certified survey map and a rezoning of the property would likely be necessary. The first step, she said, may be to obtain an appraisal of the property and to negotiate with Weidert before proceeding with a land division and rezone. Maxymek noted it is unlikely that the process could be culminated as speedily as Weidert desired. ***Miller moved to obtain an appraisal of the subject property. Thomson second. Motion carried unanimously.***

- e) Review/action quote to replace or repair sidewalk at entrance to Community Center – A proposal was reviewed to replace uneven sidewalk sections at the entrance to the Community Center at a cost of \$625 or to leave the walk intact and grind down the edge to level for \$150. The proposal noted that there is a height difference at the doorway that can only be corrected by removing and replacing the walk. After observing the area of sidewalk the board requested a quote to mud-jack the concrete to level.

- f) Review/action re park and recreation dance program report and 2007-2008 program plan – After reviewing a compilation the past five years program enrollment, revenues, and expenditures, ***Kaas moved to continue funding the dance program during the 2007-2008 season. Thomson second. Motion carried unanimously.***

11) Correspondence – None

- 12) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.

***Miller made motion to MOVE INTO CLOSED SESSION at 8:30 p.m. per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility. Barribeau second. Barribeau, Kaas, Laux , Miller, Rath, and Thomson voted in favor. No votes against. Motion carried.***

***Miller moved to RETURN TO OPEN SESSION at 9:20 p.m. to take further action or to adjourn the meeting. Thomson second. Motion carried unanimously.***

- a) Possible action re employment, promotion, compensation, or performance evaluation data – No action.

13) Adjournment – ***Thomson moved to adjourn at 9:21 p.m. Barribeau second. Motion carried.***

Respectfully submitted for review and approval by Ellen Maxymek, Village Clerk

**Special Village Board Meeting Minutes**  
**September 19, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:42 p.m. with call of roll:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Roger Kaas, excused
Joyce Laux	David Petrie, excused
David Miller	<b>Others Present</b>
Jim Rath	Steven Hintz, Public Administration Assoc.
Carl Thomson	
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Registered Citizen Comments on Agenda Items – None
  
- 5) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.  
  
*Barribeau motioned to move into closed session at 6:44 p.m. per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility. Rath second. Roll call: Barribeau, Laux, Miller, Rath, Thomson in favor. None against. Motion carried.*  
  
*Miller moved to return to open session at 9:45 p.m. Thomson second. Motion carried unanimously.*
  
- 6) Ordinance 07-95, An Ordinance Establishing the Position, Duties, and Responsibilities of Village Administrator for the Village of Sherwood – *Barribeau moved to approve Ordinance 07-95, An Ordinance Establishing the Position, Duties, and Responsibilities of Village Administrator for the Village of Sherwood as presented. Rath second. Motion carried unanimously.*
  
- 7) Consulting agreement for interim administrative services – *Barribeau moved to approve a contractual agreement with Randy Friday, for interim administrative consulting services, between 24 and 32 hours per week at the rate of \$26.50 per hour. Rath second. Motion carried unanimously.*
  
- 8) Adjournment – *Barribeau moved to adjourn at 10:00 p.m. Thomson second. Motion carried.*

Respectfully submitted for review and approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**September 24, 2007**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:32 p.m. with call of roll:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	David Petrie, Excused
Roger Kaas	<b>Others Present</b>
Joyce Laux	Randy Friday, Interim Administrator
David Miller	Ellen Maxymek, Clerk/Treasurer
Jim Rath	
Carl Thomson	
  
- 2) Pledge of Allegiance – Recited
  
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of September 10 and September 19, 2007 as presented. Kaas second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items – None
  
- 6) Consent Agenda
  - a) Operator’s License Application – *Barribeau moved to approve application for Operator’s Permit requested by Charles J. Tysver. Kaas second. Motion carried unanimously.*
  
- 7) Report of the Utility Commission
  - 1) For Action by the Village Board – *Miller moved to approve agenda item a. as recommended. Laux second. Motion carried unanimously.*
    - a. *Ferrous Chloride Feed System and Building at High Cliff Lift Station #3* - Commissioners approved McMahon Associates to engineer preliminary layout of costs and design of a feed system storage building at the High Cliff Lift Station at a cost not to exceed \$2,500. The Village Coordinator reported in June that the building would be TIF eligible.
  
  - 2) For Information Only
    - a. *Water Supply Alternatives* - Engineer reported no response has been received from the City of Appleton regarding the 8/23/07 correspondence for a water supply proposal.
  
    - b. *Well #5 Repairs* - MCO reported Well #5 repairs are scheduled for the first week in October.
  
    - c. *Crane Engineering \$1,110.00 proposal to repair 4" OCV Pressure Reducing Valve at Well #5* - Commissioners approved the proposal.

- d. *Valve Exercising Update* - MCO reported almost half of the valves have been exercised in the Village.
  - e. *Odor issues related to Force Main vent in Municipal Office area* - MCO proposed drilling holes into an 8" PVC pipe, putting in a screen and filling with carbon, and then placing the apparatus inside the force main pipe, eliminating the odor.
  - f. *Re: Sewer Back-up 9/9/07* - Commissioners discussed the sewer back-up which affected customers on Sunset Lake Ct, Palisades Circle, and Palisades Trail. The Village Clerk has instructed the customers to contact their homeowners insurance. The Village Clerk has been in contact with the Village insurance company, as well. Further updates will be discussed at the October meeting.
  - g. *2008 Budget* - MCO suggested a special meeting to discuss the preliminary budget numbers. Utility Clerk reported the utility equipment truck has a buy-out option at the end of its lease, 12/26/08, of \$12,500. There are approximately 2,700 miles on the truck. Commissioners suggest the \$12,500 option be part of the budget. MCO stated a renewal/lease will not be budgeted for a second utility truck. The Ford Ranger lease will end in February 2008.
- 8) Report of Village Officers
- a) Village President
    - i) ***Appointments/confirmations of Sherwood Utility Commission members – Miller appointed Dick Stewart as citizen member of the Utility Commission for a term ending September, 2011. Miller appointed Jim Rath to a five year term as citizen member of the Utility Commission ending September 2012. Barribeau moved to confirm the appointments. Kaas second. Motion carried with Rath abstaining.***
  - b) Clerk/Treasurer
    - i) Review financial reports – Disbursement reports were reviewed. Maxymek was directed to create sub-account numbers for each of the Village owned ponds to track pond related expenditures individually.
- 9) Village Engineer's Report – None
- 10) Complaints and Compliments
- a) Richard C. Moore compliment re. 8/27/07 Board meeting – Moore complimented the Board and Clerk for their department as observed at the specified meeting.
  - b) Hugo Wittmann, complaint re camper parked in driveway – The complaint was referred to Constable Cullen for action and a report on the outcome was requested.
- 11) Network Health Plan policy renewal – Following discussion *Barribeau moved to approve renewal of Network Health Insurance HMO1 option for the period beginning November 1, 2007. Thomson second. Motion carried unanimously.***

