

TOWN OF LIBERTY GROVE PUBLIC MEETING

October Board Meeting

Date: Wednesday, October 19, 2022

Time: 7:00 PM, or immediately following conclusion of the Sanitary District #1 meeting

Place: Town Hall, 11161 Old Stage Road

Agenda:

1. Call to order
2. Declaration of a quorum followed by pledge of allegiance
3. Approve Agenda
4. Approve Minutes: 10/5/2022
5. Payment of Bills
6. Treasurer's Report
7. Open bids for Disposition of Buildings at Mariners Park
8. Committee Reports: Economic Development, Fire Board, Parks and Property
9. Town-wide Fiber Contract with Nsight
 - a. Schedule Informational Meetings
10. Ayres Associates Facility Tour Results
11. Recommendation from Economic Development: Disposal of Property at 11976 Highway 42
12. Mixed Commercial Zoning on Town Land adjacent to the Town Hall
13. Recommendation from Parks and Property: Christmas Tree on Town Property
14. Water Access at Mariner Park
15. Committee Appointments
16. Resolution 7-22, Participation in Section 125 Premium Only Plan
17. Short Term Rental License(s)
18. Correspondence
19. Future meetings
20. Adjourn

***Report items will not be discussed or voted on, all other agenda items may include discussion and possible action.*

*Deviation from listed order may occur***

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

Anastasia Bell, Clerk/Treasurer

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
Minutes of the Town Board meeting on October 5, 2022
(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: Special Board with Technology 9/19/22, regular Board meeting 9/21/22
5. Payment of bills
6. Administrator's report
7. Committee Reports: Highway, Plan Commission, Technology
8. Public Input
9. Update on Ayres Associates Facility Tour
10. Townwide Fiber Contract with Nsight
11. Board of Commissioners of Public Lands Borrowing Resolution
12. Set Budget Hearing for 11/15/2022 at 7:00pm
13. Pursuant to Stat. 60.12 (1)(c) & 60.12 (2), call a Special Town Meeting on 11/15/2022 to set the 2022 tax levy to follow the Budget Hearing
14. Appointment of Members to a Green Tier ad hoc committee
15. Replacement of the Highway Mower
16. Highway Equipment List
17. Consider Eliminating the Deputy Clerk/Treasurer and Assistant to the Administrator Position
18. Correspondence
19. Future meetings
20. Adjourn

Chairman John Lowry called the meeting to order at 7:00pm. Supervisors Janet Johnson, Nancy Goss, Dan Watts, and Cathy Ward were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell and approximately 5 members of the public.

Goss moved, Ward second to approve the agenda as posted. Carried 5-0.

Ward moved, Goss second to approve the minutes from 9/19/22 as amended. Carried 5-0.

Goss moved, Ward second to approve the minutes from 9/21/22 as presented. Carried 5-0.

Ward moved, Goss second to approve the payment of bills totaling \$145,851.59. Carried 5-0.

Administrator – Kalms noted the Town's equalized value is over 1 billion which correlates to 13% of the County budget. Ayres hasn't provided their report, the budget is almost done, there is still some questions regarding the CPI. The Pilot agreement is signed, the DOT road survey is complete, and the phone system has been updated and the Wi-Fi is repaired.

Committee Reports – Dale Stewart, Highway Committee, no meeting held, will review driveway ordinance at next meeting; Kalms noted the Village did not respond timely, so Country Lane will be replaced with three smaller roads for 2024 paving. Nancy Goss, Plan Commission, no meeting held, waiting for the HL-10 meeting at the County. Ward, Technology Committee, no meeting held.

Public – Dale Stewart, Sawmill Lane, reported he has received calls about abandoned vehicles on private property and noted the Town may want to clarify this definition in ordinances.

Ayres Associates – Kalms indicated the report should come this week.

Townwide Nsight Contract – None.

BCPL Borrowing Resolution – Kalms noted the legal staff is working on the procedures and agreement for the Town-wide project. **Lowry moved, Johnson second** to approve the resolution to borrow \$500,000.00 from the Board of Commissioners of Public Lands as presented. Carried 5-0. The full resolution can be viewed at the Town Office.

Budget Hearing – Lowry moved, Goss second to hold the 2023 Budget Hearing on Tuesday, November 15, 2022, at 7:00pm at the Town Hall. Carried 5-0.

Special Town Meeting – Lowry moved, Goss second to call a Special Town meeting pursuant to Wis. Stats. § 60.12(1)(c) and 60.12(2)(a)(e)(g) to set the 2022 tax levy payable in 2022 to follow the budget hearing scheduled for 7:00pm on Tuesday, November 15, 2022.

