

TOWN OF LIBERTY GROVE PUBLIC MEETING

April Board Meeting

Date: Wednesday, April 21, 2021

Time: 7:00 PM

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: 4/7/2021
5. Approve payment of bills
6. Treasurers report
7. Public input
8. Update on Door County North activities
9. Utilities Committee report
10. Consider Ordinance 3-21, To Establish Procedures for the Liberty Grove Town Marina(s) and Town Launch Ramps
11. Consider Commercial Launch Passes(s)
12. Consider Operator License(s)
13. Correspondence
14. Future meetings
15. 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=WTJKbWhFQWslYnRUeEZaUnlla1AvQT09>

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/join>. To join the meeting by telephone dial one of the numbers below based on your location.

(312) 626 6799 US (Chicago)

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

(646) 558 8656 US (New York)

(346) 248 7799 US (Houston)

(253) 215 8782 US (Tacoma)

(669) 900 9128 US (San Jose)

Town of Liberty Grove
Minutes of the Town Board meeting on April 7, 2021
(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: Sp. Board with Plan on 3/10/2021, 3/17/2021 Board meeting
5. Approve payment of bills
6. Public Input
7. Administrator report
8. Consider request from DCEDC related to ARP funds and broadband study
9. Consider 2021 Invasive Species Control Project Proposal from Door County Nature and Travel LLC
10. Consider dates for 2021 Open Book and Board of Review
11. Consider Ordinance 2-21, Appointment of Alternate Members of Board of Review
12. Consider action on Highway Committee recommendation for 2021 paving
13. Consider Highway Committee recommendation to install no parking signs on Pebble Beach Road
14. Consider extension of emergency resolution (current resolution 16-20)
15. Consider proposal for services by Granicus
16. Consider RFP for facilities assessment
17. Consider commercial launch pass(es)
18. Consider operator license(s)
19. Correspondence
20. Future meetings
21. Adjourn to closed session per Wi. Stat. §19.85 (1)(g): Confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved—wastewater treatment plant
22. Reconvene into open session
23. Announcements from closed session
24. Adjourn

Chairman John Lowry called the meeting to order at 7:22 pm. Supervisors Cathy Ward, Lou Covotsos, Janet Johnson and Nancy Goss were present along with Administrator Walter Kalms, Clerk Treasurer Anastasia Bell, Deputy Clerk/Treasurer Doug Curzon, and 3 members of the public via teleconference (Zoom).

Johnson moved, Lowry second to approve the agenda as presented. Passed 5-0.

Lowry moved, Ward second to approve the minutes from the Sp. Board meeting on 3/10/2021 as presented. Passed 5-0.

Ward moved, Lowry second to approve the minutes from 3/17/2021 as presented. Passed 5-0.

Johnson moved, Ward second to approve the payment of bills with the addition of Quality State Oil, with a total of \$147,210.27. Passed 5-0.

Public Input – Carl Zapffe, Ellison Bay, requested consideration for the Clerk to notify members of the public if the start of the public session of a meeting is to be delayed.

Administrator report – Kalms reported the Highway 42 project will begin soon and the trailer will be at the Town Hall, Woodcrest will be paved in 2022 in cooperation with the Village, all of contracted salt has been received, and the PSC Broadband grant was not successful. Curzon

reported on the Sister Bay Parks meeting; they're drafting a noxious weed ordinance, there are no indoor reservations until at least 7/1/21, hosting one joint recycling event in the fall, angle parking on East side of Pebble Beach Road and parking area off Little Sister Road plans started.

DCEDC broadband study – During the review of the request it was noted that ARP funds may not be guaranteed, it's unclear why the project costs increased significantly, and we have already provided funds. **Lowry moved, Covotsos second** to approve \$2 per capita from ARP Funds when the first payment arrives. Passed 5-0.

2021 Invasive Species Control Project – Curzon noted that all permission forms have been received. **Covotsos moved, Lowry second** to approve the 2021 proposal from Door County Nature & Travel, LLC as presented in the March meeting. Passed 5-0.

2021 Open Book and Board of Review – **Lowry moved, Ward second** to hold open book on August 2, 2021 from 12:00pm to 2:00pm. Passed 5-0. **Lowry moved, Ward second** to hold the first Board of Review meeting on 5/19/2021 at 7:00pm. Passed 4-0 (Covotsos unavailable).

Ordinance 2-21, Appointment of Alternate Members of Board of Review – **Johnson moved, Lowry second** to approve Ordinance 2-21 as presented. Passed 5-0. The full ordinance is attached to these minutes

2021 Paving – Kalms reported that the bid is \$11,240 over budget but there is an expected surplus of \$14,175 in crushing. **Lowry moved, Ward second** to accept the paving bid from Northeast Asphalt totaling \$545,235 with \$11,240 to come from crushing less gravel than expected. Passed 5-0.