- 12) Veolia Environmental Services solid waste collection & disposal agreement – Maxymek reported that Veolia Representative John Roenitz agreed to extend the current solid waste collection & disposal agreement with no increase in the 2007 pricing for 2008 & 2009 and an increase equivalent to the consumer price index (CPI) not to exceed four percent (4%) in 2010. ***Barribeau moved to approve the revised terms of the agreement extension as specified. Rath second. Motion carried unanimously.***
- 13) East Shore Recycling Commission recycling proposal – After reviewing the proposals the Clerk was directed to clarify a presumed misprint in the request for proposals relative to continued recycling curbside pick-up on a bi-weekly basis. Although the RFP states a one-time monthly pick-up in the Village of Sherwood, the three proposals each state service level as every other week or bi-weekly. After clarification the proposals should be returned to the Village Board for action and the Board's decision conveyed at an October 25, 2007 meeting of the ESRC to be attended by a Village representative. Maxymek was also asked to set up a visit to tour the recycling plant by interested trustees.
- 14) 2008 Budget Consideration
- a) Allocation of administrative time distribution between Village, Water, Sewer Funds – The Board reviewed a compilation of the actual distribution of administrative staff time between the general fund and the sewer and water utility funds. This report revealed a discrepancy favoring the utilities between actual worked hours and the percentage spread of time defined by the Utility Commission starting with the 2006 budget year. Following discussion the Board decided that President Miller will meet with Utility Commission Chair Dick Stewart to discuss a resolution. The report will also be presented at the next Utility Commission meeting.
- 15) Correspondence
- Laux requested that the constable be notified of illegal parking of carnival trailers at a Military Road property.
- 16) President Miller recommended motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.

***Barribeau moved to proceed into closed session at 8:05 p.m. per State Statute 19.85(1)(e) as stated. Kaas second. Motion carried unanimously with Barribeau, Kaas, Laux, Miller, Rath, Thomson voting in favor. No votes against.***

***Kaas moved to return to open session at 8:35 p.m. Rath second. Motion carried unanimously.***

Staff was directed to contact Jim Weigert, notifying him that the Village of Sherwood will not entertain an offer to purchase public property. In the opinion of the Board the public good



is best served by retaining this property as parkland or for other public use as growth continues.

17) Adjournment – *Barribeau moved to adjourn at 8:36 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

## Special Joint Village Board/Utility Commission Meeting Minutes October 3, 2007

- 1) Village Board/Utility Commission Meeting called to Order & Roll Call –  
President Miller called the meeting to order at 10:00 a.m. with roll call:

**Village Board Present:** Bill Barribeau, Roger Kaas, Joyce Laux, David Miller,  
Jim Rath, Carl Thomson

**Absent:** David Petrie, Excused

**Utility Commission Present:** Bob Benz, Roger Kaas, Jim Rath, Dick Stewart

**Absent:** Milan Depries, Excused

**Others Present:** Steve Hintz, Public Administration Associates, Inc.

- 2) *Carl Thomson motioned to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility. Rath second. Motion carried unanimously.*

*Barribeau moved to RETURN TO OPEN SESSION at 5:04 p.m. to take further action or to adjourn the meeting. Miller second. Motion carried unanimously.*

- 3) Adjournment – *Kaas moved to adjourn at 5:05 p.m. Thomson second. Motion carried.*

Minutes recorded by Joyce Laux, Vice President of the Village Board and transcribed by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

October 8, 2007

- 1) Call to Order and Roll Call – Vice President Laux called the meeting to order at 6:32 p.m. with call of roll:

<b>Present</b>	<b>Absent</b>
Roger Kaas	Bill Barribeau – Excused
Joyce Laux	David Miller – Excused
David Petrie	<b>Others Present</b>
Jim Rath	Jennifer Schaff, Engineer
Carl Thomson	Ellen Maxymek, Clerk/Treasurer
  
- 2) Pledge of Allegiance – Recited
  
- 3) Approval of the Agenda –*Kaas moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – *Thomson moved to approve the minutes of the September 24, 2007 and October 3, 2007 as presented. Kaas second. Motion carried.*
  
- 5) Registered Citizen Comments on Agenda Items – None
  
- 6) Consent Agenda
  - a) Operator’s License Application – *Petrie moved to approve the operator’s licenses of applicants Liu and Michalkiewicz. Thomson second. Motion carried unanimously.*
    - i) Danni Liu
    - ii) Jessi A. Michalkiewicz
  
- 7) Report of the Plan Commission
  - 1) Items for Action by Village Board
    - a. Extraterritorial review of a Certified Survey Map creating three lots described thus: A part of the Northwest ¼ of the Southeast ¼, Section 31, Township 20 North, Range 19 East, Town of Harrison, Calumet County, Wisconsin – Plan Commission recommended approval with no objection to a Certified Survey Map creating three lots described thus: A part of the Northwest ¼ of the Southeast ¼, Section 31, Township 20 North, Range 19 East, Town of Harrison, Calumet County, Wisconsin – *Kaas moved to accept the recommendation of the Plan Commission approving the stated CSM without objection. Petrie second. Motion carried unanimously.*
  
  - 2) For Information Only
    - a. Review of Village of Sherwood Year 2030 Draft Comprehensive Plan – Plan Commission reviewed and recommended changes to Year 2030 Comprehensive Plan in draft.
  
- 8) Report of Village Officers
  - a) Village President – No report.

- b) Clerk/Treasurer
  - i) Review financial reports – The disbursement register, quarterly balance sheets and budget comparison reports of the governmental funds for the quarter ending September 30, 2007 were reviewed.
  
- 9) Village Engineer's Report
  - a) Certificate for Payment #5 to Jossart Brothers, Inc. for 2006 Drainage Improvement & Forest Lane Reconstruction Project in the amount of \$35,313.58, partial payment for work performed through September 19, 2007 – ***Laux moved to approve Certificate for Payment #5 to Jossart Brothers, Inc. for 2006 Drainage Improvement & Forest Lane Reconstruction Project in the amount of \$35,313.58. Kaas second. Motion carried unanimously.***
  
  - b) Certificate for Payment #1 to Badger Highways Co., Inc. for the 2007 Asphalt Paving Program in the amount of \$53,231.27, partial payment for work performed through September 26, 2007 – ***Rath moved to approve Certificate for Payment #1 to Badger Highways Co., Inc. for the 2007 Asphalt Paving Program in the amount of \$53,231.27. Petrie second. Motion carried unanimously.***
  
- 10) Complaints and Compliments
  - a) Rick Ellenbeck, N7868 State Park Road – Ellenbeck stated that, due to the way the curb and gutter was replaced, water is pooling and undermining his driveway causing the slab to drop from grade. Maxymek reported that the Public Works staff will perform a site visit to determine the extent of the problem.
  
