

TOWN OF LIBERTY GROVE PUBLIC MEETING
Amended Agenda

January Board Meeting

Date: Wednesday, January 20, 2021

Time: 7:00 PM or immediately following conclusion of Sanitary District #1 Meeting

Place: Town Hall, 11161 Old Stage Rd *via Zoom*

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve agenda
4. Approve minutes: 12/16/20 Board meeting
5. Approve payment of bills
6. Treasurers report
7. Public input
8. Update on Door County North activities
9. Utilities Committee report
10. **Consider committee appointments
11. **Consider use of Town roads by Snowmobile Club for 2020-2021 season
12. Consider request by Snowmobile Club to traverse Town property at 11161 Old Stage
13. Consider Resolution 1-21, Remote Meeting Attendance
14. Consider engagement letter for auditing services from CliftonLarsonAllen
15. Consider list of options to be included in Town 5-year plan
16. Discussion and possible action: revised room tax proposal
17. Correspondence
18. Future meetings
19. Adjourn

Anastasia Bell, Clerk/Treasurer

****Deviation from listed order may occur****

****Audience members must ask for permission, during public input, to speak on agenda items ****

Members of the Town Board or any other Town committee, who are not members of the body whose meeting agenda is published in this notice, are entitled, as any other citizen of the Town of Liberty Grove, to attend this meeting in an unofficial capacity. It is possible the attendance of one or more non-members may create a quorum of the membership of another body. Such a quorum is unintended, and the non-members are not meeting for the purpose of exercising the powers or duties attendant upon their membership on any Town committee or board.

Town of Liberty Grove is inviting you to a scheduled Zoom meeting (teleconferencing). To Join Zoom Meeting enter the following on your computer:

<https://us02web.zoom.us/j/81214932615?pwd=WTJKbWhFQWw1YnRUeEZaUnlJa1AvQT09>

Meeting ID: 812 1493 2615

Password: 919456

If the link doesn't work, go to <https://zoom.us/>, click the "Join a meeting" button and enter the meeting ID and Password when prompted.

To find your local number visit <https://zoom.us/u/atMFqvZKe>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626 6799 US (Chicago)

(346) 248 7799 US (Houston)

(301) 715 8592 US (Washington D.C.)

(253) 215 8782 US (Tacoma)

(646) 558 8656 US (New York)

(669) 900 9128 US (San Jose)

Town of Liberty Grove
Minutes of the Town Board meeting on December 16, 2020
(this meeting was correctly posted)

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve agenda
4. Approve minutes: 12/2/2020 Board meeting
5. Approve payment of bills
6. Treasurers report
7. Public input
8. Presentation, discussion, and possible action: Room Tax Changes
9. Update on Door County North activities
10. Utilities Committee report
11. Discussion and possible action: Short-term Rental Ordinance
12. Consider Plan Commission recommendation: Variance request for Porcupine Bay Properties LLC (c/o James E. Woodrum), parcel 018-66-0531A
13. Consider Plan Commission recommendation: Map amendment request for Ellen Rundle parcels 018-02-15322813P6 & 13P7
14. Consider Liberty Grove campground overlay
15. Consider Tower lease agreement for 11161 Old Stage Road
16. Approve election workers for 2021
17. Consider approval of Town Commercial insurance for 2021
18. Consider 2021 budgetary purchases: lawn mower trailer, lawn mowers
19. Correspondence
20. Future meetings
21. Adjourn

Chairman John Lowry called the meeting to order at 6:58pm. Supervisors Lou Covotsos, Nancy Goss, Janet Johnson, and Cathy Ward were present along with Administrator Walter Kalms Clerk/Treasurer Anastasia Bell, Deputy Clerk/Treasurer Doug Curzon, and 10 members of the public via teleconference (Zoom).

Goss moved, Johnson second to approve the agenda as posted. Passed 5-0.

Ward moved, Johnson second to approve the minutes from 12/2/20 as presented. Passed 5-0.

Payment of bills – Lowry moved, Ward second to approve the payment of bills as presented for a total of \$36,032.94. Passed 5-0.