Green Tier ad hoc – Ward reported that the resolution has been submitted to the DNR and she has three people available for this ad hoc committee. She will work with the DNR to determine the mission statement and believes the work can be completed between November 2022 and April 2023. **Ward moved, Goss second** to approve the creation of a Green Tier ad hoc Committee to include Cathy Ward, Kirk Scattergood, and Hope Bogenschutz. Carried 5-0.

Highway Mower – Kalms reported this is include in the 2023 budget, and it currently takes 6 months to receive the machine. The total would be \$108,743 after a \$22,000 as a trade-in for the current unit.

Lowry moved, Ward second to approve the purchase of a Kubota trading in the Case mower. Johnson confirmed that funds would be available for the future patrol truck. Carried 5-0.

Equipment List – Kalms reported the list is completed through 2035 and adding \$150,000 to capital each year will keep some funds in the capital account through the anticipated needs of 2035.

Deputy Clerk/Treasurer and Assistant to the Administrator – Curzon requested the board keep this position going forward and made note of the various tasks of the position. Johnson noted the discussion occurred during the closed session and remaining office employees will need to speak up if/when assistance is needed in the future. **Ward moved, Watts second** to proceed with eliminating the Deputy Clerk/Treasurer and Assistant to the Administrator position. Watts noted increased technology use and automation of tasks has improved overall efficiency of the office. Roll call: Johnson, Ward, Watts, Lowry, and Goss voted aye, no nays. Carried 5-0.

Correspondence – Kalms reported on the electronic “Save the Gills Rock Net Shed” petition. The current ad for removal is due prior to the next meeting. Watts noted the Maritime Museum may have interest.

The next regular Board meeting will be Wednesday, October 19, 2022, immediately following the Sanitary District Committee meeting which is scheduled to start at 6:45pm.

Lowry moved, Ward second to adjourn at 8:06pm. Carried 5-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Town of Liberty Grove balance as of September 30,	2022	2021
1 Municipal Checking account	1,173,142.12	1,201,204.32
Transfer to Checking	161,000.00	170,000.00
Interest (0.25%)	180.37	46.80
Balance as of September 30,	1,012,322.49	1,031,251.12
2 Money Market Acct.	1,356,069.70	649,040.18
Interest (0.65%)	492.27	26.67
Balance as of September 30,	1,356,561.97	649,066.85
3 Checking Acct.	235,465.31	124,553.26
Plus deposits and transfers	220,564.98	214,770.55
Less FICA	10,010.11	13,963.91
Less State withholding	1,532.51	1,757.15
Less payroll	29,869.39	27,590.68
Less disbursements	164,717.54	132,074.43
Balance as of September 30,	249,900.74	163,937.64
4 Utility District Checking	42,954.92	69,811.16
Utility District Savings	321,281.95	290,858.94
Utility District Restricted Savings	91,625.52	71,624.05
North Shore Bank CD (23 months ending 07/17/2022)	-	149,248.04
Nicolet Bank CD (3 months ending 11/16/2022)	150,251.00	-
Balance as of September 30,	606,113.39	581,542.19
Municipal Checking	1,012,322.49	1,031,251.12
Money Market Acct.	1,356,561.97	649,066.85
Checking	249,900.74	163,937.64
Utility Dist.	606,113.39	581,542.19
As of September 30, 2022, the total in all Town accounts is:	3,224,898.59	2,425,797.80

Town of Liberty Grove Sale/Removal of Buildings

The Town of Liberty Grove has the following buildings for sale: small cinder block (northern area of property), net shed with walk-in cooler, small gray building, and a large cinder block building located at 12695 STH 42 in Gills Rock. The buildings are to be removed in their entirety from the parcel. The sale price is for each building and no part of the underlying land will be sold. These buildings are being sold, and the buyer will accept the buildings in "AS IS" condition without any representation or warranty express or implied. Removal to be accomplished by May 1, 2023. The failure to remove the buildings by that date will make the sale voidable at the option of the Town. Removal and all associated costs and fees are the responsibility of the successful buyer. Buyer agrees to indemnify and hold the Town harmless against any claims of loss or damage resulting from the removal of the buildings, without limitation. This agreement shall be governed by the laws of the state of Wisconsin. Deadline for submission of sealed bids is 4 pm October 17, 2022 to the Town office at 11161 Old Stage Road, Sister Bay WI. 54234. Bids received after that time shall be rejected. Bids to be opened at a Town Board meeting beginning at 7 pm on October 19, 2022. Bids shall be accompanied by a payment to "Town of Liberty Grove" in an amount of \$1,000, by cash or cashier's check, to be returned after removal of the building or rejection of the bid. The payment will be forfeited if the buyer fails to remove the building by May 1, 2023. Certificate of insurance reasonably satisfactory to the Town shall be provided from the moving entity prior to the beginning of the move. Appointments can be made to inspect the buildings by calling the Town office (920) 854-2934 or emailing tlibertygrove@gmail.com. The Town of Liberty Grove reserves the right to accept or reject any bids it deems to be in the best interest of the Town.