- 11) Request for modification of gym stage for dance bar – A request for a dance bar was received from instructor Leanne Kaser. She stated that a parent volunteer would install the bar on the back wall of the stage. ***Petrie moved to approve as long as the plan is reviewed administratively, and there is no cost or liability to the Village.*** The clerk was asked to gather more information as to size, material, quality, appropriateness of the project, and liability. ***Petrie rescinded his motion. Rath move to table. Petrie second. Motion carried unanimously.***
  
- 12) Schedule review and adoption of 2008 Budget – The schedule for budget review and adoption was agreed upon with and additional budget meeting scheduled on October 29, if necessary.
  
- 13) 2008 Budget Consideration – A first draft of the General Fund budget was reviewed. Rath stated he would like to see funding for a recreation program. Laux disagreed saying that she found it difficult to fund continuation of recreation activities that were originally conceived as volunteer based programs. The Village has invested heavily in buildings, sport fields and major equipment, she continued, with the expectation that the volunteers would provide the direction of activities. She also noted that a significant portion of the youth and parents served by the programs resided and pay taxes in other municipalities.

Proposals for 2008 capital equipment purchases including a skidsteer and telephone system were considered.

14) Correspondence – None

15) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.

***Thomson motioned to move into closed session per State Statute 19.85(1)(c) as stated. Rath second. Motion carried with Kaas, Laux, Petrie, Rath, Thomson in favor. None against.***

***Petrie moved to return to open session at 9:10 p.m. Kaas second. Motion carried unanimously.***

16) Employment Agreement between the Village of Sherwood and Randy Friday – ***Rath moved to approve the employment between the Village of Sherwood and Randy Friday. Thomson second. Motion carried unanimously.***

17) Adjournment – ***Kaas moved to adjourn at 9:13 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**October 22, 2007**

1) Call to Order and Roll Call – President Miller called the meeting to order at 6:35 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	None
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Engineer
David Miller	Randy Friday, Administrator
David Petrie	Ellen Maxymek, Clerk/Treasurer
Jim Rath, arr. 7:15 p.m.	Scott Nadler, Public Works Department
Carl Thomson	

2) Pledge of Allegiance – Recited

3) Approval of the Agenda – ***Barribeau moved to approve the agenda. Thomson second. Motion carried.***

4) Approval of Minutes – Minutes were not available for review.

5) Registered Citizen Comments on Agenda Items – None

6) Report of the Utility Commission – ***Barribeau moved to approve action item 1) a. i. and to accept the balance of the Utility Commission report. Miller second. Motion carried unanimously.***

1) For Action by the Village Board

a. 2008 Budget

i. *Actual Time Distribution* - Commissioners recommended that the Village Board approve the budget with the four percent (4%) increase suggested by MCO for 2008 contracted services, subject to CPI, and the addition of \$6,250 to both the water fund and sewer fund (\$12,500 total) for the buy-out purchase of utility truck, and distribution of the Finance/Utility Clerk wages at 70% Utility/30% Village ratio and the Administrator wages at 30% Utility/70% Village.

2) For Information Only

a. Engineers Report

i. *Future Water Supply Update* - Engineer reported there has been no response from the City of Appleton regarding the August 23, 2007 request for a water supply proposal. Engineer suggested newly named Administrator, Randy Friday, be the Village of Sherwood contact. Friday will contact the City of Appleton's Director of Utilities, Michael Buettner.

ii. *TTHM level non-compliance* - Engineer explained the DNR has stated they will proceed to draft a consent order for the Village's consideration. Specific dates will be blank in the document pending water discussion and negotiations with Appleton. Engineer further suggested that the Administrator review the High

Cliff Supper Club agreement for the proposed Well #7 site and keep open lines of communication with their representatives.

- iii. *Iron Feed Building Options at High Cliff Lift Station #3* - Engineer provided two estimate options for a chemical feed building at High Cliff Lift Station. Option #1 estimate: "Stick Build" building on site, \$40,700. The underground piping and building excavation prices were provided by Lee's Contracting. The concrete foundation/floor prices and insulated building prices were provided by Jack Diedrich Construction. The plumbing, electrical and mechanical install & heating /ventilation costs are engineer estimates. Option #2 estimate: Precast Concrete Building, \$57,000. An insulated, precast concrete building with lights, heating, ventilation, and electrical receptacles would arrive pre-constructed and be placed on a prepared concrete foundation via crane.

Engineer suggested state statutes require three (3) public bids for projects over \$25,000 (amount to be verified). Administrator also recommended the commissioners request an additional proposal. Commissioners were in consensus to call a special meeting, if needed, to consider the three bids.

- iv. *Capital Projects* - Administrator recommended the updated schedule of utility projects be presented to the Village Board for TIF funding. The Administrator suggested a possible joint Village Board/Utility Commission meeting for October 29, 2007.

b. Utility Operator Report

- i. *Well #5 Repair Update* - MCO reported the pipes are still in Texas. MCO will schedule repairs after hydrant flushing the week of October 22<sup>nd</sup>.
- ii. *Valve Exercising Report* - MCO reported there are 30 + valves still to be located. A full report will be presented to the commission at completion.
- iii. *Curb Stop Rates* - Commissioners approved eliminating the \$30 charge to lower/raise customer curb stops.

3) Regular Business Report

- i. *9/9/2007 Sewer Back-up Claims* - a denial of claim was sent from the Village insurer to the three claimants on September 20, 2007.
- ii. *Clinton Solberg complaint* - Commissioners denied Mr. Solberg's complaint of overcharge because the meter tested accurately and the 9/30/2007 consumption is not out of line with the prior years of consumption for the period.
- iii. *Elect Chairperson 10/1/2007-9/30/2008* - Commissioners elected Dick Stewart as chairman.

- iv. *Echo Estates Condominiums Water Usage Request* - Condominium representatives have not contacted the Village office since they were informed of the commission's requirements for filling their private pond (9/17/07) from the public water supply.

7) Report of Village Officers

a) Village President – No report

b) Clerk/Treasurer

i) Review financial reports – Disbursement reports were reviewed.

ii) Consider/Approve East Shore Recycling Commission recycling proposal – ***Laux moved to accept the proposal of Veolia for recycling services through the East Shore Recycling Commission. Barribeau second. Motion carried unanimously.***

8) Village Engineer's Report

9) Village Administrator

a) Aquatic Biologist, Inc.: Request for funding in FY08 for stormwater ponds – After reviewing the Aquatic Biologist recommendation to fund for three algae treatments at Mustang Pond and the north and south State Park Estates Ponds, it was the consensus of the Board to increase the 2008 budget for storm sewer outside services by \$8,721.

10) Complaints and Compliments – After a discussion of the outcome of a previous complaint regarding curb and gutter drainage Kaas stated that he believes it is important to make sure outcomes are being communicated to residents.