Treasurer's report – Bell reported the following balances in the Town accounts at the end of November:

Municipal Checking	253,668.40
Money market acct.	648,743.47
Checking	207,904.92
Utility Dist.	564,804.29

As of November 30, 2020, total in all Town accounts was \$1,675,121.08. **Lowry moved, Johnson second** to approve the Treasurer's report as presented. Passed 5-0.

Public input – None

Room Tax Changes – David Eliot, Town of Baileys Harbor Chairman, requested the Town send a letter of intent to the Door County Tourism Zone (DCTZ) to request an increase of room tax to 8%. For this increase to occur 2/3 of the 19 municipalities in DCTZ would need to be in favor of the increase. Destination Door County (DDC) has not requested the additional funds, which means there is potential that the additional funds could be returned to the municipalities for use on infrastructure or their community associations. Mickie Rasch, Door County North, noted that the letter of intent does not guarantee the allocation of the additional funds. Ward expressed her concerns regarding the oversight of DCN if DCTZ were to provide funding. Goss stated that the Town is discussing STR compliance and data tracking would be useful in protecting the citizens. Eliot reiterated that the request at this time is to increase room tax and the fund distribution can be determined later. Johnson requested confirmation that DCN would not experience a change in membership fees. Lowry noted that room tax has had its advantages and disadvantages over the years and inquired if the Town could withdraw if situation which is unfavorable to the Town were to develop. **Covotsos moved, Lowry second** that the Town Board agree to join the municipalities which are seeking an increase of room tax to 8% by signing the letter of intent with parameters that the Town of Baileys Harbor has suggested and by drafting a letter to accompany the letter in question to address how DCN is funded and how DCN might be accountable to DDC. Roll call with Goss, Johnson, Covotsos, Lowry, and Ward voting aye, no nays. Passed 5-0.

Door County North Update – Mickie Rasch reported that membership renewals are wrapping up. 2021 events are in the planning stages and the website is being completely updated.

Utilities Committee report – None

Short-term Rental (STRs) – Ward stated that the Granicus presentation was highly informative and there is some data that would be beneficial to the Town. The downside is that the data can only be tracked for the properties registered on online platforms, which is only half of the current Liberty Grove rentals. Goss indicated that the five modules available could be purchased and the data shared amongst the interested municipalities. The intent statement should consider how STRs are commercializing residential areas and the 5-day minimum stay may be excessive in some areas. Covotsos noted that the permit fees could be structured in a way to ensure the module costs are covered; he offered to draft an intent statement. Goss requested the Plan Commission draft the ordinance to be presented to the Town Board at a future meeting. The following items were also mentioned to be addressed by the ordinance: groundwater contamination, protecting neighboring residents, protect current lodging businesses, protect water quality by ensuring POWTS are appropriately sized for advertised capacity, preserve rural character within the residential areas by requiring a minimum stay, implement a list of “good neighbor” policies to include noise, traffic, and vehicle conditions, ensure compliance with licensing and inspections, and taxation differences.

Variance request for Porcupine Bay Properties LLC (c/o James E. Woodrum), parcel 018-66-0531A – Goss reported that the Plan Commission recommended not supporting this variance based on failure of the required criteria. The cottage is already over the County minimum requirements and the hardship is self-imposed. **Goss moved, Lowry second** that if the property owner has not already withdrawn the application, the Town would send a letter to the Board of Adjustment in non-support due to hardship being self-imposed, and the possibility of accomplishing this project in another way without varying the dimensional standards. Roll call with Covotsos, Goss, Lowry, Ward and Johnson voting aye, no nays. Passed 5-0

Map amendment request for Ellen Rundle parcels 018-02-15322813P6 & 13P7 – Linda Johansen, property owner, indicated that her and her sister are attempting to sell the property and the mixed commercial zoning is prohibiting a buyer from finding a residential loan. Sue Daubner stated that the banks will only offer a 3-year loan due to the commercial zoning. Goss indicated that this area is defined as “commercial core” on the future map and indicated that if a request is not consistent with the Town Comprehensive Plan it is not supported and if a parcel is dual zoned it has historically been changed to the zoning which is the majority. Covotsos noted that the law prohibits economic hardship to be considered as a reason for zoning changes. **Goss moved, Johnson second** that that Board recommend to the Resource Planning Commission that these two parcels become consistent with their zoning and that the zoning be High Density Residential. Roll call vote with Ward, Johnson, Goss, Covotsos, and Lowry voting aye, no nays. Passed 5-0.