No parking signs on Pebble Beach Road – Kalms reported that the Highway Committee is recommending no parking signs be placed on the west side of Pebble Beach Road since a petition and several letters have been received. It was noted that enforcement may be an issue. **Lowry moved, Johnson second** to install no parking signs on the west side of Pebble Beach road commencing at the terminus of the cemetery. Passed 5-0.

Emergency Resolution – The current resolution is not hampering activities. The Town Crew will need to know if restroom facilities should be prepared for summer. Language may need to be added to rental agreements identifying that the Town is not responsible for contraction/spread of COVID due to the gathering. A more informed decision can be made in a month regarding opening facilities for rental. **Covotsos moved, Johnson second** to extend the Emergency Resolution of 16-20 through September 30, 2021 with the exception of opening restrooms in Town Parks. Passed 5-0. The new resolution (3-21) is attached to these minutes.

Granicus Proposal for Services – Goss noted that quarterly billing would be available if more than one module is contracted, and these services would assist in creating the ordinance. Funds may be borrowed from contingency until a user fee would be available which is likely to be 1/1/2022. Ward noted the other communities currently using Granicus had their ordinance in place prior to contracting for services. Kalms noted the contract should be reviewed by the Town's attorney.

Facilities Assessment RFP – Kalms reported that two contracting firms have been contacted regarding this project in 2022. **Covotsos moved, Lowry second** to approve with issuing an RFP for facilities assessment. Passed 5-0.

Commercial Launch Pass(es) – **Lowry moved, Ward second** to approve commercial launch passes for Matthew Olson, and Camp Zion as presented. Passed 5-0.

Operator License(s) – **Lowry moved, Ward second** to approve an operator license for Sophia Parr as presented. Passed 5-0.

Correspondence – Kalms reported on the thank you cards received, ARP funding breakdown, and the Library audit has been received.

The Annual Town Meeting will be Tuesday, April 20, 2021 at 7:00pm. The next Town Board meeting will be Wednesday, April 21, 2021 at 7:00pm.

Adjourn to closed session per Wi. Stat. §19.85 (1)(g) – Did not occur.

Reconvene into open session – Did not occur.

Announcements from closed session – None.

Lowry moved, Goss second to adjourn at 9:38pm. Passed 5-0.

Respectfully submitted,
Anastasia Bell, Clerk Treasurer

**TOWN OF LIBERTY GROVE
ORDINANCE 2-21**

APPOINTMENT OF ALTERNATE MEMBERS OF BOARD OF REVIEW

Whereas, 1997 Wis. Act 237 has amended the procedures for Board of Review commencing in the year 2000, and

Whereas, one of the changes to Sec. 70.47 of Wis. Statutes authorizes the removal of board of review members for individual cases under specific circumstances, and

Whereas, Sec. 70.47(6m) (c) authorizes the appointment of alternate members to serve on the board of review when standing members are removed from individual cases;

Now Therefore the Town Board of the Town of Liberty Grove, Door County, Wisconsin does ordain as follows:

1. Adoption

Pursuant to Section 70.47(6m) (c) and Sec. 70.46(1) of Wis. Statutes the Town Board hereby provides for the appointment of alternates to serve on the Town Board of Review in the event a standing board member of the Board of Review is removed or unable to serve for any reason.

2. Appointments

The following electors of the Town of Liberty Grove are hereby named as alternates in the order indicated to serve as alternate board of review members:

Alternate 1: Julie Kingsbury
Alternate 2: Yvonne Dwonch
Alternate 3: Walter Kalms

3. Effective Date

The appointments made in this ordinance are for the year 2021 Board of Review proceedings and are effective upon posting as provided by law.

Adopted at a meeting of the Liberty Grove Town Board on the 7th day of April, 2021. Johnson moved, Lowry second, passed 5 ayes, 0 nays.

I, Anastasia Bell, Clerk/Treasurer for the Town of Liberty Grove, hereby certify that the above ordinance was adopted at a legally noticed meeting of the Liberty Grove Town Board on April 7, 2021.

Anastasia Bell, Clerk/Treasurer

TOWN OF LIBERTY GROVE

RESOLUTION 3-21

EXTENSION OF HEALTH EMERGENCY

**THE TOWN BOARD OF THE TOWN OF LIBERTY GROVE DOES HEREBY DECLARE AS
FOLLOWS:**

WHEREAS, The worldwide pandemic attributable to the COVID-19 virus has been found to be present in the State of Wisconsin and also the County of Door

WHEREAS, Door County and Liberty Grove residents are particularly susceptible to the virus due to an aged population;

WHEREAS, The Door County and Liberty Grove area is a popular tourist destination and contains many seasonal residents, leading to an influx of people that could spread the virus;