11) FY2008 Budget Discussion

a) Discuss/Approve various Funds (General, Stormwater, Parks, Trees, Debt, et. al.) and direct Staff to set public hearing on Nov. 12<sup>th</sup> - Friday reported significant changes from the 2007 budget which were approved by consensus of the Board as follows:

- General Fund – Revenues: The tax levy was calculated at \$235,696, a 3% increase over 2007. However, the state legislature is reported to have passed an increase limited to 2% over last year. Therefore the resulting local levy will decrease from the initial draft, in the amount of \$6,172.
- General Fund – Expenditures:
  - Fire protection fees will increase \$20,002 due to an increase in Town of Harrison budget for wages and equipment.
  - Storm sewer – outside services initially budgeted for \$10,000 will increase to \$18,721 based on the Board decision (above) to budget for algacide treatment at Mustang and State Park Estates Ponds.



- A part-time recreation program position initially budgeted at \$11,825, including wages and benefits, was deleted.
  - Planning services for the downtown district increased \$13,000 for FY2008.
  - Mapping services budget increased by \$4,300 from \$1,700 to \$6,000.
  - Contingency funds increased from \$6,000 to \$22,663.
  - General government capital expenditures for a telephone system (\$3,000) and audio visual equipment and a public address/recording system (\$7,000) were budgeted.
  - Public Works capital equipment for \$40,000 for a Skidsteer remained in the 2008 budget. An accrual of \$10,000 for a future garage addition or new building was deleted.
  - An irrigation drip system for watering trees for \$5,000 was eliminated.
- Debt Service – Revenues: Tax levy increased from \$16,388 in 2007 to \$64,075 to fund increased debt service principal and interest payments.
  - Water and Sewer Utility: Budgets recommended by the Utility Commission were approved by the Village Board (above).

b) Discuss/Approve various Capital Improvement projects that require future borrowing – Capital projects totaling \$5,575,000 scheduled for completion by 2010 were reviewed. These projects, if approved, will require new debt to finance. The Board was asked to consider these projects and potential funding and to make decisions in this regards for budget approval at the November 12 meeting.

## 12) Correspondences

a) Accept resignation of Patricia Sevela from Parks, Recreation and Urban Tree Board – ***Barribeau moved to accept the resignation of Patricia Sevela from the Park, Recreation and Urban Tree Board. Thomson second. Motion carried.***

b) Town of Harrison: Request for additional funds in FY08 – Friday reported that although the Town of Harrison Board has not finalized the fire protection budget, the town administrator has already advised that the Village's 22.80% portion of the fire protection costs for 2008 will be \$94,300. This is a \$20,000 increase over 2007.

13) CLOSED SESSION: Per State Statute 19.85(1)(c) the Board may move to closed session when considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – ***Miller moved to proceed into closed session for the purpose stated***

*above at 9:00 p.m. Barribeau second. Motion carried unanimously with Barribeau, Kaas, Laux, Miller, Petrie, Rath, Thomson voting in favor. No votes against.*

*Miller moved to return to open session at 9:45 p.m. Barribeau second. Motion carried.*

14) Adjournment – *Barribeau moved to adjourn at 9:45 p.m. Thomson second. Motion carried.*

Minutes presented for review and approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes November 12, 2007 at 6:30 pm

1) Call to Order and Roll Call – President Miller called the meeting to order at 6:33 p.m. with

roll call:	<b>Present</b>	<b>Absent</b>
	Bill Barribeau	None
	Roger Kaas	<b>Others Present</b>
	Joyce Laux	Jennifer Schaff, Engineer
	David Miller	Gary Rosenbeck, Engineer
	David Petrie	David Wagner, Financial Consultant
	Jim Rath	Randy Friday, Administrator
	Carl Thomson	Ellen Maxymek, Clerk/Treasurer

2) Pledge of Allegiance – Recited

3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*

4) Approval of Minutes – *Barribeau moved to approve the minutes of October 8, 2007. Kaas second. Motion carried.*

5) PUBLIC HEARING: Consider/Approve Proposed FY2008 Village Budget

- General Fund – Administrator Friday reported two changes to the budget from the previously reviewed draft. Tax revenue increased from a 2% to 3.86% levy limit and is presented for approval at \$641,004. Town of Harrison increased the Village share of their fire protection fees by \$9,706 to a total \$104,006.
- TIF Capital Projects Fund – Financial Consultant Dave Wagner concurred with the Administrator that capital projects approved for FY2008 can be financed with TIF fund balance. Wagner continued that the TIF district can support more than \$5,000,000 in new costs and still close out the TIF in 2010. Short term financing may be needed depending on the timing of projects.

The Board agreed to budget \$814,000 in 2008 to complete the sewer force main project. Other projects if desired can be added by amending the adopted budget next year.

- Non-TIF Capital Projects Fund – Wagner concluded that non-TIF capital expenditures could be financed in 2009 without increasing the tax burden on property owners. He predicted a minimal impact due to debt in budgets through 2010. In 2011 through 2019 debt levy will be more than offset by the generation of higher General Fund levies due to TIF closeout. He recommended refinancing non-TIF debt in 2009 to make a smooth transition at the same time borrowing for TIF projects if desired. Friday stated that no non-TIF capital projects need be budgeted for 2008.

After three calls for public comment, Miller announced the public hearing closed at 7:45 p.m.

**Petrie moved to adopt the 2008 Budget as presented with the above changes noted . Laux second. On call of roll Barribeau, Kaas, Laux, Miller, Petrie, Rath, Thomson voted in favor. No votes against. No abstentions. Motion carried unanimously.**

6) Waiver of *Rule 9 – Village Board Rules*, enabling one reading of Ordinance 07-96 – **Kaas moved to waive Rule 9 to enable one reading of the ordinance. Rath second. Motion carried unanimously.**

7) Discuss/Adopt Ordinance 07-96 Appropriating the Necessary Funds for Operation of the Government and Administration of the Village Of Sherwood for the FY2008 Budget – **Miller moved to adopt Ordinance 07-96 appropriating a tax levy of \$641,004 for General Fund purposes and \$64,075 for the purpose of Debt Service. Rath seconded.** Petrie questioned whether a capital expenditure for a new telephone system in the administrative offices is included in the budget as presented. Friday responded in the affirmative. **Motion carried unanimously.**

8) Registered Citizen Comments on Agenda Items – None.

9) Report of the Utility Commission: None

10) Report of the Plan Commission: Nov. 5, 2007 – No action required.