Liberty Grove campground overlay – Goss reported that this overlay has been sent to the County and the Town Attorney and this is the final form. **Goss moved, Johnson second** that the Town of Liberty Grove send a request to the County Resource Planning Committee to consider this campground overlay for the Town of Liberty Grove. Roll call with Ward, Goss, Johnson, Lowry, and Covotsos voting aye, no nays. Passed 5-0.

Tower lease agreement for 11161 Old Stage Road – Kalms reported on recommendations by the Town Attorney. It was the consensus to have the Town Attorney add the recommended information and send the agreement to Door County Broadband’s legal department.

Election workers for 2021 – **Lowry moved, Goss second** to approve the list as presented. Roll call with Covotsos, Goss, Lowry, Johnson, and Ward voting aye, no nays. Passed 5-0.

Town Commercial insurance for 2021 – Curzon reported the following values for 2021 commercial insurance: Workers Compensation \$10,107, Liability \$13,459, Automotive \$6,009, and Property \$10,369 with a total estimate of \$39,944. **Covotsos moved, Johnson second** to accept the 4 proposals as presented. Roll call vote with Lowry, Covotsos, Johnson, Goss, and Ward voting aye, no nays. Passed 5-0.

2021 budgetary purchases: lawn mower trailer & lawn mowers – Kalms reported the mower estimate is \$16,655 and the trailer estimate is \$3,945. Both were approved for purchase in 2021 and are under the budgeted amounts. **Goss moved, Ward second** to move forward with the 2021 budget purchases of mowers and trailer. Passed 5-0.

Correspondence – None

The next Town Board meeting will be Wednesday, January 6, 2021 at 7:00pm.

Lowry moved, Goss second to adjourn at 9:36pm. Passed 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Town of Liberty Grove balance as of December 31,	2020	2019
1 Municipal Checking account	253,668.40	327,090.43
Transfer from Checking	253,668.40	327,090.43
Early Tax collections	290,416.82	2,417,227.29
Less disbursements		34.25
Interest (0.08%)	13.60	403.31
Balance as of December 31, 2020	290,430.42	2,417,596.35
Money Markey Acct.	648,743.47	646,802.81
Interest (0.09%)	51.90	340.24
Balance as of December 31, 2020	648,795.37	647,143.05
2 Checking Acct.	207,904.92	270,826.39
Plus deposits and transfers	336,412.27	332,050.17
Less FICA	9,734.23	10,214.78
Less State withholding	1,799.83	1,562.47
Less payroll	43,842.92	29,331.26
Less disbursements	99,653.83	113,639.67
Balance as of December 31, 2020	389,286.38	448,128.38
3 Utility District Checking	64,799.50	49,712.21
Utility District Savings	290,750.20	100,926.70
Utility District Restricted Savings	58,550.10	51,770.72
North Shore Bank CD (23 months ending 07/31/2022)	149,248.04	-
Nicolet CD 00-134	-	144,785.92
Nicolet CD 00-135	-	183,930.78
Balance as of December 31, 2020	563,347.84	531,126.33
4 Municipal Checking	290,430.42	448,128.38
Money market acct.	648,795.37	2,417,596.35
Checking	389,286.38	647,143.05
Utility Dist.	563,347.84	531,126.33
As of December 31, 2020, total in all Town accounts is	1,891,860.01	4,043,994.11

