

## September 17, 2014 Regular Town Board Meeting

The regular meeting of the Town Board was called to order by Chairman Gaulke at 10:28 a.m. Supervisors Ginger Schwanebeck, Bryan Hoover, Treasurer Irene Messinger and Clerk Nancy Edwards were present.

Others present: Eric Johnson from FYI news, Tom Wegner, Jim Bowman, Mark Bowman, JoAnn Wenzlik from Island City Dray, and Carolyn Lurvey from Pitlik & Wick.

This meeting was properly posted and the media notified as required by law.

Motion by Mrs. Schwanebeck and seconded by Mr. Hoover to approve the agenda. The motion carried.

Motion by Mrs. Schwanebeck and seconded by Mr. Hoover to approve voucher numbers 47067-47119 from the General Fund account, and vouchers 1602-1604 from the Ambulance Fund. Motion carried. Mr. Gaulke abstaining to avoid any conflict of interest as one of the checks is for his employer.

Motion by Mr. Hoover seconded by Mrs. Schwanebeck to approve the minutes of the August 20, 2014 regular Town Board meeting. Motion carried.

Treasurer Messinger provided her report on the financial status as follows: Reconciled balance of the General fund as of 8/31/2014 as \$859,249.19. Reconciled balance of the Ambulance Fund as of 8/31/2014 as \$321,178.38. We have received the August settlement from the county. Motion by Mrs. Schwanebeck seconded by Mr. Hoover to accept the treasurer's report as presented. Motion carried.

**Subdivision-15401 Mallard Lane:** Zoning administrator Sue Ackland brought before the board approval of subdivision located at 15401 Mallard Lane. This subdivision will create 2 lots. Sue Ackland stated that this was brought before the zoning committee at a public hearing on May 16, 2014 and the committee voted to grant the request. Motion by Mrs. Schwanebeck seconded by Mr. Hoover to approve the subdivision.

**EPA request for comment on gravel crushing:** Mr. Gaulke explained we received a letter dated August 29, 2014 from the EPA regarding public comment for the draft air quality construction permit. The application is made in the name of Pitlik & Wick because they own the equipment that would be doing the work. The land is owned by Island City Dray. The EPA is looking for the towns comment/input on this application. Mr. Gaulke stated that being the permit application was submitted by his employer he will be abstaining from voting and will not take part in the discussion. Mr. Gaulke turned the agenda item over to Mrs. Schwanebeck and Mr. Hoover. Mrs. Schwanebeck wanted to know if the tribe intends to comment on this and if so who would be involved in writing the comments. Mr. Hoover stated there is the potential he would be involved if the tribe decides to comment. He cannot make the decision if the tribe will go ahead and comment. He is familiar and involved with the project because of his position at the tribe. He explained this is a new rule the EPA had made. He would hate to see any further delay of operations. He would personally recommend the town does not make a comment that could potentially delay operations longer. The tribe depends on those

resources from Island City Dray and Pitlik & Wick as well. He is not able to speak on behalf of the tribe and does not feel he is representing any conflict of interest by working for the tribe. He feels or gets the impression that the less comments presented and no requests for a hearing essentially the permit would be issued. He knows it was a cumbersome process for those involved and in spring ran into issues of not getting the resources needed for their operations. He also heard from the tribal roads department they could have used the local source of gravel as well. Mrs. Schwanebeck mentioned could a lack of comment to the EPA be taken as non-approval? Mr. Hoover did not think so. He said we could comment on the support of their operation but is not sure by doing so if the EPA would spend more time reviewing comments thus delaying operations longer. Mrs. Schwanebeck wants to go on record as of being in favor of the application. She would like to send a comment in favor of the application to the EPA. Mr. Hoover stated that is when he would have to abstain because of potential conflict of interest that he may not be aware of. He has to report to his employer and does not want to get into any conflict of interest as he does not know what their interest is at this point and would abstain from voting. Mrs. Schwanebeck stated she personally will send a comment to the EPA as a town supervisor but not representing the board. No town action is taken.

**Bartenders License Applications:** Bartenders applications were received from Anita Albaugh, Samantha Ann Murray, and Dominic J. Grill. Motion by Mrs. Schwanebeck seconded by Mr. Hoover to approve the applications as presented. Motion carried.

Motion by Mrs. Schwanebeck seconded by Mr. Hoover to adjourn at 10:40 a.m. Motion carried.

Respectfully submitted,  
Nancy Edwards  
Town Clerk