1) For Information Only

a. Review of Village of Sherwood Year 2030 Draft Comprehensive Plan – Plan Commission reviewed and revised a draft of Chapter 8 – Land Use of the Comprehensive Plan

11) Report of Village Officers

a) Village President

i) SAYSO/YMCA: Discuss mutual benefit arrangement – Tom Doughman, representing SAYSO and Sharon Johnson representing the YMCA spoke regarding a mutually beneficial youth soccer program. The YMCA will provide services to administer and maintain the program activities for Sherwood area youth. The cost structure of the program will change slightly with a \$35 cost to YMCA members and \$50 non-member cost. SAYSO will continue fund raising efforts, using the funds to maintain buildings, playing fields and equipment. Village of Sherwood facilities will continue to be used for program activities. The YMCA and SAYSO will reevaluate the program after the season to make sure the needs of the community are being met. If successful the YMCA will gauge community interest in other sport and fitness programming.

b) Clerk/Treasurer

i) Review financial reports – Financial reports were reviewed. Maxymek called attention to the 2007 Statement of Assessment listing the aggregate assessed value of all property in the Village of Sherwood subject to general property tax at \$218,612,900.

ii) High Cliff Cemetery: Consider/Approve ‘Sale of plots’ (Hargreaves; Geweke) – **Barribeau moved to approve the sale of three cemetery plots. Thomson second. Motion carried unanimously.**

iii) High Cliff Cemetery: Consider/Approve 'Agreements for Perpetual Care' (ibid) – ***Barribeau moved to approved Agreements for Perpetual Care for three plots. Thomson second. Motion carried unanimously***

iv) High Cliff Cemetery: Consider/Approve *Policy* changes – After reviewing the policy the following changes were suggested:

- o Burial lots shall be sold for casket burial of one individual.
- o Burial lots shall be sold for the container burial of human cremains of not more than two individuals.
- o Burial lots shall be sold for casket burial of one individual and one container burial of human cremains.

Maxymek reported that, after surveying the lot costs charged by other municipal cemeteries in the vicinity, the current lot costs charged in High Cliff Cemetery are higher. Following discussion ***Kaas moved to table the matter of policy changes to a future meeting. Thomson second. Motion carried unanimously.***

v) Consider/Approve Intergovernmental Policy regarding Special Charges with Calumet County – Maxymek reported that Calumet County prepared an intergovernmental agreement which, if approved, would limit exposure of the County for special charges included in the tax roll which have not previously been paid to or retained by the Municipal Clerk. Heretofore, all special charges ie. delinquent utility, weed control or miscellaneous other charges were paid out to the municipality at final settlement. The County desires to limit payouts to not more than \$1,000 per unpaid special charge up to a maximum of \$2,000 per parcel. Like delinquent special assessments, special charges that exceed the maximum would be paid to the municipality by the county when they are collected. Responding to a question from Rath, Maxymek reported that such special charges rarely exceed a few hundred dollars, and therefore the impact of the agreement would be slight. ***Miller moved to approve the intergovernmental agreement. Rath second. Motion carried unanimously.***

vi) Consider/Approve request to release custodial funds (Ellen Propson) – Maxymek reported that former employee Propson wishes to withdraw her funds which are currently held in a custodial account. The Village as account administrator must first sign off on the release of the proceeds. ***Barribeau moved to approve release of the funds to the account owner. Petrie second. Motion carried unanimously.***

c) Constable's Report – The Constable's report was reviewed as presented.

## 12) Village Engineer

i) Consider/Approve Change Order # 3 (Pigeon Rd/Stommel Rd. Street & Utility Contract) – ***Barribeau moved to approve Change Order #3 increasing the contract amount \$663.86 to a total of \$781,095.84. Kaas second. Motion carried unanimously.***

- ii) Consider/Approve Final Payment (Certif. #8) and Close-out (Pigeon Rd./ Stommel Rd. Street & Utility Contract) – ***Barribeau moved to approve Certificate for Payment #8 to Vinton Construction Company in the amount of \$20,174.66, final payment for work performed on the Pigeon Road and Stommel Road Street and Utility Construction Contract contingent on final authorization by Engineer Schaff. Thomson second. Motion carried unanimously.***
- iii) Street Report: Accept Proposed Improvements Report – Schaff presented a future road paving program including probable costs. She pointed out that the life of the Sherwood Forest Subdivision roads may be extended by applying a chip seal treatment. She also noted that the listed improvements do not include potential replacement of utility structures. After reviewing the list Friday recommended making no improvements in 2008.

13) Village Administrator

- i) Resolution 2007-09: Recycling Efficiency Initiative (REI) Grant: Consider/Approve resolution for grant application for FY08 – ***Barribeau moved to approve Resolution 2007-09 authorizing participation in the Recycling Efficiency Initiative (REI) Program. Rath second. Motion carried unanimously.***
- ii) Update Personnel Policy: Consider/Approve Vacation time changes for Non-represented Employees to match Represented (Union) Employee Contract – ***Barribeau moved to approve vacation time changes for Non-represented Employees to match Represented (Union) Employee Contract. Laux second. Motion carried unanimously.***
- iii) Boiler Break-down at Recreation Center: Consider/Approve unbudgeted expenses as necessary related to boiler replacement – Board reviewed damage to the Rec Center boiler. No action was taken pending more information as to cost to repair/replace.

14) Complaints and Compliments: None

15) Correspondences

- a) Aegis Insurance Corporation: Update on sewer claim (Oct. 23, 2007) – Reviewed.
- b) Town of Harrison: Fire Service Protection Update (Oct. 29, 2007) – Reviewed.
- c) Theodore Dragotta: Land for sale on Golf Course Road (Nov. 8, 2007) – Reviewed.

16) CLOSED SESSION: Per Wis. Stats. 19.85(1)(c) the Board may move to closed session when considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility

***Rath moved to go into closed session at 8:50 p.m. per the cited statute. Kaas second. Motion carried unanimously.***

*Miller moved to return to open session at 9:18 p.m. Petrie second. Motion carried unanimously.*

*Petrie moved to approve Option D of items considered in closed session, to remit a net payment in the amount of \$2,262 to Clerk/Treasurer Maxymek in recognition of the extra hours of work spent above and beyond her usual duties during the period of vacancy in the office of Coordinator/Administrator. Kaas second. Motion carried unanimously.*

17) Adjournment – *Kaas moved to adjourn at 9:19 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**November 20, 2007**

**EMERGENCY MEETING NOTICE**  
**Posted November 19, 2007 at approximately 2:00 p.m.**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 8:02 a.m. Roll called:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	Joyce Laux, Excused
Roger Kaas	<b>Others Present</b>
David Miller	Randy Friday, Administrator
David Petrie	Bill Diedrick, Public Works
Jim Rath	Scott Nadler, Public Works
Carl Thomson	Ellen Maxymek, Clerk
  
- 2) Pledge of Allegiance – Recited
  
- 3) Approval of the Agenda – ***Bill Barribeau moved to approve the agenda. Thomson second. Motion carried.***
  
- 4) Heating System Replacement: Consider/Approve authorization of contract to replace disabled heating system (boiler unit) with rooftop system by Christensen Heating & Air Conditioning – Friday explained that the emergency meeting was called to seek approval to replace the inoperative boiler in the Recreation Center thereby protecting the building from damage due to freezing weather conditions. It is uncertain at this time as to whether or not boiler insurance coverage will reimburse replacement costs for the four year old boiler unit. Inspection of extensive damage to the heat plates was performed by an insurance company inspector but was inconclusive as to cause.

