

The Committee of the Whole met Tuesday May 5, 2009 at 7:00 PM at the village hall with Margaret Young, Ken Lindner, Kristy Lunderville, Penny Danielson, Doreen Demaskie, Attorney Paul Millis, Village Superintendent Randy Brown, Fire Chief Al Lunderville, Officer Cooper and Debra Green. Absent were Trustees Genny Eddy and Earl Johnson. Also present was Heather Sonsalla and Dave Sonsalla.

**1. Call to Order – 7:00 PM**

**2. Utility/Deputy Clerk Position Candidate Choice:** Four (4) excellent candidates were interviewed prior to the committee meeting. Lunderville moved, seconded by Demaskie to offer the Utility/Deputy Clerk position to candidate Sara Zilk; the hourly wage to be set at \$ 8.00 an hour for the 90-day probationary period and then if the job performance of Sara Zilk is satisfactory, the per hour wage will be raised to \$8.50 per hour. If Sara Zilk should decline to accept, the same foregoing offer is to be given to candidate Melonie Lamp. "Aye", Kristy Lunderville, Penny Danielson, Doreen Demaskie and Margaret Young, "No", none. "Abstain", Ken Lindner. Motion carried.

**3. Vouchers:** were reviewed and signed.

**4. Delinquent List:** Lunderville moved, seconded by Demaskie to accept as printed. Carried.

**5. Ordinance #09-01:** President Young introduced and read Ordinance #09-01, an ordinance relating to confidentiality of income and expenses provided to assessor for assessment purposes as follows:

The Village Board of the Village of Merrilan, Jackson County, does ordain as follows:

Ordinance number 2-4-1 of the Code of Ordinances of the Village of Merrilan, Jackson County, Wisconsin, is amended to add section: Sec. 2-4-1 (f) Confidentiality of Income and Expenses

1. Adoption. This ordinance adopts by reference Wis. Statutes Sec. 70.47 (7)(af). Income and expense information provided by a property owner to an assessor for the purposes of establishing the valuation for assessment purposes by the income method of valuation shall be confidential and not a public record open to inspection or copying under Sec. 19.35 (1) of Wis. Statutes.

2. Exceptions. An officer may make disclosure of such information under the following circumstances:

- a. The assessor has access to such information in the performance of his/her duties;
- b. The board of review may review such information when needed, in its opinion, to decide upon a contested assessment;
- c. Another person or body has the right to review such information due to the intimate relationship to the duties of an office or as set by law;
- d. The officer is complying with a court order;
- e. The person providing the income and expense information has contested the assessment level at either the board of review or by filing a claim for excessive assessment under Sec. 74.37, in which case the base records are open and public.

3. Severability. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

4. Effective Date. This ordinance shall take effect immediately upon passage and posting (or publication) as provided by law. Demaskie moved, seconded by Danielson to adopt Ordinance #09-01. Carried.

**6. Communications with Village Attorney:**

a. Pine Tree - 335 Lower Lake Drive: tabled to the May 12, 2009 Board meeting.

b. Flashing Lights and Sirens - Merrilan Volunteer Fire/EMS Vehicles: Fire Chief Lunderville reported to the Trustees that he will be updating the Fire/EMS By-laws and Standard Operating Guidelines (SOG) to include language that only the fire chief, assistant fire chiefs and EMS coordinator are approved to have flashing lights and sirens when responding to village Fire/EMS calls. Fire Chief Lunderville was directed to submit the updated fire By-laws and SOG's to Village Attorney Millis to look over before submitting them for final approval.

c. ANSI Safety Vest Law: President Young wanted to make sure village maintenance, police, and emergency personnel are in compliance with this law. It is the consensus of the Trustees to approve Superintendent Brown to purchase fire retardant (FR) safety clothing as required by OSHA and to also purchase the appropriate FR ANSI clothing.

d. State Gun Law - Open Carry: Attorney Millis informed the Trustees that the state gun law has not actually changed and it was his legal opinion that the village gun ordinance is fine as it is and follows with the state laws.

**7. Communications with Village President:** President Young reported on the Dairyland Power 2009-2010 Wholesale Energy Rate Adjustments. The projection is coming in at 15% to 16% which is lower than the original 23% projection. The new forecast energy charge, without carryover, is \$47.63/MWh. Dairyland Power also recalculated its transmission tariff requirements. The rate increase is roughly 3.36% or \$234.44 per month. This is the schedule upon which the WWMPG System Control Charge is based.

President Young reported that the Ryan Johnson, who is on the park committee, is doing a fine job overseeing putting the fence up and getting the lime spread on the ball diamond in Gile Park.

**8. Communications with Maintenance Department:** Superintendent Brown reported on the following: the compressor is here and will get it installed this week on the diesel generator. He will be contacting Halverson Plumbing to come and dig up the ruined water service at 108 N Main Street so it can be repaired. Halverson will also be doing some other curb stop work for the village. Brown reported there is a log semi trailer that has been in the village parking lot by Gile Park for about 4 months with a dead deer carcass laying on it. As the village municipal parking lots are intended for only 48 hour parking use, Officer Cooper was directed to have the police department investigate and handle the semi trailer and the also red SUV that has been parked in the village municipal parking lot behind the bank with a for sale sign on it.

**9. Communications with Village Police Department:** Officer Cooper reported he has issued several citations in the village. The video recording equipment is here and has been installed. The light bar on the squad needs to be repaired or replaced. The fire department has a used light bar that could possibly be used on the squad..

**10. Communications with the Village Fire Department:** Fire Chief Lunderville reported to the Trustees that Assistant Chief Wayne Lunderville will be attending the DOT meeting regarding emergency re-routing on May 20, 2009. Fire Chief Lunderville would like approval to apply for a 50/50 DNR grant to replace the pump on the back of the pumper. It is the consensus of the Trustees to approve Fire Chief Lunderville to apply for the 50/50 DNR grant.

There was discussion on engineering costs in regards to preparing to apply for a 100% federal grant for a new fire hall. This was tabled to the June 2, 2009 Committee meeting.

**11. Oakwood Dam Embankment Repair:** President Young reported that the DNR has given final approval of the dam embankment repair specifications submitted by Ayres. The invitation to bid the dam embankment repair project will be in the Banner Journal this week and next. Sealed bids will be opened at 7:00 PM on June 2, just before the regularly scheduled committee meeting. The expected completion date is July 16, 2009.

**12. US 12?STH 27 WisDOT Project:** no update.

**13. Public Comment:** none.

**14. Adjournment:** Lunderville moved, seconded by Lindner to adjourn at 8:43 PM. Carried.

Respectfully submitted,

Debra Green, Clerk      5/06/09