WHEREAS, The Wisconsin Supreme Court has authored a decision which makes the Wisconsin Governor's "Safer at Home" unlawful and not able to be enforced, with the Governor and Wisconsin Legislature not able to put forth any rulings or guidelines to address this COVID-19 virus;

WHEREAS, Liberty Grove Resolution 2-20 declared a health emergency in the Town on March 17, 2020 which was extended for 30 days, extended for an additional 45 days, and subsequently extended another 92 days, and currently expires on December 31, 2021;

WHEREAS, In order to continue the protection of the health and well-being of its residents, the Town of Liberty Grove must avail itself of all resources at its disposal to respond to and contain the presence of COVID-19 in the Town;

THEREFORE, BE IT HEREBY RESOLVED by the Town Board of the Town of Liberty Grove, Door County, Wisconsin, to extend the health emergency as declared in Resolutions 2-20, 4-20, 7-20, 9-20, and 16-20 to continue as follows:

1. Pursuant to the powers available under Wisconsin Statutes Sections 323.11, 323.14, 323.15 and all other applicable provisions of Wisconsin Law, a Public Health Emergency is hereby declared in the Town of Liberty Grove.
2. The Town of Liberty Grove is authorized under this declaration to make use of volunteer health practitioners to maintain and restore the health, safety, protection and welfare of persons and property within the Town.
3. The Town of Liberty Grove is authorized under this declaration to undertake whatever actions are necessary and expedient for the health, safety, protection and welfare of persons and property and in doing so may bar, restrict, or remove all unnecessary traffic, both vehicular and pedestrian, from the highways and Town streets. This includes hours of operation and limitations of occupancy for the Town businesses.
4. The Town of Liberty Grove may employ personnel, facilities, and other resources consistent with an emergency plan adopted to cope with the problems of local disasters.
5. John Lowry, Town chairman, and/or his designee is authorized to undertake and direct the activities outlined herein on behalf of the Town of Liberty Grove.
6. The period of this emergency declaration extension shall be limited to a 92-day sunset clause that may be extended or ended by order of the Liberty Grove Town Board, said 92 days to expire September 30, 2021 at 11:59 PM.

This resolution was adopted at a properly noticed meeting of the Town Board of the Town of Liberty Grove on the 7th day of April, 2021.

John Lowry, Chairman

VOTE: Aye 5 Nay 0

ATTEST:

Anastasia Bell, Town Clerk

Town of Liberty Grove balance as of March 31,	2021	2020
1 Municipal Checking account	1,506,958.49	1,632,314.99
Transfer from Checking	-	200,000.00
Interest (0.05%)	68.12	553.23
Balance as of March 31,	1,507,026.61	1,432,868.22
2 Money Markey Acct.	648,874.83	647,770.84
Interest (0.05%)	29.33	233.37
Balance as of March 31,	648,904.16	648,004.21
3 Checking Acct.	372,252.82	117,515.18
Plus deposits and transfers	15,676.29	219,181.19
Less FICA	14,195.01	8,980.92
Less State withholding	1,775.61	3,080.57
Less payroll	25,698.05	23,480.84
Less disbursements	249,235.96	197,699.24
Balance as of March 31,	97,024.48	103,454.80
4 Utility District Checking	79,404.51	60,638.92
Utility District Savings	290,774.50	101,012.45
Utility District Restricted Savings	58,854.45	51,794.69
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 March 31,	578,281.50	542,162.76
Municipal Checking	1,507,026.61	1,432,868.22
Money Market Acct.	648,904.16	648,004.21
Checking	97,024.48	103,454.80
Utility Dist.	578,281.50	542,162.76
As of March 31, 2021, the total in all Town accounts is:	2,831,236.75	2,726,489.99

**TOWN OF LIBERTY GROVE
ORDINANCE 3-21**

**TO ESTABLISH PROCEDURES FOR THE LIBERTY GROVE TOWN MARINA(S)
AND TOWN LAUNCH RAMPS**

In order to maintain order and control of the Town launching facilities located within the Town of Liberty Grove, the Town Board, pursuant to Section 60.22(1), Wisconsin statutes, does hereby ordain as follows:

Ordinances 2-92, 1-94, 5-05, & 15-1 are hereby repealed.

Sec. 1. Fees.

- A. A daily fee shall be charged for ramp use. Daily fee is to allow unlimited use of the ramp for launching and takeout upon payment of the fee, as determined by the Town Board, during the 24-hour period from 12 midnight to 12 midnight. The launch ramp at the Town Marina(s) is for motorized watercraft only.
- B. The daily fee shall be paid to the Harbormaster or deposited in the designated lockboxes adjacent to the ramps preceding launch. Failure to pay shall be subject to the enforcement and penalties of sections 9 and 10 of this Ordinance.
- C. The fee schedule:
 - 1. The Town Board determines fees for commercial and non-commercial users, seasonal users, dockage, and parking and may change such fees at its discretion without amending this ordinance [see separate Town Rate Sheet
 - 2. Electricity shall be included in the dockage fee.
 - 3. When present, the Harbormaster determines the procedures for Short term dockage. "Short term dockage" generally means less than one day but more than one hour.