**Town Of Liberty Grove Roads
Top O' the Thumb Snowmobile Club
2020-2021 Season**

**TIMBERLINE ROAD
ISLEVIEW ROAD
WOODLAND ROAD
BLACKBERRY LANE
BADGER ROAD
BLACKBERRY ROAD
N. BADGER ROAD
GARRETT BAY ROAD
SUNNYSIDE ROAD
MINK RIVER ROAD
CEDAR ROAD
N. NEWPORT LANE
EUROPE BAY ROAD
GOOSEBERRY LANE
HILL ROAD
HOMESTEAD ROAD
LAKEVIEW ROAD
PORCUPINE BAY ROAD
ELLISON BAY PARK LANE
WATERS END ROAD
OLD STAGE ROAD
SCANDIA ROAD
TOWN LG— GILLS ROCK PARK AND FIRE STATION PROPERTY
JUICE MILL ROAD
HUMBUG ROAD
N. BERRY LANE
BERRY LANE
LIME KILN ROAD
EUROPE LAKE ROAD
WISCONSIN BAY ROAD
BIRCHWOOD ROAD
RANCH LN
WILDWOOD RD
GREEN ROAD**

Web-Map of Door County, Wisconsin ... For All Seasons!



Courtesy of Door County Land Information Office

PROPOSED SNOWMOBILE
TRAIL

TOWN of LIBERTY GROVE PROPERTY

2



**Town of Liberty Grove
Resolution 1-21
Remote Meeting Attendance**

WHEREAS, Resolution 18-19 was adopted on December 18, 2019 and scheduled to be reconsidered 1 year from the date of effectiveness.

BE IT HEREBY RESOLVED, by the Liberty Grove Town Board, that Town Board Supervisors may appear via telephone or other electronic device for Town Board meetings; and

BE IT FURTHER RESOLVED, members of Town Committees may appear in the same manner for Town Committee meetings; and

BE IT FURTHER RESOLVED, such appearances shall count toward the minimum quorum requirement; and

BE IT FURTHER RESOLVED, parties appearing in this manner will be allowed to vote, roll call fashion, on all matters that come before the Town Board or Committee during such meetings; and

I, Anastasia Bell, Clerk/Treasurer of the Town of Liberty Grove, Door Count, Wisconsin, hereby certify that the above is a true and correct copy of a resolution which was adopted at a properly noticed meeting of the Liberty Grove Town Board on the 20th day of January, 2021.

Dated this 20th day of January, 2021

Anastasia Bell, Clerk/Treasurer

TOWN OF BAILEYS HARBOR
Resolution No. _____

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE
DOOR COUNTY TOURISM ZONE COMMISSION AGREEMENT**

WHEREAS, the Town of Baileys Harbor is a municipality located within the Door County Tourism Zone; and

WHEREAS, the Town of Baileys Harbor imposes a room tax pursuant to Wis. Stat. 66.0615; and

WHEREAS, the Town of Baileys Harbor entered into an intergovernmental agreement, the Door County Tourism Zone Commission Agreement, pursuant to Wis. Stat. 66.0615(1m)(b) and Wis. Stat. 66.0301 with other municipalities located in Door County (“the “Member Municipalities”); and

WHEREAS, the Tourism Zone Commission Agreement created the Door County Tourism Zone Commission for the purpose of monitoring the collection of room taxes, contracting with the Tourism Entity to obtain staff, support service and assistance in developing and implementing programs to promote the Tourism Zone to visitors, and to do all things necessary and provided for by Wis. Stat. 66.0615; and

WHEREAS, the Tourism Zone Commission Agreement includes the amount of room tax to be charged by all Member Municipalities, the duties of the Door County Tourism Zone Commission, and other fees and administrative costs to be charged; and

WHEREAS, the Tourism Zone Commission Agreement may be amended at any time by two-thirds (2/3) majority written vote of the Member Municipalities; and

WHEREAS, the Town of Baileys Harbor wishes to amend the Door County Tourism Zone Commission Agreement and wishes to submit its proposed amendments to the other Member Municipalities of the Door County Tourism Zone Commission to be approved by those Member Municipalities.