For the Liberty Grove Town Board,
Walter L. Kalms, Administrator

Town of Liberty Grove
Minutes of the Economic Development Committee meeting on October 11, 2022

(This meeting was correctly posted)

Agenda:

1. Call to order
2. Roll call
3. Approve Agenda
4. Approve Minutes: 9/13/22
5. Public Input
6. DCEDC update
7. Val A Property Commercial Development
8. Attainable Housing
9. Broadband Update
10. Correspondence
11. Future meeting
12. Adjourn

Chair John Lowry called the meeting to order at 7:04pm. Committee members Andrew Gantman, Dave Studebaker, and Chuck Scheckel were present along with Administrator Walter Kalms, Clerk/Treasurer Anastasia Bell, and 2 members of the public.

Gantman moved, Studebaker second to approve the agenda as posted. Carried 4-0.

Gantman moved, Lowry second to approve the 9/16/2022 minutes as presented. Carried 4-0.

Public – None.

DCEDC Update – None.

Val-A Property/Attainable Housing – Lowry noted the property was purchased a few years ago, the Parks Committee recommended to sell it and the board consensus was that the preferred outcome was a commercial development. The well and septic may need upgrades and/or replacement. James Honig, Door County Housing Partnership, stated the purpose of this organization is to bring home ownership to working families. The goal is to work with other community organizations to make 50 homes available by 2030. While they have not discussed a property being split into residential and commercial use, but this may change as they work to meet the community housing challenges. Cathy Ward, E Green Road, noted the gained equity and wealth of home ownership is a better opportunity for families to sustain their future. Honig noted the challenge for higher density developments is the infrastructure and CLT loan foreclosures are less than 10% which increases community stability. The current home took 12–18 months and they received 18 applications. The financial model involved a cost of \$235,000 with \$100,000 from a DCHP community subsidy and \$135,000 loan from a private party. He identified zoning, well/septic infrastructure, and a contractor to develop the property as the three main items to explore. DCHP would be available to raise the community subsidy with promotional assistance from the Town when the time comes. Studebaker noted the need to define the key differences between MC/HD and HL10 to understand how a develop such as Cottage Glen may be possible by the Town Hall. He asked if the Town could sell the Val-A and use proceeds as the private party “bridge” loan during the construction period. Committee member Alan Kroll joined the meeting at 8:00pm. Gantman asked if the residential or commercial use of the Val-A property would of greater value to the community upon sale. Kalms indicated legal interpretation is necessary to know if Town funds can be invested as a “bridge” loan to fund the development of the property. Honig expressed his gratitude to the group for the vision and asked

to keep the conversation going as zoning and infrastructure options are available and offered that DCHP can look for a builder. Countrywide builders (Forestville) and Rob Vogel may have interest in the Val-A property. Kroll noted commercial real estate brokers may have a greater network of buyers for the Val-A property. **Lowry moved, Studebaker second** to recommend the Town Board entertain selling the Val-A property. Carried 4-1 (Scheckel). Kroll left the meeting at 8:38pm

Broadband Update – Studebaker reported the \$500,000 loan application was approved for submission to be used for the engineering study, the Town and Nsight attorneys are working on a Town-wide agreement, and there are currently 17 sign-ups within the Pilot project area. The Treasury has approved 40 million for Wisconsin Broadband for capital projects in underserved and unserved areas. The grant application details are not available at this time, but Nsight has confirmed they are planning to assist the Town by writing the grant. The County has reported 226 responses to the WISLR survey within the Town.

Correspondence – None.

The next meeting will be November 14, 2022, at 6:15 pm.

Studebaker moved, Lowry second to adjourn at 8:44 pm. Carried 4-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer

Christmas tree on Town Property – Liz Mahoney, Ellison Bay Service Club, requested the tree be moved to the Ellison Bay Community Center Park. The tree lighting is scheduled for 11/20/2022. Ward asked if EBSC would consider planting a tree for future years. Jane Lee, EBSC, noted planting could be considered and the club may pay for the electricity. Mickie Rasch, Door County North, requested confirmation that the parking area will be maintained if the tree is not there. Committee member Scattergood left at 10:01am. **Ward moved, Bridenhagen second** to recommend to the Town Board that the EBSC be permitted to place up to three trees for a Christmas display between the building and the road of the Ellison Bay Community Center Park with the Town Crew facilitating the installation. Planting trees and expectations regarding the length of the display can be addressed as needed. Carried 4-0.

Algae Harvest – Ward noted the DNR permit would be \$300 per site and would require additional DNR testing; the process seems cumbersome for the results at this time.