Sec. 2. The Harbormaster

A Town employee (Harbormaster) shall be stationed at the launch ramp to collect fees and direct boat traffic. This person shall determine order of launch, overnight dockage, and maintain order at the site.

Sec. 3. Dockage and Slip Rental

- A. Seasonal dockage shall be paid by April 1 of the year of rental. Delinquencies shall be notified by certified mail. If, after 10 days from notification those delinquent do not respond, their slip shall be deemed forfeited. Succeeding individuals on the waiting list shall then be offered slip rental and shall have 10 days from notification to pay the full fee. Non-payment shall be deemed forfeiture.
- B. The Town Office shall designate the slip to be rented by boaters.
- C. Boats may be moved to a new slip when necessary upon discretion of the Harbormaster.
- D. Prior to vacating a slip for any period of time greater than one day the renter shall notify the Harbormaster of the length of absence. The Town may rent the slip on a nightly basis during this absence with the proceeds staying with the Town.
- E. Written notice shall be given to the Town Office of intent to permanently vacate a slip.
- F. A good faith attempt shall be made by seasonal and transient dockers to properly secure their vessel to the pier. A minimum of 5/8 inch line shall be used both fore and aft, with a proper springer line to secure the mooring. If a person refuses to properly secure their vessel, they will be asked to vacate the slip.

Sec. 4. Launching

- A. Launching shall be on a first come, first served basis. The Harbormaster shall determine launch priority when a difference arises as to proper order.
- B. Upon launch, the boat shall be moved away from the launch area prior to loading of equipment to facilitate the next boat launching.
- C. A “no wake” speed shall be observed within the harbor and to a distance of 200 feet past the outer breakwall.

Sec. 5. Parking

- A. Parking of autos and trailers shall be at the discretion of the Harbormaster. When the lot becomes full, boaters shall be directed to an alternate site.
- B. Overnight parking shall be allowed with prior permission from the Harbormaster.
- C. Parking shall be limited to launch ramp/dock users.
- D. Guests of adjoining property may park to load and unload their vehicles only. Prolonged parking (greater than ½ hour) shall be prohibited.

Sec. 6. Waiting List

A waiting list shall be maintained by the Town Office for determining slip rental. Written notice shall be given to get on or off the list.

Sec. 7. General Conduct

- A. Vehicle traffic shall observe safe and sound driving practices in the launch area parking lot—reckless driving such as, but not limited to squealing of tires and racing through the lot is prohibited.
- B. Excessive noise from radios, car engines and group activities is expressly prohibited (including explosive devices).
- C. Fishing, swimming, and other water activities are restricted to areas designated for such activities and prohibited between boats moored in seasonal slips and along the north wall.

Sec. 8. Private Enterprises

In keeping with the policy of enjoyment of public facilities by all citizens, any private activity for profit utilizing Town launch ramps shall be allowed by submitting an application for a commercial boat launch permit to the Town of Liberty Grove Clerk with ultimate approval, if necessary, by the Town Board.

Sec. 9. Enforcement

- A. This Ordinance may be enforced by the issuance of a citation to any violator of this Ordinance by any Sheriff or Deputy Sheriff of the County of Door, State of Wisconsin, by any State of Wisconsin Officer with police powers, or by any other Law Enforcement Officer employed by the Town of Liberty Grove.
- B. In the alternative, any forfeitures imposed by this Ordinance may be sued for and recovered pursuant to Chapter 778, Wis. Stats., in the name of the Town of Liberty Grove.

Sec. 10. Penalties

Penalties for violations of provisions of this Ordinance shall be not less than \$50 and not more than \$250 for each offense, plus the costs and disbursements of prosecution, plus loss of seasonal or transient docking privileges. Each violation of any section constitutes a separate offense.

Sec. 11. Conflicting Ordinances

All Ordinances in whole or in part of the Town of Liberty Grove which conflict with provisions of this Ordinance are hereby repealed.

Sec. 12. Severance Clause

Provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of the Ordinance.

This Ordinance shall take effect upon passage and publication according to law.

Approved by the Liberty Grove Town Board this 21st day of April, 2021.

I, Anastasia P. Bell, Clerk/Treasurer of the Town of Liberty Grove, Door County, Wisconsin do hereby certify that the above is a true and correct copy of an Ordinance that was adopted on the 21st day of April, 2021 by the Liberty Grove Town Board.

Dated this 21st day of April, 2021

Anastasia P. Bell, Clerk/Treasurer