NOW THEREFORE, BE IT RESOLVED by the Town of Baileys Harbor, Door County, Wisconsin, that:

1. Paragraph 4 of the Door County Tourism Zone Commission Agreement be amended to increase the Room Tax Rate to eight percent (8%).
2. Paragraph 9 of the Door County Tourism Zone Commission Agreement be amended to read:

9. Distribution of Tax. Of the Room Tax collected, seventy percent (70%) will be used by the Commission for the promotion of the Tourism Zone to visitors and to encourage overnight stays. The seventy percent (70%) shall be distributed to a contracted tourism entity in such manner as the Commission so determines to satisfy an agreed upon budget to promote the Tourism Zone. All funds in excess of the approved Tourism Entity budget shall be retained by the Commission in a reserve fund. These reserve funds need not be expended in the year they were collected and may be used in the proceeding budget cycle. These reserve funds can be used by the Commission to help promote local or special events within the Tourism Zone through the Tourism Entity. The tourism entity may from time-to-time present special non-budgeted promotions that may require the use of the reserve funds. The expenditure of these reserve funds for any reason shall be approved by the Commission by a two-thirds (2/3) assenting vote of the commissioners present at a meeting, properly noticed and at which a quorum is present. The remaining thirty percent (30%) shall be distributed to the municipality from which the Room Tax was collected "to use for" such purposes as the respective governing body determines.

3. Paragraph 11 of the Door County Tourism Zone Commission Agreement be amended to reflect an increase to an eight percent (8%) room tax.

4. Paragraph 18 of the Door County Tourism Zone Commission Agreement be amended to read:

18. Administration. Administrative expenses of the Commission, which include the cost of: issuing permits, monitoring collection of Room Tax, reviewing the progress of the contracted Tourism Entity, approving the Tourism Entity's budget, approving the payment of monthly expenses and preparing monthly, quarterly and annual reports to the participating municipalities plus any and all tasks and costs necessary in the operation of the Commission shall come from direct payment by the Member Municipalities. The amount owed by each Member Municipality shall be determined by its percentage share of the room tax collected, as shown on the previous year's Tourism Zone Audit, multiplied by the adopted budget of the Commission. These expenses also include, but are not limited to, the following: compensation to Commissioners for actual expenses and mileage while attending meetings or on official business for the Commission, wages paid to an administrative assistant, mileage paid to the administrative assistant when necessary in his/her work, rental of office space, accounting fees for the annual audit, insurance costs to cover bonding and anything else found necessary, office equipment, office supplies, postage, telephone, internet, utilities and any legal expenses, including litigation and any other expenses associated with the collection of unpaid Room Tax. The rate paid for mileage shall be the same as the standard Internal Revenue Service rate for business mileage adjusted periodically.

5. The Town Chairperson and/or Town Clerk is hereby authorized to submit this resolution to the other Member Municipalities in order to amend the Door County Tourism Zone Commission Agreement by two-thirds (2/3) majority.

NOW, THEREFORE, it is hereby resolved that the Town Board of the Town of Baileys Harbor does hereby adopt the foregoing resolution at a regular meeting of the Board of Supervisors of the Town of Baileys Harbor held this _____ day of _____ 2021.

Dave Eliot, Town Chairman

Attest:

Haley Adams, Town Clerk

f:\clients\b\baileys harbor-town\ordinances\dctzca\resolution- amending dctzca- 1-18-21.docx

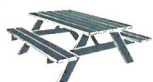
HOW CAN ROOM TAX BE SPENT?



Up to **30%** can go to **municipality**, unless municipality has been grandfathered in at a different rate.



At least **70%** must be spent on **Tourism Promotion and Tourism Development**.



What expenditures are eligible?
(Answer "yes" to all three)

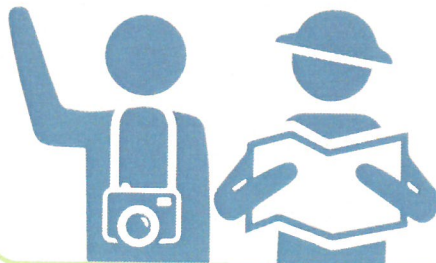


Is it reasonably likely to generate **paid overnight stays** in multiple lodging properties?

- If municipality only has one property, is it likely to generate stays there?
- If you aren't sure, ask a lodging property operator!



Will it be significantly used by **transient tourists**?



Will it be for a Marketing Project, Tourist Information, or Tangible Municipal Development?

- **Ad buys/marketing** of tourist materials
- **Tourist services** creating overnight guests
- Funding a **convention center**



Make sure it complies — public reports are required to be filed by May 1 every year!