A proposal was received from Becker Boiler in the amount of \$20,245 to replace the existing boiler in kind, however, Diedrick pointed out that the steam system is inefficient and expensive to operate due to degradation of the pipes and valve. Miller verified that the boiler system had been problematic for at least thirty years.

Representatives from Christensen Heating presented a proposal to replace the boiler with an Armstrong RTU rooftop mounted forced air furnace to heat the gym. Also proposed were an Armstrong EFC blower and 10 KW heater in the lobby area; an ADP FSAN heater in the boiler room; two Broan B194 3KW surface mount wall heaters to heat the locker room and hallway with all necessary sheet metal fabrication, gas piping, venting, and equipment. Area thermostats will provide the ability to pre-program varying heat levels as needed, resulting in fuel cost savings. Christensen Heating proposes to furnish materials and labor



necessary to complete the job for the sum of \$18,379. This proposal was exclusive of removal of the old boiler. Rath questioned the Applied Fuel Unit Efficiency (AFUE) and whether Focus on Energy credits would be available. The Christensen representative responded that the AFUE rating of the forced air system was 80% and Focus credits were unlikely. The boiler unit, if operative, was about 78% efficient but the leaky delivery pipes and valves reduced that efficiency substantially.

A separate proposal in the amount of \$2,417 was presented from Bell Electric to supply wiring and labor to service the system.

***Barribeau moved to accept the proposals totaling \$20,796 from Christensen Heating and Bell Electric to replace the boiler system with forced air and surface mount units. Miller second. On call of roll Barribeau, Kaas, Miller, Petrie, Rath, Thomson voted in favor. Motion carried unanimously.***

- 5) Adjournment – ***Barribeau moved to adjourn at 8:16 a.m. Miller second. Motion carried.***

## Village Board Meeting Minutes November 26, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:36 p.m. with roll call:

<b>Present</b>	<b>Absent</b>
Bill Barribeau	David Petrie
Roger Kaas	<b>Others Present</b>
Joyce Laux	Jennifer Schaff, Village Engineer
David Miller	Randy Friday, Administrator
Jim Rath, arr. 6:42 p.m.	Ellen Maxymek, Clerk
Carl Thomson	

- 2) Pledge of Allegiance – Pledge recited.

- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*

- 4) Approval of Minutes – *Barribeau moved to approve the minutes of:*

- i) October 22, 2007 – Correction: Thomson noted his presence at the meeting of October 22.
- ii) November 12, 2007 – Correction: Thomson noted his presence at the meeting of November 12.
- iii) November 20, 2007 – No changes or corrections.

*Thomson second. Minutes approved with noted corrections.*

- 5) Registered Citizen Comments on Agenda Items

- 6) Consent Agenda

- a) Operator’s License: Kathryn M. Guyette – *Barribeau moved to approve the operator’s license application of Kathryn M. Guyette. Thomson second. Motion carried unanimously.*

- 7) Report of the Utility Commission: November 19, 2007.

- 1) Items for action by Village Board

- a. Approve Placement of Delinquent Accounts 90 + days onto the Tax Roll – *Utility Commission approved placement of three delinquent accounts onto tax roll. Barribeau moved to approve placing delinquent utility accounts on the tax roll. Laux second. Motion carried unanimously.*

- b. Consider/Recommend approval of contract award recommendation for Iron Feed building option at High Cliff Lift Station #3 – *Utility Commission reviewed requests for quotations and responses from contractors for portions of project applicable to their areas of expertise. Also considered agreement for services for preliminary engineering and final design request for quotations. Recommended submitting proposals to Village Board for consideration – An opinion letter from Attorney Carlson was reviewed by the Trustees. Carlson stated that the breakdown of proposals for components of a public project, which if taken in whole would*

exceed the \$25,000 maximum for projects without a public bidding process, seemed somewhat artificial. "As the project is currently organized", he continued, "it arguably requires public bidding." After reviewing the project description and proposals, ***Kaas moved to refer the matter back to the Utility Commission for public bid. Rath second. Motion carried unanimously.***

2) For information only

- a. Future Water Supply Update – *Village Engineer reported on Well # 5 pump replacement and reviewed performance history of Wells 1 – 6. Stated necessary to ascertain sustainability of aquifer. Will obtain proposal for monitoring well to test potential for long term water supply at Well # 7. Also reviewed alternate options for water supply.*
- b. Hydrant replacement on Military Road – *Utility Operator reported hydrant replaced and commented on increased costs of permit fees for work in county right-of- way. Also reported status of valve exercising contract.*

8) Report of the Plan Commission: None.

9) Report of Village Officers

- a. Village President – Nothing to report.
- b. Clerk/Treasurer
  - i. Review financial reports – Board reviewed disbursement and balance sheet reports.
  - ii. High Cliff Cemetery: Consider/Approve Policy changes – ***Kaas moved to remove item from table. Rath second. Motion carried. Barribeau moved to approve revisions to the Burial sites sales and care section of the cemetery policies as follows:***
    3. ***Burial lots shall be sold for casket burial of one individual.***
    4. ***Burial lots shall be sold for the container burial of human cremains of not more than two individuals.***
    5. ***Burial lots shall be sold for casket burial of one individual and one container burial of human cremains.***

***Rath seconded the motion. Motion carried unanimously.***

10) Village Engineer – Engineer Schaff reported that progress on the force main project is moving forward with a bid opening scheduled in mid-December.

11) Village Administrator

- a. Consider/Approve Resolution #2007-10 declaring emergency conditions necessitating replacement of heating unit serving the Recreation Center – ***Barribeau moved to approve Resolution #2007-10 declaring emergency conditions necessitating replacement of heating unit serving the Recreation Center. Kaas second. Motion carried unanimousl.***

- b. Wannick-Choute Park: Poor blacktopping work at backstop area – After presenting photos showing severe cracking of the blacktop area and discussing same, Administrator Friday requested to use the services of Engineer Schaff to work through issues of remediation/repair of the asphalt work performed by MCC. He noted that the project work was less than two months old and was done after multiple proposals were obtained by the public works department.
- c. Public Works building project (FY2009): Appoint two Board Members to Study Cmte. – Roger Kaas and David Miller volunteered for appointment to the public works project study committee. Rath stated he may be available after his retirement. ***Barribeau moved to appoint and to provide per diem and expenses for meeting attendance. Thomson second. Motion carried with Kaas abstaining.*** After generally reviewing a summary of a five-year capital improvements plan, the Trustees requested a thorough discussion of the future Knight Drive extension project, Wannick Park development and yard waste site development projects.
- d. Consider/Approve contract award for construction and engineering of Chemical Feed System Building at High Cliff Lift Station contingent upon DNR approval – Considered and acted on under agenda item 7) b) above.