Correspondence – Bridenhagen noted she would be willing to work with Jay to remove the trees infringing on the “Grand View”. Welcome volunteered to draft a Mariner Park website statement draft.

The next meeting will be Tuesday, November 15, 2022, at 9:00am.

Ward moved, Repp second to adjourn at 10:22pm. Carried 4-0.

Respectfully submitted,
Anastasia Bell, Clerk/Treasurer



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October 14, 2022

To: Town Board, Plan Commission Re: Mariner Park Progress
From: Bud

Timeline regarding Mariner Park pulled from the official minutes:

- 6/7/21 Mariner Park Ad Hoc: moved to recommend their phased plan to the Parks & Property Committee and Town board.
- 6/8/21 Parks Committee: Ward reads final cover document with changes from 6/7/21 ad hoc. Get opinion re: water access for swimmers and the effect on shoreline protection, determine best location.
- 3/8/22 Parks: House removal is progressing, sign can be purchased, swimming access in 2022?
- 5/10/22 Parks: Motion to recommend sign for Mariner Park.
- 5/18/22 Board: Approves sign purchase.
- 6/14 Parks: Investigating shelters. Rope off Septic area?
- 7/18/22 Parks: Motion to recommend the Board accept the price of \$14,540 from Pier & Waterfront Solutions for one stone water access point at Mariner Park.
- 7/20 Board: Railing for the steps would be \$2,500. Get clarification on the purpose of this access and the depth of the water at the proposed location.
- 8/15 Parks: Board has requested a price for an ADA railing.
- 9/7/22 Board: motion to advertise for removal of the buildings.
- 10/11/22 Parks: A plan must wait until the buildings are removed.

Steps: Depending on proposed cost, if approved, this would be a public works project with competitive bidding required.

I have received a lot of pushback from citizens regarding steps that lead to nowhere as there is not beach or any type of landing area at the bottom of the steps.

The Board has not moved on recommendation of the plan as submitted by the ad hoc committee. There is a 5 year plan for budgeting purposes, but does this relate to any overall drawing or schematic for the entire park. Parks Committee mentions recommendations for a plan have to wait for building removal (10/11/22).

Basic tasks like parking and seeding of the building site have been done—a porta potty is on site—it seems like any further improvements may have to wait until an overall plan is in place and accepted by the Board so that action can be referred to when improvements are being made. This would make it easier to explain to the public rather than doing a piece-meal approach. Some items, like the stairway, may not be in the proper place when an overall plan is finally acted on and accepted by the Board (after displaying to the public for explanation prior to adoption).

It would be best if a paper trail can track to official recommendations and actions whatever is being done at the park

TOWN OF LIBERTY GROVE
RESOLUTION 7-22
PARTICIPATION IN SECTION 125 PREMIUM ONLY PLAN

The undersigned Principal of the Town of Liberty Grove (the Employer), hereby certifies that the following resolutions were duly adopted by the Town Board of the Town of Liberty Grove, as the Board of Directors of the Employer, on January 1, 2023, and that such resolution has not been modified or rescinded as of the date hereof:

RESOLVED, that the form of Amended Section 125 Cafeteria Plan effective January 1, 2023 presented to this meeting is hereby approved and adopted and that the proper Board Supervisors of the Town of Liberty Grove are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implements the amended Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

RESOLVED, that the proper officers of the Town of Liberty Grove shall act as soon as possible to notify the employees of the Town of Liberty Grove of the adoption of the amended Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

The undersigned further certifies that true copies of the Adoption Agreement, Plan Document, and the Summary Plan Description, approved and adopted in the foregoing resolutions, are attached herewith.

I, Anastasia 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 a resolution which was adopted at a properly noticed meeting of the Town of Liberty Grove Board on the 19th day of October, 2022 by a vote of aye: ____ nay: ____.

Dated this 19th day of October, 2022

Anastasia Bell, Clerk/Treasurer

Approved	Property Address	Owner Name	Max Occupancy	POWTS Design Capacity	DATCP	DCTZ	Insured	Payment	Notes
	11217 Frontier Rd	Nathan/Laura Feuerer	6	3 BDRM	YES	YES	YES	YES	All application requirements met
	1168 Waters End Road	Lawrence & Patricia Bullen	4	Hold 2 BDRM	YES	YES	YES	YES	All application requirements met
	10903 N Birchwood	Richard Yocius	8	LGUD #1	YES	YES	YES	PARTIAL	10/14 is sending additional \$200
	1902 Hillside Dr	Louis & Patsy Wuolleitt	8	Hold 3 BDRM	YES	YES	YES	YES	All application requirements met
	497 Europe Lake Road	Stony Brook Ventures LLC	6	Hold 5 BDRM	YES	YES	YES	YES	All application requirements met