12) Complaints and Compliments: None

13) Correspondences

- e. FY2006 Audit: Report of the Auditors for the Village of Sherwood – Trustees requested that auditors present and review the financial reports at a future meeting.

14) CLOSED SESSION: Consider land purchase; Per Wis. Stats. 19.85(1)(e) the Board may move to closed session when deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

***Barribeau moved to proceed to closed session at 8:16 p.m. per state statute 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Thomson second. Motion carried unanimously.***

***Kaas moved to return to open session at 8:30 p.m. Rath second. Motion carried.***

15) Adjournment – ***Barribeau moved to adjourn at 8:40 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for review and approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**December 6, 2007**

**EMERGENCY MEETING NOTICE**  
**Posted December 5, 2007 at approximately 2:00 p.m.**

- 1) Call to Order and Roll Call – Acting President Laux called the meeting to order at 6:04 p.m. Roll called:

**Present**

Bill Barribeau  
Roger Kaas  
Joyce Laux  
David Petrie  
Jim Rath  
Carl Thomson

**Absent**

David Miller, Excused

**Others Present**

Randy Friday, Administrator  
Dick Stewart, Water & Sewer Commission  
Chad Olsen, McMahan Associates  
Curt Weibel, MCO

- 2) Pledge of Allegiance – Recited
- 3) Approval of the Agenda – ***Kaas moved to approve the Agenda, seconded by Barribeau. Motion carried.***
- 4) Placement of building to house ferrous chloride solution at Lift Station # 3: Consider/Approve construction of building, placement of equipment and engineering services necessary to feed ferrous chloride solution into lift station as pre-treatment.

Administrator Friday reviewed documents handed out in the Agenda packet depicting the events leading up to this meeting, including:

- *Resolution 2007-11* declaring ‘*emergency conditions*’ by Village Board.
- McMahon (Gary Rosenbeck) letter of Nov. 30 stating necessity to construct new building at this time.
- Attorney Carlson letter of Nov. 21 stating previous method for attaining bids would likely be unlawful.
- Administrator Friday internet web search for Wisconsin Statutes Chapt. 61.55 – *Contracts involving over \$25,000; how let; exception.*
- Village of Sherwood Capital Projects Worksheet – W&S # 3: Lift Station # 3 installation of ferric system building.
- McMahon (Chad Olsen) letter of Nov. 9 discussing proposed separate building to DNR for their consideration and approval (granted).
- McMahon (Chad Olsen) letter of Nov. 16 outlining proposed bid award.
- McMahon (Rosenbeck; Olsen) letter of Nov. 15 outlining terms for awarding *Agreement for Professional Services.*

Kaas questioned the need for a future, similar building to be constructed once the new force main is placed, with respect to Lift Station # 5 and its eventual linkage with the remaining sewer system. Weibel stated it is unknown at this time if another similar building will be needed.

Kass questioned if the corrosive nature of the ferrous chloride was limited to the building at Lift Station # 3, only. Or, whether the sewer lines would also be subject to corrosion. Weibel stated the pipes are PVC and will not be subject to similar degradation.

Petrie noted McMahon had compiled bids for the construction components of this project, but questioned why McMahon is the sole source for engineering, as opposed to using a competitive process. Friday, Rath, Kaas and Stewart noted this was due to the timeliness of this particular situation. It was noted engineering services could be separately reviewed for future projects if that is the wish of the Village Board.

Petrie questioned why this is an emergency situation now, and not earlier. Olsen and Stewart noted the particular time of year impacts venting at the station due to weather conditions, thereby reducing the amount of fresh air brought into the process, due to cold temperatures.

***Motion to approve Resolution 2007-11 declaring 'emergency conditions' made by Barribeau, seconded by Kaas. All in favor.***

***Motion to authorize expenses as stipulated in Nov. 16 letter (Olsen) in the amount of \$33,971 for construction of the structure made by Barribeau, seconded by Kaas. All in favor.***

***Motion to authorize expenses as stipulated in Nov. 15 letter (Rosenbeck; Olsen) awarding Agreement for Professional Services in the amount of \$6,500 made by Rath, seconded by Thomson. All in favor.***

- 5) Adjournment – ***Kaas moved to adjourn at 6:35 p.m., seconded by Barribeau. All in favor.***

Minutes recorded by Randy Friday, Village Administrator

## Village Board Meeting Minutes December 10, 2007

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:34 p.m. Roll

called:     **Present**

          Bill Barribeau

          Roger Kaas

          Joyce Laux

          David Miller

          David Petrie

          Carl Thomson

**Absent**

          Jim Rath, excused

**Others Present**

          Jennifer Schaff, Engineer

          Nick Vande Hey, Engineer

          Randy Friday, Administrator

          Ellen Maxymek, Clerk/Treasurer

- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
- 4) Approval of Minutes – *Petrie moved to approve the minutes of November 26, 2007 as presented and December 6, 2007 with a correction to report Rath making the final motion and Thomson the second in agenda item 4) Page 2. Kaas second. Motion carried.*
- 5) Presentation: Proposed Stormwater Ordinance presentation (Nick Vande Hey, McMahon Associates) – Vande Hey introduced legislation that is brought forward as a result of a Stormwater Planning Grant (Illicit Discharge and Connection Ordinance and Illicit Discharge Detection & Elimination Program Fee Schedule) and a Meadowcliff Detention Pond Stormwater Construction Grant (Construction Site Erosion Control Zoning Ordinance and Program Fee Schedule and Post-Construction Storm Water Management Zoning Ordinance and Program Fee Schedule).

Illicit Discharge and Connection Ordinance and Illicit Discharge Detection & Elimination Program Fee Schedule – According to Vande Hey, this ordinance gives the Village the power to prohibit illicit discharge and connection into the waters of the state or the MS4. The Village Administrator, or designees, administers, implements, and enforces the provisions of the ordinance. Petrie questioned the right of the Village Administrator, or his designees, to go onto private land to enforce abatement of the illicit discharge or connection. Adoption of this ordinance and fee schedule is required per the terms of the Urban Non-Point Source & Stormwater Management Program Planning Grant.

Construction Site Erosion Control Zoning Ordinance and Program Fee Schedule and Post-Construction Storm Water Management Zoning Ordinance and Program Fee Schedule – The Construction Site Erosion Control Zoning Ordinance and Post-Construction Storm Water Management Zoning Ordinance gives the Village the power to control construction site run-off and post-construction run-off and stormwater management. The Village Administrator, or designees, administers, implements, and enforces the provisions of the ordinance. Development of these ordinances and fee schedules is required but adoption optional for compliance with the terms of our Urban Non-Point Source & Stormwater Management Program Construction Grant.

Kaas stated that he had insufficient time for proper review of the ordinances and requested that Village Counsel review the proposed ordinances before additional consideration. Maxymek stated that public hearings are required because there are potential fines and forfeitures attached to violation of the legislation, before the ordinances can be adopted. The Board was in consensus that the ordinances be returned for additional consideration after attorney review and notices of public hearings.

6) Report of the Utility Commission: None

7) Report of the Plan Commission: Dec. 3, 2007

1) For consideration/action by the Village Board

- a. (Extra-territorial Review) Roepcke property at W4344 Hwy. 114 – Lots 1 & 2 creating a home residential lot (8 acres) and adjacent hunting lot (12 acres): *Plan Commission recommended approval of a certified survey map division of the Roepcke property located at W4344 Hwy. 114 – Lots 1 & 2 without objection.*

***Barribeau moved to approve the Certified Survey Map dividing Lots 1 and 2 of property, owned by Vernon Roepke described as Part of SE ¼ of SW ¼ and SW ¼ of SE ¼, Sec. 5, Town 19N, Range 19E, Town of Harrison, Calumet County, located at W4344 Hwy. 114 without objection. Miller second. Motion carried unanimously.***

- b. (Extra-territorial Review) Krueger property on South Harwood Road – *Plan Commission recommended approval without objection of a certified survey map dividing a farmstead property owned by Richard Krueger on South Harwood Road by creating a separate homestead lot.*

***Barribeau moved to approve a Certified Survey Map dividing property owned by Richard E. Krueger, described as Part of the NE ¼ of the NE ¼ of Sec 5, Town 19N, Range 19E, Town of Harrison, Calumet County, located on South Harwood Road without objection. Seconded by Kaas. Motion carried unanimously.***

- c. (Extra-territorial Review) Nettekoven property on Schaefer Road: *Plan Commission recommended approval of a certified survey map dividing property located on Schaefer Road owned by Brian J. Nettekoven without objection.*

***Miller moved to approve a Certified Survey Map dividing Lots 1 and 2 of property owned by Brian J. Nettekoven, described as Part of the NW ¼ of the NE ¼ of Sec 20, Town 20N, Range 19E, Town of Harrison, Calumet County, located at W3938 Schaefer Road without objection. Petrie second. Motion carried unanimously.***

- d. Stormwater Ordinance: Review Sections and make final recommendation to Village Board for their consideration and/or approval – *Plan Commission recommended referral of the storm water ordinances for consideration and approval by the Village Board.*

2) For information only



- a. Review Sherwood Year 2030 Comprehensive Plan – *Plan Commission reviewed and recommended changes to the 2030 Comprehensive Plan.*
- 8) Report of Village Officers
- a) Village President
  - b) Clerk/Treasurer
    - i) Review financial reports – Reports reviewed.
    - ii) Approve appointment of Election Inspectors for 2008-2009 – ***Barribeau moved to approve appointments. Petrie second. Motion carried with Thomson abstaining.***
    - iii) Approve appointment of Special Registration Deputies for 2008-2009 – ***Barribeau moved to approve appointments. Petrie second. Motion carried with Thomson abstaining.***
- 9) Village Engineer
- a) DOT request for possible access point(s) to STH 55/114 – Engineer Schaff reported contacting the Department of Transportation relative to seeking Hwy. 114/55 access to RBH’s State Park Estates V Subdivision. Administrator Friday recommended that the Board continue discussions regarding possible future layout of Knight Drive extension. The issue will be brought forward for further review.
  - b) Consider/Approve Change Order for Scott Construction Chip-Seal Contract – ***Kaas moved to approve Change Order #1 increasing the 2007 Chip Seal Program contract amount \$15,814.44 to the new contract amount of \$77,161.44. Miller seconded. Motion carried unanimously.***
  - c) Consider/Approve Certificate of Payment for Scott Construction – ***Barribeau moved to approve Certificate for Payment #1, final payment in the amount of \$77, 161.44 to Scott Construction for work performed through November 12, 2007 on the 2007 Chip Seal Program. Thomson second. Motion carried unanimously.***
- 10) Village Administrator
- a) Yard Waste site: Update – Friday reported that removal of yard waste has cost approximately \$45,000 in the past four years and is budgeted at \$11,200 in FY2008. He proposed developing a yard waste site on the upland 1.7 acres of a 4.5 acre Village owned parcel located along Kessler Road. Before developing the site, a wetland study will need to be performed at an approximate cost of \$2,000. Friday believes the property could be developed with a locking gate, and small gatehouse shelter using Village staff. Trees and berms along the front and sides of the property would prevent visual distraction and unauthorized entry. A part-time employee would staff the site three days a week for 30 weeks at a cost of \$6,500. The remainder of the budgeted funds would be used to acquire necessary DNR permits and to prepare the site. The Administrator was instructed to move forward with the wetland study and project development.

- b) Water Tower site: Update – Friday reportedly has been researching potential sites for construction of a water tower. Village owned land including the Recreation Center and Community Center sites as well as the Legion Park and the rodeo grounds areas are under strong consideration because purchase costs to acquire new land would be saved. Since these public properties are on high ground, saving to raise the tower to necessary heights would be considerable as well. Elevation maps depicting the probable cost savings of each potential location were presented and discussed. A consensus arose from the Board that the 916 foot height of the property adjacent to the rodeo grounds parking lot would afford the greatest cost savings - \$58,000 in tower construction costs – and would cause the least visual disturbance to neighboring property owners.
- c) Consider Administrator Goals in FY2008 – Friday presented a list of goal for the upcoming year and asked for input. Goals included organizing development of a Public Works Building/addition; form location options and preconstruction development for water tower and new water supply; oversee construction of ferrous system and building at High Cliff Lift Station #3 site; create RFP, hire and support downtown planning advisors; coordinate development of yard waste facility and operation; finalize 5-year Capital Plan. Kaas requested that 2008 goals include codification of ordinances.

11) Complaints and Compliments:

- a) James Lison E-mail – Dec. 3<sup>rd</sup>, 2007 – Lison’s complaint regarding snowplowing of his cul-de-sac street and the Administrator’s response was reviewed.

12) Correspondences: None

13) CLOSED SESSION: Determine Clerk/Treasurer’s Salary for FY2008

Per Wis. Stats. 19.85(1)(c) the Board may move to closed session when considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – ***Kaas moved to go into closed session per Wisc. Stats. 19.85 (1)(c) as stated, at 9:20 p.m. Laux second. Motion carried unanimously.***

***Barribeau moved to return to regular session at 9:39 p.m. Thomson second. Motion carried unanimously.***

***Miller moved to set the Clerk/Treasurer’s salary for FY2008 at \$46,000. Thomson second. Motion carried unanimously.***

14) Adjournment – ***Kaas moved to adjourn at 9:40 p.m. Barribeau second. Motion carried.***

Minutes respectfully submitted for review and approval by Ellen Maxymek, Village Clerk.